



**Public Spaces and Cultural Heritage  
Board Agenda**

Tuesday, May 12, 2026  
6:00 PM

City Hall Annex - Conference  
Room, 135 W Ellison St Suite  
109 Burleson, TX 76028  
Burleson, TX 76028

1. **CALL TO ORDER**

- A. Nominate a Chair and Vice Chair for the Public Spaces and Cultural Heritage Board for the Fiscal Year 2025-2026. *(Staff Contact: Jen Basham, Director of Parks and Recreation)*

2. **CITIZEN APPEARANCES**

Each person in attendance who desires to speak to the Committee on an item NOT posted on the agenda, shall speak during this section. A speaker card must be filled out and turned in to the City Secretary prior to addressing the Committee. Each speaker will be allowed three minutes to speak.

Each person in attendance who desires to speak on an item posted on the agenda shall speak when the item is called forward for consideration.

3. **GENERAL**

- A. Consider and take possible action on the minutes from the April 7, 2026 meeting. *(Staff Contact: Sarah Heath, Senior Administrative Specialist)*

4. **REPORTS AND PRESENTATIONS**

- A. Receive a report, hold a discussion and provide staff feedback regarding the public art master plan and policy. *(Staff Contact: Jen Basham, Director of Parks and Recreation)*
- B. Receive a report, hold a discussion and provide staff feedback regarding the workflow and definition of art in public spaces. *(Staff Contact: Jen Basham, Director of Parks and Recreation)*

5. **REQUESTS FOR FUTURE AGENDA ITEMS AND REPORTS**

6. **ADJOURN**

(Staff Contact)

Jen Basham  
Director of Parks and Recreation  
817-426-9201  
jbasham@burlesontx.com

**CERTIFICATE**

I hereby certify that the above agenda was posted on this the 30th of April 2026, by 5:00 p.m., on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda Campos

City Secretary

**ACCESSIBILITY STATEMENT**

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building, accessible from Warren St. Accessible parking spaces are also available in the Warren St. parking lot. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.


**Public Spaces and Cultural Heritage Board**

**DEPARTMENT:** Parks and Recreation  
**FROM:** Jen Basham, Director of Parks and Recreation  
**MEETING:** May 12, 2026

**SUBJECT:**

Nominate a Chair and Vice Chair for the Public Spaces and Cultural Heritage Board for the Fiscal Year 2025-2026. *(Staff Contact: Jen Basham, Director of Parks and Recreation)*

**STRATEGIC PRIORITY AND GOAL(S):**

Strategic Priority	Strategic Goal
 <p><b>High Performing City Organization</b> Providing Exceptional, People Focused Services</p>	<p>1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers</p>

**SUMMARY:**

Per the Burleson Code of Ordinances § 2-32, the newly formed Public Spaces and Cultural Heritage Board must nominate a Chair and Vice Chair for the Fiscal Year 2025-2025.

**RECOMMENDATION:**

The Public Spaces and Cultural Heritage Board may nominate a Chair and Vice Chair from its members.

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

Per the Burleson Code of Ordinances § 2-32, “By August 31 each year, each board, commission or committee must nominate from among its members a member to serve as chair and another member to serve as vice-chair. The city council shall ratify the chair and vice-chair prior to October 1 each year. The city council must continue to use the qualification for ratification of the chair and vice-chair in the enabling ordinance that created the board or commission. All chairpersons are appointed for a duration of one year and must be reappointed annually, but if not reappointed will continue to serve until a successor is appointed.” The newly

formed Public Spaces and Cultural Heritage Board must nominate a Chair and Vice Chair for the current Fiscal Year (through August 31, 2026). The Chair and Vice Chair are responsible for calling the meeting to order at the correct time, ensuring quorum is present, following the items on the agenda, making sure all Board members are heard, keeping decorum, applying the Burleson Rules of Order, and ensuring all recommendations are stated clearly. The Chair and Vice Chair may attend training on conducting meetings through the City Secretary's Office.

**REFERENCE:**

**FISCAL IMPACT:**

**STAFF CONTACT:**

Jen Basham  
Director of Parks and Recreation  
[Jbasham@burlesontx.com](mailto:Jbasham@burlesontx.com)  
817-426-9201


**Public Spaces and Cultural Heritage Board**

**DEPARTMENT:** Parks and Recreation  
**FROM:** Jen Basham, Director of Parks and Recreation  
**MEETING:** May 12, 2026

**SUBJECT:**

Consider and take possible action on the minutes from the April 7, 2026 meeting. *(Staff Contact: Sarah Heath, Senior Administrative Specialist)*

**STRATEGIC PRIORITY AND GOAL(S):**

Strategic Priority	Strategic Goal
 <p><b>High Performing City Organization</b> Providing Exceptional, People Focused Services</p>	<p>1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers</p>

**SUMMARY:**

The Public Spaces and Cultural Heritage Board met on April 7, 2026 for a meeting.

**RECOMMENDATION:**

The Public Spaces and Cultural Heritage Board may approve minutes as presented or approve with amendments.

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

**REFERENCE:**

**FISCAL IMPACT:**

**STAFF CONTACT:**

Jen Basham  
Director of Parks and Recreation  
[Jbasham@burlesontx.com](mailto:Jbasham@burlesontx.com)  
817-426-9201

BURLESON PUBLIC SPACES & CULTURAL HERITAGE BOARD  
APRIL 7, 2026  
MINUTES  
DRAFT

**ROLL CALL**

**BOARD MEMBERS PRESENT**

John Weeks  
Jaime Ibarra  
Payton L Byrd  
Vaughn Schlegel  
John Zamaripa

**BOARD MEMBERS ABSENT**

Steve Ann Richie  
Joy Larabell  
Vanessa Shimek

**Staff Present**

Amanda Campos, City Secretary  
Jen Basham, Director of Parks and Recreation  
Sarah Heath, Senior Administrative Specialist/Recording Secretary

**Guests**

None.

**1. Administer Oath of Office and Statement of Officer to all Board members.  
(Staff Contact: Amanda Campos, City Secretary)**

Amanda Campos gave the Statement of Officer to each Board member.

Amanda Campos administered the Oath of Office to the Board members.

Amanda Campos requested a Board member to act as Chair for the meeting. Jaime Ibarra volunteered to serve as Chair for the meeting.

**2. CALL TO ORDER - Time 6:00 PM**

Jaime Ibarra called the meeting to order.  
**Time: 6:05 PM.**

**3. CITIZEN APPEARANCES**

None.

**4. GENERAL**

**5. REPORTS AND PRESENTATIONS**

**A. Receive a training and hold a discussion regarding service as a Board member for the Public Spaces and Cultural Heritage Board. (Staff Contact: Amanda Campos, City Secretary)**

Amanda Campos presented a training on Boards, Commissions & Committees, including creation and scope, absences, membership and terms, presiding officers, additional Boards, Commissions & Committees, and the website for Boards & Commissions.

A discussion followed.

**B. Receive a report, hold a discussion, and provide staff feedback regarding the Public Spaces and Cultural Heritage Board. (Staff Contact: Jen Basham, Director of Parks and Recreation)**

Jen Basham gave a report regarding the Public Spaces and Cultural Heritage Board, including how the Board was formed, the focus as an advisory body, providing support, and the purview for public art, cultural heritage and placemaking, senior-focused programming in public spaces, and cemetery stewardship.

A discussion followed.

Staff asked for feedback to establish a tentative meeting cadence, location, and time. The Board expressed support for tentatively meeting on the second Tuesday of each month at 6:00 p.m. in the Burleson University conference room in the City Hall Annex.

**6. REQUESTS FOR FUTURE AGENDA ITEMS AND REPORTS**

The Board requested an update on the mural at the City Market, guidance regarding art on private property, and the development of an inventory of public art.

**7. ADJOURN**

There being no further business, Jaime Ibarra adjourned the meeting.  
**Time: 7:08 PM.**

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Sarah Heath  
Recording Secretary


**Public Spaces and Cultural Heritage Board**

**DEPARTMENT:** Parks and Recreation  
**FROM:** Jen Basham, Director of Parks and Recreation  
**MEETING:** May 12, 2026

**SUBJECT:**

Receive a report, hold a discussion and provide staff feedback regarding the public art master plan and policy. *(Staff Contact: Jen Basham, Director of Parks and Recreation)*

**STRATEGIC PRIORITY AND GOAL(S):**

Strategic Priority	Strategic Goal
 <p><b>High Performing City Organization</b> Providing Exceptional, People Focused Services</p>	<p>1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers</p>

**SUMMARY:**

The City of Burleson has developed the Public Art Master Plan to provide a long-term framework for guiding the development, funding, and management of public art throughout the community. The plan builds on the growing role of arts and culture in Burleson’s identity, economic vitality, and placemaking efforts. The plan was reviewed by the Community Services Committee on September 6, 2025, and formally adopted by City Council on October 20, 2025.

The plan reflects more than a year of monthly Public Art Committee meetings, during which the Committee provided direction, reviewed engagement outcomes, and guided draft recommendations. Their leadership has ensured the plan is responsive to community feedback and aligned with Burleson’s broader cultural and quality of life goals.

**Community Engagement**

Public involvement was a cornerstone of the planning process:

- Survey (Oct 2024 – Apr 2025): 1,016 responses shaped the vision and goals for public art.
- In-person Engagement: Over 100 participants at the BTX Beats event provided visual preference feedback.
- Stakeholder Interviews & Focus Groups: Artists, community leaders, and residents contributed

input on vision, site selection, and cultural identity.

- Artist-led Project Outcomes: The Barn Quilt series and Burleson Community Quilt were completed directly from community engagement and unveiled to City Council in June 2025.

### **Vision & Goals**

The community envisions public art that enriches Burleson, sparks curiosity, invites dialogue, and reflects the city's unique history and aspirations. The plan outlines goals to:

1. Create places that foster meaningful connections.
2. Reflect Burleson's unique character.
3. Celebrate community spirit.
4. Contribute to economic vitality.

### **Policy & Implementation**

The Public Art Master Plan includes:

- Public Art Policy: Establishes acquisition, funding, artist selection, mural guidelines, and collection management standards.
- Funding Models: Explores general fund allocations, hotel/motel tax, percent-for-art policies, and private development contributions.
- Implementation Framework: Steps include adopting policy, staffing the program, formalizing the Public Art Advisory Board, commissioning priority projects, and expanding funding sources.
- Immediate Projects: Rotating Barn Quilt series, final quilt installation, and mural projects at Bailey Lake.

### **RECOMMENDATION:**

NA

### **PRIOR ACTION/INPUT (Council, Boards, Citizens):**

The Public Art Master Plan and Policy was drafted over a two year period with a council appointed public art committee. The plan and policy were presented to the community services committee on September 3, 2025 and adopted by City Council on October 20, 2025.

### **STAFF CONTACT:**

Jen Basham  
Director of Parks and Recreation  
[Jbasham@burlesontx.com](mailto:Jbasham@burlesontx.com)  
817-426-9201

BURLESON, TX  
**PUBLIC ART PLAN**

Public Spaces and Cultural Heritage Board  
Staff Contact: Jen Basham, May 12, 2026



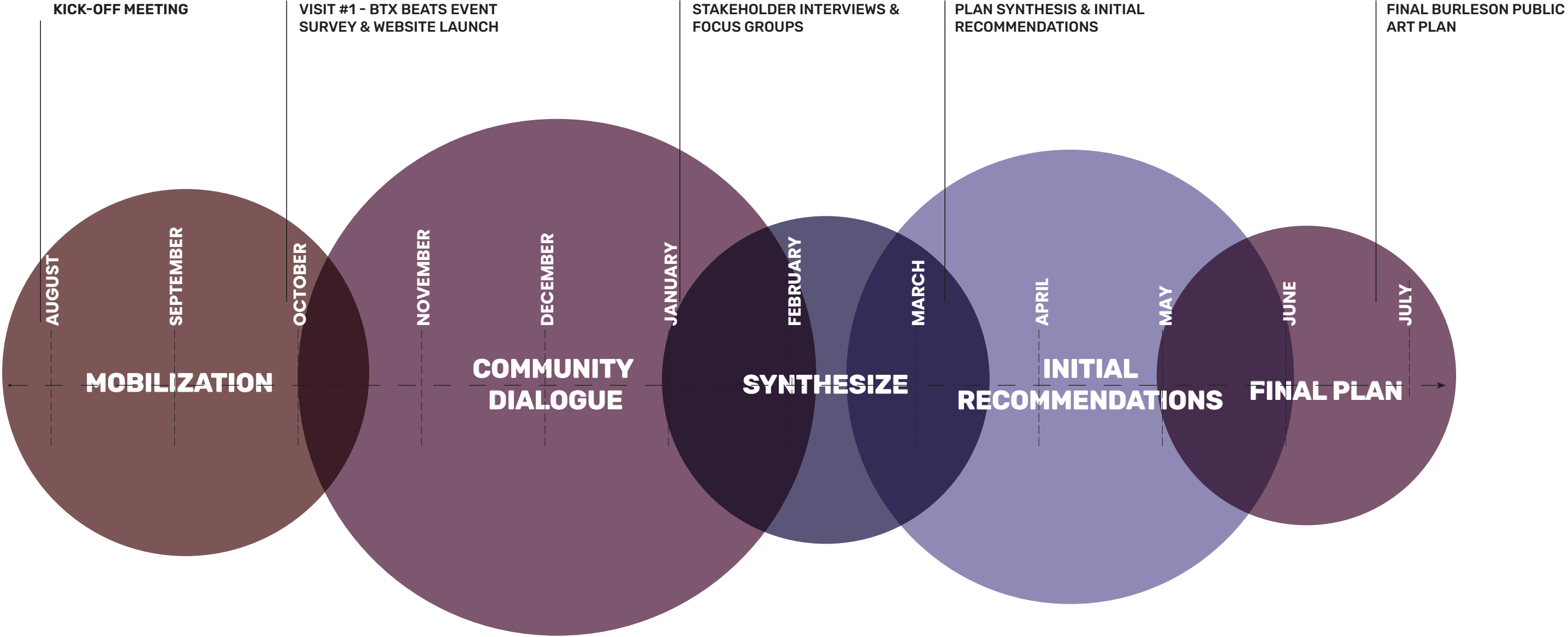
## AGENDA

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### BURLESON PUBLIC ART PLAN ADVISORY COMMITTEE

1. Project Timeline & Plan Structure
2. Community Outreach
3. Vision for the Program
4. Policy & Process
5. Projects for Consideration

# PROJECT TIMELINE



# PLAN OUTLINE

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## Ch. 1 Plan Background

- Why this plan?
- Plan Goals & Objectives
- Community Character

## Ch. 2 Community Engagement

- Barn Quilts Project + History
- Survey Results
- Community Vision for Public Art

## Ch. 3 Public Art

- Public Art Typologies Defined
- Public Art Site Selection Criteria
- Public Art Projects for Consideration
- Project Implementation Matrix

## Ch. 4 Public Art Administration

- Public Art Advisory Board
- Public Art Policy
- Public Art Funding Opportunities

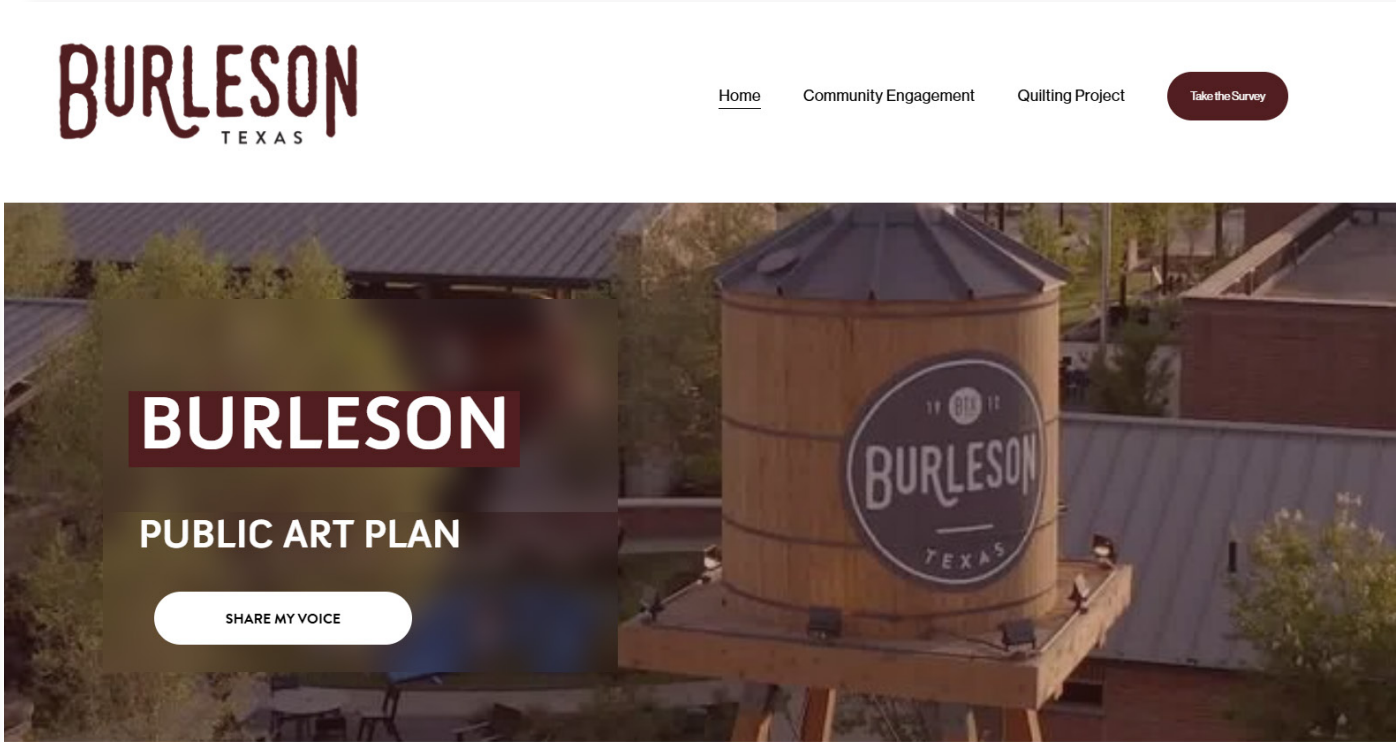


# COMMUNITY OUTREACH

# COMMUNITY OUTREACH

BURLESON PUBLIC ART PLAN

## PROJECT WEBSITE & COLLATERAL



TAKE A FEW MINUTES TO SHARE YOUR VISION FOR PUBLIC ART IN BURLESON



# ADDITIONAL ENGAGEMENT OPPORTUNITIES

## BURLESON PUBLIC ART PLAN

### STAKEHOLDER INTERVIEWS

- Members of the community, artists, and decision-makers were invited to participate in one-on-one conversations about the role public art should play in the community of Burleson.

### FOCUS GROUPS

- Members of the community were invited to focus group opportunities in February for an opportunity to workshop around the vision for public art in Burleson.



Home

Community Engagement

Quilting Project

Take the Survey

## UPCOMING ENGAGEMENT OPPORTUNITIES

### FOCUS GROUPS



#### ARTIST & CREATIVES

Join this session focused on the creative community occurring from 5:30-6:30 pm on 2.19.25

SIGN UP



#### VISION FOR ART IN BURLESON

Join this session for the general community occurring from 12:00-1:00 pm on 2.19.25

SIGN UP



#### ART & A THRIVING LOCAL ECONOMY

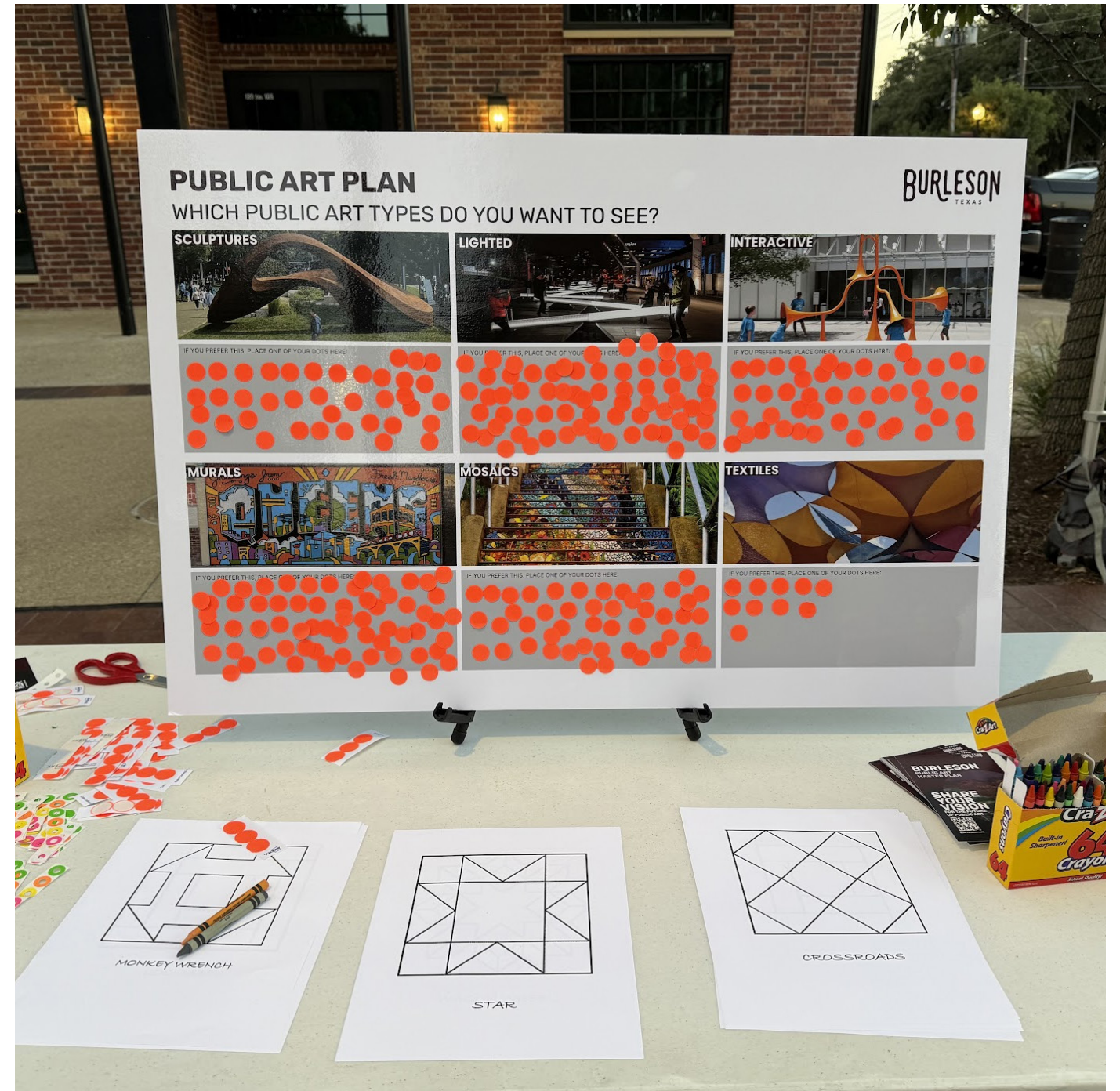
Join this session for the business community and creative entrepreneurs occurring from 3:00-5:00 pm on 2.20.25

SIGN UP

# SURVEY

BURLESON PUBLIC ART PLAN

**SURVEY RESPONSES: 1016**





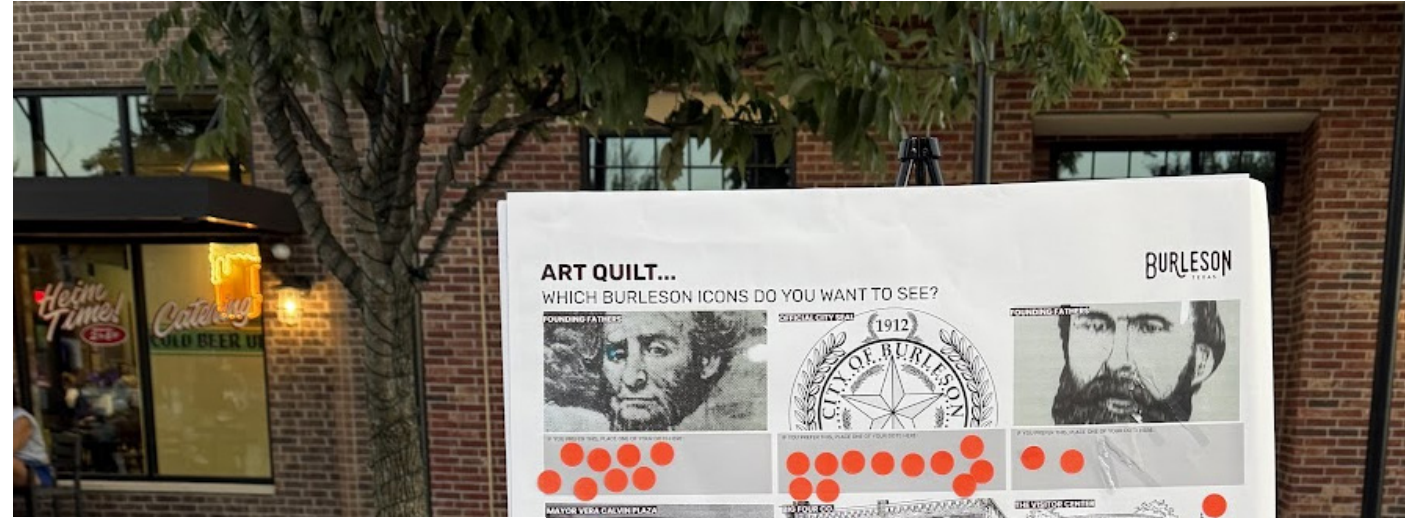


# ARTIST-LED ENGAGEMENT

BURLESON PUBLIC ART PLAN

## BARN SQUARES & QUILT

- Iconography was selected based on community input at BTX Beats



# THE BARN QUILTS

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# THE QUILT



# VISION

**WE ENVISION PUBLIC ART ENRICHING BURLESON, SERVING AS A CONSTANT SOURCE OF DISCOVERY AND CIVIC PRIDE. SEAMLESSLY INTEGRATED INTO OUR PUBLIC SPACES, IT WILL SPARK CURIOSITY, INVITE DIALOGUE, AND TRANSFORM THESE AREAS INTO INSPIRING PLACES THAT TELL OUR COMMUNITY'S STORY – PAST, PRESENT, AND ASPIRATIONS. THIS WILL MAKE BURLESON A MORE BEAUTIFUL, CONNECTED, AND MEMORABLE PLACE WHERE EVERYONE TRULY BELONGS AND THRIVES.**

**GOALS**

**1**

**CREATE PLACES THAT FOSTER MEANINGFUL CONNECTIONS**

**2**

**REFLECT OUR UNIQUE CHARACTER**

**3**

**CELEBRATE OUR COMMUNITY SPIRIT**

**4**

**CONTRIBUTE TO OUR ECONOMIC VITALITY**



# CURATORIAL APPROACH

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**WE VALUE PUBLIC ART THAT:**

- Brings people together, builds our collective identity, and says who we are and what we value.
- Transforms our public spaces to be even more engaging and accessible.
- Honors diversity, new people and a multiplicity of ideas.
- Connects people, ideas, and places and thereby raises our consciousness.
- Responds to our history and natural environment.
- Draws people to Burleson and is good for our local economy
- Demonstrates our friendliness, safety, small-town feel, pride-of-place, support for youth, families, and one another.
- Speaks to our collective humanity.
- Responds to the surrounding environment/site-specific.



# POLICY & PROCESS

# FUTURE FUNDING MODEL EXPLORATION

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## BURLESON PUBLIC ART PLAN

### GENERAL FUND ALLOCATIONS

- Very common method of paying for one-off public art projects.

### PERCENT-FOR-ART IN CIP

- Most typically 1% of public capital improvement projects, one of the most common public art program funding mechanisms nationally. (Bonded) Typically must be a work created in conjunction with the improvement and spent and installed in accordance with the construction schedule. City of Denton has percent for art within Bond Projects alongside HOT/MOT funding.

### PERCENT-FOR-ART IN PRIVATE DEVELOPMENT

- City of Keller has this, is equivalent to a 0.25% fee of construction value on all development exceeding 5 units of residential. Potential yield for them during formalization was \$200,000+

### HOTEL/MOTEL TAX

- City of Burleson has this. Yielded \$75,000 in the cycle leading up to this plan.
- City Council can allocate up to 15 % of the total Hotel Occupancy Tax (HOT) revenues for public arts projects as allowed under Texas Tax Code 351.103(c).
- Typically HOT/MOT funding structures are more flexible than percent-for-art and allow expenditures on programming as well as permanent works of art.

# PUBLIC ART POLICY

## BURLESON PUBLIC ART PLAN

### **PUBLIC ART ACQUISITION**

These policies establish the practices for acquiring artworks. The procedure creates a thorough and transparent process for acquiring artwork and favors open-ended selection processes to ensure artistic excellence in the City's Collection.

- Artist Selection Methods
- Artist Services Procurement
- Artist Selection Process
- Purchasing Procedures
- Project Implementation
- Maintenance Plan



# PUBLIC ART POLICY

## BURLESON PUBLIC ART PLAN

### USE OF FUNDS

Funding for the City of Burleson Public Art Program may come from: the Public Art Fund; the City’s Capital Improvement Budget; grants and/or contributions from private entities; other public agencies; philanthropic sources; or through other sources as deemed appropriate by the City. The public art funds may be spent for:

- Calls for Entry, RFQ’s/RFP’s, concept designs, maquettes, juror stipends, and other costs related to competitions and Commissions
- Artist fees including travel stipends and expenses related to travel;
- Artwork fabrication and installation, site preparation and cleanup;
- Acquisition of existing works of art;
- Relocation of existing or Commissioned works of art;
- Required permits and insurance during the fabrication and installation of the artwork;
- Informational/promotional materials and public events directly related to the artwork;
- Required equipment needed for installation;
- Artwork appraisal;
- Staffing and services of an Arts Administrator;
- Curators and contracted services.



# PUBLIC ART POLICY

## BURLESON PUBLIC ART PLAN

### USE OF FUNDS

The public art funds may **NOT** be spent for:

- Mass-produced work, with the exception of limited editions controlled by the artist.
- Professional graphics, unless designed or executed by an artist or used in the development of collateral material.
- Decorative, ornamental or functional elements that are designed by a project’s architect or other designer.
- Routine maintenance, conservation, repair, or restoration, exceeding more than 10% of the annual budget.
- Purchase of existing works of art outside of the selection process.



# PUBLIC ART POLICY

## BURLESON PUBLIC ART PLAN

### ROLES & RESPONSIBILITIES

#### Mayor & City Council

Ultimately make the final decision on public art selection and hold ultimate responsibility for the program.

#### Parks & Recreation Department

Administers the Public Art Program.

#### Public Art Coordinator/Manager

The program “staff”, could be an existing city staff member, new part-time staff member or consultant.

#### Public Art Advisory Board

The Public Art Board has the following responsibilities:

1. Act principally in an advisory capacity to Burleson staff in any matter pertaining to public art.
2. Advise and make recommendations to city staff pertaining to, among other things, artist selection juries and process; commission and placement of artworks; and maintenance and removal of artworks.



# PUBLIC ART POLICY

## BURLESON PUBLIC ART PLAN

### COLLECTION MANAGEMENT

#### Objectives

- 1. Maintain a Collection management program that results in a high-quality, city-owned Collection;
- 2. Eliminate artwork that is unsafe, not repairable, or no longer meets the needs of the City of Burleson;
- 3. Respect the creative rights of artists; and
- 4. Support an efficient workload for staff.

#### Key Policy Components

- 1. Donation Procedures
- 2. Maintenance Policy
- 3. Deaccession Policy



# PUBLIC ART POLICY

## BURLESON PUBLIC ART PLAN

### PUBLIC ART PROGRAM WORKPLAN

#### How it works

The Public Art Program Workplan is a document that outlines in-process projects, and projects will be initiated in the coming fiscal year(s). The Program Update is one of the most crucial elements of the Public Art Program. It creates a roadmap and allows for the input of community members, elected officials, and others who care deeply about public art in the City of Burleson.

