



## Legislation Text

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**File #:** 191464, **Version:** 2

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191464  
SUBSTITUTE 2

ALD. MURPHY, KOVAC, AND STAMPER

A substitute ordinance relating to the acceptance of donations of public art.

304-24-2 rc  
320-13 cr

This ordinance establishes guidelines for accepting contributions of public arts projects. The ordinance requires that a contribution of a public arts project:

1. Be reviewed by a 7-member committee consisting of the chair of the arts board or designee, an arts curator appointed by the chair of the arts board or designee with curatorial expertise, the mayor or designee, the common council president or designee, the commissioner of public works or designee, the commissioner of the department of city development or designee, and the city attorney or designee.
2. Include an agreement that contains a plan for producing, siting, and installing the public arts project; a plan to fund and deliver ongoing maintenance and restoration; and a plan for deaccessioning the public arts project.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 304-24-2 of the code is repealed and recreated to read:

**304-24. Contributions Received by the City.**

**2. GENERAL POLICY STATEMENT.** a. Any contribution received, except a public arts project, as defined in s. 320-12-4-a, shall be combined with other city deposits, and interest earnings on these funds shall be included as general city revenue unless otherwise specified by the common council in its acceptance of a contribution or unless otherwise required by s. 67.101, Wis. Stats.

b. If a contribution is a public arts project, acceptance shall be in accordance with the procedure set forth in s. 320-13.

Part 2. Section 320-13 of the code is created to read:

**320-13. Public Arts Project Committee.** 1. CREATION. There is created a public arts project committee consisting of the following 7 members:

- a. The chair of the arts board or designee, who shall serve as chair of the committee.
- b. An arts curator appointed by the chair of the arts board or designee with curatorial expertise.
- c. The mayor or designee.
- d. The common council president or designee.
- e. The commissioner of public works or designee.
- f. The commissioner of the department of city development or designee.

g. The city attorney or designee.

2. STAFFING. The city clerk's office shall provide staffing support.

3. RULES OF THE COMMITTEE. The terms of the members shall expire at the end of the common council term in which those members were appointed.

4. DUTIES. The committee shall evaluate each proposed contribution, under s. 304-24, of a public arts project, as defined in s. 320-12-4-a, and its accompanying agreement and make recommendations to the common council concerning acceptance of the public arts project contribution and approval of its accompanying agreement. The committee shall make its recommendations to the common council not more than 30 days after each proposed contribution of a public arts project and accompanying agreement have been introduced to the common council. The common council shall make the final determination regarding the acceptance of a contribution of a public arts project.

5. AGREEMENT REQUIRED. Any contribution of a public arts project to the city shall be accompanied by an agreement that includes each of the following:

- a. A plan for producing, siting, and installing the public arts project.
- b. A plan to fund and deliver ongoing maintenance and restoration or an agreement detailing the city's maintenance duties.
- c. A plan for deaccessioning the public arts project.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

LRB175333-3  
Tea Norfolk  
3/18/2020