

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED  
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

**ORDINANCE**

**APPROVING A PRE-QUALIFIED LIST OF ART PROFESSIONALS  
WHO MAY BE USED TO IMPLEMENT ART PROJECTS IN AMOUNTS  
NOT TO EXCEED THE ELIGIBLE ALLOCATION, APPROVING  
CONTRACTS FOR SUCH PROJECTS, AND AUTHORIZING PAYMENT  
SUBJECT TO THE AVAILABILITY OF FUNDS.**

\* \* \* \* \*

**WHEREAS**, in October 2023, the Department of Arts & Culture (“Department”) issued an open call as part of a competitive process to update the City’s Pre-qualified List of Public Art Professionals (“List”), comprised of public artists and art support services, and undertook extensive outreach efforts and held two information sessions in an effort to seek new art professionals to be added to the already active List; and

**WHEREAS**, the Department received a total of 156 applications, 105 from the San Antonio area and 51 from outside the San Antonio area and an independent panel evaluated the submitted applications and recommended the addition of 129 public art professionals, comprised of 86 San Antonio area public art professionals and 43 from outside the San Antonio area, and in April 2024, the Public Art Committee of the San Antonio Arts Commission, the San Antonio Arts Commission (“Commission”) and the City Council Community Health Committee approved the additions to the List; and

**WHEREAS**, individuals and groups are placed on the List for a three-year period, however, inclusion on the List does not guarantee that an individual or group will be provided a contracting opportunity, as final selections for public art project commissions will be made through an evaluation process that will include representatives of the Public Art Committee, the Commission, stakeholders, such as local art professionals, neighborhood and community members, and representatives of City departments where the art will be located and final artist selections and projects are reviewed and approved by the Public Art Committee and the Commission; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** City Council approves the Pre-qualified List of Public Art Professionals and authorizes contracts for services in amounts not to exceed the eligible allocations with individuals and groups from the List who are selected to implement projects, provide artworks or to provide public art services. A copy of the List is attached to this Ordinance as **Exhibit I**.

**SECTION 2.** The City Manager, or his designee, is authorized to execute contracts with Public Art Professionals from the List selected to implement projects, provide artworks or provide services in amounts not-to-exceed the eligible funding. The template agreements attached to this

Ordinance as **Exhibit II** shall be utilized to contract for such services, as appropriate. As not all template provisions apply to all contracts, the City Attorney’s Office shall provide assistance in determining the necessary provisions from the attached templates. Individuals and groups on the List may be contracted on an on-call basis for work across several projects.

**SECTION 3.** All artists and art professionals selected from the List to provide services shall submit a Contracts Disclosure Form prior to entering a contract with City, which shall be reviewed by City staff in order to inform the San Antonio Arts Commission of any conflicts.

**SECTION 4.** Funds will be encumbered upon issuance of purchase orders, and payment is authorized to the various vendors assigned within this Ordinance for amount not-to-exceed the budget allocation for public art and arts programming. All expenditures will be in accordance with the Fiscal Year 2024 budget and subsequent budgets for the duration of the contracts approved by City Council.

**SECTION 5.** The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager’s designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 6.** This Ordinance shall take effect immediately upon the receipt of eight affirmative votes; otherwise, it shall be effective ten days after its passage.

**PASSED AND APPROVED** this 16<sup>th</sup> day of May, 2024.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney

## EXHIBIT I

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## EXHIBIT II

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