1. The following steps will be taken to develop the Public Art Program Workplan:
2. Work with City City Manager’s Offices to determine the availability of funds for the upcoming year(s).
3. Identify projects to be paid for by identified funding, including acquisition and maintenance.
4. Develop a draft Public Art Program Workplan that will include locations, goals, and budgets for public art projects and programs for staff review.
5. Present the Update to City Council as part of the City budget approval.
6. Integrate feedback from City Council to determine the final Program Update.



# PUBLIC ART POLICY

## BURLESON PUBLIC ART PLAN

### MURAL POLICY OPTIONS

#### Option A: Mural Guidelines

Mural Design Considerations for murals on Public Property, with a request that private property-owners follow design considerations for:

- Scale - Who will be the intended viewer or audience? A mural intended for pedestrians may be of a different scale than one intended for automobile drivers or cyclists along a bike trail.
- Accessibility - Are there opportunities to engage those who are visually impaired or otherwise not able to view the mural?
- Maintenance - What are the long term maintenance implications of the design? Is it easily repairable?
- Longevity - What is the expected life span of the mural? Is it intended to be a short or long term installation?
- Experiential Elements - Is there a potential for additional elements that could be added to enhance the experience of the viewer such as virtual (VR) or augmented (AR) reality elements, audio elements either on site or online, instagram or social media interactions or other opportunities?



# PUBLIC ART POLICY

## BURLESON PUBLIC ART PLAN

### MURAL POLICY OPTIONS

Option B: City of Burleson Mural Program (Private Property) Permitting Process and Regulations

Mural Design Considerations for murals on Public Property, with a permitting process that requires private property-owners follow design considerations and standards for:

- Scale - Who will be the intended viewer or audience? A mural intended for pedestrians may be of a different scale than one intended for automobile drivers or cyclists along a bike trail.
- Accessibility - Are there opportunities to engage those who are visually impaired or otherwise not able to view the mural?
- Maintenance - What are the long term maintenance implications of the design? Is it easily repairable?
- Longevity - What is the expected life span of the mural? Is it intended to be a short or long term installation?
- Experiential Elements - Is there a potential for additional elements that could be added to enhance the experience of the viewer such as virtual (VR) or augmented (AR) reality elements, audio elements either on site or online, instagram or social media interactions or other opportunities?



# FOUNDATION FOR THE FUTURE

# STEPS FOR PROGRAM IMPLEMENTATION

## BURLESON PUBLIC ART PLAN

**STEP 1: BUILD THE PROGRAM STRUCTURE (ADOPT POLICY)**

**STEP 2: STAFF THE PROGRAM**

**STEP 3: FORMALIZE THE PUBLIC ART ADVISORY BOARD**

**STEP 4: EXPAND PROGRAM FUNDING**

**STEP 5: COMMISSION ARTWORK & PROGRAMS**

- INSTALL THE BURLESON BARN QUILTS
- COMMISSION A SITE-SPECIFIC ARTWORK IN OLD TOWN
- DEVELOP A MURAL PROGRAM
- EXPLORE TACTICAL ART PROGRAMMING OPTIONS
- CREATE A CITY-WIDE ART TRAIL
- DEVELOP AN EDUCATIONAL OUTREACH PROGRAM
- COMMISSION AN ARTIST-DESIGNED PARK EXPERIENCE



# CRITICAL IMPACT AREAS

## BURLESON PUBLIC ART PLAN

### COMMUNITY ENGAGEMENT AND IMPACT:

**Public Feedback and Satisfaction:** Include the public art program in any upcoming community surveys. Report findings in the annual public art update to City Council, where available.

**Participation Rates:** Measure attendance at public art dedication ceremonies, art walks, and community engagement workshops related to public art projects.

**Public Response Rates:** Monitor the participation in surveys or public forums for specific art projects to track the response rate and community interest in the program over time.

**Educational Outreach:** Keep track of the number of school groups or community organizations involved in activities related to public art program, set goals annually to increase and diversify participation rates.



# CRITICAL IMPACT AREAS

## COLLECTION QUALITY AND GROWTH:

**Number of Accessioned Artworks:** Track the annual number of new artworks and the overall investment in the Public Art Collection through commissions and accepted donations.

**Diversity of Collection:** Assess the diversity of artists and arts typologies represented, including local, national, emerging, and established individuals from various backgrounds. Evaluate the art forms such as sculpture, mural, functional, and environmental pieces, along with the themes in the collection.

**Condition Assessments:** Implement a regular schedule for assessing the physical condition of artworks, ideally an annual assessment by city staff and a conservator's report every 5 years. Keep maintenance logs, track repairs, and evaluate the overall state of the collection annually to ensure a high-quality, city-owned collection.

**Lifespan Achievement:** Monitor whether artworks are meeting their expected temporary, short-term, medium-term, or long-term lifespans outlined in the maintenance manuals provided by artists. participation rates.



# CRITICAL IMPACT AREAS

## VISUAL ENHANCEMENT AND PLACEMAKING:

**Visibility and Accessibility:** Consider the use of foot traffic counters or geofencing technology in areas around public art installations to measure increases in pedestrian activity following the installation of an artwork.

**Linkage to Other City Projects:** Track the number of public art projects successfully integrated with capital projects or city initiatives to assess the programs success in integrating with other city functions.

**Cultural and Historical Significance:** Document how new artworks contribute to or reflect the cultural or historical importance to the community, possibly through narrative descriptions or community feedback about their relevance, consider publishing a landing page that community member can explore to learn more about the collection.

**Perceived Vibrancy:** Consider a 5-year survey check-point with the community on the public art collection to gather sentiments on the public collection and the perceived quality of life value, it may also be a good juncture to gathering input on near-term priorities for the collection.



## CRITICAL IMPACT AREAS

### PROGRAM EFFICIENCY AND COMPLIANCE:

**Budget Adherence:** Monitor the program’s adherence to its allocated budget for acquisitions, maintenance, and administrative costs.

**Project Timeliness:** Track the completion rates of commissioned projects and evaluate the efficiency of the donation and accession processes against planned timelines.

**Policy Adherence:** Review compliance with established procedures for artist selection, donation acceptance, deaccessioning, and collection management.

**Staff Workload:** Periodically review staff workload related to the Public Art Program to ensure that the staff can efficiently handle their responsibilities.



**THANK YOU!**



# Burleson Public Art Plan

2025

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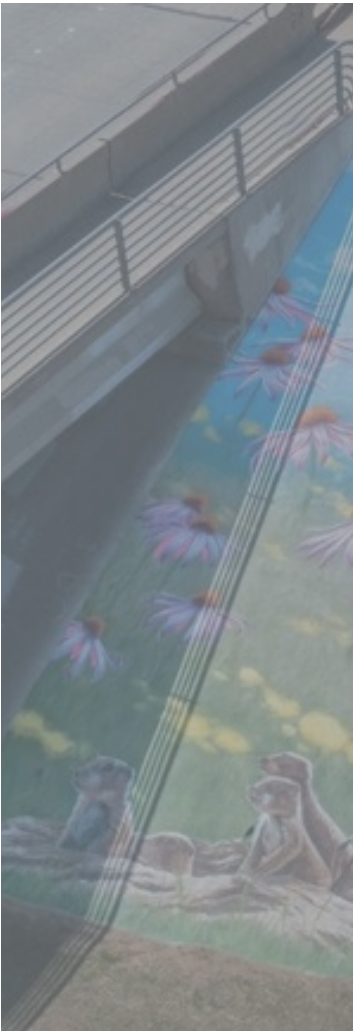
**PLAN BACKGROUND**

**01**



**COMMUNITY ENGAGEMENT**

**02**



**COMMUNITY VISION FOR PUBLIC ART**

**03**



**PROCESS FOR COMMISSIONING**

**04**



**FOUNDATION FOR THE FUTURE**

**05**





# 01

## Plan Background

# Plan Background

## Why this plan?

We envision public art enriching Burleson, serving as a constant source of discovery and civic pride. Seamlessly integrated into our public spaces, it will spark curiosity, invite dialogue, and transform these areas into inspiring places that tell our community's story – past, present, and aspirations. This will make Burleson a more beautiful, connected, and memorable place where everyone, community members and visitors alike, truly belongs and thrives.

# Plan Background

## WHAT IS PUBLIC ART

Public Art directly influences how people experience and connect with a place. It provides a sense of place, wonder, and memory. Art encourages attachment to a location for residents through cultural and historical understanding, and by highlighting what is unique about the places where people live, work, and play.

## PUBLIC ART MATTERS

Public art is a critical factor in unique public places that yield physical, social, and economic benefits for a community. Public art directly influences how people experience and connect with a place. It provides a sense of place, wonder, and memory. Art encourages attachment to a location for residents and visitors alike through cultural and historical understanding, and by highlighting what is unique about the places where people live, work, and play.

Public art also makes communities more vibrant and economically sustainable. People want to move to places that are memorable, activated by and supportive of the arts. By investing in public art as a tool for growth and sustainability, communities can thrive economically.



## Plan Goals & Objectives

The City of Burleson operates under the Guide BTX Strategic Plan, last updated in February 2024 established specific goals, strategies, and key priorities to ensure city operations and resources are aligned to meet future needs. Critical objectives also highlighted for execution include the 2022 Bond Program projects, sustained public safety operations, and vibrant economic development. This economic development encompasses the growth of Old Town, the development of Chisholm Summit and Hooper Business Park, and the strategic planning for a future hotel/conference center. Through this comprehensive strategic framework, Burleson is committed to continuously assessing its progress and identifying new or emerging areas of focus, ensuring it remains responsive to community needs and continues to thrive as a vibrant, safe, and inclusive place for all residents. The Public Art Master Plan was initially advocated for under:

**Focus Area 3: Beautiful, Safe & Vibrant Community** aims to provide a beautiful, safe, and vibrant environment for those who live, learn, work, and play in the City of Burleson. This objective is pursued through a multifaceted approach, including the implementation of beautification programs, the provision of public art that enhances the community's visual appeal and uniqueness—a key aspect of which is the finalization of the community arts masterplan in FY 24–25.

## COMMUNITY CHARACTER

Burleson, Texas, founded in 1881 by the Katy Railroad as a depot between Fort Worth and Alvarado, was named for Dr. Rufus Burleson. Initially agricultural, the town grew after becoming a stop on the Cleburne–Fort Worth Interurban line in 1912 and receiving electricity in 1913. Located on multiple highways and railways south of Fort Worth in Johnson and Tarrant counties, Burleson established a post office in 1882 and soon developed stores and churches. It absorbed the earlier community of Brushy Mound, which had the first school in the area (later Alta Vista College and Red Oak Academy). In its first 50 years, Burleson was agriculturally focused, having a population of 200 by 1890 with various businesses and shipping significant quantities of cotton and grains by 1899. The population fluctuated before steadily increasing, reaching 573 by 1940. Incorporated before 1930, Burleson benefited from the Interurban line and the construction of State Highway 21 in 1924, leading to annexations and rapid growth after World War II as it became a Fort Worth suburb. The economy shifted from agriculture to business and industry, with the population booming from 795 in 1950 to 2,345 in 1960. By 1980, the population reached 11,734 with diverse manufacturing. In 1990, the population was 16,113, growing to 20,976 by 2000, with local newspapers and cultural institutions established.



# Timeline of Burleson



Burleson is founded by Henry C. Renfro who sells land to the Missouri, Kansas and Texas Railroad. The town is named after Dr. Rufus Burleson.

1881

A post office is established in a saloon.

1882

A fire devastates the business district.

1895

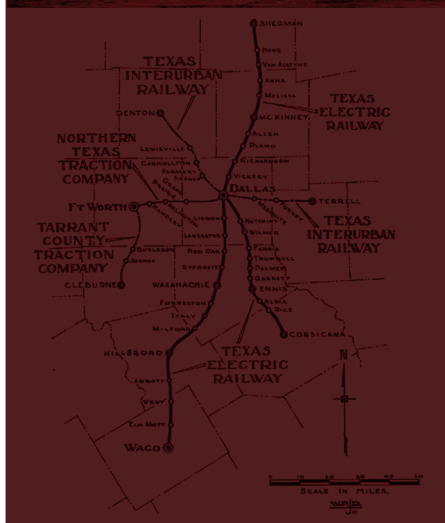
The population reaches 368.

1904

Burleson becomes a stop on the Cleburne-Fort Worth Interurban line.



1912



2025



Burleson continues to develop, including new commercial developments in Old Town.

2003

The City of Burleson lays the groundwork for the Burleson Veterans History Project.

1930s



The population increases

1913

Burleson is wired for electricity.





# 02

## Community Engagement

## Approach to Engagement

The community was key to determining the vision for public art in Burleson. To ensure this plan authentically reflected the Burleson community and honored its character and historic legacy, the planning team utilized a variety of engagement methodologies to capture themes to inform plan priorities, actions, and define the curatorial approach to the Public Art Collection. Engagement approaches included 1-on-1 interviews with city leaders, a pop-up session during BTX Beats, and an online survey to gather input from all stakeholders (i.e., city leadership, arts organizations, artists, youth, and the general public).



### LEADERSHIP CONVERSATIONS

Over a dozen 1-on-1 and small group stakeholder conversations with representatives from city government divisions and local community service organizations including:

- Mayor Chris Fletcher
- Council member Larry Scot
- Park Board Member Sherry Scott
- Council member Alexa Boedeker
- Park Board Member Ashli Logan
- Keep Burleson Beautiful Member Mary Ann Matthews
- Park Board Chair Matt Quinn
- Park Board Member Christian Schott
- Friends of Russell Farm
- Council member Victoria Johnson
- Council member Phil Anderson
- Park Board Member Tyler Knox

### THESE QUESTIONS WERE USED TO GUIDE THE CONVERSATIONS:

- What role do you play in community of Burleson?
- What makes Burleson different from neighboring communities?
- How have the arts touched your work/life?
- What would you consider important icons or themes of Burleson?
- If you could dream of a vision for public art in Burleson, what would it look like?

### COMMUNITY POP-UP SESSION

A visual preference survey and experience mapping activity was utilized during a pop-up conversation at BTX Beats.

The results of this engagement are provided on pages 18–21 of this document.

### COMMUNITY SURVEY

A non-scientific survey to discern community members' attitudes and preferences for public art in Burleson, it was published and available from October - February 2025. It was promoted on social media, via the email networks of local organizational leaders, and through print materials distributed through the City of Burleson and advisory board members. The survey had particularly strong input from the youth, due to targeted outreach by advisory board members working in education, garnering 220 responses, or 23.28% by individuals under the age of 18. The survey was also promoted directly to participants at each engagement opportunity.

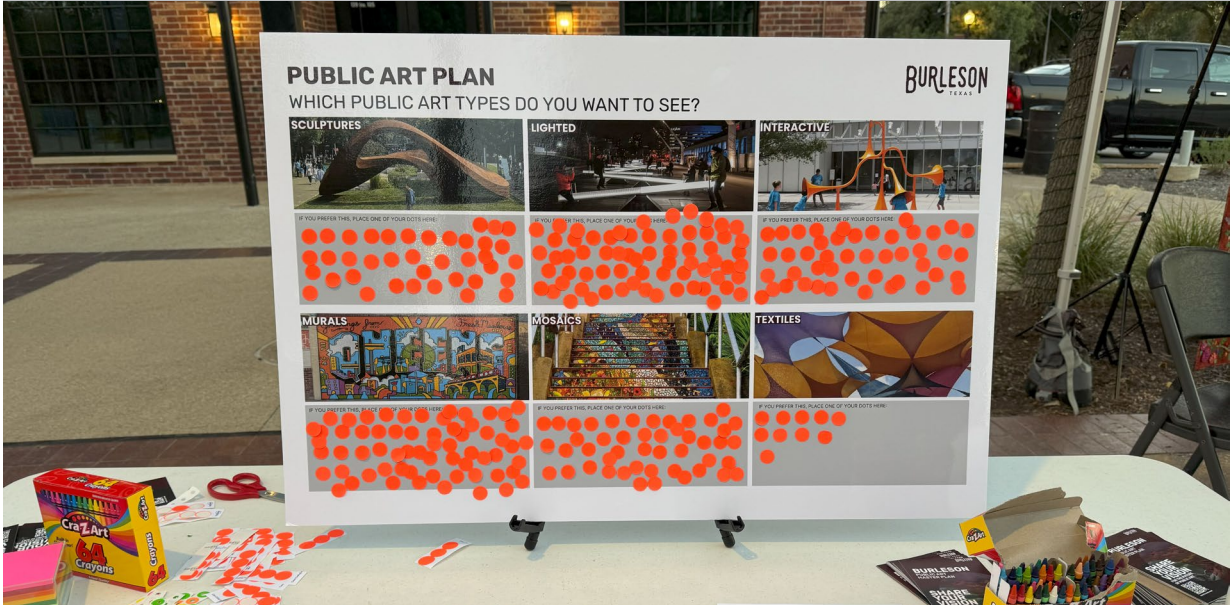
Survey responses and key insights from them can be found on pages 18–19 of this document.

### ADVISORY BOARD

Throughout the process, an advisory board made up of representatives from the arts and arts education spaces were engaged in regular conversation to act as a sounding board for the planning process. This Board reviewed all content created throughout the process and was instrumental in the outreach efforts to garner the 1,061 responses submitted through the survey.

### NATIONAL BEST PRACTICES

Throughout the process, case studies from all over the country in communities similar to Burleson were used to illustrate successful programming or policy. These best practices have been integrated into the plan objectives and strategies to illustrate successes throughout the sector.



## Barn Quilts Project & History

### QUILTING IN AMERICA: THE RISE OF BARN QUILTS

The history of the American Barn Quilt can be traced back almost 300 years to the arrival of immigrants from the central regions of Europe; Germany, Austria, and the Netherlands. The quilt, as we know it in America, was originally a strictly utilitarian article, born of the necessity of providing warm covers for beds. Quilts were also used as hangings for doors and windows that were not sealed well enough to keep out the cold. The earliest American quilts, made by English and Dutch settlers, were so intimately connected to everyday life of the early colonists that no record of them exists.

In modern time quilting is more accessible than it ever has been since. Quilting isn't entirely a necessity as it once was, we can instead use it as a creative outlet and pastime thus making art quilts a new medium of expression. The world of quilting continues to change as the world we live in evolves. Modern quilting utilizing bold color designs and prints, once an impossibility due to limited technology and supplies, has brightened the art form in unimaginable ways. Geometric and fractal quilting are growing in popularity as a new generation of quilters piece their first works, many of which have learned their craft online rather than through the traditional in-person learning process. As the world changes, so does quilting.



It is widely believed that barn painting/quilting originated in Pennsylvania with these immigrants and then spread to much of the New England and Midwestern states. Paint was very expensive in those days and painting a decorative yet distinctive quilt pattern on their barns was a wonderful way of allowing for decoration. It also became an excellent way for travelers to find particular families or cross roads, as towns people would just tell them which pattern to look for.

Today, barn quilts have become popular again, with more and more becoming visible. Quilt trails have been developed in many states. After a number of barn quilts have been displayed in an area, a map is developed that guides the viewers to the location. The map will have an address, maybe a picture of the square and a name or explanation of its meaning. A few of the states that have developed quilt trails include: Pennsylvania, Ohio, Indiana, Kentucky, Iowa and Michigan. The barn quilts can be put on any type of building; from houses, garages, and sheds to parks or yards where they are mounted on two posts and displayed.

# Artist Created Quilting Projects



Throughout the Public Art Plan process, a team of local artists created a series of artworks in partnership with Russell Art Farm that honor the tradition of quilting in the US. These artworks include a series of eight Barn Quilts, initially displayed in schools across Burleson in Late Spring as Burleson's first temporary public art exhibition.

The second artwork will include a community quilt that reflects icons and landmarks of the Burleson community. This quilt is designated for display in the City of Burleson's interior collection at City Hall.



## Current Perception of the Arts

Burleson has a nascent but growing appreciation for public art, primarily evidenced by positive reception to existing projects like the Bailey Lake mural and the City Market mural. There's a general sentiment that art can enhance the community and its spaces. However, there's also an acknowledgment that Burleson is still "finding its culture" and identity, with a desire for public art to contribute to this definition rather than just being decorative. Some express a preference that **"frills are okay, but we are a 'farm' town"**, hinting at a desire for art that resonates with the local character while still being aesthetically pleasing. Communication around public art initiatives has historically been a challenge, with a need for clearer plans and funding discussions.

## UNIQUE COMMUNITY CHARACTERISTICS

Burleson is consistently described as a community-oriented, connected, and helpful small town, despite its growing population of 53,000 and a sales tax base equivalent to a city of 360,000. Key themes identified by stakeholders included:

- **Strong Community Pride:** Residents are passionate about their city, seeing it as distinct from Fort Worth and Dallas. They emphasize "I am from Burleson, not DFW."
- **Family-Centric:** Burleson is seen as a great place to raise a family, with excellent parks and schools being major draws.
- **Exceptional City Services:** City staff, from police to EMS, are highly regarded and have strong relationships with leadership

and the community.

- **Growth and Evolution:** While historically a small community, Burleson is growing steadily, with a desire to manage this growth thoughtfully and invest in community spaces and amenities. It's becoming a destination for shopping, food, and experiences within the region.
- **Old Town and Train Heritage:** Old Town is a significant anchor for community identity and the economy, and the railroad tracks are iconic to the community and a major theme for exploration through the Public Art Program.
- **Agricultural Roots:** There's an acknowledgment of Burleson's farming town history, with a desire to keep these stories alive. Many people in the community still identify with this lifestyle even as the city grows.
- **Natural Spaces:** While development has impacted natural areas, there's an interest in cultivated landscapes and education around natural features, particularly in Burleson's parks, which are beloved of community members.





## VISION FOR PUBLIC ART

The vision for public art in Burleson is diverse but converges on several key themes:

- **Defining Identity and Culture:** A strong desire for public art to help define Burleson’s unique culture and identity, moving beyond a “blank canvas.” This includes reflecting the community’s history, values, evolving culture, and agricultural roots.
- **Accessibility and Engagement:** Art in parks and public spaces that encourages people to be outside. Ideas include interactive art, site-specific works with natural intertwined, educational components that explain the stories behind the artwork like interpretative signage to engage the community an arts scavenger hunt.
- **Multigenerational and Multicultural:** Art programming and content that appeals to a diverse range of ages, backgrounds, tastes, and themes.
- **“Tells Our Story”:** A significant emphasis on art that tells Burleson’s story, whether through honoring individuals or depicting historical narratives. There’s a desire for art to have meaning beyond aesthetics, less art just for “arts sake” and more as a way to connect with the broader community.
- **Creates a Destination:** Utilizing public art, especially well-lit pieces and dynamic pieces of scale, as a catalyst for bringing people to specific areas and creating landmarks within the city, similar to Fort Worth’s success with the Lancaster Avenue development.
- **Specific Ideas:** Mentions of murals, utility box art programs, memorials, and potentially artist-designed play structures.

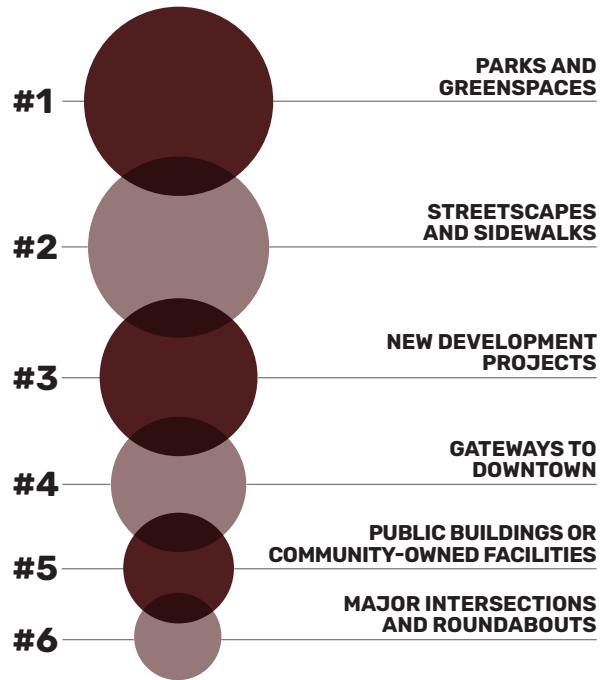
## KEY CONSIDERATIONS

Several practical and strategic considerations were raised regarding public art initiatives by leadership:

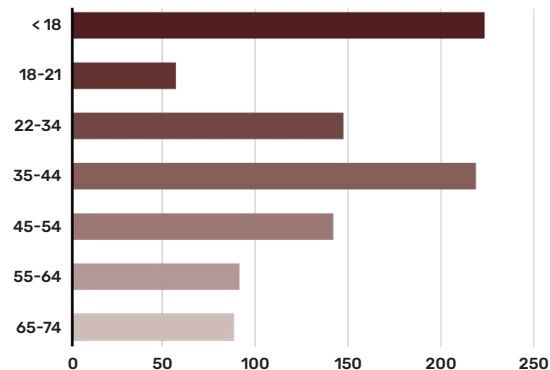
- **Funding and Sustainability:** Budget perspective and the sustainability of funding are crucial.
- **Maintenance:** Maintenance is a significant concern, particularly for murals, highlighting the need for a comprehensive plan and the incorporation of a maintenance policy and guidance for securing maintenance manuals from artists when acquiring artworks.
- **Policy and Process:** The need for clear policies and processes for public art, including:
  - MOU for private property public art in the right-of-way.
  - Clear plan language and communication channels regarding funding and implementation.
  - Defined selection processes that factor in community input.
  - Learning opportunities from past projects and measure of impact to support program success
  - Prioritization of locations and parks-specific opportunities.
  - » Definition of “publicly accessible” art.
- **Community Input and Artist Connection:** Ensuring the community factors into the selection process and fostering human-to-human connection with artists.



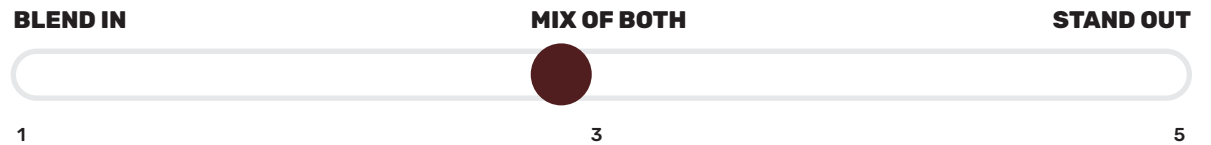
### WHERE DO YOU MOST WANT TO SEE PUBLIC ART?



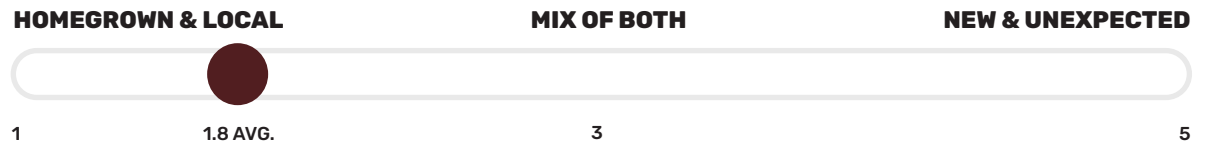
### WHAT IS YOUR AGE?



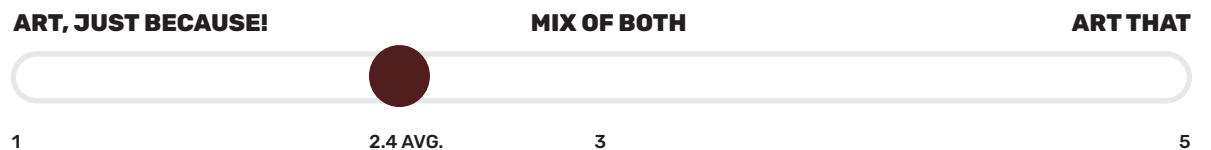
### COMPARED TO ITS NEIGHBORS, SHOULD BURLESON BLEND IN OR TRY TO STAND OUT?



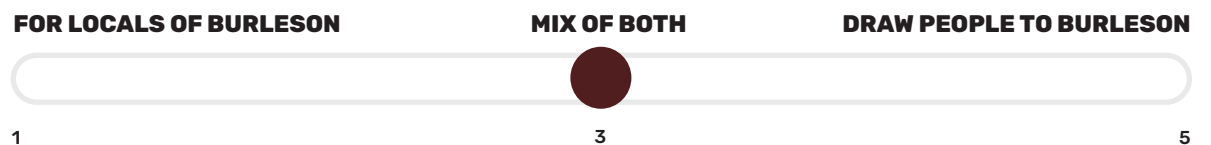
### WHEN IT COMES TO ART IN BURLESON, SHOULD IT FEEL MORE HOME GROWN AND LOCAL OR SOMETHING NEW AND UNEXPECTED?



### WHEN IT COMES TO ART IN BURLESON, SHOULD IT FEEL PURELY ARTISTIC AND CREATIVE OR SHOULD IT HAVE A MEANING BEHIND THE WORK?



### SHOULD PUBLIC ART IN BURLESON BE MORE FOR LOCALS, OR BE UTILIZED TO DRAW PEOPLE TO THE AREA (FOR SHOPPING, DINING, ETC.)?

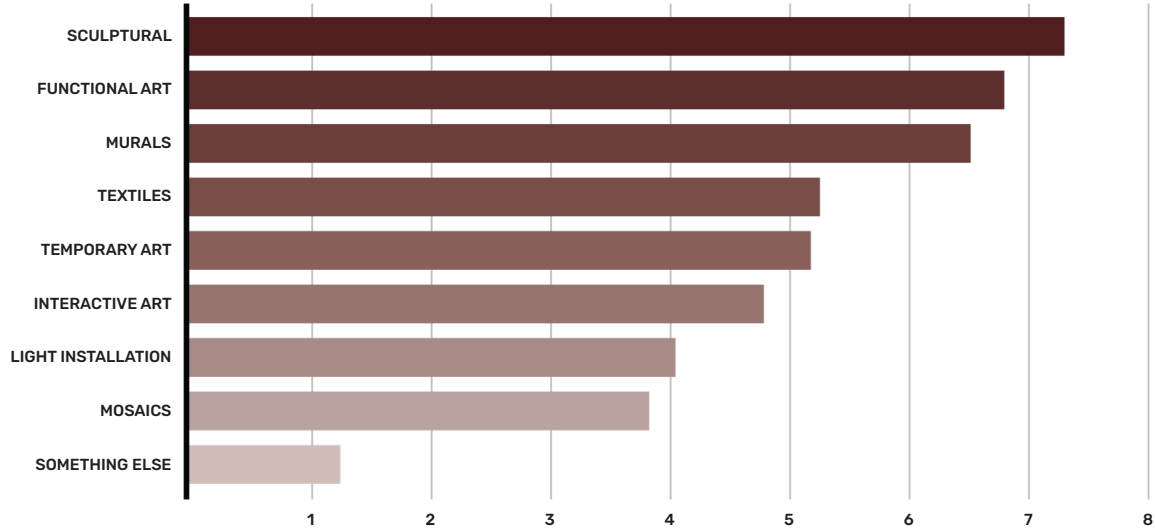


# Survey Results

## IDENTIFY A PLACE IN THE AREA THAT MAKES YOU FEEL A SENSE OF BELONGING. WHAT ARE ITS CHARACTERISTICS?

- #1 OLD TOWN:** THE TOP SPOT FOR BELONGING. PEOPLE LOVE IT FOR COMMUNITY EVENTS, WALKING AROUND, ITS COZY FEEL, HISTORY, ART, AND BEING FAMILY-FRIENDLY AND WELCOMING.
- #2 BAILEY LAKE:** NATURE AND PEACE MAKE PEOPLE FEEL THEY BELONG. IT'S A PLACE TO CONNECT WITH NATURE AND OTHERS.
- #3 MAYOR VERA CALVIN PLAZA/THE PLAZA:** A CENTRAL SPOT FOR COMMUNITY GATHERINGS AND FAMILY FUN.
- #4 RUSSELL FARM ART CENTER:** A PLACE FOR ART, HISTORY, AND A WELCOMING COMMUNITY.
- #5 THE LIBRARY:** A FRIENDLY AND HELPFUL COMMUNITY HUB FOR EVERYONE.

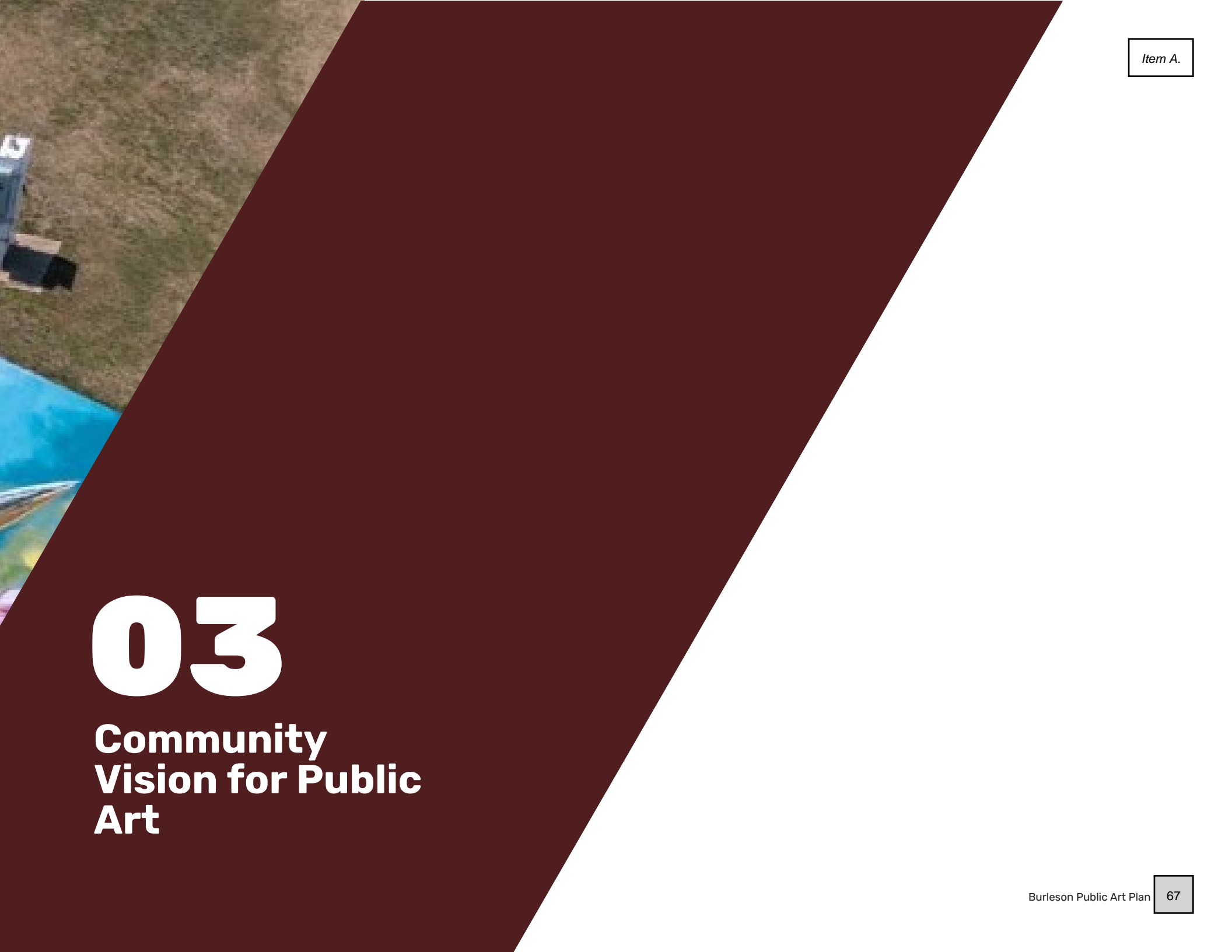
## WHAT TYPES OF PUBLIC ART WOULD YOU LIKE TO SEE MORE OF IN THE AREA?



## **Survey Summary**

- 1. RESPONDENTS MOST FREQUENTLY IDENTIFIED SCULPTURAL ART, FUNCTIONAL ART, AND MURALS AS THEIR PREFERRED ART TYPOLOGIES.**
- 2. THERE WAS A CLEAR DESIRE FOR PUBLIC ART TO POSITIVELY IMPACT AND ENHANCE THE BEAUTY OF SURROUNDING PUBLIC SPACES AND STREETS.**
- 3. A SIGNIFICANT PORTION OF SURVEY PARTICIPANTS WERE UNDER THE AGE OF 18, INDICATING STRONG ENGAGEMENT FROM YOUNGER COMMUNITY MEMBERS.**
- 4. THE SURVEY HIGHLIGHTED A STRONG SENSE OF COMMUNITY BELONGING IN BOTH THE OLD TOWN AND BAILEY LAKE AREAS.**
- 5. WHEN ASKED ABOUT THE DESIRED EMOTIONAL IMPACT OF ART, THE MOST COMMON RESPONSES INCLUDED ART FEELING FUN, WELCOMING, UNIQUE, AND INSPIRING.**





# 03

## Community Vision for Public Art

## Our Vision

We envision public art enriching Burleson, serving as a constant source of discovery and civic pride. Seamlessly integrated into our public spaces, it will spark curiosity, invite dialogue, and transform these areas into inspiring places that tell our community’s story – past, present, and aspirations. This will make Burleson a more beautiful, connected, and memorable place where everyone truly belongs and thrives.

### BURLESON PUBLIC ART CURATORIAL APPROACH

We value public art that:

- Brings people together, builds our collective identity, and says who we are and what we value.
- Transforms our public spaces to be even more engaging and accessible.
- Honors diversity, new people and a multiplicity of ideas.
- Connects people, ideas, and places and thereby raises our consciousness.
- Responds to our history and natural environment.
- Draws people to Burleson and is good for our local economy
- Demonstrates our friendliness, safety, small-town feel, pride-of-place, support for youth, families, and one another.
- Speaks to our collective humanity.
- Responds to the surrounding environment/site-specific.

## GOALS



**CREATE PLACES THAT FOSTER MEANINGFUL CONNECTIONS**



**REFLECT OUR UNIQUE CHARACTER**



**CELEBRATE OUR COMMUNITY SPIRIT**



**CONTRIBUTE TO OUR ECONOMIC VITALITY**



# Public Art Typologies for Burleson



## SCULPTURE

Sculptures are three-dimensional original artworks that can be made of any material that offers structural stability and durability. Sculptures are scaled to their surroundings and typically do not move from the location in which they are installed. Whether contemporary, whimsical, traditional or something more, sculptures are often the focal points of civic art. Sculptures may commemorate and celebrate our history, express civic pride, or be established as culturally defining showpieces for the town.



## ENVIRONMENTAL ART

Environmental art is any kind of outdoor public art that uses materials with a direct connection to nature, landscaping, or organic materials. Environmental art can be temporary or permanent, and its scale can vary. Its thematic context addresses environmentalism and sustainability.



**FIBER**

Fiber art is any kind of artwork that uses natural or synthetic fiber materials as the primary component of its overall composition. Fiber art can take the form of wall hangings, tree wraps, suspended sculptures, and beyond. Examples of fiber materials include fabric, yarn, polyurethane materials (like tarp), and mesh.



**FUNCTIONAL ART**

Functional Art is ordinary infrastructure that has been reimagined and designed by an artist. Integrating unique designs into infrastructure may be an affordable and efficient way to create a major visual impact. Some possible options for functional art installations include bike racks, benches, play equipment, medians, subdivision walls, trash cans, transit stops, storm drains, manholes, monument signage, sidewalk treatments and more.

# Public Art Typologies for Burleson



## MOSAICS

Mosaics come in many shapes and sizes and include glass or ceramics. The relative flexibility of the application of mosaics responds well to many art contexts. Mosaics can be inlaid for flooring or wall elements, or they may be a component of a sculpture. Terrazzo floors can be considered as a kind of mosaic installation.



## MULTIMEDIA

Multimedia installations may combine many other art types in ways that expand the imagination. Video, lighting, sculpture, murals, and more can be combined to make multimedia installations. Multimedia installations are especially useful for temporary or pop-up installations.



**MURALS**

Murals are large-scale, two-dimensional compositions that can be: 1) painted onto the surface 2) graphic reproductions printed onto vinyl that is adhered to a surface, or 3) painted onto a panel that is affixed to the building. Environmental conditions, artwork display duration, artist ability, timeline, and budget are all considerations for which mural application style is suitable for a project. While curating permanent works of art as part of the collection is important, ephemeral works such as murals allow for the exposure of many artists over a short period of time rather than a few artists over a long period of time.



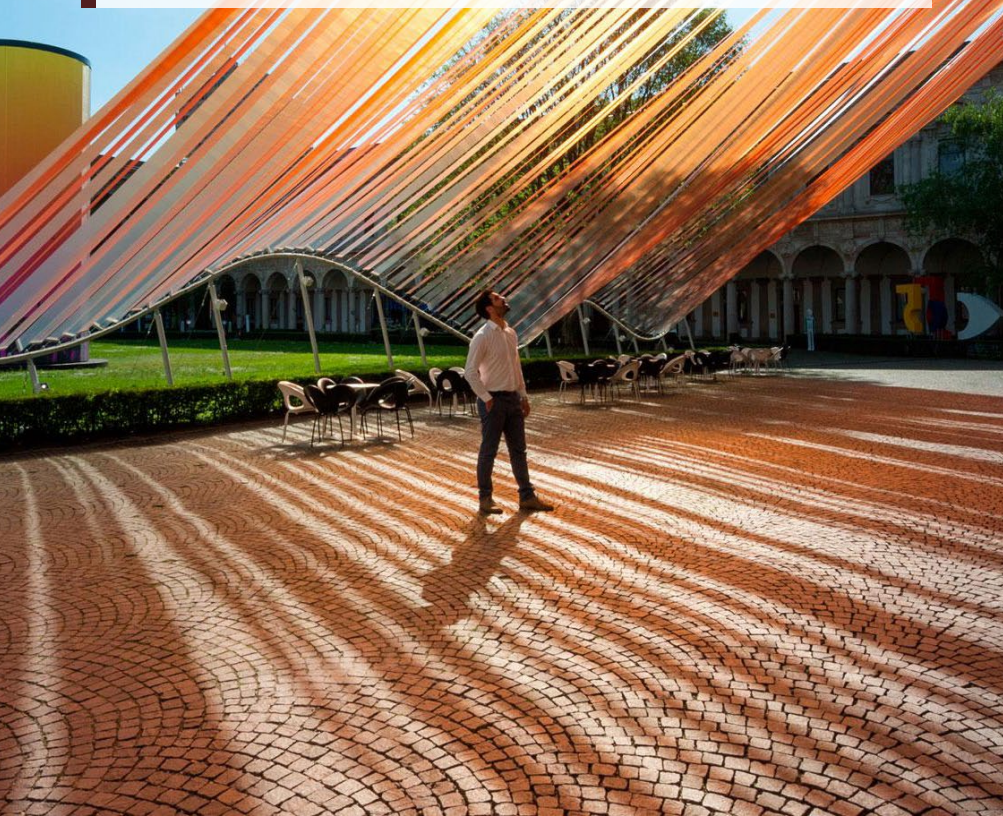
**LIGHT INSTALLATIONS**

Artists use lighting in creative and interesting ways in order to manipulate the built environment with limited physical impacts. Light installations may be used on existing buildings, in parks on substantial landscape features, or as part of a larger installation of sculpture. They may be especially useful and impactful when used in infrastructure projects.

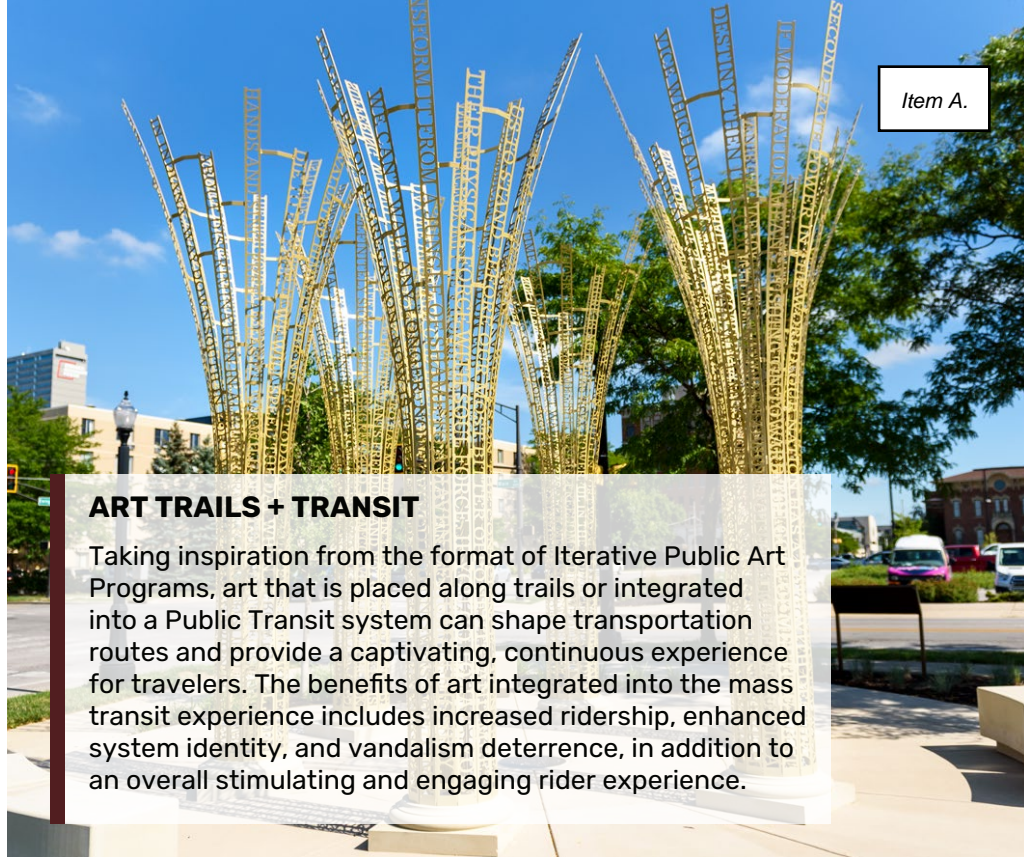
# Public Art Placement Strategies

## SINGLE-PRESENTATION PUBLIC ART PROJECTS

Single-presentation public art projects are those that do not repeat in multiple locations and their compositions are limited to one site. Examples of these kinds of projects include, a large-scale sculpture commissioned for a city hall lawn; a unique mural on the facade of a community center; or light installation that is engineered to complement the detailed architecture of a historic building. Single-presentation projects may be temporary, or long-term, and they are primarily characterized by their function as a landmark in public space.



Item A.

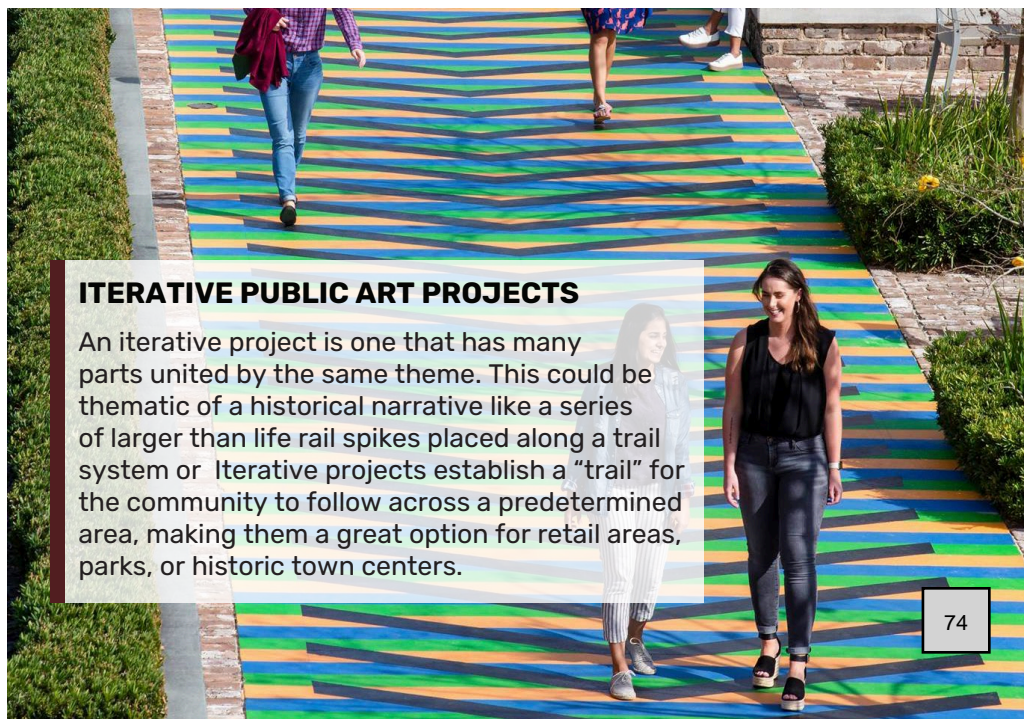


## ART TRAILS + TRANSIT

Taking inspiration from the format of Iterative Public Art Programs, art that is placed along trails or integrated into a Public Transit system can shape transportation routes and provide a captivating, continuous experience for travelers. The benefits of art integrated into the mass transit experience includes increased ridership, enhanced system identity, and vandalism deterrence, in addition to an overall stimulating and engaging rider experience.

## ITERATIVE PUBLIC ART PROJECTS

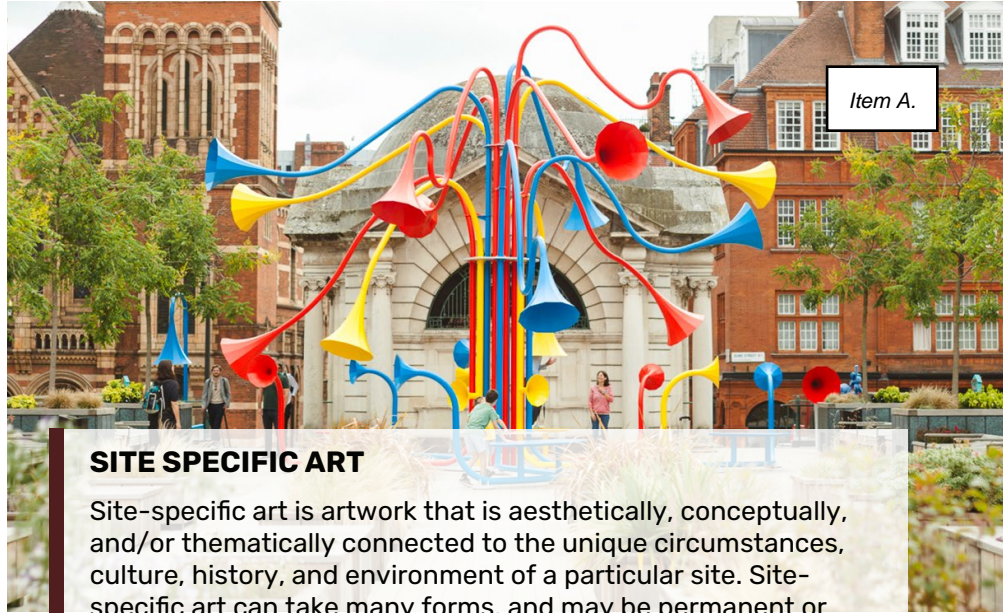
An iterative project is one that has many parts united by the same theme. This could be thematic of a historical narrative like a series of larger than life rail spikes placed along a trail system or Iterative projects establish a "trail" for the community to follow across a predetermined area, making them a great option for retail areas, parks, or historic town centers.





**POP-UP & TEMPORARY ART**

Pop-up and Temporary Art are public art opportunities that exist in a community for between one day and two years. Though temporary art is not intended to live for a generation, it can have a lasting impact on a community by creating a sense of surprise and joy in unexpected places. Some ideal locations for temporary installations include construction sites, sidewalks, alleyways, parks, and temporarily empty spaces and storefronts.



Item A.

**SITE SPECIFIC ART**

Site-specific art is artwork that is aesthetically, conceptually, and/or thematically connected to the unique circumstances, culture, history, and environment of a particular site. Site-specific art can take many forms, and may be permanent or temporary. In this approach to art-making, artists extensively research the place, site, or area where the site-specific artwork will be placed. Site-specific art tells the story of a place through its surroundings, enriching the experience of the place itself.



Temporary art can be cost-effective and easy to execute, providing opportunities for additional artist engagement. In whatever form, its short lifespan gives energy to the space and drives excitement among the community. Temporary may also invite collaboration, be it with local schools or community groups, to rotate artwork over short periods of time.



## CONSIDERATIONS FOR PRIVATELY-OWNED PROPERTIES

In order to maintain the integrity of a public collection it is critical that public art funding is only spent on artwork that is placed in the public realm or public right-of-way as accessibility and ownership by the public is a critical component of public art.

Special considerations may be made to artwork that is placed on private property, such as a building facade, granted that the artwork 1) be clearly and directly visible from public space or the right-of-way 2) **if the art is publicly funded:** an easement be granted to the collection’s governing body so that the public maintain ownership of the work 3) the work may not be integral to any private structure and would be removable whether permanently or temporarily for maintenance.

When determining whether or not a piece located on private property should be considered for the public collection it is imperative that the governing body consider all of the above as well as the long-term maintenance costs and needs associated with a work of art located on private property.

## SITE SELECTION CRITERIA

Public art should contribute to city life and people’s use and enjoyment of public places, strategic site selection maximizes the impact that public art makes. The following site selection criteria is provided to guide the successful installation of public art, ensuring artworks not only enhance aesthetic appeal but also contribute meaningfully to community life. From highly trafficked pedestrian zones to welcoming community gateways and key public buildings, understanding these criteria is paramount to maximizing visibility and public accessibility, highlighting cultural and historical significance, ensuring high public engagement, and fostering strong links with other city projects.

A site or sites may be chosen for a variety of reasons including but not limited to following:

- It may be specific to a story about a person or an event for the community.
- The site may be selected for its visibility or simply because property development is offering an opportunity for public art.
- Some public art welcomes people to the city, marks a city center or provides shade and resting places in a park.
- Some are sited in high traffic areas, especially places frequented by pedestrians.
- Other common sites include:
  - Highway entrances (for welcome markers or gateways)

- Major public buildings
- Parks
- Libraries
- Neighborhood communities
- Senior centers
- Police
- Fire stations
- Central public spaces where people walk and get together.

The vision is for Burleson to be a community where Public Art is innovative, diverse, and accessible to create vibrant public spaces and meaningful connections.

Selection sites need to maximize the following objectives:

1. High visibility and public accessibility;
2. Cultural and/or historical significance to the community;
3. High response rate during the public consultation; and
4. Greater opportunity to link with other City projects (e.g. capital projects, special events)







# 04

## Process for Commissioning Artworks

## Process for Commissioning Artworks

The commissioning of new public artworks in the City of Burleson is a structured process designed to ensure artistic excellence, community benefit, and responsible use of public funds. This process is governed by the principles outlined in the Public Art Policy, emphasizing transparency and open selection methods.

### SECTION 1. PROJECT IDENTIFICATION AND PLANNING:

- I. **Opportunity Identification:** City staff alongside the Public Spaces and Cultural Heritage Committee, are encouraged to identify opportunities for public art integration within Capital Improvement Projects (CIP) or other alongside city initiatives, especially in locations prioritized by the Public Art Plan (if applicable).
- II. **Inclusion in Workplan:** Potential projects for commissioning are developed by the identified Public Art Coordinator in collaboration with the Public Spaces and Cultural Heritage Committee. These projects are then proposed for inclusion in the annual Public Art Program Workplan, cementing them as upcoming priorities for program implementation.

### SECTION 2. ARTIST SELECTION AND PROPOSAL DEVELOPMENT:

- I. **Open Selection Process:** Generally, the City will utilize open-ended selection process to identify artwork or artists in order to acquire public art, this includes either "Call for Art," or "Request for Qualifications (RFQs)," or "Requests for Proposals (RFPs)." A "Call for Art," being appropriate when seeking to acquire an existing work of art, a "Request for Qualifications (RFQs)," when seeking a qualified artist(s) to create a new work of art, or "Requests for Proposals (RFPs)," when budget allows to pay artist a fee for providing a concept to select from prior to final artwork selection, the RFP may be preceded by a RFQ.
- II. **The Role of the Public Spaces and Cultural Heritage Committee:** The Public Spaces and Cultural Heritage Committee plays a crucial advisory role in this stage, providing recommendations on the formation and composition of artist selection juries, as well as the overall artist selection process. They will also advise on the proposed commission and placement of artworks.
- III. **Concept Design and Proposals:** Funds may be allocated for concept designs such as renderings and maquettes (models) as part of the artist selection process, allowing for the provision of clearer understanding of the proposed artwork prior to final artwork selection by



**SECTION 3. FUNDING AND APPROVAL:**

- I. **Budgeting and Presentation:** The assigned Public Art Coordinator is responsible for presenting a public art update as part of the City’s regular budget process to the City Council, ensuring that proposed commissions are financially viable.
- II. **Funding Allocation:** Public art funds are designated to cover costs associated with commissioning, including:
  - III. Calls for Entry, RFQs/RFPs, concept designs, maquettes, juror stipends, and other competition-related costs.
  - IV. Artist fees, including travel stipends and related expenses.
  - V. Artwork fabrication and installation, as well as site preparation and cleanup.
  - VI. City Council Approval: As the community’s elected officials, the Mayor and City Council members are ultimately responsible for the outcomes of the Public Art Program, including the final approval of commissioned artworks.

**SECTION 4. CONTRACT AND ACCESSION:**

- I. **Formal Agreement:** If a commissioning proposal is accepted, a formal contract will be negotiated. This agreement will clearly outline the responsibilities of all parties involved, including the City, the artist, sponsors (if applicable), and any outside contractors. It will address critical aspects such as project funding, insurance, siting, installation, ongoing operations and maintenance, vandalism, rights of removal or transfer, and public safety.
- II. **Ownership and Copyright:** Upon completion and installation, the City of Burleson will become the sole owner of the artwork, reserving the right to remove or alter the work for public safety or other city concerns, while upholding copyright law and the Visual Artists Rights Act of 1990 (17 U.S.C. § 106A).
- III. **Accession:** The completed and installed artwork will be formally accessioned into the City’s Public Art Collection, added to the City’s inventory list, and included in the city’s database with all accompanying documentation.







# 05

## Foundation for the Future

## Foundation for the Future

### STEP 1: BUILD THE PROGRAM STRUCTURE

1. Adopt the Revised Public Art Policy
2. Staff the Public Art Program

### STEP 2: STAFF THE PROGRAM

The City Manager will determine appropriate staffing structure to oversee citywide public art activities and manage the Public Art Program. Additional staff resources or outside consultants may be required to assist in implementing projects, particularly those of a larger scale. Responsibilities include:

1. Work with various City Manager's Offices to develop potential projects for inclusion in the Program Update.
2. Coordination with other city planning efforts.
3. Present a public art update as part of the City's regular budget process to the City Council.
4. Coordinate and manage the Advisory Board and its quarterly meetings
5. Coordinate with Advisory Committee to ascertain advice on any matter pertaining to public art, including:
  - » Preparing and presenting the public art update to the Advisory Committee, the Commission, and City Council;
  - » Artist selection juries and process;
  - » Purchase of artworks;
  - » Commission and placement of artworks; and



### STEP 3: FORMALIZE THE ROLE OF THE PUBLIC SPACES AND CULTURAL HERITAGE COMMITTEE

The proposed role adjustment to the Public Spaces and Cultural Heritage Committee would allow the committee to serve as a community-member advisory body, working in close partnership with the City of Burleson's staff, City Council, and the Mayor to guide the Public Art Program. As an advisory committee to the Parks and Recreation Board, its proposed function would be to guide plan implementation priorities and provide final recommendations on matters pertaining to the City's Public Art Collection, especially when the City is funding the creation or acquisition of new artwork in public spaces. This collaborative structure ensures that artistic vision, alongside broader community perspectives, are integrated into the decision-making process for public art initiatives within city functions.

Key responsibilities of the Public Spaces and Cultural Heritage Committee include:

1. The Committee acts principally in an advisory capacity to Burleson staff on all aspects of public art.
2. It advises and makes recommendations regarding artist selection juries and the overall artist selection process.
3. The Committee provides recommendations for the commissioning and strategic placement of artworks throughout the city.
4. It advises on the ongoing maintenance and, when necessary, the removal of artworks from the collection.
5. The Committee is committed to promoting public awareness, access, and appreciation of public art for the City of Burleson.
6. It assists in facilitating administrative duties required for the effective operation of the Public Art Program.
7. Critically, this Committee only advises on matters pertaining to the publicly-owned collection,



## Foundation for the Future

### STEP 4: EXPLORE EXPANDED PROGRAM FUNDING

Explore the adoption of a Percent-for-Art in Private Development

To relieve pressure on the existing Hotel/Motel Tax as the sole mechanism for procuring public art, a Percent-for-Art in Private Development program should be explored.

Such programs operate on the basis that development projects should respond to the distinctive characteristics of the community they are proposed within, and that public art is for the mutual enjoyment of the wider community and supports a thriving local economy and promotes cultural tourism and therefore development pressures should be leveraged for the public benefit.

Common approaches to percent for art in private development includes a fee-based model of 1% of total construction cost when placed within the development and 0.80% when paid into an arts fund for the city to disperse and manage. Percent-for-art in private development can be incentivized, or mandated.

Communities in Texas with mandated Percent-for-Art in Private Development include:

- **Nolanville, TX:** Adopted through an ordinance which explicitly requires a 1% set-aside for public art enhancement within each private development over \$250,000, with options for on-site art or a 0.5% deposit into a Public Art Fund.

Communities in Texas with incentivized Percent-for-Art in Private Development include:

- **Denton, TX:** Tax abatements are offered to developers for the inclusion of art enhancements within the development, eligible projects may receive up to an additional 5% tax abatement under the condition that at least 50% of the value of this additional tax abatement must be committed by the applicant specifically to public art.

Key considerations:

- This would not be a requirement of any affordable housing project
- Developers would be allowed to contribute to the community arts fund in lieu of installing and maintaining artwork within their development

Additional Opportunities for Program Funding

- State & Federal Grant Programs
- Additional Grant Programs such as those managed by foundations, NGOs, and private entities

*While this plan identifies potential funding sources for exploration, the nature of funding is always changing and will ultimately be dedicated based on the market, policy maker discretion, and within the resources are available over a given period.*




### Step 5: Commission Artwork & Programs

#### INSTALL THE BURLESON BARN QUILTS

The highest priority program implementation recommendations is the installation of the Barn Quilts completed as part of this planning process. The city should work with local institutions and with other city departments to identify both private and public opportunities to implement these pieces.



TIMING	RECOMMENDED BUDGET
Immediately	N/A
<b>IMPACT</b>	
	

### Step 5: Commission Artwork & Programs

#### COMMISSION A SITE-SPECIFIC ARTWORK IN OLD TOWN

The city of Burleson should work to select an artist with the qualifications and experience necessary to design and fabricate an iconic, site-specific work in Old Town. An artist to create an iconic piece of art explicitly designed for a particular location within Burleson's historic Old Town district. The artwork would be conceived to respond to the specific history, architecture, or character of its chosen site, enhancing its unique identity and providing a landmark or point of cultural interest for residents and visitors.



TIMING	RECOMMENDED BUDGET
3-5 Years	\$100,000 - \$300,000
<b>IMPACT</b>	
●●●●●	

**DEVELOP A MURAL PROGRAM**

This involves establishing a comprehensive framework for creating murals across the city. This step would include defining guidelines for artist selection, site identification, community engagement, funding mechanisms, and maintenance protocols, ensuring a cohesive and sustainable approach to integrating large-scale painted artworks into the urban landscape.



TIMING	RECOMMENDED BUDGET
2-4 Years	\$25,000 - \$40,000 annually
<b>IMPACT</b>	
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**SPECIFIC OPPORTUNITIES**

- **Complete the Mural at Bailey Lake:** This step signifies the final stages of a specific mural project located at Bailey Lake, likely involving the last phases of painting, sealing, and potentially unveiling.
- **Old Town Murals:** This refers to the initiative to enhance the visual appeal and cultural narrative of the Old Town district through the strategic addition of multiple murals.
- **Stormwater Drain Painting:** This artistic endeavor involves painting murals or designs directly onto stormwater drains and the surrounding concrete.

## Step 5: Commission Artwork & Programs

### EXPLORE TACTICAL ART PROGRAMMING OPTIONS

This step focuses on investigating and planning for temporary, low-cost, and community-driven art interventions. Tactical art aims to quickly transform public spaces, activate underutilized areas, or address specific community needs through pop-up installations, performances, or interactive projects, fostering engagement and testing ideas for more permanent changes.



TIMING	RECOMMENDED BUDGET
1-3 Years	\$25,000 - \$50,000 annually
<b>IMPACT</b>	
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### SPECIFIC OPPORTUNITIES

- **Utility Box Coverings:** Utility box programs are common initiatives to transform mundane and often unsightly utility boxes into public art installations.
- **Beautification of Medians and Roundabouts:** Art interventions within the streetscape may involve integrating sculptures, artist-designed landscape enhancements and/or lighting elements.
- **Functional Art Furnishings** The Parks and Recreation department should consider commissioning or acquiring functional urban furniture that has been designed in collaboration with artists.

**CREATE A CITY-WIDE ART TRAIL**

This project should be a connected series of artist-designed works across the city transforming ordinary places into an exploratory series. This initiative aims to invite discovery, promote exploration of community space, and provide a cohesive experience for residents and visitors. This project could specifically explore a community specific theme or narrative across the works, not unlike the barn quilts. This project could include a published guide or interactive webpage, potentially supported by signage or wayfinding.



<b>TIMING</b>	<b>RECOMMENDED BUDGET</b>
5-7 Years	\$150,000 - \$300,000
<b>IMPACT</b>	
●●●●●	

### Step 5: Commission Artwork & Programs

#### DEVELOP AN EDUCATIONAL OUTREACH PROGRAM

The City of Burleson should specifically work with local schools and higher education institutions locally, alongside local artists and collectives like Russell Art Farms to bring participatory arts programs to the community. This program would involve designing and implementing initiatives to engage the community, particularly youth, with art. This could include workshops, guided tours, artist talks, or curriculum materials, aiming to foster appreciation for art, encourage creative expression, and inform residents about the public art collection and its benefits.



TIMING	RECOMMENDED BUDGET
2-4 Years	\$5,000 - \$15,000 annually
<b>IMPACT</b>	
● ● ● ○ ○	

**COMMISSION AN ARTIST-DESIGNED PARK EXPERIENCE**

This involves selecting an artist or artist team to conceptualize and realize a holistic artistic intervention within a specific park space. This project should prioritize concepts that either integrates art into the natural landscape, includes natural features as part of the artwork, or creates a new play experience ideated by an artist for the community, creating an immersive and cohesive artistic environment that enhances the overall park visitor experience.



TIMING	RECOMMENDED BUDGET
5-7 Years	\$250,000 - \$1,000,000
<b>IMPACT</b>	
● ● ● ● ●	

## Critical Impact Areas

The City of Burleson should consider ways to track and measure program success. Specific opportunities to collect information on the impact of the public art program include:

### COMMUNITY ENGAGEMENT AND IMPACT:

- **Public Feedback and Satisfaction:** Include the public art program in any upcoming community surveys. Report findings in the annual public art update to City Council, where available.
- **Participation Rates:** Measure attendance at public art dedication ceremonies, art walks, and community engagement workshops related to public art projects.
- **Public Response Rates:** Monitor the participation in surveys or public forums for specific art projects to track the response rate and community interest in the program over time.
- **Educational Outreach:** Keep track of the number of school groups or community organizations involved in activities related to public art program, set goals annually to increase and diversify participation rates.



**COLLECTION QUALITY AND GROWTH:**

- **Number of Accessioned Artworks:** Track the annual number of new artworks and the overall investment in the Public Art Collection through commissions and accepted donations.
- **Diversity of Collection:** Assess the diversity of artists and arts typologies represented, including local, national, emerging, and established individuals from various backgrounds. Evaluate the art forms such as sculpture, mural, functional, and environmental pieces, along with the themes in the collection.
- **Condition Assessments:** Implement a regular schedule for assessing the physical condition of artworks, ideally an annual assessment by city staff and a conservator's report every 5 years. Keep maintenance logs, track repairs, and evaluate the overall state of the collection annually to ensure a high-quality, city-owned collection.
- **Lifespan Achievement:** Monitor whether artworks are meeting their expected temporary, short-term, medium-term, or long-term lifespans outlined in the maintenance manuals provided by artists.

## Critical Impact Areas

### VISUAL ENHANCEMENT AND PLACEMAKING:

- **Visibility and Accessibility:** Consider the use of foot traffic counters or geofencing technology in areas around public art installations to measure increases in pedestrian activity following the installation of an artwork.
- **Linkage to Other City Projects:** Track the number of public art projects successfully integrated with capital projects or city initiatives to assess the programs success in integrating with other city functions.
- **Cultural and Historical Significance:** Document how new artworks contribute to or reflect the cultural or historical importance to the community, possibly through narrative descriptions or community feedback about their relevance, consider publishing a landing page that community members can explore to learn more about the collection.
- **Perceived Vibrancy:** Consider a 5-year survey check-point with the community on the public art collection to gather sentiments on the public collection and the perceived quality of life value, it may also be a good juncture to gathering input on near-term priorities for the collection.



**PROGRAM EFFICIENCY AND COMPLIANCE:**

- **Budget Adherence:** Monitor the program’s adherence to its allocated budget for acquisitions, maintenance, and administrative costs.
- **Project Timeliness:** Track the completion rates of commissioned projects and evaluate the efficiency of the donation and accession processes against planned timelines.
- **Policy Adherence:** Review compliance with established procedures for artist selection, donation acceptance, deaccessioning, and collection management.
- **Staff Workload:** Periodically review staff workload related to the Public Art Program to ensure that the staff can efficiently handle their responsibilities.





Item A.



# 06

## Appendices

## Public Art Frequently Asked Questions

This section responds to some of the most commonly asked questions regarding public art programs.

### QUESTION 1: WHY DOES BURLESON NEED A PUBLIC ART POLICY?

This Public Art Policy for the City of Burleson outlines a comprehensive framework for establishing and managing a robust public art program. It details the roles and responsibilities of various stakeholders, including the Mayor, City Council, Public Spaces and Cultural Heritage Committee, and City staff, in guiding public art initiatives. The policy also establishes clear guidelines for collection management, covering the acquisition of artworks through both commission and donation, alongside criteria for decommissioning. Crucially, it defines key terms related to public art, from “artist” and “mural” to different “life spans” for artworks, ensuring clarity and consistency. The policy further addresses specific procedures for donations and the display of art on loan or temporary display, including detailed requirements for agreements, costs, installation, and insurance, all while upholding the city’s right to manage its collection effectively for public safety and benefit.



**QUESTION 2: WHAT DOES THE PUBLIC ART POLICY DO? HOW IS IT DIFFERENT FROM THE PUBLIC ART PLAN?**

The Public Art Policy establishes the fundamental rules, principles, and definitions governing the city’s public art program, acting as a stable framework that outlines roles, responsibilities, and procedures for collection management and acquisition. In contrast, the Public Art Plan is a more dynamic, strategic document that details the specific vision, goals, and implementation strategies for the program, including recommendations and action items for building the public art program, funding strategies, projects ideas, and community engagement approaches, essentially translating the policy’s guiding principles into actionable projects and initiatives for the City of Burleson to implement.



## Public Art Frequently Asked Questions

### QUESTION 3: WHO SELECTS THE PUBLIC ART IN BURLESON?

Artwork Selection is a multi-step process, first a site is identified by city staff in collaboration with the Public Spaces and Cultural Heritage Committee and included in the Public Art Workplan. Next, either a "Call for Art," "Request for Proposals," or "Request for Qualification" is publicly-published. A selection committee is then formed or identified, this selection committee may be the Public Spaces and Cultural Heritage Committee (for artworks under \$50,000) or an ad hoc committee formed for a specific artwork selection, this may include members representing specific groups or perspectives when appropriate for the artwork, for example a member of the local historic society when artwork is intended to be placed in a historic neighborhood.

The board then reviews the proposals or qualification of the artists and makes a recommendation for artwork or artist selection onto the Public Spaces and Cultural Heritage Committee, who approves this selection for referral onto City Council. City Council has ultimate responsibility for the program, including the approval of final artwork selection. For artworks under \$50,000, the Public Spaces and Cultural Heritage Committee may select the artwork for referral onto City Council.



#### **QUESTION 4: WHAT IS CONSIDERED “PUBLIC ART” UNDER THE PUBLIC ART POLICY?**

“Public Art” broadly includes sculpture, paintings, murals, graphic arts, photography, crafts, mixed-media, functional art (like street furniture), and environmental art (landforms, artistic landscapes). It specifically excludes mass-produced items, traditional architectural or landscape elements, commercial advertising, or art displaying slogans/logos unless part of a defined gateway sculpture.

The policy also specifically governs publicly-owned works of art or art placed on public property. Privately commissioned or acquired works, placed on private property are not policed by this process, however, this policy is available for reference by private parties, such as developers, who wish to acquire artwork for their properties.



## Public Art Frequently Asked Questions

### QUESTION 5: WHAT CAN PUBLIC ART FUNDS BE USED FOR?

- Costs associated with “Calls for Entry,” “Requests for Qualifications (RFQs),” and “Requests for Proposals (RFPs)” to solicit artist submissions.
- Funding for payment for concept designs and maquettes (small models) as part of the artist selection process.
- Stipends for jurors involved in artist selection.
- Other costs related to competitions and commissions.
- Artist fees, including travel stipends and related expenses.
- Artwork fabrication and installation.
- Site preparation and cleanup necessary for the artwork.
- Acquisition of existing works of art.
- Relocation of both existing and newly commissioned works of art.
- Required permits and insurance during the fabrication and installation phases of artwork.

#### Funds may NOT be used for:

- Mass-produced work, with the exception of limited editions controlled by the artist.
- Professional graphics, unless designed or executed by an artist or used in the development of collateral material.
- Decorative, ornamental or functional elements that are designed by a project’s

architect or other designer.

- Routine maintenance, conservation, repair, or restoration, exceeding more than 10% of the annual budget.
- Purchase of existing works of art that does not follow the outlined selection process in the Public Art Policy.



## QUESTION 6: HOW CAN PUBLIC ART BE DONATED TO THE CITY OF BURLESON?

First, the donation must meet the definition of public art, meaning:

**Public art**, when used herein, shall mean any of the following: sculpture, statues or monuments in any material or combination of materials; painting; murals; graphic arts including printmaking and drawing; photography; crafts in clay, fiber and textiles, wood, metal, plastics, glass and other materials; mixed-media, any combination of forms or media, including collage; functional art such as street furniture, as defined by the City of Burleson Public Art Program; environmental art consisting of landforms and artistic landscape composition.

## WHAT IS NOT PUBLIC ART

The term "Public Art" does not include reproductions by mechanical or other means of original works of art, except for limited editions, controlled by the artist, of original prints, cast sculptures, photographs or other works of art; decorative, ornamental, or functional elements which are designed by the building architect or consultants engaged by the architect which are a traditional and typical element of architectural design; elements generally considered to be conventional components of a landscape architectural design including, but not limited to, plant materials, pools, paths, benches, receptacles, fixtures and planters except street furniture as defined by the City of Burleson Public Art Program and environmental art consisting of landforms and artistic landscape composition; "Art objects" which are mass produced or of a standard design, such as playground statues or fountains, except pieces of historical significance to the city; directional or other functional elements, such as supergraphics, signage, color coding and maps, except where sculptural pieces are used to define gateways in the city; electrical, water or mechanical service for activation of the work; exhibitions and educational programs related to the work; performing arts; and art that displays slogans, logos, mascots or commercial advertising.

If the work does not meet the above definition, then other city policies may apply but it does not qualify for acceptance into the city's public art collection. If it does meet the definition for public art, then the following process applies:

1. A Donation Proposal (requirements specified in the Public Art Policy)
2. A Maintenance Plan detailing the artwork's lifespan, routine cleaning protocols, long-range care, material specifications, guarantee against workmanship failures, and the assignment of manufacturer/fabricator warranties to the City where applicable. This would also include a plan to fund and deliver ongoing operations and maintenance, or the resolution accepting the art must identify how maintenance will be funded. This may identify publicly available funds or a private contribution to the works ongoing maintenance, the Public Spaces and Cultural Heritage Committee will review this approval to ensure the proposed artwork can be sustainably maintained within the proposed funding structure.
3. Review Process: Following a positive initial review by a City employee, the Public Spaces and Cultural Heritage Committee will evaluate the donation request. They determine the appropriateness of the donation based on established criteria and provide a final recommendation to the City Council. The City then assesses if the donation is in the community's best interest and aligns with City goals, laws, policies, ordinances, and resolutions as well as the Burleson Public Art Plan in addition to being appropriate for the characteristics site it is proposed to be integrated within
4. Artwork Acceptance and Accession: Following a successful evaluation by city staff, the Public Art Advisory Board, and City Council, the artwork may then be accessed into the public art collection and sited for installation.

# Exhibit B: Public Art Policy

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## Exhibit B: Public Art Policy

### INTRODUCTION

To establish a strong Public Art Program, the City of Burleson will adopt the following policies, which includes the following sections: Roles & Responsibilities; Collection Management; Program Update; Use of Funds; Public Art Acquisition; [Option A or B for murals].

### DEFINITIONS

For these policies, the following terms, phrases, words, and their derivation shall have the meaning given herein:

- **Accession**, when used herein, shall mean a procedure for the acceptance of artwork into the Public Art Collection.
- **City of Burleson Mural Program**, when used herein, shall mean a program facilitated by staff of the City of Burleson to support the production of privately-commissioned murals to be installed on privately-owned property.
- **Artist**, when used herein, shall mean an individual generally recognized by critics and peers as a professional practitioner of the visual, performing, or literary arts, as judged by the quality of that professional practitioner's body of work, educational background, experience, public performances, past public commissions, sale of works, exhibition record, publications, and/or production of artwork. The members of the architectural, engineering, design or landscaping firms retained for the design and construction of a development project covered by these policies shall not be considered artists for the purposes of these policies.
- **City**, when used herein, shall mean the City of Burleson, Texas.
- **Creative amenity**, when used herein, shall mean non-standardized enhancements made to public space.
- **Deaccession**, when used herein, shall mean a procedure for the withdrawal of artwork from the permanent collection and the determination of its future disposition.
- Historic or civic objects, when used herein, shall mean an object that is historically or civically significant.
- **Life Spans**
  - Temporary: 0-2 years
  - Short term: 2-10 years
  - Medium term 10-25 years
  - Long term 25+ years
- **Mural**, when used herein, means a large-scale artwork, painting, or mosaic, applied to or mounted directly to an exterior surface of a building, construction fence or other structure and that is visible from the public right-of-way. Its primary intent is to be artistic in nature, rather than purely information, creative signage and commercial signage.
- **Public Art Collection or Collection**, when used herein, shall mean art objects owned by the City of Burleson, Texas, its agencies and authorities. Permanent Public Art must be located in a public place with public visibility, accessibility, and impact and shall have a permanence comparable to associated capital projects.
- **Public Art COORDINATOR or COORDINATOR**, when used herein, shall mean the Public Art Program Coordinator as determined by the City of Burleson.
- **Public Art Program**, when used herein, shall mean the Public Art Program of the City of Burleson, Texas. The Public Art Program intends to promote private and public programs to further the development and public awareness of, and interest in, the visual arts and fine crafts and encourage the integration of art into the architecture of municipal structures and commercial development projects in the City.
- **Committee**, when used herein, shall mean a COMMITTEE of the Advisory Committee advising on matters pertaining to the City of Burleson's Public Art Collection when the City is funding the creation or acquisition of new artwork in public spaces. The COMMITTEE is committed to promoting awareness, access, and appreciation of public art for the City of Burleson. The COMMITTEE also provides recommendations for public art placement in the City of Burleson and facilitates administrative duties required for the Public Art Program
- **Public art**, when used herein, shall mean any of the following: sculpture, statues or monuments in any material or combination of materials; painting; murals; graphic arts including printmaking and drawing; photography; crafts in clay,

fiber and textiles, wood, metal, plastics, glass and other materials; mixed-media, any combination of forms or media, including collage; functional art such as street furniture, as defined by the City of Burleson Public Art Program; environmental art consisting of landforms and artistic landscape composition

- The term “Public Art” does not include reproductions by mechanical or other means of original works of art, except for limited editions, controlled by the artist, of original prints, cast sculptures, photographs or other works of art; decorative, ornamental, or functional elements which are designed by the building architect or consultants engaged by the architect which are a traditional and typical element of architectural design; elements generally considered to be conventional components of a landscape architectural design including, but not limited to, plant materials, pools, paths, benches, receptacles, fixtures and planters except street furniture as defined by the City of Burleson Public Art Program and environmental art consisting of landforms and artistic landscape composition; “Art objects” which are mass produced or of a standard design, such as playground sculpture or fountains, except pieces of historical significance to the city; directional or other functional elements, such as supergraphics, signage, color coding and maps, except where sculptural pieces are used to define gateways in the city; electrical, water or mechanical service for activation of the work; exhibitions and educational programs related to the work;

performing arts; and art that displays slogans, logos, mascots or commercial advertising.

- **Public Art Public Art Policy or Public Art Policy**, when used herein, shall mean the policies recommended by the City Manager and approved by the City Council for the administration of the Public Art Plan. The Public Art Public Art Policy and any amendments thereto shall take effect forty-five (45) days after approval by the City Council.
- **Public Art Plan or Plan** when used herein shall mean the Public Art Plan of the City of Burleson, Texas that pertains to public art and culture, as it exists or may be amended. The Plan shall provide a process for the systematic selection and acquisition of pieces of artwork and locations of art to be included in public spaces.
- **Public space**, when used herein, shall mean any area or property (public or private) which is accessible or visible to the general public a minimum of 8 hours per business day.
- **Publicly-owned land**, when used herein, shall mean any land open to the public and managed by the City of Burleson, Texas.
- **Public Art Program Workplan**, when used herein, shall mean a document that outlines projects that are in-progress and will be initiated in coming fiscal years.
- **Relocation**, when used herein, shall mean a procedure for the movement of an artwork from one location to another.

## ROLES AND RESPONSIBILITIES

The City of Burleson Parks and Recreation Office shall administer the Public Art Program in partnership with other departments. Day-to-day responsibility for the program will ultimately reside with the Public Art Coordinator, and are outlined below in the Public Art Public Art Policy. The Public Art Coordinator may be a City staff member or an outside consultant and have an oversight role for all of the public art projects executed within the city. The Public Art Coordinator will collaborate with City staff or outside contractors to execute projects.

## CITY OF BURLESON MAYOR & CITY COUNCIL

The City of Burleson City Council has adopted Ord. [ ], establishing the City of Burleson Public Art Program. As the community’s elected officials, the Mayor and Council members are ultimately responsible for the outcomes of the Public Art Program.

## PUBLIC SPACES AND CULTURAL HERITAGE COMMITTEE

Public Spaces and Cultural Heritage Committee is an ADVISORY COMMITTEE of the Parks and Recreation Committee advising on matters pertaining to the City of Burleson’s Public Art Collection when the City is funding the creation or acquisition of new artwork in public space, as defined above.

The Public Art Committee has the following responsibilities:

1. Act principally in an advisory capacity to

## Exhibit B: Public Art Policy

Burleson staff in any matter pertaining to public art.

2. Advise and make recommendations to city staff pertaining to, among other things, artist selection juries and process; commission and placement of artworks; and maintenance and removal of artworks.

Any member serving on the Advisory Committee is ineligible for a public art project by the City of Burleson during their membership and for an entire year following.

### PUBLIC ART PROGRAM COORDINATOR (COORDINATOR)

The City Manager will determine appropriate staffing structure to oversee citywide public art activities and manage the Public Art Program. Additional staff resources or outside consultants may be required to assist in implementing projects, particularly those of a larger scale. A consultant may serve in the coordinator capacity or as a curator for art programming. Responsibilities include:

1. Work with various City Manager's Offices to develop potential projects for inclusion in the Program Update.
2. Coordination with other city planning efforts.
3. Present a public art update as part of the City's regular budget process to the City Council.
4. Coordinate and manage the Advisory Committee and its quarterly meetings
5. Coordinate with Advisory Committee to

ascertain advice on any matter pertaining to public art, including:

- a. preparing and presenting the public art update to the Advisory Committee, and City Council;
  - b. artist selection juries and process;
  - c. purchase of artworks;
  - d. commission and placement of artworks; and
  - e. public art programming;
6. Coordinate the hiring of an outside consultant or agency to administer public art projects as needed.
  7. Ensure various city City Manager's Offices are following the City's Public Art Public Art Policy.

### CITY STAFF

City staff members, particularly City Manager's Office heads, should look for opportunities to include public art in capital improvement projects (CIP) throughout the city, particularly in locations identified as priorities in this plan. Overall public art responsibilities include:

1. Explore opportunities to include public art in existing CIP projects.
2. Coordinate with the Manager for inclusion of projects within the Program Update and report.

### COLLECTION MANAGEMENT

The City of Burleson acquires artworks

by commission and donation. Processes for these acquisitions are dictated by the Public Art Ordinance and the Acquisition and Donation sections found in this section. Artwork acquired through these processes are considered to have been accessioned into the City's Public Art Collection. They must be cared for in accordance with the policies and Procedure for Maintenance and the Collection Management policies. Artwork in the City's possession that were acquired outside of or before these policies may not be accessioned pieces of the Public Art Collection and thus may not be subject to the Collection Management policies. These policies only apply to artworks formally accessioned into the City of Burleson Public Art Collection, in accordance with the processes set forth in this document. The Collection Management policies are intended to maintain the value of the City's Public Art Collection and guard against the arbitrary disposal of any of its pieces.

### Objectives

- Maintain a Collection management program that results in a high-quality, city-owned Collection;
- Eliminate artwork that is unsafe, not repairable, or no longer meets the needs of the City of Burleson;
- Respect the creative rights of artists; and
- Support an efficient workload for staff.

### DONATIONS

Requests to donate artwork to the City may

be considered on a case-by-case basis, where the City has established in advance, and publicized, a need, project, or location in which an art donation may be included. Requests for consideration shall be made to the Public Art Coordinator. The City has no obligation to accept a proposed Donation.

### DONATION REQUIREMENTS

The City will consider donations on the following basis:

- The donation contributes to and enhances the City's Collection;
- The donation meets a high standard of quality and is appropriate and meaningful to the community;
- The donation follows required City procedures, including the submission of a Donation Proposal and a Maintenance Plan. Donation Proposal requirements are included in these policies. The requirements for the Maintenance Plan can be found in Procedure for Maintenance policies below;
- The donation proposal includes a plan to fund and deliver ongoing operations and maintenance – or the resolution accepting the public art must identify how maintenance will be funded; and
- The donation proposal is reviewed and endorsed by the Advisory Committee and approved by the City of Burleson.

The City will not accept a donation of artwork until all funds for development, fabrication, siting, and installation have been secured.

The City will consider the following types of donation proposals for artworks for City-owned property:

- An already completed artwork; or
- A commissioned artwork by a specific artist or artists to be created especially for City-owned property.

### DONATION PROPOSAL PROCEDURES AND REVIEW PROCESS

Formal requests to donate artwork to the City of Burleson are made to the Public Art Coordinator.

1. The donor shall complete an Art Donation Agreement Application (donor form) and submit the form to the Public Art Coordinator.
2. Following a positive initial review by a City employee designated by the City Manager, the City will contact the Advisory Committee, which will evaluate the donation request to determine the appropriateness of the donation as measured by approval criteria and provide a written recommendation to the City Council.
3. The City will then determine whether the donation is in the City's best interest and is consistent with the City's goals and applicable City laws, policies, Ordinances, and Resolutions.
4. The City will notify the donor in writing, identifying final conditions if approval is granted.

### OWNERSHIP

Once the City accepts a gift, the City shall be the sole owner of the donated item and will have the right, in its sole and absolute discretion, to deaccession any donated item without providing notice to or obtaining the donor's consent.

### CRITERIA FOR EVALUATION

Elements will include, but will not be limited to, the following:

1. **City-owned Property** – Donated public art must be suitable for public display on City-owned or City-managed property;
2. **Relevance and Site Context** – Works of art must be appropriate for the proposed location and its surroundings and/or complement the architecture, topography, history, and social dynamic of the location in which it is placed. Proposed public art should also align with the goals of the Public Art Plan;
3. **Artist and Artwork Quality** – The artist demonstrates the ability and potential to execute the proposed public art based on previous artistic achievement and experience. Duplication of work will also be considered. The public art must enhance the City's Collection;
4. **Physical Durability** – The public art will be assessed for long term durability against theft, vandalism, and weather;
5. **Public Safety and Liability** – The public art will be assessed for any public safety concerns, as well as for any potential

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liabilities for the City;

6. **Sustainability** – Consideration will be given to the environmental impact and sustainability of the proposed public art , including its operations and maintenance requirements/costs; and
7. **Legal** – Proposed terms of donation, legal title, copyright authenticity, artist’s right to reproduce, liability, and other issues as deemed appropriate will be considered.
8. **Originality** - Works of art should be an original design unless it is decided that the work will enhance and complement the character of the surrounding area.
9. **Compliance with Sign Code** - Proposed public art should feature no copy, lettering, symbols, or any references directly promoting any product, business, or service unless such images are discreet and do not detract from the public art. Sponsor and artist names may be incorporated in murals but should be discreet and not exceed 5% of the design.
10. **Supporting Costs** - The City’s preference is for donors and loaners to provide financial support for public art projects. Donations and loans are an important tool for growing the public arts in the City of Burleson and they foster civic pride by providing people and businesses the opportunity to shape the public environment. Projects should identify sponsorship. All requests for use of City funds for production, siting, installation or ongoing operations and maintenance of the work must be approved by City Council.

11. **Installation and Maintenance** - Any applicant for public art should present a reasonable plan to install and remove (or preserve) the work. The maintenance plan agreed upon between the artist, business owner, and/or property owner should adequately make arrangements to preserve and, if necessary, restore the quality of work during its exhibition. Elements of a thorough maintenance plan would include:
  - i. Lifespan of public art and prognosis of durability in consideration of that lifespan.
  - ii. Routine cleaning protocols, methods, cleaning agents, and frequency.
  - iii. Itemization of long-range considerations and care, highlighting maintenance and the anticipated need for periodic conservation treatment or repairs.
  - iv. Specifications of materials used in fabrication.
  - v. Guarantee against failures of workmanship over an agreed upon period of time.
  - vi. Assignment of manufacturers or fabricators warranties to the owner of the public art .

### MEMORIAL GIFTS

Memorial gifts will have an additional review process, which will include, but will not be limited to, the following:

1. **Timeframe** – The person or historical event memorialized must be deemed significant enough to merit such an honor. If the public art portrays a person in their likeness, the person so honored will have been deceased for a minimum of two years before consideration. The City reserves the right to remove memorials at any time should the City deem it necessary;
2. **Community Value and Timelessness** – The art selected represents broad community values and timeless qualities that will be meaningful to future generations; and
3. **Location** – The location under consideration is an appropriate setting for the memorial; generally, there should be some specific geographic justification for the memorial being located within a particular site.

### ACCEPTANCE AND ACCESSION OF THE ARTWORK

City staff should refer to the City of Burleson Purchasing Public Art Policy, prior to finalizing the accession process, as proposed donations may require City Council acceptance.

If the proposal is accepted by the City of Burleson, a formal agreement will be negotiated outlining the responsibilities of each party (the City, the sponsor(s), the artist, and outside contractors, where applicable).

The agreement will address project funding, insurance, siting, installation, operations and maintenance, project supervision, vandalism, the right of removal or transfer, public safety,

and other issues as necessary.

The City of Burleson will be the owner of the artwork and reserves the right to remove or alter the work to ensure public safety or because of any other City concerns. The City upholds copyright law and the Visual Artists Rights Act of 1990 (17 U.S.C. § 106A). Any changes will be made in consultation with the artist and sponsor(s) when possible, or notification will be provided.

The completed and installed artwork will be accessioned and added to the City's inventory list and master database with all accompanying documentation.

#### **REMOVAL, RELOCATION, OR DEACCESSION OF THE ARTWORK**

In accepting a donation of artwork, the City of Burleson will not be bound by any agreement with the donor that restricts the City's ability to act in the best interest of the City of Burleson. Nothing in the acceptance of a donation of artwork shall prevent the City from approving subsequent removal, relocation, or deaccessioning of such donations if it serves the City's best interest to do so. The City will deaccession and dispose of works of art in its Collection in accordance with the Collection Management policies.

#### **ART ON LOAN OR TEMPORARY DISPLAY ON CITY-OWNED PROPERTY**

Art on loan, or art on temporary display on City-owned property, must meet the Donation Requirements above, follow the

Donation Proposal Procedures 1-11 above, and be reviewed through the Donation Proposal Review Process. Art on loan or art on temporary display on City-owned property must not be accessioned or added to the City's inventory list and master database. The City shall determine whether an expenditure of City funds, either a direct outlay of City funds or the use of City sources and materials, is associated with or required by acceptance of the loan prior to acceptance. The City may accept loaned public art from organizations and residents outside of the city.

All incoming loans should be documented and monitored in accordance with the same detailed procedures the government objects in City of Burleson's Public Art Collection. Loans must be documented by written loan agreements between the lender and the City, which should be signed by the lender prior to delivery and/or installation of the work to the City.

Upon City approval of a loaned artwork, the lender must sign an Art Loan Agreement with the City. The agreement should include:

- **Term of Loans**

- Loan agreements shall be for a minimum of six months and a maximum of two years, with a provision for up to one year extension with written approval from the lender and the City. When determining the duration of a loan and its duration for display, Lenders and the City should consider an object's material conditions, display location, and display context.

- At the end of the term of loan, the lender will be granted up to six additional weeks for the removal of the artwork from the site on which it resides.

- **Costs**

- The lender will be responsible for all costs associated with the loaned artwork, including but not limited to costs of transportation, installation, maintenance, removal, and repair (if needed).
- The City will provide site maintenance as well as assistance with installation and removal, under the supervision of the lender or lender's representative. The City shall not be held responsible for any damage to the artwork while it is on loan.

- **Installation**

- Artwork must be installed in accordance with requirements from City staff.

- **Insurance**

- The City will not assume responsibility for damage or theft of artwork that is on display in accordance with this Public Art Policy.
- The lender will acknowledge that a risk of damage, loss, vandalism, or theft is inherent in a public display.
- The lender must furnish satisfactory evidence of liability insurance

## Exhibit B: Public Art Policy

by submitting a Certificate of Insurance and an Additional Insured Endorsement listing the City. With approval from City Administration, the liability insurance requirement can be waived if the lender signed an Art Loan Release of Liability form.

### • Maintenance

- A representative of [Public Works? Parks?] will make periodic inspections of the work of art after acceptance by the City Council. Inspections shall be made at intervals deemed appropriate by the Planning Director or their assignee. The need for maintenance or repairs of the Loaned Public Art may be reported by the staff of any City department or office, the Commission, members of the Commission, and citizens.
- The Loaned Public Art and surrounding site shall be kept in a clean and orderly condition and in accordance with Collection Management policies and the terms and conditions of the agreement, if one exists, between the lender and the City.
- The lender or his or her designated representative will be utilized to make recommendations regarding the care and maintenance of the work of art when deemed appropriate by the City. A visual arts specialist or art conservator should be consulted if the artist or designated representative is not available to advise on the necessary care requirements.

- The Office of Community Services shall be responsible for carrying out the lender's advice on such care requirements and for determining such requirements when the artist/donor is unavailable.
- Prior to accepting the Loaned Public Art, the lender will provide the City with a condition inspection report.
- Vandalism or other damage to the Loaned Public Art shall be reported to the Burleson Police Department and/or the Office of Community Services.
- The lender shall pay the cost of maintaining the Loaned Public Art, unless otherwise provided in the written agreement between the lender and the City.

### • Removal

- Lenders are required to remove artwork by the agreed termination date. The City does not accept responsibility for artwork not removed within the designated time frame. Any piece of art that is not removed by the deadline shall be treated as abandoned property
- Artwork may be removed from City property in accordance with the Deaccession section of this Public Art Policy.

### MAINTENANCE

The City of Burleson will administer the maintenance of the City's Collection with

advice from the Public Art Coordinator and other outside partners through yearly evaluation and planning for the care of the existing Collection.

This section addresses:

- Accessioning and inventorying the City's Collection of public art;
- Preparing a biennial Public Art Maintenance Plan; and
- Overseeing routine maintenance and special conservation treatment of the City's Collection.

Every five years, the City of Burleson will assess the condition of all public art with a qualified professional conservator and develop a prioritized list of works in need of conservation or maintenance. This list will be the basis of the biennial Public Art Maintenance Plan.

Under this plan, trained contractors may carry out routine maintenance. For work in need of a higher level of maintenance, specialized care, or conservation treatment, the Program will utilize the maintenance funds available held in the Public Art Fund.

### TEMPORARY ARTWORK REMOVAL FOR CONSERVATION TREATMENT

In some cases, artwork conservation may not be possible for some artworks that are publicly displayed or in storage. Such artworks must be temporarily removed from public display or storage for conservation to be completed in a qualified conservation lab. Temporary removal of such artworks from public display

or storage is not considered deaccessioning, and procedures for emergency removal do not apply to these cases.

In cases of temporary artwork removal from public display or storage for the purposes of receiving conservation treatment, the artwork will be processed as an outgoing artwork loan for the duration of its treatment.

If an artwork requires conservation treatment and must be removed from public display or storage, then the following procedures must be completed before the artwork is temporarily removed from display or storage for treatment:

- Presentation to the City Manager’s Office, describing the scope, timeline, and budget for off-site conservation services for the artwork
- City Manager’s Office approval of off-site conservation scope
- Public Art Coordinator’s completion of the outgoing artwork loan form, which is to be filed with the appropriate City Manager’s Office.

Prior to the artwork’s travel for treatment, the artwork must undergo an outgoing artwork conservation assessment by a trained conservator or registrar. Upon the artwork’s return to the City of Burleson, the artwork must undergo an incoming artwork conservation assessment by a trained conservator or registrar. The City of Burleson should consult with a trained conservator or registrar on appropriate artwork crating and shipping procedures for any artwork traveling to or from the City of Burleson.

## **MAINTENANCE GUIDELINES FOR ACQUIRING NEW WORKS**

### **Maintenance Plan**

As described in the Acquisition Public Art Policy, all acquired artworks must have a maintenance plan developed.

### **Utilization of the Maintenance Plan**

The Maintenance Plan will be used to:

- Advise the Advisory Committee, appropriate City staff, and others who must review and approve design proposals or accept or decline donated artwork;
- Troubleshoot the production of construction drawings, the fabrication of the artwork, and the preparation of the site;
- Follow-up on the artist’s recommendations; and
- Refer to during the post-fabrication/ installation inspection to prepare a final report and a punch-list to complete the project.

The City of Burleson, professional conservators, and artists will strive to address the recommendations in the Maintenance Plan without unduly interfering with the aesthetic intent of the proposed public art.

### **Post Fabrication/Installation Inspection**

The Post-Fabrication/Installation Inspection conducted by City staff will be based upon and follow-up on the Maintenance Plan that was developed during the design phase. It will

include the following:

- Ensure that recommendations made in the Maintenance Plan and during fabrication were followed;
- Confirm that the artwork is executed as proposed and agreed upon;
- Confirm that there are no missing or incomplete elements;
- Establish that materials quality and stability are acceptable;
- Establish that fabrication quality and stability are acceptable;
- Confirm that installation is stable and secure;
- Confirm that stainless steel is fully and properly “passivated”;
- Confirm that, if required, protective coatings have been applied;
- Ensure that warranties for electronic and other media are submitted as necessary;
- Identify any remaining vulnerabilities;
- Confirm no new damage resulting from installation process;
- Ensure that the maintenance and operations plan is accurate; amend as needed; and
- Confirm that the plaque/public notice meets program policies and is properly installed.

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### DEACCESSION

#### Removal from Public Display

Requests to deaccession artwork to the City may be considered on a case-by-case basis. Requests for consideration shall be made through the Public Art Coordinator to the Advisory Committee, based on the deaccession criteria below.

If the artwork is removed from public display, the City of Burleson may consider the following options:

- Relocation: If the Advisory Committee recommends that an artwork must be removed from its original site, and if its condition is such that it can be re-installed, the Advisory Committee will attempt to identify another appropriate site. If the artwork was designed for a specific site, the Advisory Committee will attempt to relocate the work to a new site consistent with the artist’s intention. If possible, the artist’s assistance will be requested to help make this determination.
- Store artwork until a new site has been identified or the City decides to deaccession the artwork.
- Sell or trade the artwork after deaccession.

#### PROVISION FOR EMERGENCY REMOVAL

In the event that the structural integrity or condition of an artwork is such that the artwork presents an imminent threat to public safety, the City Manager may authorize immediate removal without the artist’s consent, and have the artwork placed in

temporary storage. The artist must be notified of this action within 30 days. The City will then consider options for repair, re-installation, maintenance provisions or deaccessioning. In the event that the artwork cannot be removed without being altered, modified, or destroyed, and if the Artist’s agreement with the City has not been waived under the Visual Artists Rights Act of 1990 (17 U.S.C.§ 106A), the City must attempt to gain written permission before proceeding. In the event that this cannot be accomplished before action is required in order to protect the public health and safety, the City shall proceed according to the advice of the City Attorney.

#### CRITERIA FOR DEACCESSION

The Advisory Committee may consider the deaccessioning of artwork for one or more of the following reasons in the event that it cannot be re-sited:

1. An artwork is not, or is only rarely, on display because of lack of a suitable site.
2. The condition or security of the artwork cannot be reasonably guaranteed.
3. The artwork has been damaged or has deteriorated and repair is impractical or unfeasible.
4. The artwork endangers public safety.
5. In the case of site specific artwork, the artwork’s relationship to the site is altered because of changes to the site.
6. The artwork has been determined to be incompatible within the context of the collection.

7. The City of Burleson wishes to replace the artwork with work of more significance by the same artist.
8. The artwork requires excessive maintenance or has faults of design or workmanship.
9. The City of Burleson has approved necessary site alterations
10. Written request from the artist.
11. The artwork has become publicly associated with racism, sexism, homophobia, xenophobia, acts of assault or violence, or other offensive themes.

#### Integrity of Artworks

The City of Burleson Public Art Program will seek to ensure the ongoing integrity of the artwork and the sites for which they were created, to the greatest extent feasible, in accordance with the artist’s original intentions, and consistent with the rights afforded by the Visual Artists Rights Act of 1990 (17 U.S.C.§ 106A).

#### Access to Artworks

The City will seek to assure continuing access to artworks by the public. However, the City may limit availability due to circumstances such as funding, public safety, display space, and deaccession processes.

#### Life Spans

An artwork’s life span is either the \$50,000

of time its materiality will allow it to be displayed (either for artwork safety or artwork integrity reasons), or the object’s display period, as determined by a contract between the City and the artist, whichever is shorter. Life spans assigned to the work during the commissioning process will be considered as part of requests for deaccession or removal. For artworks that have not been assigned a life span, the Public Art Coordinator may engage experts to assist in assigning the artwork a life span, based on the life expectancy of the artwork’s materials and fabrication methods, and/or the programming priorities of the Advisory Committee.

- Temporary: 0 - 2 years
- Short Term: 3 -10 years
- Medium-Term 11 - 25 years
- Long-Term 26+ years

**APPLICATION PROCESS**

**Preliminary Request**

Permanent artworks must be in place for at least five years before deaccession or relocation requests will be considered unless matters of public safety necessitate the removal. Deaccession or relocation requests may be submitted by the public.

**Deaccession and Removal Form**

Applicants will be required to submit a written request to City staff, or the appropriate representative for consideration of deaccession or removal of artwork.

**Review Process**

In consultation with the Advisory Committee, the Public Art Coordinator will review requests and decide on either deaccession or relocation.

**Public Meeting**

The City may hold a public meeting to gather community feedback on a proposed deaccession or removal, unless the removal is an emergency. The City may also decide to hold additional public meetings or gather community input through other methods. The City may seek additional information regarding the work from the artists, galleries, curators, appraisers, or other professionals before making a recommendation.

**Artist Involvement**

If deaccession or removal is recommended, the artist (if available) will be contacted and invited to provide input to the City. The artist’s contract and other agreements or pertinent documents will be reviewed and sent to the City Attorney’s Office for final approval.

**Recommendation**

The Public Art Coordinator will prepare a report and consult with the City Attorney, as necessary. City staff’s recommendation may include dismissing the request and/ or modifying, relocating, selling, donating, disposing, or storing the artwork.

1. Artist’s Name, biographical information, samples of past artwork, and resume.
2. A written description and images of the

Artwork.

3. Artist’s treatment about the Artwork named in Deaccession or Relocation Request (if possible)
4. A description of the selection process and all related costs that was implemented at the time the Artwork was selected.
5. A formal appraisal of the Artwork (if possible)
6. Information regarding the origin, history, and past ownership of the Artwork
7. Information about the condition of the Artwork and the estimated cost of its conservation.
8. Information and images of the Artwork’s site
9. Any information gained from the public meeting held about the deaccession and removal of the work.
10. Feedback from the City and City Manager’s Office responsible for operating and maintaining the Artwork.
11. Detailed budget for all aspects of conservation, maintenance, repair, installation, operation, insurance, storage, and City Staff support.
12. The Artist’s contract with the City.

City staff can recommend one or more of the following methods for an artwork’s deaccession:

1. Sale or Exchange - sale shall comply with the State of Texas and City of Burleson laws and policies governing the sale of municipal property.

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- a. Artist, or treatment of the artist, will be given the first option to purchase or exchange the artwork(s).
  - b. Sale may be through auction, gallery resale, direct bidding by individuals, or other forms of sale in compliance with the State of Texas and City of Burleson law and policies governing surplus property.
  - c. Exchange may be through an artist, gallery, museum or other institution for one or more artwork(s) of comparable value by the same artist.
  - d. No works of art shall be traded or given to Advisory Committee members or City of Burleson staff.
  - e. Proceeds from the sale of artwork shall be placed in an City of Burleson account designated for public art purposes. Any pre-existing contractual agreements between the artist and the City regarding resale shall be honored. An exception to these provisions may be required if the artwork was originally purchased with funds that carried with them some restriction, for example, bond funds for street and sidewalk improvements, in which case the proceeds shall be placed in an account designated for art allowed under similar restriction(s).
2. Destruction of Artwork – if artwork is deteriorated or damaged beyond repair or deemed of negligible value.
  3. If the City of Burleson is unable to dispose of the artwork in the manner outlined

above, the Public Art Coordinator may recommend the donation of the artwork to a non-profit organization or another method.

### Costs

If deaccession or relocation accommodates the applicant's interests or project, they may be required to cover the deaccession or relocation at no cost to the City.

### Conflict Of Interest

No works of art shall be given or otherwise transferred publicly or privately to officers, directors, or employees or staff of the City of Burleson or their immediate families or representatives of the City of Burleson.

### Compliance With Applicable Policies And Regulations

Deaccession and relocation of artwork will be done in a manner that complies with all other applicable City of Burleson, State of Texas, and federal procedures, policies, and regulations.

### Existing Public Art Pieces At Time Of Public Art Policy Adoption

Existing public art pieces on City-owned property should be evaluated using the accession criteria to ensure that it is appropriate for the City to continue owning and maintaining the artwork. If it does not meet the accession criteria, then the piece will not be accessioned into the City of Burleson Public Art Collection.

## PUBLIC ART PROGRAM WORKPLAN

### WHAT IS THE PUBLIC ART PROGRAM WORKPLAN?

The Public Art Program Workplan is a document that outlines in-process projects, and projects will be initiated in the coming fiscal year(s). The Program Update is one of the most crucial elements of the Public Art Program. It creates a roadmap and allows for the input of community members, elected officials, and others who care deeply about public art in the City of Burleson.

The Public Art Coordinator will develop the Update in consultation with staff and the Advisory Committee and submit it to the Mayor and City Council as part of the budget for review and approval.

The following steps will be taken to develop the Public Art Program Workplan:

1. Work with City and City Manager's Offices to determine the availability of funds for the upcoming year(s).
2. Identify projects to be paid for by identified funding, including acquisition and maintenance.
3. Develop a draft Public Art Program Workplan that will include locations, goals, and budgets for public art projects and programs for staff review.
4. Present the Update to City Council as part of the City budget approval.
5. Integrate feedback from City Council to determine the final Program Update.
6. Report on the use of funds collected to

support the Public Art Program to and increase the \$50,000 of art in the City that is available to the public.

**USE OF FUNDS**

Funding for the City of Burleson Public Art Program may come from:

- the Public Art Fund, as outlined in CODE;
- the City’s Capital Improvement Budget;
- grants and/or contributions from private entities;
- other public agencies;
- philanthropic sources; or
- through other sources as deemed appropriate by the City.

**USES OF FUNDS**

- The public art funds may be spent for:
- Calls for Entry, RFQ’s/RFP’s, concept designs, maquettes, juror stipends, and other costs related to competitions and Commissions
- Artist fees including travel stipends and expenses related to travel;
- Artwork fabrication and installation;
- Site preparation and cleanup;
- Acquisition of existing works of art;
- Relocation of existing or Commissioned works of art;
- Required permits and insurance during the

fabrication and installation of the artwork;

- Informational/promotional materials and public events directly related to the artwork;
- Required equipment needed for installation;
- Artwork appraisal;
- Staffing and services of an Arts Administrator;
- Curators and contracted services.

The public art funds may not be spent for:

- Mass-produced work, with the exception of limited editions controlled by the artist.
- Professional graphics, unless designed or executed by an artist or used in the development of collateral material.
- Decorative, ornamental or functional elements that are designed by a project’s architect or other designer.
- Routine maintenance, conservation, repair, or restoration, exceeding more than 10% of the annual budget.
- Purchase of existing works of art outside of the selection process.

**PUBLIC ART ACQUISITION**

These policies establish the practices for acquiring artworks. The procedure creates a thorough and transparent process for acquiring artwork and favors open-ended selection processes to ensure artistic

excellence in the City’s Collection.

Selecting the artist is one of the most critical steps in commissioning public art. An open, equitable, competitive process that inspires the artist and engages the community can be an enriching experience and lead to more creative and exciting public art. The Public Art Coordinator will work with the Advisory Committee to determine the appropriate method for commissioning new artwork for each Public Art Program project.

**GOALS OF THE SELECTION PROCESS**

- To satisfy the goals of the project site through an appropriate artist selection.
- To further the mission and goals of the Public Art Program.
- To select an artist or artists whose existing public artworks or past collaborative design efforts have demonstrated a level of quality and integrity.
- To identify an approach to public art suitable to the goals and demands of the particular project.
- To select an artist or artists who will best respond to the distinctive characteristics of the site and the community it serves.
- To select an artist or artists who can work successfully as members of an overall project design team.
- To ensure that the selection process represents and considers the interests of all parties concerned, including the public.
- To ensure that the artwork collection,

## Exhibit B: Public Art Policy

overall, is reflective of all present and past stories and community legacies of Burleson.

### CONFLICT OF INTEREST

Advisory Committee or Public Art Advisory Committee members will declare any and all conflicts of interest for all projects and artwork under consideration at the beginning of their meetings. A conflict of interest exists if a Advisory Committee member, an organization the Advisory Committee member is associated with as a staff or Committee member, or a Advisory Committee member's family member, has the potential to gain financially from the project under consideration by the Advisory Committee or Public Spaces and Cultural Heritage Committee. In order to promote public confidence in this process, a Advisory Committee member may also declare a conflict if they think there may be a perception that they have a conflict. Potential conflicts should be submitted in writing to the City Manager. If it is determined by the City Manager that a conflict exists, the Advisory Committee member must resign from the selection Advisory Committee.

### ARTIST SELECTION METHODS FOR ACQUIRING EXISTING ARTWORK

#### Competitions

In competitions, the City may put out an open call to artists for a possible inclusion in an exhibition at a predetermined site. The competition, which may or may not take the form of a temporary exhibit may feature existing artworks. Each selected

artist may receive a stipend and the City may purchase one or more pieces of artwork at the conclusion of the exhibit to be placed in public locations around City of Burleson. All calls for artists will be advertised on the City of Burleson's website, appropriate procurement site.

#### Direct Selection

On occasion, artists may be chosen directly by the Artist Selection Advisory Committee. Direct selection may be used and could come from a pre-qualified list. Approval for this method should be in accordance with the City of Burleson's purchasing procedures. City staff should refer to City of Burleson Administrative Regulations (PURCHASING), prior to finalizing the accession process, as proposed donations may require City Council acceptance.

#### Direct Purchase

Some projects require the purchase of a specific artwork due to the exacting nature of the project or a minimal project timeline. In this case, the work must be "one-of-a-kind" and not mass-produced or off the shelf. This list of artists could come from a pre-qualified list. Approval for this method should be in accordance with the City of Burleson's purchasing procedures. City staff should refer to City of Burleson Administrative Regulations (PURCHASING), prior to finalizing the accession process, as proposed donations may require City Council acceptance.

### ARTIST SELECTION METHODS FOR

### COMMISSIONING NEW ARTWORK

#### Open Competition

In an Open Competition, any artist may submit their qualifications or proposal, subject to any requirements established by the Artist Selection Advisory Committee. The Requests for Qualifications (RFQs) or Requests for Proposals (RFPs) should be sufficiently detailed to permit artists to determine whether their art is appropriate for consideration. Open Competition allows for the broadest range of possibilities for a site and brings in new, otherwise unknown, and emerging artists.

#### Limited or Invitational Competition

In a Limited Competition or Invitational, several pre-selected artists are invited by the Artist Selection Advisory Committee to submit their qualifications and/or proposals. This method may be appropriate when the City is looking for a small group of experienced artists, a limited time frame, or if the project requirements are so specialized that only a limited number of already identified artists would be eligible. This list of artists could come from a pre-qualified list.

#### Direct Selection

On occasion, artists may be chosen directly by the Artist Selection Advisory Committee. Direct selection may be useful on projects where an urgent timeline, low budget, or where precise project requirements exist. This list of artists could come from a pre-qualified list. Approval for this method should

be in accordance with the City of Burleson's purchasing procedures. City staff should refer to City of Burleson Administrative Regulations (PURCHASING), prior to finalizing the accession process, as proposed donations may require City Council acceptance.

### **Direct Purchase**

Some projects require the purchase of a specific artwork due to the exacting nature of the project or a minimal project timeline. In this case, the work must be "one-of-a-kind" and not mass-produced or off the shelf. This list of artists could come from a pre-qualified list. Approval for this method should be in accordance with the City of Burleson's purchasing procedures. City staff should refer to City of Burleson Administrative Regulations (PURCHASING), prior to finalizing the accession process, as proposed donations may require City Council acceptance.

## **ARTIST SERVICES PROCUREMENT**

### **Design Team Member**

In some instances, the City may use a targeted process to select an artist as part of a larger project design team. Language would be added to the project Request for Qualifications/Request for Proposals specifying that all teams responding to the RFQ/RFP must include a professional artist from a pre-qualified list as described in the section below. Given the nature of the project, a design team responding to an RFQ/RFP may be asked to identify an artist as part of the team based upon criteria established by the

City in the RFQ/RFP. In this case, the Public Art Coordinator will represent the Program as part of the selection Advisory Committee for the design team.

### **Pre-Qualified Artist Lists**

The City may decide to develop a pre-qualified pool of artists from which it can choose artists for Limited Competition, Direct Selection, and Direct Purchase. This pool would be developed based on a comprehensive review of artist qualifications. This list could be updated annually or bi-annually, depending on the frequency of new projects.

### **ARTIST SELECTION PROCESS FOR ARTWORK ACQUISITION (EXISTING ARTWORK AND NEWLY-COMMISSIONED ART)**

Once an Artist Selection method is determined, a selection process will be established. A jury of recognized experts will make recommendations for selected artists to create site-specific artwork or will make recommendations for artwork chosen to be exhibited.

If the budget for a single piece of artwork is \$50,000.00 or more, a selection panel must be formed. If the budget for a single piece of artwork is less than \$50,000.00, the Advisory Committee will act as the selection Advisory Committee.

### **Purpose and Responsibilities**

- The artist selection process will interpret and review the artist's proposals based on the selection criteria.

- The goals of the selection process are as follows:
- To satisfy the goals of a specific project or site through an appropriate artist selection.
- To further the mission and goals of the Public Art Program.
- To select an artist or artists whose existing public artworks or past collaborative design efforts have demonstrated a level of quality and integrity.
- To identify an approach to public art suitable to the goals and demands of the particular project.
- To select an artist or artists who will best respond to the distinctive characteristics of the site and the community it serves.
- To select an artist or artists who can work successfully as members of an overall project design team.
- To ensure that the selection process represents and considers the interests of all parties concerned, including the public, the arts community, and the City and City Manager's Office(s) involved.

## **ARTIST SELECTION ADVISORY COMMITTEE**

### **Membership of Selection Advisory Committee**

Membership will be recommended by the Public Art Coordinator. The members of the selection panel (panelists) will be representative of the community demographic and will consist of at least five (5) but no more

## Exhibit B: Public Art Policy

than nine (9) members from the list below:

- Members of the Advisory Committee
- Artist or arts administrator;
- Design professionals
- City of Burleson project manager who may appoint the project architect or project landscape architect in their stead; and
- A member of the project steering Advisory Committee if one has been appointed
- Community or neighborhood representative

### Artist Selection Advisory Committee Conflict of Interest

Artist Selection Advisory Committee members will declare any conflicts of interest for all projects and artwork under consideration at the beginning of their meetings. A conflict of interest exists if a Advisory Committee member, an organization the Advisory Committee member is associated with as a staff or Committee member, or a Advisory Committee member's family member can gain financially from the project under consideration by the Artist Selection Advisory Committee. In order to promote public confidence in this process, a Advisory Committee member may also declare a conflict if they think there may be a perception that they have a conflict. If a Advisory Committee member has a conflict, he/she must not participate in the Artist Selection Advisory Committee's discussion or decision regarding the project. They must also refrain from discussion about the project and

from influencing fellow Advisory Committee members.

### Procedures

During an artist selection process, Artist Selection Advisory Committee members will not submit applications for the placement of their own artwork and/or projects. City Staff and Advisory Committee can invite artists to participate but must refrain from giving advice to applicants or answering their questions and direct such questions to the Public Art Coordinator during the selection process. The COMMISSION must solicit public comment for all pieces of public art commissioned or purchased for over \$50,000.00. An opportunity for public comment must be given before a formal vote. A formal vote recommending the selection to the City of Burleson City Council must be recorded in keeping with the City of Burleson public record requirements.

### Purchasing Procedures

Pursuant to City of Burleson Public Art Policy, if the purchase of an existing artwork, or the award of a contract for a newly commissioned artwork exceeds \$49,999, then the Advisory Committee must recommend the artwork for purchase to the City Council prior to approval of the contract.

### PROJECT IMPLEMENTATION PROCESS FOR SITE- SPECIFIC ARTWORKS

Upon the decision of the Artist Selection Advisory Committee, and with the assistance of the City Attorney's Office, the Public Art Coordinator will prepare a contract that includes the scope of work, fee, schedule, and relevant terms and conditions to be approved by the City and artist.

The City will follow the process for contracting required by law. For some projects, the contract with the artist may be phased to include two scopes of work with separate pay schedules and deliverables. The first phase would include all design documentation, including final design, stamped engineering drawings, installation details, and a revised fabrication budget and timeline. The second phase would include all costs related to fabrication and installation.

The Public Art Coordinator will ensure all documents are signed and insurance coverage secured before issuing a notice to proceed and will be responsible for coordinating the artist's work to ensure the successful integration of the artwork into the project. The Public Art Coordinator will organize a meeting with all integral staff to review roles, responsibilities, and schedules.

If specified in the contract, the artist will develop design development drawings for review and approval from the City before fabrication. The Public Art Coordinator will schedule meetings with the appropriate offices to review and approve the plans.

If the artist proposes any significant design changes, the Public Art Coordinator will secure the recommendation for approval from the Advisory Committee and the appropriate City

Manager’s Offices of the City before approving said changes in writing, per the terms and conditions of the contract.

If the parties are unable to reach mutually beneficial contract terms, then the contract process will be terminated.

The Public Art Coordinator will be responsible for overseeing the installation of the artwork. The Public Art Coordinator will ensure that all the necessary requirements have been completed before interim and final invoice payments to the artist.

**Maintenance Plan**

Understanding maintenance and care of public art begins before an artwork is created. During the design phase or when a donation is initiated, the City, artist, or sponsor will review and analyze their design proposal and advise on maintenance and operations of the artwork. It is best practice and highly recommended that an art conservator is contracted to give a report on the proposed artwork.

On behalf of the City, the artist, sponsor, or the appropriate party will submit a Maintenance Plan to the City of Burleson, who will review and then catalog any tasks associated with maintenance of the artwork.

The Maintenance Plan will enable the City to:

- Evaluate the quality and sustainability of the proposed or existing public art ;
- Establish maintenance requirements, assign schedules, and identify potential costs; and

- Determine if the City of Burleson should accept or decline the design proposal and/ or public art .

To produce the Maintenance Plan, the artist should examine and render an opinion on the following:

- Durability;
- Type and integrity of materials;
- Construction/fabrication technique;
- Internal supports, anchoring and joining, and footings;
- Landscaping;
- Vulnerable and delicate elements;
- Drainage of artwork;
- Potentially dangerous elements;
- Security;
- Location;
- Environment;
- Whether the design encourages/ discourages interaction; and
- Effects of skateboarding, graffiti, and any other potentially damaging activities.

The Maintenance Plan will include:

- A record of the artist’s intentions for the artwork;
- Recommendations to mitigate potential problems discovered during the examination;
- Notes about how the artist would like the artwork to age;

- An itemization of long-range considerations and care, highlighting maintenance and the anticipated needs for periodic conservation treatment or repairs; and
- Identification of the lifespan of the artwork and a prognosis of its durability in consideration of that lifespan.

The artwork may also be identified as site-integrated, or part of the site and/or the architecture, as appropriate and will fall into the long-term lifespan category above.

**MURAL OPTION A - MURAL GUIDELINES**

**INTRODUCTION**

Murals are a relatively quick and highly impactful way to bring public art into the built environment. Murals provide an opportunity for visual artists to show their talent and creativity while also contributing to a community’s landscape and identity.

**PRIVATE MURALS ON PRIVATE PROPERTY**

The City of Burleson and City Manager’s Office encourage the installation of private murals on private property in order to support artists and enhance the visual environment in City of Burleson. Private property owners are encouraged to voluntarily follow the policies set forth in this document as applicable and are also encouraged to consult with the City Manager’s Office and the Public Art Coordinator with regard to any questions or concerns as they develop and implement private murals.

## Exhibit B: Public Art Policy

### PUBLICLY-OWNED MURALS

City Manager's Office has oversight responsibility pertaining to the creation of publicly-owned murals in the City of Burleson. Publicly-owned murals may occur on publicly-owned buildings or on privately-owned buildings where the property owner agrees to a mural easement allowing for the creation and maintenance of a publicly-owned mural on private property for a specific period of time.

The Advisory Committee or Public Art Advisory Committee assists the City Manager's Office with coordinating the creation and completion of publicly-owned murals. This assistance includes but is not limited to:

- Identifying potential mural sites.
- Issuing and administering the Request for Qualifications (RFQ) for mural artists.
- Coordinating a selection process for RFQ reviews and artist recommendations.
- Acting as a selection panel if the budget is under the \$50,000 project threshold.
- Making recommendations for the selection panel members if the budget is over the \$50,000 threshold.

### MURAL DESIGN CONSIDERATIONS

Murals in the City of Burleson are encouraged to be varied in both content and design. A wide variety of murals will ensure a vibrant visual experience for residents and visitors alike. Some murals may celebrate the history of City of Burleson while others may be palettes for vibrant artistic expression, inject whimsy

into the built environment, or showcase the artists' wildest dreams - the opportunities are endless.

While not relating to content, some design considerations should be made in order to ensure a successful project.

Design Considerations:

1. Scale - Who will be the intended viewer or audience? A mural intended for pedestrians may be of a different scale than one intended for automobile drivers or cyclists along a bike trail.
2. Accessibility - Are there opportunities to engage those who are visually impaired or otherwise not able to view the mural?
3. Maintenance - What are the long term maintenance implications of the design? Is it easily repairable?
4. Longevity - What is the expected life span of the mural? Is it intended to be a short or long term installation?
5. Experiential Elements - Is there a potential for additional elements that could be added to enhance the experience of the viewer such as virtual (VR) or augmented (AR) reality elements, audio elements either on site or online, Instagram or social media interactions or other opportunities?

### MURAL EASEMENTS

In order to create additional mural opportunities within City of Burleson, these policies encourage property owners to enter into easement agreements with the City that

allow for public funds to be expended for murals on private property. Though there may be positive benefits for a property owner as a result of the creation of a publicly-owned mural on their building, there must be no direct correlation between the content of the mural and the property or any business housed in the property.

In order for the City to implement a publicly-owned mural on a privately-owned building the building owner must sign an easement created by the City of Burleson which Texas that the owner will not paint over, destroy, cover, or alter the mural for the duration of the agreement. Agreements typically last for a minimum of 5 years but may be shorter or longer depending on the project. As part of easement negotiations, the City should also consider negotiating with the property owner for nightly illumination of the mural for the lifetime of the easement.

### RFQ ARTIST SELECTION

A selection panel should be formed using the policies in the acquisition section of the Public Art Policy in order to select artists. The following criteria should be utilized as the minimum criteria for the selection of artists for all mural projects. Additional project specific criteria may be added in addition to the baseline criteria.

- Experience with similar mural projects, examples of past projects – either in City of Burleson or other cities with strong mural programs, including at least ten (10) color images of one or more completed mural projects – and three supporting

professional references.

- Willingness to work with City Staff and the City Manager’s Office to develop and refine the mural design.
- Timely response to the RFQ, which shall include but not be limited to a requirement that at least ten (10) color renderings/ designs of the proposed mural, a written description of the mural, and photographs of the proposed site and physical surroundings be submitted to the City Manager’s Office
- Innovative and unique artistic vision, including technique, composition of visual art elements, use of line, color, form, and texture.
- Realistic project budget and timeline.
- Willingness to enter into a contractual agreement with the City of Burleson.
- Liability/Workers compensation/ automobile insurance.
- Agreement to allow images of the completed mural to be placed on the City of Burleson website.

**FUNDABLE EXPENSES**

The installation of a mural may necessitate additional expenses beyond the artist fee and materials. Additional fundable expenses include but are not limited to:

- Artist(s) fees for design and execution of murals.
- Rental or purchase of painting equipment

or the purchase of painting supplies.

- Preparation of the mural surface including repairs and priming.
- Rental of barricades and other equipment required of street or alley closures.
- Lighting and electrical equipment.
- Other expenses that are pre-approved by the City Manager’s Office and the City of Burleson.

**MURAL IMPLEMENTATION**

Upon selection, the artist will work with the City of Burleson to create a design, secure permits, as appropriate, such as street or alley closures. Below is a general overview:

- The City Manager’s Office will review and give final approval for the artist selection and mural design.
- City Staff will monitor the creation and completion of the mural.
- The Artist will create the artwork in a timely fashion. If more time is needed, the artist must notify the City so that any applicable permits may be extended.
- The creation of the mural must include materials that are long-lasting (at least five (5) years unless agreed to beforehand), graffiti and UV resistant, or include an anti-graffiti and UV resistant coating.
- The artist must notify the City when the mural is completed.
- When the mural is completed, the City Manager’s Office will hold a mural

dedication event.

**MURAL OPTION B - CITY OF BURLESON MURAL PROGRAM (PRIVATE PROPERTY) PERMITTING PROCESS AND REGULATIONS**

Murals play an important role in City of Burleson’s past and present. The City of Burleson has a long tradition of mural placement on private property, and encourages this and other forms of creative community expression. Murals provide an opportunity to transform blank walls into vibrant spaces. Murals can celebrate a place’s history, tell memorable stories of residents, and be a source of beauty. Murals are a relatively quick and highly impactful way to bring public art into a city’s built environment. The Mural Program regulates privately-commissioned murals visible to public property or public rights-of-way and is implemented through the issuance of Mural Permits pursuant to CODE.

The Mural Program does not apply to the following:

- Public art and murals funded by the City of Burleson or public art funds. These are governed by the “Acquisition” chapter in the Public Art Policy;
- Privately-commissioned public art and murals not visible to public property or

## Exhibit B: Public Art Policy

public rights-of way. These are governed solely by CODE; and

- Public art and murals on property where said use is not permitted pursuant to CODE.

### CITY OF BURLESON MURAL PERMIT SUBMITTAL COMPONENTS

The Mural Permit requires submission to the City Manager’s Office of the following documents constituting the “Permit Package”, which are described in detail in the subsequent sections.

1. Application
2. Private Property Acknowledgment Form
3. Encroachment Form
4. Permit Application for Occupying Public Right-of-Way (during installation)
5. Artist Copyright and License Waiver

### Application

Incomplete applications will not be considered for review. A non-refundable application fee as set by City Council Resolution is required to be paid at the time of application. The Application shall be on a form approved by the City Manager’s Office CONTACT and shall include provision of the following:

1. Property address and profile
2. Contact person identity and profile (applicant)
3. Contact information of property owner
4. Artist identity (artist as named on the City

of Burleson Mural Program Register)

5. Budget and funding sources
6. Proposed Mural information:
  - a. Title, dimensions, medium
  - b. Description
  - c. Project goals/vision, audience, outreach efforts, engagement, etc.
  - d. Full color rendering/sketch of the proposed design
  - e. Site images
6. Maintenance information
  - a. Monthly, quarterly, yearly
  - b. Complete list of materials that will be used to create the mural, and product names/identification, if available
  - c. Description of maintenance provider qualifications/skills
4. Installation and deinstallation plans including:
  - a. Proposed installation schedule
  - b. Surface preparation process
  - c. images of existing site and physical surroundings
  - d. installation and deinstallation equipment required
  - e. qualifications and profile of installation and deinstallation crew/personnel other than the Artist, if necessary, based on project scope

### Private Property Acknowledgment Form

Private Property Acknowledgment Form confirms the property owner’s knowledge of the existence of the mural, and will be signed by the property owner and notarized. The property owner agrees to the following parameters, which must be met to place a mural on private property:

1. Permits for murals on private property are allowable for up to five years from installation. At the discretion of the property owner, an extension of the Mural Permit may be granted, upon City review of the condition of the mural at the time of the request. Requests for extension shall be filed with the City Manager’s Office prior to Permit expiration.
2. No part of the mural shall exceed the structure to which it is affixed.
3. No part of the mural shall extend more than 6 inches from the plane of the wall upon which it is affixed.
4. No part of the mural contains electrical or mechanical components or changing images.
5. No part of the mural contains a commercial message in text or images.
6. Murals on private property must have an anti-graffiti coat applied to the surface to abate graffiti and vandalism.

### Mural Encroachment Form

The property owner must sign a form stating that the owner will not paint over, destroy,

cover, or alter the mural for the duration of the agreement. Agreements typically last for a minimum of 5 years but may be shorter or longer depending on the project. This form is submitted as part of the City of Burleson Mural Program application process.

### **Right of Way Construction Permit and Encroachment Permit Application for Occupying Public Right of Way**

A Right of Way Construction Permit and/or an Encroachment Permit may be required if the scope of public art or mural installation requires temporary occupation of the public right-of-way during installation, pursuant to those requirements contained in CODE.

### **Artist Copyright License and Waiver**

Applicants will select an artist from the City of Burleson Mural Program Artist Register (described below). The artist selected by the applicant to propose a design for a must sign the Artist Copyright License and Waiver, which establishes image uses and copyright, and waives the artist's VARA rights (Visual Artists Rights Act of 1990 (17 U.S.C. § 106A)).

### **CITY OF BURLESON MURAL PROGRAM PERMIT DESIGN CONSIDERATIONS AND STANDARDS**

The City of Burleson Advisory Committee reviews mural proposals according to the following Design Considerations and Standards. Decisions of the Advisory Committee are final within 10 days unless

appealed to the City Council.

### **Design Considerations**

While not relating to content, some design considerations will help ensure a successful, high impact project. Private Property Owners and Artists are encouraged to consider the following when creating a mural concept:

1. **Scale** - Who will be the intended viewer or audience? A mural intended for pedestrians may be of a different scale than one intended for automobile drivers or cyclists along a bike trail.
2. **Accessibility** - Are there opportunities to engage those who are visually impaired or otherwise not able to view the mural?
3. **Maintenance** - What are the long term maintenance implications of the design? Is it easily repairable?
4. **Experiential Elements** - Is there a potential for additional elements that could be added to enhance the experience of the viewer such as virtual (VR) or augmented (AR) reality elements, audio elements either on site or online, Instagram or social media interactions or other opportunities?
5. **Historic Preservation** - Is this mural intended for a historic building or structure? If so, painting unpainted finished masonry is generally considered an inappropriate treatment. Explore other options such as painted panels or applied vinyl. Murals proposed for placement on historic buildings or structures shall be subject to applicable additional review

depending on the proposed project scope.

### **Standards**

Though there may be positive benefits for a property owner as a result of the creation of a mural on their building, there must be no direct correlation between the content of the mural and the property or any business conducted on the property. The City of Burleson Mural Program intends to support artistic expression, and proposals containing content that is inappropriate and/or indecent by community standards may not be approved.

1. Murals shall be an original artwork designed and implemented by an artist from the City of Burleson Mural Program Artist Register. A proposed artist from the City of Burleson Mural Program Register must be identified in the application.
2. Mural Applications are reviewed using the following criteria:
  - a. Strength of the concept and appropriateness of the imagery for all ages.
  - b. Appropriateness of scale to the surrounding environment including the facade on the building in which it is placed, as applicable.
  - c. Absence of commercial signage elements. Public safety and compliance with local laws and regulations.
  - d. Selection of an artist able to execute the proposed public art or mural.

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- e. Demonstrated ability to complete and maintain the mural for the entire life of the permit, and a documented understanding of the proposed surface’s ability to receive the proposed materials.
- 3. All Public Mural proposals containing any written text and/or signage elements, as defined in CODE, may be subject to an additional review process through the City Manager’s Office.
- 4. Mural installation must begin within one year of the approval of the application. If the project is unable to be completed within the allocated time frame, the application will be considered void.
- 5. All murals are subject to ongoing conservation and maintenance activities.
- 6. The City reserves the right to reject any application if it presents a public safety risk or potential liability issues.
- 7. Incomplete applications will not be reviewed.

### MURAL APPLICATION REVIEW

The Advisory Committee reviews and approves or denies Mural Permit following the review process outlined below applications for the City of Burleson Mural Program:

- 1. Permit Package provided to the City Manager’s Office with payment of the current fee.
- 2. Permit Package routed to the City Manager’s Office for review by Public Art Coordinator for completeness.
- 3. Complete Permit Package routed for review by the Advisory Committee.

- 4. Advisory Committee sends Decision to City Manager’s Office
- 5. City Manager’s Office notifies applicant of decision and 10-day appeal period by letter and publically posts decision.

### EXISTING PRIVATELY-COMMISSIONED MURALS ON PRIVATE PROPERTY VISIBLE TO PUBLIC PROPERTY OR PUBLIC RIGHTS-OF-WAY (“LEGACY OR MURALS”)

Any mural on private property and visible to public property or public right-of-way installed prior to the effective date of these Public Art Policy for which a land use entitlement such as a Minor Conditional Use Permit or Conditional Use Permit has not been obtained may continue as a nonconforming use for a period of five years from the effective date of the Public Art Policy so long as it and/or the surface or property on which it is located is maintained such that it is not a public nuisance or otherwise creating a public safety issue. Legacy Murals may be expanded, modified and/or have the lifespan extended only in compliance with an approved Mural Permit.

### ACQUISITION OF PRIVATELY-COMMISSIONED MURALS ON PRIVATE PROPERTY, EITHER IN THE PUBLIC RIGHT-OF-WAY OR NOT IN THE PUBLIC RIGHT-OF-WAY ACQUISITION

If any privately-owned and/or privately-commissioned mural on private property has been proposed for City acquisition into the Public Art Collection, then the mural in question must be reviewed for acquisition

according to the procedures set forth in the “Acquisition” chapter of this Public Art Public Art Policy document. As mentioned above, privately-owned and/or privately-commissioned murals on private property are not automatically accessioned into the Public Art Collection of the City of Burleson.

*Item A.*

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, ADOPTING THE 2025 PUBLIC ART MASTER PLAN; PROVIDING FOR IMPLEMENTATION.**

**WHEREAS**, the City of Burleson recognizes the importance of arts and culture in enhancing community identity, civic pride, economic vitality, and placemaking efforts; and

**WHEREAS**, the City has developed the 2025 Public Art Master Plan to establish a long-term framework for guiding the development, funding, and management of public art throughout the community; and

**WHEREAS**, the Plan reflects over a year of monthly Public Art Committee meetings in which the Committee provided direction, reviewed community engagement outcomes, and guided draft recommendations to ensure the plan aligns with Burleson’s cultural goals and community values; and

**WHEREAS**, robust community engagement shaped the Plan, including more than 1,000 survey responses, interactive feedback at public events, artist-led projects such as the Barn Quilt Series and Burleson Community Quilt, and multiple stakeholder interviews and focus groups; and

**WHEREAS**, the Plan sets forth goals to enrich Burleson with public art that sparks curiosity, fosters dialogue, celebrates community spirit, and reflects the city’s history and aspirations; and

**WHEREAS**, the Plan provides policies and implementation strategies, including standards for acquisition, funding models, artist selection, mural guidelines, collection management, and a framework for commissioning priority projects such as rotating quilt installations and community murals; and

**WHEREAS**, the Community Services Committee reviewed the draft Plan and policy on September 3, 2025, and City Council received the draft Plan on October 6, 2025; and

**WHEREAS**, notice was duly given and the City Council held a meeting on October 20, 2025, at which time the Plan and public input were considered.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:**

**Section 1.**

The City Council finds the recitals set forth above are true and correct and are incorporated herein as findings of the Council.

The City Council hereby adopts the 2025 Public Art Master Plan, attached hereto as Exhibit “A” and incorporated herein by reference as if set forth fully, as the City’s official guiding document for public art planning, programming, and implementation.

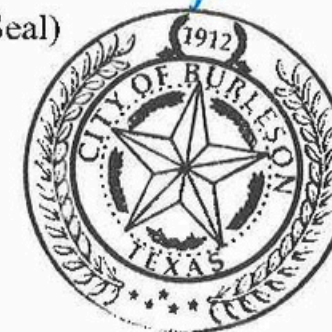
.PASSED, APPROVED, AND DULY RESOLVED by the Board, on the 3<sup>rd</sup> day of November, 2025

Chris Fletcher, Mayor  
City of Burleson, Texas

ATTEST:

Amanda Campos, City Secretary

(Seal)



APPROVED AS TO LEGAL FORM:

E. Allen Taylor, Jr. City Attorney

MATT RIDITZKI,  
DEPUTY CITY ATTORNEY


**Public Spaces and Cultural Heritage Board**

**DEPARTMENT:** Parks and Recreation  
**FROM:** Jen Basham, Director of Parks and Recreation  
**MEETING:** May 12, 2026

**SUBJECT:**

Receive a report, hold a discussion and provide staff feedback regarding the workflow and definition of art in public spaces. *(Staff Contact: Jen Basham, Director of Parks and Recreation)*

**STRATEGIC PRIORITY AND GOAL(S):**

Strategic Priority	Strategic Goal
 <p><b>High Performing City Organization</b> Providing Exceptional, People Focused Services</p>	<p>1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers</p>

**SUMMARY:**

Following the presentation of the Burleson Public Art Plan, staff is advancing into the next phase of implementation. The purpose of this memo is to outline a clear and structured path from plan adoption to execution, including how projects will be identified, prioritized, developed, and advanced toward the City’s first Call for Art.

This approach is designed to ensure the program is implemented in a manner that is intentional, transparent, and sustainable, while aligning with the vision, goals, and community input reflected in the adopted Public Art Plan.

As part of this workflow, all projects will be evaluated using the Public Art Plan’s adopted definition of public art to ensure consistency and alignment with policy. Public art is defined to include original works such as sculpture, monuments, murals, painting, photography, mixed media, and functional or environmental art, including artist-designed street furniture and artistic landscape compositions.

The definition also establishes clear parameters for eligibility. Public art does not include mass-produced or standard design elements; traditional architectural or landscape features; signage,

wayfinding, or branding elements; or works intended primarily for commercial or promotional purposes. Performing arts, general programming, and mechanical reproductions are also excluded unless they are limited editions controlled by the artist.

Grounding the workflow in this definition ensures that all projects brought forward for consideration are artist-driven, original in nature, and consistent with the intent of the Public Art Plan.

Staff will advance implementation through the following workflow:

#### **Project Identification and Intake**

Potential public art projects will be identified through capital projects, City initiatives, private development, and community-driven opportunities. All proposed projects will undergo an initial screening for eligibility based on the adopted definition of public art.

#### **Evaluation and Prioritization**

Eligible projects will be evaluated based on alignment with the Public Art Plan, site suitability, community impact, funding availability, and readiness. This step ensures resources are directed toward projects that best advance the City's goals.

#### **Concept Development and Coordination**

For prioritized projects, staff will coordinate internally and with external partners as needed to define scope, site parameters, budget, and any applicable development or regulatory requirements, including coordination with Development Services for items such as signage or mural compliance where applicable.

#### **Board Review and Public Engagement**

Projects will be presented to the Public Spaces and Cultural Heritage Committee for review, with defined opportunities for public input to ensure community alignment and transparency.

#### **Call for Art and Artist Selection**

Once projects are fully defined, staff will initiate a Call for Art. Artist selection will follow established processes outlined in the Public Art Plan, ensuring fairness, quality, and alignment with project intent.

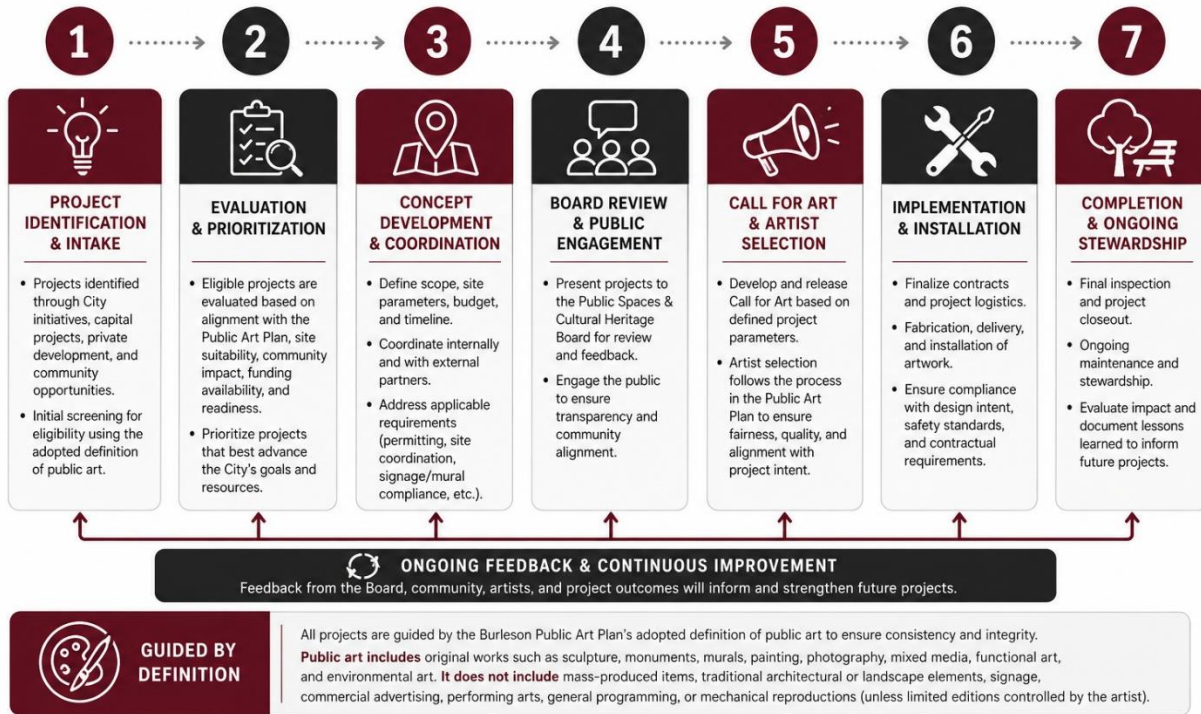
#### **Implementation and Installation**

Selected projects will move into fabrication and installation, with staff oversight to ensure compliance with design intent, safety standards, and contractual requirements.

By following this structured workflow, the City establishes a clear and consistent process for advancing public art projects from concept to completion, while maintaining alignment with adopted policy and community expectations.

# BURLESON PUBLIC ART PLAN WORKFLOW

PATH TO IMPLEMENTATION: PROGRESSING PROJECTS



**RECOMMENDATION:**

Staff is seeking feedback from the Public Spaces and Cultural Heritage Board on the proposed workflow and the application of the adopted public art definitions to guide project identification and evaluation.

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

The City of Burleson Public Art Policy adopted in the fall of 2025 provides general guidance regarding the flow of projects.

The Burleson Public Art Plan outlines a definition of public art as "...sculpture, statues or monuments in any material or combination of materials; painting; murals; graphic arts including printmaking and drawing; photography; crafts in clay, fiber and textiles, wood, metal, plastics, glass and other materials; mixed-media, any combination of forms or media, including collage; functional art such as street furniture, as defined by the City of Burleson Public Art Program; environmental art consisting of landforms and artistic landscape composition.

The term "Public Art" does not include reproductions by mechanical or other means of original works of art, except for limited editions, controlled by the artist, of original prints, cast sculptures, photographs or other works of art; decorative, ornamental, or functional elements which are

designed by the building architect or consultants engaged by the architect which are a traditional and typical element of architectural design; elements generally considered to be conventional components of a landscape architectural design including, but not limited to, plant materials, pools, paths, benches, receptacles, fixtures and planters except street furniture as defined by the City of Burleson Public Art Program and environmental art consisting of landforms and artistic landscape composition; "Art objects" which are mass produced or of a standard design, such as playground sculpture or fountains, except pieces of historical significance to the city; directional or other functional elements, such as supergraphics, signage, color coding and maps, except where sculptural pieces are used to define gateways in the city; electrical, water or mechanical service for activation of the work; exhibitions and educational programs related to the work; performing arts; and art that displays slogans, logos, mascots or commercial advertising" (Exhibit B: Public Art Policy, Burleson Public Art Plan, page 64-65).

**REFERENCE:**

**FISCAL IMPACT:**

**STAFF CONTACT:**

Jen Basham  
Director of Parks and Recreation  
[Jbasham@burlesontx.com](mailto:Jbasham@burlesontx.com)  
817-426-9201

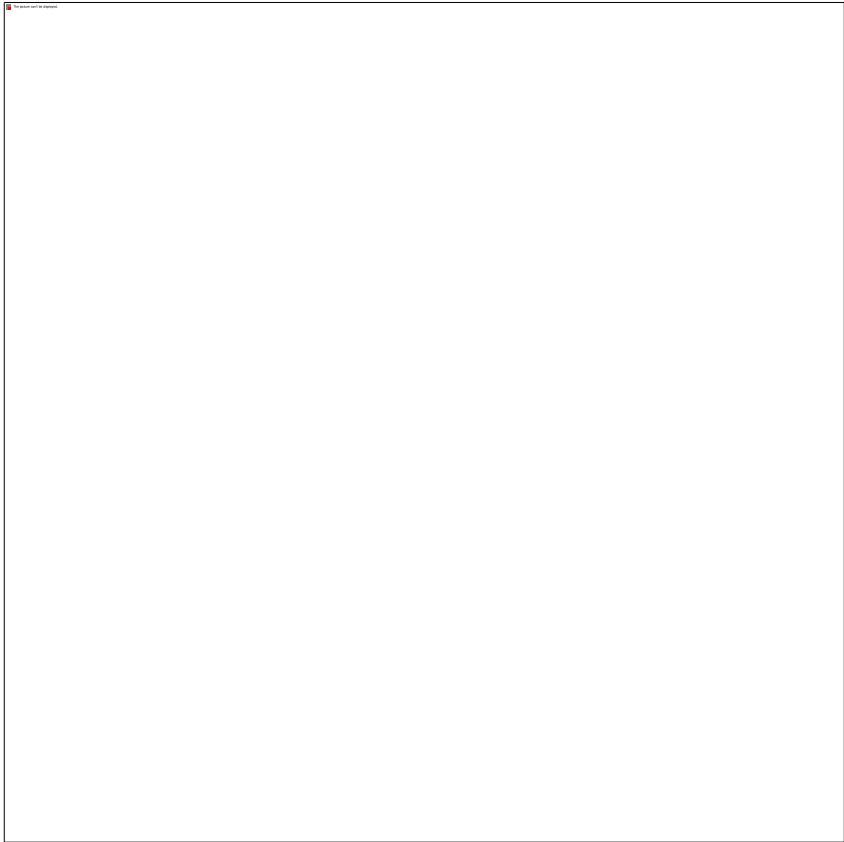


# Public Art Definition and Workflow

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PUBLIC SPACES AND CULTURAL HERITAGE BOARD MAY 12, 2026

STAFF CONTACT: JEN BASHAM, DIRECTOR OF PARKS AND RECREATION



# Where we are today

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Public Art Plan Reviewed

Community Engagement Completed

Projects Identified

Vision and Policy Established



# Definitions- What it is

WHAT IS PUBLIC ART CURRENTLY  
DEFINED AS IN THE MASTER PLAN?

...sculpture, statues or monuments in any material or combination of materials; painting; murals; graphic arts including printmaking and drawing; photography; crafts in clay, fiber and textiles, wood, metal, plastics, glass and other materials; mixed-media, any combination of forms or media, including collage; functional art such as street furniture, as defined by the City of Burleson Public Art Program; environmental art consisting of landforms and artistic landscape composition



# Definitions- What it is not

The term “Public Art” does not include reproductions by mechanical or other means of original works of art, except for limited editions, controlled by the artist, of original prints, cast sculptures, photographs or other works of art; decorative, ornamental, or functional elements which are designed by the building architect or consultants engaged by the architect which are a traditional and typical element of architectural design; elements generally considered to be conventional components of a landscape architectural design including, but not limited to, plant materials, pools, paths, benches, receptacles, fixtures and planters except street furniture as defined by the City of Burleson Public Art Program and environmental art consisting of landforms and artistic landscape composition; “Art objects” which are mass produced or of a standard design, such as playground sculpture or fountains, except pieces of historical significance to the city; directional or other functional elements, such as supergraphics, signage, color coding and maps, except where sculptural pieces are used to define gateways in the city; electrical, water or mechanical service for activation of the work; exhibitions and educational programs related to the work; performing arts; and art that displays slogans, logos, mascots or commercial advertising



# Public Art-Private Property

Public art on private property refers to artwork that is privately owned, funded, and located on private property, but is visibly accessible to the public realm, such as along streets, sidewalks, parks, or other publicly accessible spaces.

These installations contribute to the community's visual environment and sense of place, even though they are not part of the City's owned public art collection.



# Public Art-Private Property Board Role

### Board Role (Advisory)

- Review for aesthetic alignment with community character
- Ensure consistency with the Public Art Plan and curatorial approach
- Provide non-binding recommendations

### Staff Role (Regulatory + Coordination)

- Ensure compliance with:
  - Development Code
  - Sign ordinance (especially for murals)
  - Permitting requirements

Coordinate with Development Services and property owners as needed



# The Goal

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Move from ideas to action

Build identity and civic pride throughout the community

Create visible impact in public spaces

# Workflow Overview

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## INITIAL RENDERING

Foundation-Today

Inventory-Parallel Process

Prioritization of Projects-City Initiated

Review of Requests-Private Initiated

Project Development

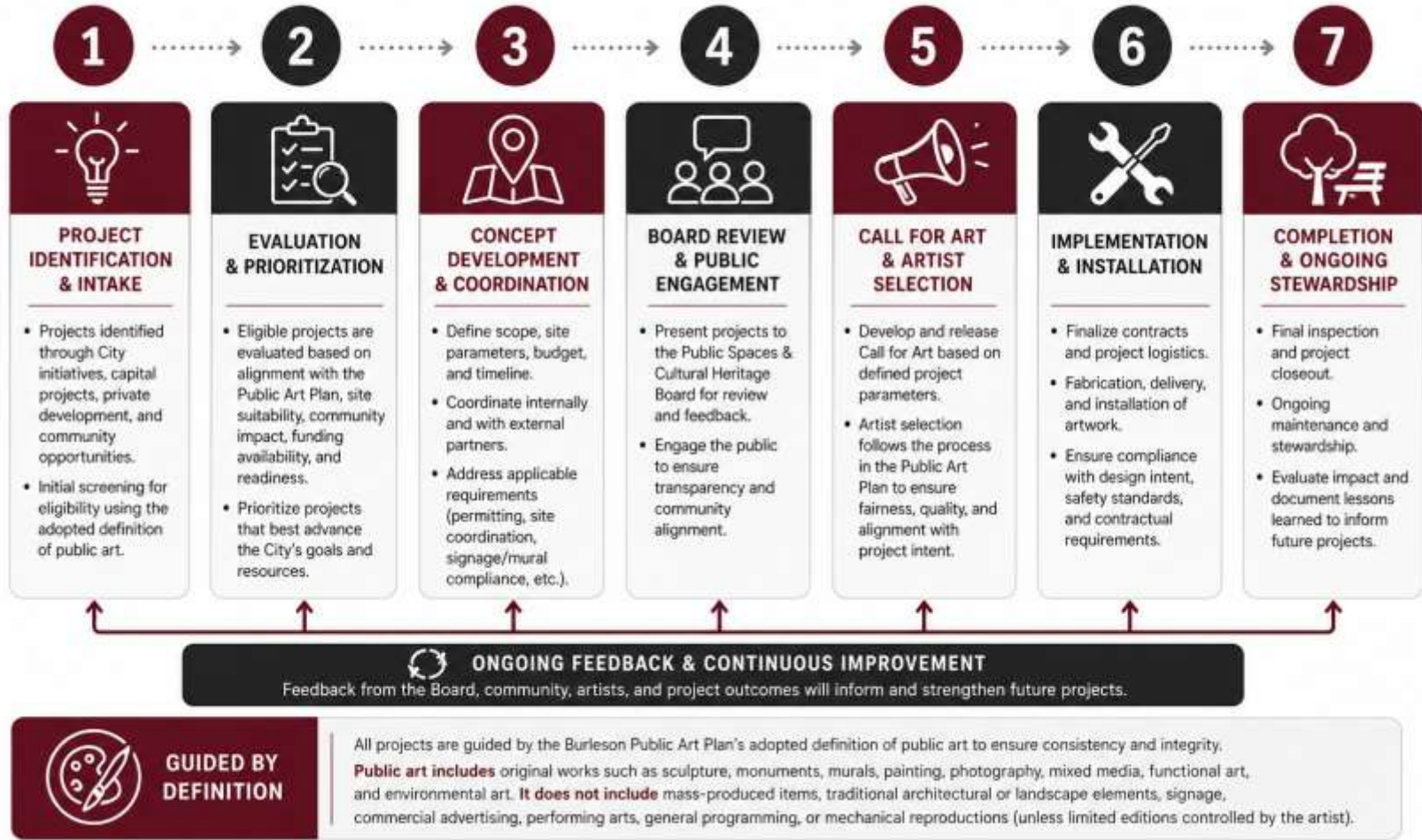
Call for Art

Installation



# BURLESON PUBLIC ART PLAN WORKFLOW

## PATH TO IMPLEMENTATION: PROGRESSING PROJECTS





# How do we prioritize

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Projects identified as priority through master plan

Funding

Community Impact

Visibility

Readiness

Maintenance



# Tiers

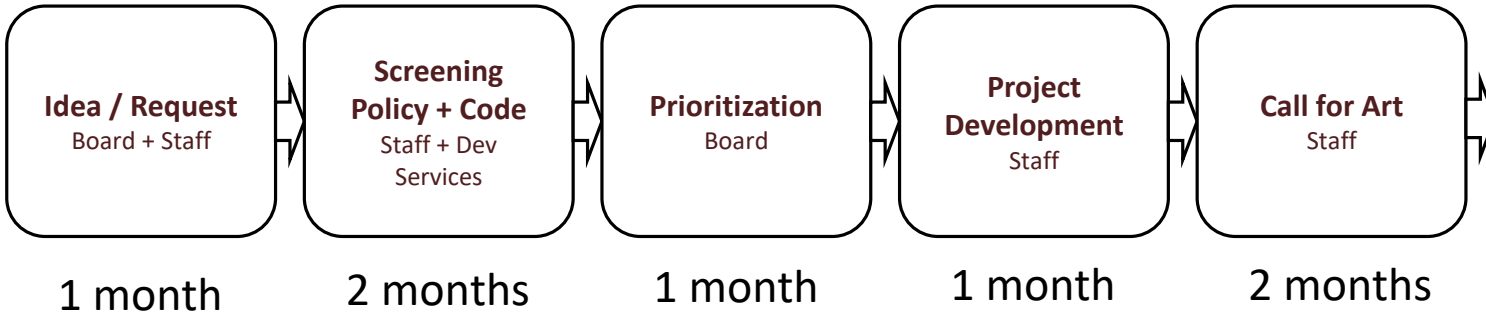
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TIER 1: READY NOW

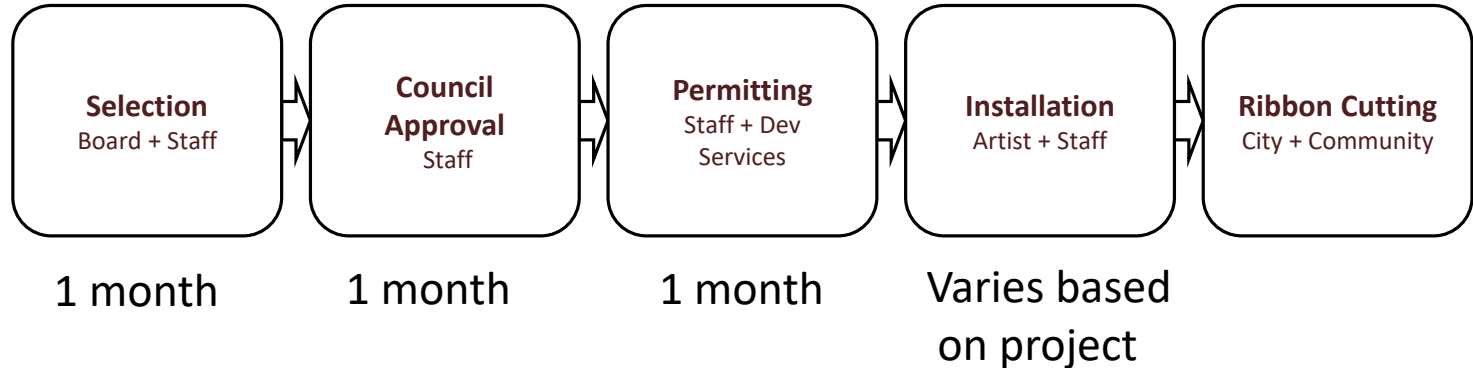
TIER 2: MID-TERM

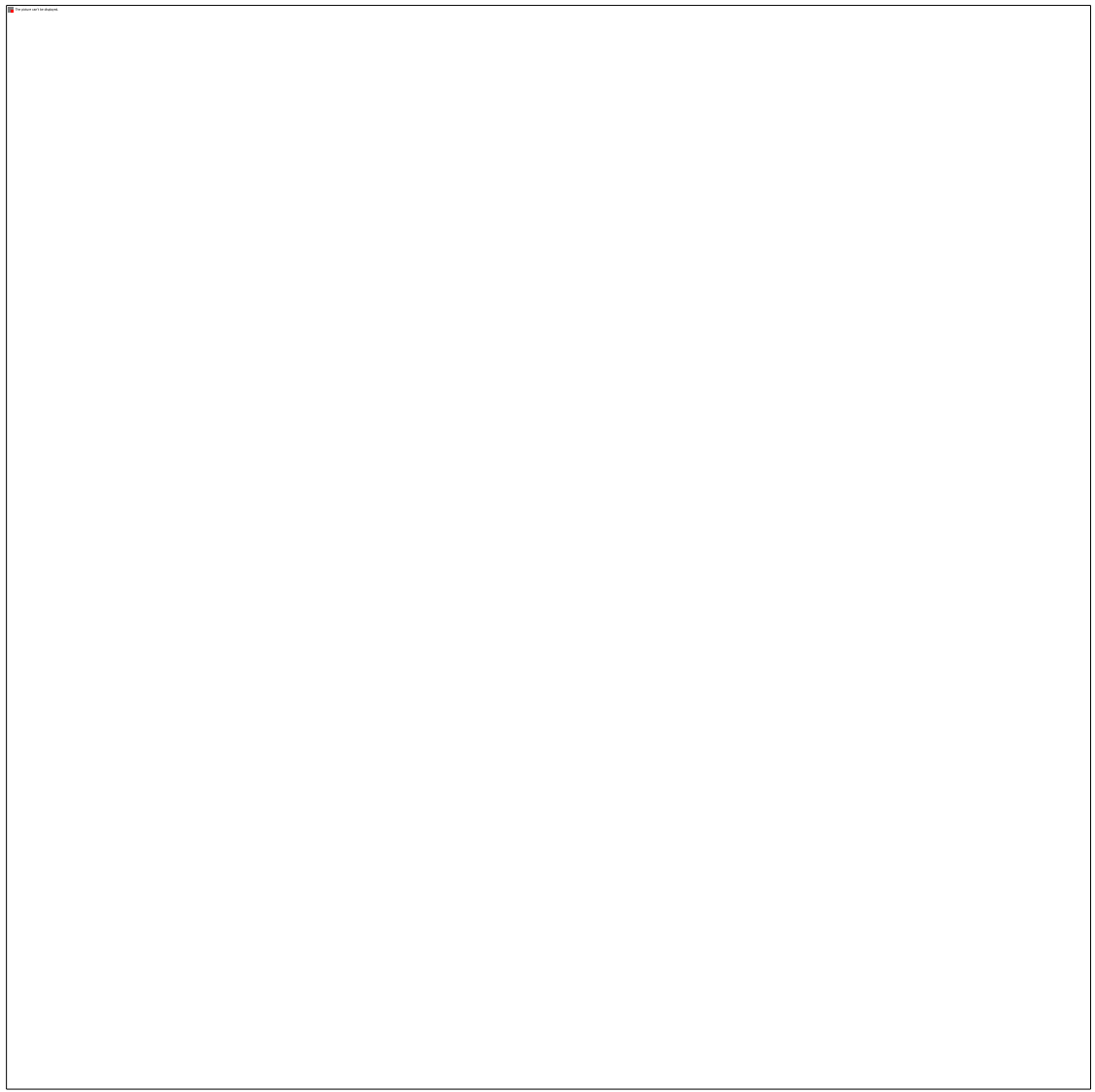
TIER 3: LONG TERM

# Timeline



# Timeline





# Next Meeting for Public Art

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Site Visits

Preliminary Prioritization

Inventory Review

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# FEEDBACK

**City of Burleson  
Public Art Policy  
EFFECTIVE [ 10/20/2025 ]**

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City staff should refer to the City of Burleson Purchasing Public Art Policy, prior to finalizing the accession process, as proposed donations may require City Council acceptance.	9
If the proposal is accepted by the City of Burleson, a formal agreement will be negotiated outlining the responsibilities of each party (the City, the sponsor(s), the artist, and outside contractors, where applicable).	10
The agreement will address project funding, insurance, siting, installation, operations and maintenance, project supervision, vandalism, the right of removal or transfer, public safety, and other issues as necessary.	10
The City of Burleson will be the owner of the artwork and reserves the right to remove or alter the work to ensure public safety or because of any other City concerns. The City upholds copyright law and the Visual Artists Rights Act of 1990 (17 U.S.C. § 106A). Any changes will be made in consultation with the artist and sponsor(s) when possible, or notification will be provided.	10
The completed and installed artwork will be accessioned and added to the City's inventory list and master database with all accompanying documentation.	10
<b>Removal, Relocation, or Deaccession of the Artwork</b>	10
In accepting a donation of artwork, the City of Burleson will not be bound by any agreement with the donor that restricts the City's ability to act in the best interest of the City of Burleson. Nothing in the acceptance of a donation of artwork shall prevent the City from approving subsequent removal, relocation, or deaccessioning of such donations if it serves the City's best interest to do so. The City will deaccession and dispose of works of art in its Collection in accordance with the Collection Management policies.	10
	1

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## Introduction

To establish a strong *Public Art Program*, the City of Burleson will adopt the following policies, which includes the following sections: Roles & Responsibilities; Collection Management; Program Update; Use of Funds; Public Art Acquisition; [Option A or B for murals].

## Definitions

For these policies, the following terms, phrases, words, and their derivation shall have the meaning given herein:

**Accession**, when used herein, shall mean a procedure for the acceptance of artwork into the Public Art Collection.

**City of Burleson Mural Program**, when used herein, shall mean a program facilitated by staff of the City of Burleson to support the production of privately-commissioned murals to be installed on privately-owned property.

**Artist**, when used herein, shall mean an individual generally recognized by critics and peers as a professional practitioner of the visual, performing, or literary arts, as judged by the quality of that professional practitioner's body of work, educational background, experience, public performances, past public commissions, sale of works, exhibition record, publications, and/or production of artwork. The members of the architectural, engineering, design or landscaping firms retained for the design and construction of a development project covered by these policies shall not be considered artists for the purposes of these policies.

**City**, when used herein, shall mean the City of Burleson, Texas.

**Creative amenity**, when used herein, shall mean non-standardized enhancements made to public space.

**Deaccession**, when used herein, shall mean a procedure for the withdrawal of artwork from the permanent collection and the determination of its future disposition.

**Historic or civic objects**, when used herein, shall mean an object that is historically or civically significant.

## Life Spans

- **Temporary:** 0-2 years
- **Short term:** 2-10 years
- **Medium term** 10-25 years
- **Long term** 25+ years

**Mural**, when used herein, means a large-scale artwork, painting, or mosaic, applied to or mounted directly to an exterior surface of a building, construction fence or other structure and that is visible from the public right-of-way. Its primary intent is to be artistic in nature, rather than purely information, creative signage and commercial signage.

**Public Art Collection or Collection**, when used herein, shall mean art objects owned by the City of Burleson, Texas, its agencies and authorities. Permanent Public Art must be located in a public place with public visibility, accessibility, and impact and shall have a permanence comparable to associated capital projects.

**Public Art Coordinator**, when used herein, shall mean the Public Art Program Coordinator as determined by the City of Burleson.

**Public Art Program**, when used herein, shall mean the Public Art Program of the City of Burleson, Texas. The Public Art Program intends to promote private and public programs to further the development and public awareness of, and interest in, the visual arts and fine crafts and encourage the integration of art into the architecture of municipal structures and commercial development projects in the City.

**Committee**, when used herein, shall mean a COMMITTEE of the Advisory Committee advising on matters pertaining to the City of Burleson's Public Art Collection when the City is funding the creation or acquisition of new artwork in public spaces. The COMMITTEE is committed to promoting awareness, access, and appreciation of public art for the City of Burleson. The COMMITTEE also provides recommendations for public art placement in the City of Burleson and facilitates administrative duties required for the Public Art Program.

**Public art**, when used herein, shall mean any of the following: sculpture, statues or monuments in any material or combination of materials; painting; murals; graphic arts including printmaking and drawing; photography; crafts in clay, fiber and textiles, wood, metal, plastics, glass and other materials; mixed-media, any combination of forms or media, including collage; functional art such as street furniture, as defined by the City of Burleson Public Art Program; environmental art consisting of landforms and artistic landscape composition.

The term "Public Art" does not include reproductions by mechanical or other means of original works of art, except for limited editions, controlled by the artist, of original prints, cast sculptures, photographs or other works of art; decorative, ornamental, or functional elements which are designed by the building architect or consultants engaged by the architect which are a traditional and typical element of architectural design; elements generally considered to be conventional components of a landscape architectural design including, but not limited to, plant materials, pools, paths, benches, receptacles, fixtures and planters except street furniture as defined by the City of Burleson Public Art Program and environmental art consisting of landforms and artistic landscape composition; "Art objects" which are mass produced or of a standard design, such as playground sculpture or fountains, except pieces of historical significance to the city; directional or other functional elements, such as supergraphics, signage, color coding and maps, except where sculptural pieces are used to define gateways in the city; electrical, water or mechanical service for activation of the work; exhibitions and educational programs related to the work; performing arts; and art that displays slogans, logos, mascots or commercial advertising.

**Public Art Public Art Policy or Public Art Policy**, when used herein, shall mean the policies recommended by the City Manager and approved by the City Council for the administration of the Public Art Plan. The Public Art Public Art Policy and any amendments thereto shall take effect forty-five (45) days after approval by the City Council.

**Public Art Plan or Plan** when used herein shall mean the Public Art Plan of the City of Burleson, Texas that pertains to public art and culture, as it exists or may be amended. The Plan shall provide a process for the systematic selection and acquisition of pieces of artwork and locations of art to be included in public spaces.

**Public space**, when used herein, shall mean any area or property (public or private) which is accessible or visible to the general public a minimum of 8 hours per business day.

**Publicly-owned land**, when used herein, shall mean any land open to the public and managed by the City of Burleson, Texas.

**Public Art Program Workplan**, when used herein, shall mean a document that outlines projects that are in-progress and will be initiated in coming fiscal years.

**Relocation**, when used herein, shall mean a procedure for the movement of an artwork from one location to another.

## **Roles and Responsibilities**

The City of Burleson Parks and Recreation Office shall administer the Public Art Program in partnership with other departments. Day-to-day responsibility for the program will ultimately reside with the Public Art Coordinator, and are outlined below in the Public Art Public Art Policy. The Public Art Coordinator may be a City staff member or an outside consultant and have an oversight role for all of the public art projects executed within the city. The Public Art Coordinator will collaborate with City staff or outside contractors to execute projects.

### **City of Burleson City Council**

The City of Burleson City Council has adopted **Ord. [ ]**, establishing the City of Burleson Public Art Program. As the community's elected officials, the Mayor and Council members are ultimately responsible for the outcomes of the Public Art Program.

### **Public Spaces and Cultural Heritage Committee**

The Burleson Public Spaces and Cultural Heritage Committee is an ADVISORY committee. Advising on matters pertaining to the City of Burleson's Public Art Collection when the City is funding the creation or acquisition of new artwork in public space, as defined above.

The committee consists of nine (9) members.

The Public Spaces and Cultural Heritage Committee has the following responsibilities in regards to the execution of the Public Art Policy:

1. Act principally in an advisory capacity to Burleson staff in any matter pertaining to public art.
2. Advise and make recommendations to city staff pertaining to, among other things, artist selection juries and process; commission and placement of artworks; and maintenance and removal of artworks.

Any member serving on the Committee is ineligible for a public art project by the City of Burleson during their membership and for an entire year following.

### **Public Art Program Coordinator**

The City Manager will determine appropriate staffing structure to oversee citywide public art activities and manage the Public Art Program. Additional staff resources or outside consultants may be required to assist in implementing projects, particularly those of a larger scale. Responsibilities include:

1. Work with various departments to develop potential projects for inclusion in the Program Update.
2. Coordination with other city planning efforts.

3. Present a public art update as part of the City's regular budget process to the City Council.
4. Coordinate and manage the Advisory Committee and its meetings
5. Coordinate with Advisory Committee to ascertain advice on any matter pertaining to public art, including:
  - a. preparing and presenting the public art update to the Advisory Committee, and City Council;
  - b. artist selection juries and process;
  - c. purchase of artworks;
  - d. commission and placement of artworks; and
  - e. public art programming;
6. Coordinate the hiring of an outside consultant or agency to administer public art projects as needed.
7. Ensure various city offices are following the City's Public Art Public Art Policy.

### City Staff

City staff members, particularly parks and recreation, development services, economic development and capital engineering, should look for opportunities to include public art in capital improvement projects (CIP) throughout the city, particularly in locations identified as priorities in this plan. Overall public art responsibilities include:

1. Explore opportunities to include public art in existing CIP projects.
2. Coordinate with the Manager for inclusion of projects within the Program Update and report.

### Collection Management

The City of Burleson acquires artworks by commission and donation. Processes for these acquisitions are dictated by the *Public Art Ordinance* and the Acquisition and Donation sections found in this section. Artwork acquired through these processes are considered to have been accessioned into the City's Public Art Collection. They must be cared for in accordance with the policies and Procedure for Maintenance and the Collection Management policies. Artwork in the City's possession that were acquired outside of or before these policies may not be accessioned pieces of the Public Art Collection and thus may not be subject to the Collection Management policies. These policies only apply to artworks formally accessioned into the City of Burleson Public Art Collection, in accordance with the processes set forth in this document. The Collection Management policies are intended to maintain the value of the City's Public Art Collection and guard against the arbitrary disposal of any of its pieces.

### Objectives

- Maintain a Collection management program that results in a high-quality, city-owned Collection;
- Eliminate artwork that is unsafe, not repairable, or no longer meets the needs of the City of Burleson;
- Respect the creative rights of artists; and
- Support an efficient workload for staff.

### Donations

Requests to donate artwork to the City may be considered on a case-by-case basis, where the City has established in advance, and publicized, a need, project, or location in which an art donation may be included. Requests for consideration shall be made to the Public Art Coordinator. The City has no obligation to accept a proposed Donation.

### Donation Requirements

The City will consider donations on the following basis:

- The donation contributes to and enhances the City's Collection;
- The donation meets a high standard of quality and is appropriate and meaningful to the community;
- The donation follows required City procedures, including the submission of a Donation Proposal and a Maintenance Plan. Donation Proposal requirements are included in these policies. The requirements for the Maintenance Plan can be found in Procedure for Maintenance policies below;
- The donation proposal includes a plan to fund and deliver ongoing operations and maintenance – or the resolution accepting the public art must identify how maintenance will be funded; and
- The donation proposal is reviewed and endorsed by the Advisory Committee and approved by the City of Burleson.

The City will not accept a donation of artwork until all funds for development, fabrication, siting, and installation have been secured. The City will consider the following types of donation proposals for artworks for City-owned property:

- An already completed artwork; or
- A commissioned artwork by a specific artist or artists to be created especially for City-owned property.

### Donation Proposal Procedures and Review Process

Formal requests to donate artwork to the City of Burleson are made to the Public Art Coordinator.

1. The donor shall complete an Art Donation Agreement Application (donor form) and submit the form to the Public Art Coordinator.
2. Following a positive initial review by a City employee designated by the City Manager, the City will contact the Advisory Committee, which will evaluate the donation request to determine the appropriateness of the donation as measured by approval criteria and provide a written recommendation to the City Council.
3. The City will then determine whether the donation is in the City's best interest and is consistent with the City's goals and applicable City laws, policies, Ordinances, and Resolutions.
4. The City will notify the donor in writing, identifying final conditions if approval is granted.

### Ownership

Once the City accepts a gift, the City shall be the sole owner of the donated item and will have the right, in its sole and absolute discretion, to deaccession any donated item without providing notice to or obtaining the donor's consent.

### Criteria for Evaluation

Elements will include, but will not be limited to, the following:

1. **City-owned Property** – Donated public art must be suitable for public display on City-owned or City-managed property;
2. **Relevance and Site Context** – Works of art must be appropriate for the proposed location and its surroundings and/or complement the architecture, topography, history, and social dynamic of the location in which it is placed. Proposed public art should also align with the goals of the Public Art Plan;
3. **Artist and Artwork Quality** – The artist demonstrates the ability and potential to execute the proposed public art based on previous artistic achievement and experience. Duplication of work will also be considered. The public art must enhance the City's Collection.

4. **Physical Durability** – The public art will be assessed for long term durability against theft, vandalism, and weather;
5. **Public Safety and Liability** – The public art will be assessed for any public safety concerns, as well as for any potential liabilities for the City;
6. **Sustainability** – Consideration will be given to the environmental impact and sustainability of the proposed public art, including its operations and maintenance requirements/costs; and
7. **Legal** – Proposed terms of donation, legal title, copyright authenticity, artist's right to reproduce, liability, and other issues as deemed appropriate will be considered.
8. **Originality** - Works of art should be an original design unless it is decided that the work will enhance and complement the character of the surrounding area.
9. **Compliance with Sign Code** - Proposed public art should feature no copy, lettering, symbols, or any references directly promoting any product, business, or service unless such images are discreet and do not detract from the public art. Sponsor and artist names may be incorporated in murals but should be discreet and not exceed 5% of the design.
10. **Supporting Costs** - The City's preference is for donors and loaners to provide financial support for public art projects. Donations and loans are an important tool for growing the public arts in the City of Burleson and they foster civic pride by providing people and businesses the opportunity to shape the public environment. Projects should identify sponsorship. All requests for use of City funds for production, siting, installation or ongoing operations and maintenance of the work must be approved by City Council.
11. **Installation and Maintenance** - Any applicant for public art should present a reasonable plan to install and remove (or preserve) the work. The maintenance plan agreed upon between the artist, business owner, and/or property owner should adequately make arrangements to preserve and, if necessary, restore the quality of work during its exhibition. Elements of a thorough maintenance plan would include:
  - i. Lifespan of public art and prognosis of durability in consideration of that lifespan.
  - ii. Routine cleaning protocols, methods, cleaning agents, and frequency.
  - iii. Itemization of long-range considerations and care, highlighting maintenance and the anticipated need for periodic conservation treatment or repairs.
  - iv. Specifications of materials used in fabrication.
  - v. Guarantee against failures of workmanship over an agreed upon period of time.
  - vi. Assignment of manufacturers or fabricators warranties to the owner of the public art.

### Memorial Gifts

Memorial gifts will have an additional review process, which will include, but will not be limited to, the following:

1. **Timeframe** – The person or historical event memorialized must be deemed significant enough to merit such an honor. If the public art portrays a person in their likeness, the person so honored will have been deceased for a minimum of two years before consideration. The City reserves the right to remove memorials at any time should the City deem it necessary.
2. **Community Value and Timelessness** – The art selected represents broad community values and timeless qualities that will be meaningful to future generations; and
3. **Location** – The location under consideration is an appropriate setting for the memorial; generally, there should be some specific geographic justification for the memorial being located within a particular site.

### Acceptance and Accession of the Artwork

City staff should refer to the City of Burleson Purchasing Public Art Policy, prior to finalizing the accession process, as proposed donations may require City Council acceptance.

If the proposal is accepted by the City of Burluson, a formal agreement will be negotiated outlining the responsibilities of each party (the City, the sponsor(s), the artist, and outside contractors, where applicable).

The agreement will address project funding, insurance, siting, installation, operations and maintenance, project supervision, vandalism, the right of removal or transfer, public safety, and other issues as necessary.

The City of Burluson will be the owner of the artwork and reserves the right to remove or alter the work to ensure public safety or because of any other City concerns. The City upholds copyright law and the Visual Artists Rights Act of 1990 (17 U.S.C. § 106A). Any changes will be made in consultation with the artist and sponsor(s) when possible, or notification will be provided.

The completed and installed artwork will be accessioned and added to the City's inventory list and master database with all accompanying documentation.

#### **Removal, Relocation, or Deaccession of the Artwork**

In accepting a donation of artwork, the City of Burluson will not be bound by any agreement with the donor that restricts the City's ability to act in the best interest of the City of Burluson. Nothing in the acceptance of a donation of artwork shall prevent the City from approving subsequent removal, relocation, or deaccessioning of such donations if it serves the City's best interest to do so. The City will deaccession and dispose of works of art in its Collection in accordance with the Collection Management policies.

#### **Art on Loan or Temporary Display on City-owned Property**

Art on loan, or art on temporary display on City-owned property, must meet the Donation Requirements above, follow the Donation Proposal Procedures 1-11 above, and be reviewed through the Donation Proposal Review Process. Art on loan or art on temporary display on City-owned property must not be accessioned or added to the City's inventory list and master database. The City shall determine whether an expenditure of City funds, either a direct outlay of City funds or the use of City sources and materials, is associated with or required by acceptance of the loan prior to acceptance. The City may accept loaned public art from organizations and residents outside of the city.

All incoming loans should be documented and monitored in accordance with the same detailed procedures the government objects in City of Burluson's Public Art Collection. Loans must be documented by written loan agreements between the lender and the City, which should be signed by the lender prior to delivery and/or installation of the work to the City.

Upon City approval of a loaned artwork, the lender must sign an Art Loan Agreement with the City. The agreement should include:

- Term of Loans
  - Loan agreements shall be for a minimum of six months and a maximum of two years, with a provision for up to one year extension with written approval from the lender and the City. When determining the duration of a loan and its duration for display, Lenders and the City should consider an object's material conditions, display location, and display context.
  - At the end of the term of loan, the lender will be granted up to six additional weeks for the removal of the artwork from the site on which it resides.
- Costs

- The lender will be responsible for all costs associated with the loaned artwork, including but not limited to costs of transportation, installation, maintenance, removal, and repair (if needed).
- The City will provide site maintenance as well as assistance with installation and removal, under the supervision of the lender or lender's representative. The City shall not be held responsible for any damage to the artwork while it is on loan.
- Installation:
  - Artwork must be installed in accordance with requirements from City staff.
- Insurance
  - The City will not assume responsibility for damage or theft of artwork that is on display in accordance with this Public Art Policy.
  - The lender will acknowledge that a risk of damage, loss, vandalism, or theft is inherent in a public display.
  - The lender must furnish satisfactory evidence of liability insurance by submitting a Certificate of Insurance and an Additional Insured Endorsement listing the City. With approval from City Administration, the liability insurance requirement can be waived if the lender signed an Art Loan Release of Liability form.
- Maintenance
  - A representative of Parks will make periodic inspections of the work of art after acceptance by the City Council. Inspections shall be made at intervals deemed appropriate by the Public Art Manager or their assignee. The need for maintenance or repairs of the Loaned Public Art may be reported by the staff of any City department or office, and citizens.
  - The Loaned Public Art and surrounding site shall be kept in a clean and orderly condition and in accordance with Collection Management policies and the terms and conditions of the agreement, if one exists, between the lender and the City.
  - The lender or his or her designated representative will be utilized to make recommendations regarding the care and maintenance of the work of art when deemed appropriate by the City. A visual arts specialist or art conservator should be consulted if the artist or designated representative is not available to advise on the necessary care requirements.
  - The Office of Community Services shall be responsible for carrying out the lender's advice on such care requirements and for determining such requirements when the artist/donor is unavailable.
  - Prior to accepting the Loaned Public Art, the lender will provide the City with a condition inspection report.
  - Vandalism or other damage to the Loaned Public Art shall be reported to the Bursleson Police Department and/or the Office of Community Services.
  - The lender shall pay the cost of maintaining the Loaned Public Art, unless otherwise provided in the written agreement between the lender and the City.
- Removal
  - Lenders are required to remove artwork by the agreed termination date. The City does not accept responsibility for artwork not removed within the designated time frame. Any piece of art that is not removed by the deadline shall be treated as abandoned property
  - Artwork may be removed from City property in accordance with the Deaccession section of this Public Art Policy.

## Maintenance

The City of Burleson will administer the maintenance of the City's Collection with advice from the Public Art Coordinator and other outside partners through yearly evaluation and planning for the care of the existing Collection.

This section addresses:

- Accessioning and inventorying the City's Collection of public art;
- Preparing a biennial Public Art Maintenance Plan; and
- Overseeing routine maintenance and special conservation treatment of the City's Collection.

Every five years, the City of Burleson will assess the condition of all public art with a qualified professional conservator and develop a prioritized list of works in need of conservation or maintenance. This list will be the basis of the biennial Public Art Maintenance Plan.

Under this plan, trained contractors may carry out routine maintenance. For work in need of a higher level of maintenance, specialized care, or conservation treatment, the Program will utilize the maintenance funds available held in the Public Art Fund.

### [Optional] Temporary Artwork Removal for Conservation Treatment

In some cases, artwork conservation may not be possible for some artworks that are publicly displayed or in storage. Such artworks must be temporarily removed from public display or storage for conservation to be completed in a qualified conservation lab. Temporary removal of such artworks from public display or storage is not considered deaccessioning, and procedures for emergency removal do not apply to these cases.

In cases of temporary artwork removal from public display or storage for the purposes of receiving conservation treatment, the artwork will be processed as an outgoing artwork loan for the duration of its treatment.

If an artwork requires conservation treatment and must be removed from public display or storage, then the following procedures must be completed before the artwork is temporarily removed from display or storage for treatment:

- Presentation to the City Manager's Office, describing the scope, timeline, and budget for off-site conservation services for the artwork
- City Manager's Office approval of off-site conservation scope
- Public Art Coordinator's completion of the outgoing artwork loan form, which is to be filed with the appropriate City Manager's Office.

Prior to the artwork's travel for treatment, the artwork must undergo an outgoing artwork conservation assessment by a trained conservator or registrar. Upon the artwork's return to the City of Burleson, the artwork must undergo an incoming artwork conservation assessment by a trained conservator or registrar. The City of Burleson should consult with a trained conservator or registrar on appropriate artwork crating and shipping procedures for any artwork traveling to or from the City of Burleson.

### Maintenance Guidelines for Acquiring New Works

## Maintenance Plan

As described in the Acquisition Public Art Policy, all acquired artworks must have a maintenance plan developed.

### **Utilization of the Maintenance Plan**

The Maintenance Plan will be used to:

- Advise the Advisory Committee, appropriate City staff, and others who must review and approve design proposals or accept or decline donated artwork;
- Troubleshoot the production of construction drawings, the fabrication of the artwork, and the preparation of the site;
- Follow-up on the artist's recommendations; and
- Refer to during the post-fabrication/installation inspection to prepare a final report and a punch-list to complete the project.

The City of Burleson, professional conservators, and artists will strive to address the recommendations in the Maintenance Plan without unduly interfering with the aesthetic intent of the proposed public art.

### **Post Fabrication/Installation Inspection**

The Post-Fabrication/Installation Inspection conducted by City staff will be based upon and follow-up on the Maintenance Plan that was developed during the design phase. It will include the following:

- Ensure that recommendations made in the Maintenance Plan and during fabrication were followed;
- Confirm that the artwork is executed as proposed and agreed upon;
- Confirm that there are no missing or incomplete elements;
- Establish that materials quality and stability are acceptable;
- Establish that fabrication quality and stability are acceptable;
- Confirm that installation is stable and secure;
- Confirm that stainless steel is fully and properly "passivated";
- Confirm that, if required, protective coatings have been applied;
- Ensure that warranties for electronic and other media are submitted as necessary;
- Identify any remaining vulnerabilities;
- Confirm no new damage resulting from installation process;
- Ensure that the maintenance and operations plan is accurate; amend as needed; and
- Confirm that the plaque/public notice meets program policies and is properly installed.

### **Deaccession**

#### **Removal from Public Display**

Requests to deaccession artwork to the City may be considered on a case-by-case basis. Requests for consideration shall be made through the Public Art Coordinator to the Advisory Committee, based on the deaccession criteria below.

If the artwork is removed from public display, the City of Burleson may consider the following options:

- Relocation: If the Advisory Committee recommends that an artwork must be removed from its original site, and if its condition is such that it can be re-installed, the Advisory Committee will attempt to identify another appropriate site. If the artwork was designed for a specific site, the Advisory Committee will attempt to relocate the work to a new site consistent with the artist's intention. If possible, the artist's assistance will be requested to help make this determination.
- Store artwork until a new site has been identified or the City decides to deaccession the artwork.
- Sell or trade the artwork after deaccession.

#### **Provision for Emergency Removal**

In the event that the structural integrity or condition of an artwork is such that the artwork presents an imminent threat to public safety, the City Manager may authorize immediate removal without the artist's consent, and have the artwork placed in temporary storage. The artist must be notified of this action

within 30 days. The City will then consider options for repair, reinstallation, maintenance provisions or deaccessioning. In the event that the artwork cannot be removed without being altered, modified, or destroyed, and if the Artist's agreement with the City has not been waived under the Visual Artists Rights Act of 1990 (17 U.S.C. § 106A), the City must attempt to gain written permission before proceeding. In the event that this cannot be accomplished before action is required in order to protect the public health and safety, the City shall proceed according to the advice of the City Attorney.

### **Criteria for Deaccession**

1. The Advisory Committee may consider the deaccessioning of artwork for one or more of the following reasons in the event that it cannot be re-sited:
2. An artwork is not, or is only rarely, on display because of lack of a suitable site.
3. The condition or security of the artwork cannot be reasonably guaranteed.
4. The artwork has been damaged or has deteriorated and repair is impractical or unfeasible.
5. The artwork endangers public safety.
6. In the case of site specific artwork, the artwork's relationship to the site is altered because of changes to the site.
7. The artwork has been determined to be incompatible within the context of the collection.
8. The City of Burleson wishes to replace the artwork with work of more significance by the same artist.
9. The artwork requires excessive maintenance or has faults of design or workmanship.
10. The City of Burleson has approved necessary site alterations
11. Written request from the artist.
12. The artwork has become publicly associated with racism, sexism, homophobia, xenophobia, acts of assault or violence, or other offensive themes.

### **Integrity of Artworks**

The City of Burleson Public Art Program will seek to ensure the ongoing integrity of the artwork and the sites for which they were created, to the greatest extent feasible, in accordance with the artist's original intentions, and consistent with the rights afforded by the Visual Artists Rights Act of 1990 (17 U.S.C. § 106A).

### **Access to Artworks**

The City will seek to assure continuing access to artworks by the public. However, the City may limit availability due to circumstances such as funding, public safety, display space, and deaccession processes.

### **Life Spans**

An artwork's life span is either the \$50,000 of time its materiality will allow it to be displayed (either for artwork safety or artwork integrity reasons), or the object's display period, as determined by a contract between the City and the artist, whichever is shorter. Life spans assigned to the work during the commissioning process will be considered as part of requests for deaccession or removal. For artworks that have not been assigned a life span, the Public Art Coordinator may engage experts to assist in assigning the artwork a life span, based on the life expectancy of the artwork's materials and fabrication methods, and/or the programming priorities of the Advisory Committee.

Temporary: 0 - 2 years

Short Term: 3 -10 years

Medium-Term 11 - 25 years

Long-Term 26+ years

## **Application Process**

### **Preliminary Request**

Permanent artworks must be in place for at least five years before deaccession or relocation requests will be considered unless matters of public safety necessitate the removal. Deaccession or relocation requests may be submitted by the public.

### **Deaccession and Removal Form**

Applicants will be required to submit a written request to City staff, or the appropriate representative for consideration of deaccession or removal of artwork.

### **Review Process**

In consultation with the Advisory Committee, the Public Art Coordinator will review requests and decide on either deaccession or relocation.

### **Public Meeting**

The City may hold a public meeting to gather community feedback on a proposed deaccession or removal, unless the removal is an emergency. The City may also decide to hold additional public meetings or gather community input through other methods. The City may seek additional information regarding the work from the artists, galleries, curators, appraisers, or other professionals before making a recommendation.

### **Artist Involvement**

If deaccession or removal is recommended, the artist (if available) will be contacted and invited to provide input to the City. The artist's contract and other agreements or pertinent documents will be reviewed and sent to the City Attorney's Office for final approval.

### **Recommendation**

The Public Art Coordinator will prepare a report and consult with the City Attorney, as necessary. City staff's recommendation may include dismissing the request and/or modifying, relocating, selling, donating, disposing, or storing the artwork.

The Public Art Coordinator will provide all relevant correspondence including, but not limited to:

1. Artist's Name, biographical information, samples of past artwork, and resume.
2. A written description and images of the Artwork.
3. Artist's Texasment about the Artwork named in Deaccession or Relocation Request (if possible)
4. A description of the selection process and all related costs that was implemented at the time the Artwork was selected.
5. A formal appraisal of the Artwork (if possible)
6. Information regarding the origin, history, and past ownership of the Artwork
7. Information about the condition of the Artwork and the estimated cost of its conservation.
8. Information and images of the Artwork's site
9. Any information gained from the public meeting held about the deaccession and removal of the work.
10. Feedback from the City Manager's Office responsible for operating and maintaining the Artwork.
11. Detailed budget for all aspects of conservation, maintenance, repair, installation, operation, insurance, storage, and City Staff support.
12. The Artist's contract with the City.

City staff can recommend one or more of the following methods for an artwork's deaccession:

1. Sale or Exchange - sale shall comply with the State of Texas and City of Burleson laws and policies governing the sale of municipal property.
  - a. Artist, or eTexas of the artist, will be given the first option to purchase or exchange the artwork(s).
  - b. Sale may be through auction, gallery resale, direct bidding by individuals, or other forms of sale in compliance with the State of Texas and City of Burleson law and policies governing surplus property.
  - c. Exchange may be through an artist, gallery, museum or other institution for one or more artwork(s) of comparable value by the same artist.
  - d. No works of art shall be traded or given to Advisory Committee members or City of Burleson staff.
  - e. Proceeds from the sale of artwork shall be placed in an City of Burleson account designated for public art purposes. Any pre-existing contractual agreements between the artist and the City regarding resale shall be honored. An exception to these provisions may be required if the artwork was originally purchased with funds that carried with them some restriction, for example, bond funds for street and sidewalk improvements, in which case the proceeds shall be placed in an account designated for art allowed under similar restriction(s).
2. Destruction of Artwork – if artwork is deteriorated or damaged beyond repair or deemed of negligible value.
3. If the City of Burleson is unable to dispose of the artwork in the manner outlined above, the Public Art Coordinator may recommend the donation of the artwork to a non-profit organization or another method.

**Costs**

If deaccession or relocation accommodates the applicant's interests or project, they may be required to cover the deaccession or relocation at no cost to the City.

**Conflict Of Interest**

No works of art shall be given or otherwise transferred publicly or privately to officers, directors, or employees or staff of the City of Burleson or their immediate families or representatives of the City of Burleson.

**Compliance With Applicable Policies And Regulations**

Deaccession and relocation of artwork will be done in a manner that complies with all other applicable City of Burleson, State of Texas, and federal procedures, policies, and regulations.

**Existing Public Art Pieces At Time Of Public Art Policy Adoption**

Existing public art pieces on City-owned property should be evaluated using the accession criteria to ensure that it is appropriate for the City to continue owning and maintaining the artwork. If it does not meet the accession criteria, then the piece will not be accessioned into the City of Burleson Public Art Collection.

## Public Art Program Workplan

### What is the Public Art Program Workplan?

The Public Art Program Workplan is a document that outlines in-process projects, and projects will be initiated in the coming fiscal year(s). The Program Update is one of the most crucial elements of the Public Art Program. It creates a roadmap and allows for the input of community members, elected officials, and others who care deeply about public art in the City of Burleson.

The Public Art Coordinator will develop the Update in consultation with staff and the Advisory Committee and submit it to the Mayor and City Council as part of the budget for review and approval.

The following steps will be taken to develop the Public Art Program Workplan:

1. Work with City Manager's Offices to determine the availability of funds for the upcoming year(s).
2. Identify projects to be paid for by identified funding, including acquisition and maintenance.
3. Develop a draft Public Art Program Workplan that will include locations, goals, and budgets for public art projects and programs for staff review.
4. Present the Update to City Council as part of the City budget approval.
5. Integrate feedback from City Council to determine the final Program Update.
6. Report on the use of funds collected to support the Public Art Program to and increase the \$50,000 of art in the City that is available to the public.

### Use of Funds

Funding for the City of Burleson Public Art Program may come from:

- the Public Art Fund, as outlined in **CODE**;
- the City's Capital Improvement Budget;
- grants and/or contributions from private entities;
- other public agencies;
- philanthropic sources; or
- through other sources as deemed appropriate by the City.

### Uses of Funds

The public art funds may be spent for:

- Calls for Entry, RFQ's/RFP's, concept designs, maquettes, juror stipends, and other costs related to competitions and Commissions
- Artist fees including travel stipends and expenses related to travel;
- Artwork fabrication and installation;
- Site preparation and cleanup;
- Acquisition of existing works of art;
- Relocation of existing or Commissioned works of art;
- Required permits and insurance during the fabrication and installation of the artwork;
- Informational/promotional materials and public events directly related to the artwork;
- Required equipment needed for installation;
- Artwork appraisal;
- Staffing and services of an Arts Administrator;
- Curators and contracted services.

The public art funds may not be spent for:

- Mass-produced work, with the exception of limited editions controlled by the artist.
- Professional graphics, unless designed or executed by an artist or used in the development of collateral material.
- Decorative, ornamental or functional elements that are designed by a project's architect or other designer.

- Routine maintenance, conservation, repair, or restoration, exceeding more than 10% of the annual budget.
- Purchase of existing works of art outside of the selection process.

## Public Art Acquisition

These policies establish the practices for acquiring artworks. The procedure creates a thorough and transparent process for acquiring artwork and favors open-ended selection processes to ensure artistic excellence in the City's Collection.

Selecting the artist is one of the most critical steps in commissioning public art. An open, equitable, competitive process that inspires the artist and engages the community can be an enriching experience and lead to more creative and exciting public art. The Public Art Coordinator will work with the Advisory Committee to determine the appropriate method for commissioning new artwork for each Public Art Program project.

### Goals of the Selection Process

- To satisfy the goals of the project site through an appropriate artist selection.
- To further the mission and goals of the Public Art Program.
- To select an artist or artists whose existing public artworks or past collaborative design efforts have demonstrated a level of quality and integrity.
- To identify an approach to public art suitable to the goals and demands of the particular project.
- To select an artist or artists who will best respond to the distinctive characteristics of the site and the community it serves.
- To select an artist or artists who can work successfully as members of an overall project design team.
- To ensure that the selection process represents and considers the interests of all parties concerned, including the public.
- To ensure that the artwork collection, overall, is reflective of all present and past stories and community legacies of Burleson.

### Conflict of Interest

Advisory Committee or Public Art Committee members will declare any and all conflicts of interest for all projects and artwork under consideration at the beginning of their meetings. A conflict of interest exists if a Advisory Committee member, an organization the Advisory Committee member is associated with as a staff or board member, or a Advisory Committee member's family member, has the potential to gain financially from the project under consideration by the Advisory Committee or Public Art Committee. In order to promote public confidence in this process, a Advisory Committee member may also declare a conflict if they think there may be a perception that they have a conflict. Potential conflicts should be submitted in writing to the City Manager. If it is determined by the City Manager that a conflict exists, the Advisory Committee member must resign from the selection Advisory Committee.

### Artist Selection Methods for Acquiring Existing Artwork

#### Competitions

In competitions, the City may put out an open call to artists for a possible inclusion in an exhibition at a predetermined site. The competition, which may or may not take the form of a temporary exhibit may feature existing artworks. Each selected artist may receive a stipend and the City may purchase one or more pieces of artwork at the conclusion of the exhibit to be placed in public locations around City of Burleson. All calls for artists will be advertised on the City of Burleson's website, appropriate procurement site.

**Direct Selection**

On occasion, artists may be chosen directly by the Artist Selection Advisory Committee. Direct selection may be useists could come from a pre-qualified list. Approval for this method should be in accordance with the City of Burleson's purchasing procedures. City staff should refer to City of Burleson Purchasing Regulations prior to finalizing the accession process, as proposed donations may require City Council acceptance.

**Direct Purchase**

Some projects require the purchase of a specific artwork due to the exacting nature of the project or a minimal project timeline. In this case, the work must be "one-of-a-kind" and not mass-produced or off the shelf. This list of artists could come from a pre-qualified list. Approval for this method should be in accordance with the City of Burleson's purchasing procedures. City staff should refer to City of Burleson Purchasing Regulations , prior to finalizing the accession process, as proposed donations may require City Council acceptance.

**Artist Selection Methods for Commissioning New Artwork****Open Competition**

In an Open Competition, any artist may submit their qualifications or proposal, subject to any requirements established by the Artist Selection Advisory Committee. The Requests for Qualifications (RFQs) or Requests for Proposals (RFPs) should be sufficiently detailed to permit artists to determine whether their art is appropriate for consideration. Open Competition allows for the broadest range of possibilities for a site and brings in new, otherwise unknown, and emerging artists.

**Limited or Invitational Competition**

In a Limited Competition or Invitational, several pre-selected artists are invited by the Artist Selection Advisory Committee to submit their qualifications and/or proposals. This method may be appropriate when the City is looking for a small group of experienced artists, a limited time frame, or if the project requirements are so specialized that only a limited number of already identified artists would be eligible. This list of artists could come from a pre-qualified list.

**Direct Selection**

On occasion, artists may be chosen directly by the Artist Selection Advisory Committee. Direct selection may be useful on projects where an urgent timeline, low budget, or where precise project requirements exist. This list of artists could come from a pre-qualified list. Approval for this method should be in accordance with the City of Burleson's purchasing procedures. City staff should refer to City of Burleson Purchasing Regulations, prior to finalizing the accession process, as proposed donations may require City Council acceptance.

**Direct Purchase**

Some projects require the purchase of a specific artwork due to the exacting nature of the project or a minimal project timeline. In this case, the work must be "one-of-a-kind" and not mass-produced or off the shelf. This list of artists could come from a pre-qualified list. Approval for this method should be in accordance with the City of Burleson's purchasing procedures. City staff should refer to City of Burleson Administrative Regulation, prior to finalizing the accession process, as proposed donations may require City Council acceptance.

## Artist Services Procurement

### Design Team Member

In some instances, the City may use a targeted process to select an artist as part of a larger project design team. Language would be added to the project Request for Qualifications/Request for Proposals specifying that all teams responding to the RFQ/RFP must include a professional artist from a pre-qualified list as described in the section below. Given the nature of the project, a design team responding to an RFQ/RFP may be asked to identify an artist as part of the team based upon criteria established by the City in the RFQ/RFP. In this case, the Public Art Coordinator will represent the Program as part of the selection Advisory Committee for the design team.

### Pre-Qualified Artist Lists

The City may decide to develop a pre-qualified pool of artists from which it can choose artists for Limited Competition, Direct Selection, and Direct Purchase. This pool would be developed based on a comprehensive review of artist qualifications. This list could be updated annually or bi-annually, depending on the frequency of new projects.

### Artist Selection Process for Artwork Acquisition (Existing Artwork and Newly-Commissioned Art)

Once an Artist Selection method is determined, a selection process will be established. A jury of recognized experts will make recommendations for selected artists to create site-specific artwork or will make recommendations for artwork chosen to be exhibited.

If the budget for a single piece of artwork is \$50,000.00 or more, a selection panel must be formed. If the budget for a single piece of artwork is less than \$50,000.00, the Advisory Committee will act as the selection Advisory Committee.

### Purpose and Responsibilities

The artist selection process will interpret and review the artist's proposals based on the selection criteria.

The goals of the selection process are as follows:

- To satisfy the goals of a specific project or site through an appropriate artist selection.
- To further the mission and goals of the Public Art Program.
- To select an artist or artists whose existing public artworks or past collaborative design efforts have demonstrated a level of quality and integrity.
- To identify an approach to public art suitable to the goals and demands of the particular project.
- To select an artist or artists who will best respond to the distinctive characteristics of the site and the community it serves.
- To select an artist or artists who can work successfully as members of an overall project design team.
- To ensure that the selection process represents and considers the interests of all parties concerned, including the public, the arts community, and the City Manager's Office(s) involved.

### Artist Selection Committee

#### Membership of Selection Committee

Membership will be recommended by the Public Art Coordinator. The members of the selection panel (panelists) will be representative of the community demographic and will consist of at least five (5) but no more than nine (9) members from the list below:

- Members of the Advisory Committee
- Artist or arts administrator;

- Design professionals
- City of Burleson project manager who may appoint the project architect or project landscape architect in their stead; and
- A member of the project steering Advisory Committee if one has been appointed
- Community or neighborhood representative

### **Artist Selection Committee Conflict of Interest**

Artist Selection Advisory Committee members will declare any conflicts of interest for all projects and artwork under consideration at the beginning of their meetings. A conflict of interest exists if a Advisory Committee member, an organization the Advisory Committee member is associated with as a staff or board member, or a Advisory Committee member's family member can gain financially from the project under consideration by the Artist Selection Advisory Committee. In order to promote public confidence in this process, a Advisory Committee member may also declare a conflict if they think there may be a perception that they have a conflict. If a Advisory Committee member has a conflict, he/she must not participate in the Artist Selection Advisory Committee's discussion or decision regarding the project. They must also refrain from discussion about the project and from influencing fellow Advisory Committee members.

### **Procedures**

During an artist selection process, Artist Selection Advisory Committee members will not submit applications for the placement of their own artwork and/or projects. City Staff and Advisory Committee can invite artists to participate but must refrain from giving advice to applicants or answering their questions and direct such questions to the Public Art Coordinator during the selection process. The COMMISSION must solicit public comment for all pieces of public art commissioned or purchased for over \$50,000.00. An opportunity for public comment must be given before a formal vote. A formal vote recommending the selection to the City of Burleson City Council must be recorded in keeping with the City of Burleson public record requirements.

### **Purchasing Procedures**

Pursuant to City of Burleson Public Art Policy, if the purchase of an existing artwork, or the award of a contract for a newly commissioned artwork exceeds \$99,999, then the Advisory Committee must recommend the artwork for purchase to the City Council prior to approval of the contract.

#### **Project Implementation Process for Site- Specific Artworks**

Upon the decision of the Artist Selection Advisory Committee, and with the assistance of the City Attorney's Office, the Public Art Coordinator will prepare a contract that includes the scope of work, fee, schedule, and relevant terms and conditions to be approved by the City and artist.

The City will follow the process for contracting required by law. For some projects, the contract with the artist may be phased to include two scopes of work with separate pay schedules and deliverables. The first phase would include all design documentation, including final design, stamped engineering drawings, installation details, and a revised fabrication budget and timeline. The second phase would include all costs related to fabrication and installation.

The Public Art Coordinator will ensure all documents are signed and insurance coverage secured before issuing a notice to proceed and will be responsible for coordinating the artist's work to ensure the

successful integration of the artwork into the project. The Public Art Coordinator will organize a meeting with all integral staff to review roles, responsibilities, and schedules.

If specified in the contract, the artist will develop design development drawings for review and approval from the City before fabrication. The Public Art Coordinator will schedule meetings with the appropriate offices to review and approve the plans.

If the artist proposes any significant design changes, the Public Art Coordinator will secure the recommendation for approval from the Advisory Committee and the appropriate City Manager's Offices of the City before approving said changes in writing, per the terms and conditions of the contract.

If the parties are unable to reach mutually beneficial contract terms, then the contract process will be terminated.

The Public Art Coordinator will be responsible for overseeing the installation of the artwork. The Public Art Coordinator will ensure that all the necessary requirements have been completed before interim and final invoice payments to the artist.

### **Maintenance Plan**

Understanding maintenance and care of public art begins before an artwork is created. During the design phase or when a donation is initiated, the City, artist, or sponsor will review and analyze their design proposal and advise on maintenance and operations of the artwork. It is best practice and highly recommended that an art conservator is contracted to give a report on the proposed artwork.

On behalf of the City, the artist, sponsor, or the appropriate party will submit a Maintenance Plan to the City of Burleson, who will review and then catalog any tasks associated with maintenance of the artwork.

The Maintenance Plan will enable the City to:

- Evaluate the quality and sustainability of the proposed or existing public art ;
- Establish maintenance requirements, assign schedules, and identify potential costs; and
- Determine if the City of Burleson should accept or decline the design proposal and/or public art .

To produce the Maintenance Plan, the artist should examine and render an opinion on the following:

- Durability;
- Type and integrity of materials;
- Construction/fabrication technique;
- Internal supports, anchoring and joining, and footings;
- Landscaping;
- Vulnerable and delicate elements;
- Drainage of artwork;
- Potentially dangerous elements;
- Security;
- Location;
- Environment;
- Whether the design encourages/discourages interaction; and
- Effects of skateboarding, graffiti, and any other potentially damaging activities.

The Maintenance Plan will include:

- A record of the artist's intentions for the artwork;

- Recommendations to mitigate potential problems discovered during the examination;
- Notes about how the artist would like the artwork to age;
- An itemization of long-range considerations and care, highlighting maintenance and the anticipated needs for periodic conservation treatment or repairs; and
- Identification of the lifespan of the artwork and a prognosis of its durability in consideration of that lifespan.

The artwork may also be identified as site-integrated, or part of the site and/or the architecture, as appropriate and will fall into the long-term lifespan category above.

## **MURAL OPTION A - Mural Guidelines**

### Introduction

Murals are a relatively quick and highly impactful way to bring public art into the built environment. Murals provide an opportunity for visual artists to show their talent and creativity while also contributing to a community's landscape and identity.

### Private Murals on Private Property

The City of Burleson and City Manager's Office encourage the installation of private murals on private property in order to support artists and enhance the visual environment in City of Burleson. Private property owners are encouraged to voluntarily follow the policies set forth in this document as applicable and are also encouraged to consult with the City Manager's Office and the Public Art Coordinator with regard to any questions or concerns as they develop and implement private murals.

### Publicly-Owned Murals

City Manager's Office has oversight responsibility pertaining to the creation of publicly-owned murals in the City of Burleson. Publicly-owned murals may occur on publicly-owned buildings or on privately-owned buildings where the property owner agrees to a mural easement allowing for the creation and maintenance of a publicly-owned mural on private property for a specific period of time.

The Advisory Committee or Public Art Committee assists the City Manager's Office with coordinating the creation and completion of publicly-owned murals. This assistance includes but is not limited to:

- Identifying potential mural sites.
- Issuing and administering the Request for Qualifications (RFQ) for mural artists.
- Coordinating a selection process for RFQ reviews and artist recommendations.
- Acting as a selection panel if the budget is under the \$50,000 project threshold.
- Making recommendations for the selection panel members if the budget is over the \$50,000 threshold.

### Mural Design Considerations

Murals in the City of Burleson are encouraged to be varied in both content and design. A wide variety of murals will ensure a vibrant visual experience for residents and visitors alike. Some murals may celebrate the history of City of Burleson while others may be palettes for vibrant artistic expression, inject whimsy into the built environment, or showcase the artists' wildest dreams - the opportunities are endless.

While not relating to content, some design considerations should be made in order to ensure a successful project.

#### Design Considerations:

1. Scale - Who will be the intended viewer or audience? A mural intended for pedestrians may be of a different scale than one intended for automobile drivers or cyclists along a bike trail.
2. Accessibility - Are there opportunities to engage those who are visually impaired or otherwise not able to view the mural?
3. Maintenance - What are the long term maintenance implications of the design? Is it easily repairable?
4. Longevity - What is the expected life span of the mural? Is it intended to be a short or long term installation?
5. Experiential Elements - Is there a potential for additional elements that could be added to enhance the experience of the viewer such as virtual (VR) or augmented (AR) reality elements, audio elements either on site or online, instagram or social media interactions or other opportunities?

#### Mural Easements

In order to create additional mural opportunities within City of Burleson, these policies encourage property owners to enter into easement agreements with the City that allow for public funds to be expended for murals on private property. Though there may be positive benefits for a property owner as a result of the creation of a publicly-owned mural on their building, there must be no direct correlation between the content of the mural and the property or any business housed in the property.

In order for the City to implement a publicly-owned mural on a privately-owned building the building owner must sign an easement created by the City of Burleson which Texas that the owner will not paint over, destroy, cover, or alter the mural for the duration of the agreement. Agreements typically last for a minimum of 5 years but may be shorter or longer depending on the project. As part of easement negotiations, the City should also consider negotiating with the property owner for nightly illumination of the mural for the lifetime of the easement.

#### RFQ Artist Selection

A selection panel should be formed using the policies in the acquisition section of the Public Art Policy in order to select artists. The following criteria should be utilized as the minimum criteria for the selection of artists for all mural projects. Additional project specific criteria may be added in addition to the baseline criteria.

- Experience with similar mural projects, examples of past projects – either in City of Burleson or other cities with strong mural programs, including at least ten (10) color images of one or more completed mural projects – and three supporting professional references.
- Willingness to work with City Staff and the City Manager's Office to develop and refine the mural design.
- Timely response to the RFQ, which shall include but not be limited to a requirement that at least ten (10) color renderings/designs of the proposed mural, a written description of the mural, and photographs of the proposed site and physical surroundings be submitted to the City Manager's Office
- Innovative and unique artistic vision, including technique, composition of visual art elements, use of line, color, form, and texture.
- Realistic project budget and timeline.
- Willingness to enter into a contractual agreement with the City of Burleson.
- Liability/Workers compensation/automobile insurance.
- Agreement to allow images of the completed mural to be placed on the City of Burleson website.

### Fundable Expenses

The installation of a mural may necessitate additional expenses beyond the artist fee and materials.

Additional fundable expenses include but are not limited to:

- Artist(s) fees for design and execution of murals.
- Rental or purchase of painting equipment or the purchase of painting supplies.
- Preparation of the mural surface including repairs and priming.
- Rental of barricades and other equipment required of street or alley closures.
- Lighting and electrical equipment.
- Other expenses that are pre-approved by the City Manager's Office and the City of Burleson.

### Mural Implementation

Upon selection, the artist will work with the City of Burleson to create a design, secure permits, as appropriate, such as street or alley closures. Below is a general overview:

- The City Manager's Office will review and give final approval for the artist selection and mural design.
- City Staff will monitor the creation and completion of the mural.
- The Artist will create the artwork in a timely fashion. If more time is needed, the artist must notify the City so that any applicable permits may be extended.
- The creation of the mural must include materials that are long-lasting (at least five (5) years unless agreed to beforehand), graffiti and UV resistant, or include an anti-graffiti and UV resistant coating.
- The artist must notify the City when the mural is completed.
- When the mural is completed, the City Manager's Office will hold a mural dedication event.

### **MURAL OPTION B - City of Burleson Mural Program (Private Property) Permitting Process and Regulations**

Murals play an important role in City of Burleson's past and present. The City of Burleson has a long tradition of mural placement on private property, and encourages this and other forms of creative community expression. Murals provide an opportunity to transform blank walls into vibrant spaces. Murals can celebrate a place's history, tell memorable stories of residents, and be a source of beauty. Murals are a relatively quick and highly impactful way to bring public art into a city's built environment. The Mural Program regulates privately-commissioned murals visible to public property or public rights-of-way and is implemented through the issuance of Mural Permits pursuant to **CODE**.

The Mural Program does not apply to the following:

- Public art and murals funded by the City of Burleson or public art funds. These are governed by the "Acquisition" chapter in the Public Art Policy;
- Privately-commissioned public art and murals not visible to public property or public rights-of way. These are governed solely by **CODE**; and
- Public art and murals on property where said use is not permitted pursuant to **CODE**.

The City of Burleson Mural Program and the issuance of Mural Permit is facilitated by **GROUP**, as designated bant to **CODE**. The City of Burleson Mural Program application is a binding contract between the applicant and the City of Burleson.

### **City of Burleson Mural Permit Submittal Components**

The Mural Permit requires submission to the Public Art Coordinator, the following documents constituting the "Permit Package", which are described in detail in the subsequent sections.

1. Application
2. Private Property Acknowledgement Form
3. Encroachment Form
4. Permit Application for Occupying Public Right-of-Way (during installation)
5. Artist Copyright and License Waiver

#### Application

Incomplete applications will not be considered for review. A non-refundable application fee as set by City Council Resolution is required to be paid at the time of application. The Application shall be on a form reviewed by the Public Spaces and Cultural Heritage Committee and reviewed for approval by City Council shall include provision of the following:

1. Property address and profile
2. Contact person identity and profile (applicant)
3. Contact information of property owner
4. Artist identity (artist as named on the City of Burleson Mural Program Register)
5. Budget and funding sources
6. Proposed Mural information:
  - a. Title, dimensions, medium
  - b. Description
  - c. Project goals/vision, audience, outreach efforts, engagement, etc.
  - d. Full color rendering/sketch of the proposed design
  - e. Site images
7. Maintenance information
  - a. Monthly, quarterly, yearly
  - b. Complete list of materials that will be used to create the mural, and product names/identification, if available
  - c. Description of maintenance provider qualifications/skills
8. Installation and deinstallation plans including:
  - a. Proposed installation schedule
  - b. Surface preparation process
  - c. images of existing site and physical surroundings
  - d. installation and deinstallation equipment required
  - e. qualifications and profile of installation and deinstallation crew/personnel other than the Artist, if necessary, based on project scope

#### Private Property Acknowledgement Form

Private Property Acknowledgement Form confirms the property owner's knowledge of the existence of the mural, and will be signed by the property owner and notarized. The property owner agrees to the following parameters, which must be met to place a mural on private property:

1. Permits for murals on private property are allowable for up to five years from installation. At the discretion of the property owner, an extension of the Mural Permit may be granted, upon City review of the condition of the mural at the time of the request. Requests for extension shall be filed with the City Manager's Office prior to Permit expiration.
2. No part of the mural shall exceed the structure to which it is affixed.

3. No part of the mural shall extend more than 6 inches from the plane of the wall upon which it is affixed.
4. No part of the mural contains electrical or mechanical components or changing images.
5. No part of the mural contains a commercial message in text or images.
6. Murals on private property must have an anti-graffiti coat applied to the surface to abate graffiti and vandalism.

#### Mural Encroachment Form

The property owner must sign a form stating that the owner will not paint over, destroy, cover, or alter the mural for the duration of the agreement. Agreements typically last for a minimum of 5 years but may be shorter or longer depending on the project. This form is submitted as part of the City of Burleson Mural Program application process.

#### Right of Way Construction Permit and Encroachment Permit Application for Occupying Public Right of Way

A Right of Way Construction Permit and/or an Encroachment Permit may be required if the scope of public art or mural installation requires temporary occupation of the public right-of-way during installation, pursuant to those requirements contained in [CODE](#).

#### Artist Copyright License and Waiver

Applicants will select an artist from the City of Burleson Mural Program Artist Register (described below). The artist selected by the applicant to propose a design for a must sign the Artist Copyright License and Waiver, which establishes image uses and copyright, and waives the artist's VARA rights (Visual Artists Rights Act of 1990 (17 U.S.C. § 106A)).

### City of Burleson Mural Program Permit Design Considerations and Standards

The City of Burleson Public Spaces and Cultural Heritage Committee reviews mural proposals according to the following Design Considerations and Standards.

#### Design Considerations

While not relating to content, some design considerations will help ensure a successful, high impact project. Private Property Owners and Artists are encouraged to consider the following when creating a mural concept:

1. Scale - Who will be the intended viewer or audience? A mural intended for pedestrians may be of a different scale than one intended for automobile drivers or cyclists along a bike trail.
2. Accessibility - Are there opportunities to engage those who are visually impaired or otherwise not able to view the mural?
3. Maintenance - What are the long term maintenance implications of the design? Is it easily repairable?
4. Experiential Elements - Is there a potential for additional elements that could be added to enhance the experience of the viewer such as virtual (VR) or augmented (AR) reality elements, audio elements either on site or online, instagram or social media interactions or other opportunities?
5. Historic Preservation - Is this mural intended for a historic building or structure? If so, painting unpainted finished masonry is generally considered an inappropriate treatment. Explore other options such as painted panels or applied vinyl. Murals proposed for placement on historic

buildings or structures shall be subject to applicable additional review depending on the proposed project scope.

## Standards

Though there may be positive benefits for a property owner as a result of the creation of a mural on their building, there must be no direct correlation between the content of the mural and the property or any business conducted on the property. The City of Burleson Mural Program intends to support artistic expression, and proposals containing content that is inappropriate and/or indecent by community standards may not be approved.

1. Murals shall be an original artwork designed and implemented by an artist from the City of Burleson Mural Program Artist Register. A proposed artist from the City of Burleson Mural Program Register must be identified in the application.
2. Mural Applications are reviewed using the following criteria:
  - a. Strength of the concept and appropriateness of the imagery for all ages.
  - b. Appropriateness of scale to the surrounding environment including the facade on the building in which it is placed, as applicable.
  - c. Absence of commercial signage elements. Public safety and compliance with local laws and regulations.
  - d. Selection of an artist able to execute the proposed public art or mural.
  - e. Demonstrated ability to complete and maintain the mural for the entire life of the permit, and a documented understanding of the proposed surface's ability to receive the proposed materials.
3. All Public Mural proposals containing any written text and/or signage elements, as defined in **CODE**, may be subject to an additional review process through the City Manager's Office.
4. Mural installation must begin within one year of the approval of the application. If the project is unable to be completed within the allocated time frame, the application will be considered void.
5. All murals are subject to ongoing conservation and maintenance activities.
6. The City reserves the right to reject any application if it presents a public safety risk or potential liability issues.
7. Incomplete applications will not be reviewed.

## Mural Application Review

The Advisory Committee reviews and approves or denies Mural Permit following the review process outlined below applications for the City of Burleson Mural Program:

1. Permit Package provided to the City Manager's Office with payment of the current fee.
2. Permit Package routed to the City Manager's Office for review by Public Art Coordinator for completeness.
3. Complete Permit Package routed for review by the Advisory Committee.
4. Advisory Committee sends Decision to City Manager's Office
5. City Manager's Office notifies applicant of decision and 10-day appeal period by letter and publically posts decision.

#### Existing Privately-Commissioned Murals on Private Property Visible to Public Property or Public Rights-of-Way (“Legacy or Murals”)

Any mural on private property and visible to public property or public right-of-way installed prior to the effective date of these Public Art Policy for which a land use entitlement such as a Minor Conditional Use Permit or Conditional Use Permit has not been obtained may continue as a nonconforming use for a period of five years from the effective date of the Public Art Policy so long as it and/or the surface or property on which it is located is maintained such that it is not a public nuisance or otherwise creating a public safety issue. Legacy Murals may be expanded, modified and/or have the lifespan extended only in compliance with an approved Mural Permit.

#### Acquisition of Privately-Commissioned Murals on Private Property, either in the Public Right-of-Way or Not in the Public Right-of-Way Acquisition

If any privately-owned and/or privately-commissioned mural on private property has been proposed for City acquisition into the Public Art Collection, then the mural in question must be reviewed for acquisition according to the procedures set forth in the “Acquisition” chapter of this Public Art Public Art Policy document. As mentioned above, privately-owned and/or privately-commissioned murals on private property are not automatically accessioned into the Public Art Collection of the City of Burleson.