

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

Resolution or Ordinance (Blue)   X   *Waiver of First Requested*  
  X   Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: May 11, 2005 (B of T) Date: May 19, 2005

TITLE: Public Art Program

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

The Economic and Community Development Committee transmits for your consideration an ordinance amending Title 3, Chapter 36 of the Lombard Village Code in regard to the Establishment of a Downtown Public Art Program. (DISTRICTS #1 and 4)

The Economic and Community Development Committee recommended approval of this request.

Staff is recommending waiver of first reading.

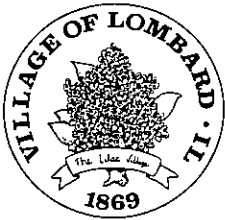
Please place this item on the May 19, 2005 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X *W. T. Lichter* \_\_\_\_\_ Date 5/12/05

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**TO:** William T. Lichter, Village Manager

**FROM:** David A. Hulseberg, AICP, Director of Community Development *DH*

**DATE:** May 19, 2005

**SUBJECT:** **Public Art Program**

### **BACKGROUND**

The Economic and Community Development Committee has approved the concept of a Downtown Public Art Program that would provide for the acquisition of artwork to be displayed on the public right-of-way. Staff has developed regulations and guidelines for this program for consideration by the Board of Trustees. Although originally envisioned as a grant program, the current proposal will allow the Board of Trustees the greatest amount of latitude with regard to the selection, acquisition, and placement of specific pieces of artwork.

### **RECOMMENDATION**

Staff recommends that the Village Board approve the proposed Downtown Public Art Program. Staff is also requesting waiver of first reading.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 36 OF THE  
LOMBARD VILLAGE CODE IN REGARD TO THE ESTABLISHMENT  
OF A DOWNTOWN PUBLIC ART PROGRAM**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Lombard,  
DuPage County, Illinois, as follows:

**SECTION 1:** Title 3, Chapter 36 of the Lombard Village Code is hereby amended by  
adding new Sections 36.60 through 36.63 thereto, which shall read in their entirety as follows:

**Public Art Program**

**§36.60 PURPOSE**

There shall be established in the Village of Lombard a Downtown Public Art Program (hereinafter the "Program" for purposes of Sections 36.60 through 36.63 of this Code) which shall be administered by the Director of Community Development with approval from the Economic and Community Development Committee in accordance with the standards set forth in Sections 36.60 through 36.63 of this Code. The purpose of the Program is to increase the economic viability of Downtown Lombard by attracting visitors and, in turn, new businesses wanting to capture the market of those visitors. The Program will allow for the purchase of artwork to be placed on or adjacent to the public right-of-way. This Program is intended to complement and support the Village's plans to maintain a quality Downtown. The intention of the Program is to create a more viable and attractive area through this private/public partnership initiative.

**§36.61 DEFINITIONS**

For the purpose of Sections 36.60 through 36.63 of this Code the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- A. **BOARD** means the President and Board of Trustees of the Village.
- B. **COMMITTEE** means the Economic and Community Development Committee

- C. **DIRECTOR** means the Director of Community Development
- D. **PROGRAM** means the Downtown Public Art Program
- E. **ELIGIBLE TIF DISTRICTS** means the Lombard Downtown TIF District and the Lombard St. Charles Road TIF 1 (West)
- F. **PUBLIC ART COLLECTION** means the entirety of works of art in public places that have been acquired by the Village of Lombard through the Program
- G. **TIF FUNDS** means debt instrument proceeds or incremental revenues in relation to the Eligible TIF Districts
- H. **WORK(S) OF ART** means any work of visual art, including but not limited to, a mural, fresco, sculpture, mosaic, works in clay, textile, fiber, wood, metal, plastic, glass, and like materials, or mixed media. For projects which involve no structure, "Work of Art" may include a combination of landscaping and landscape design (including some natural and manufactured materials such as rock, fountains, reflecting pools, sculpture, screens, benches, and other types of street furniture). Except as provided herein, the term "Work of Art" does not include environmental landscaping or ephemeral arts such as dance, voice, music or poetry unless expressed in a manner defined above.

### **§36.62 FUNDING**

- A. Each fiscal year, commencing with the 2005-2006 fiscal year and continuing until the termination of the Eligible TIF Districts or until TIF Funds are no longer available, the Village Board may, as part of the approved Village budget, allocate a certain amount from the TIF Funds to be expended for the purchase of Works of Art to be placed on property owned by the Village or property in relation to which the Village has rights of use, in the Eligible TIF Districts.
- B. Other Funds - Public Sector or Private Sector: Additional sources for funding the acquisitions of Works of Art may be identified, and additional funds solicited, from sources other than TIF Funds. In this regard:
  - 1. The Program may seek private or public donations of funds or other services including in-kind services or items necessary for the development of the Program.
  - 2. The Economic and Community Development Committee shall make recommendations to the Village Board relative to pursuing, or accepting assistance/contributions from, said other sources of funds.

**§36.63 APPLICATIONS TO THE PROGRAM**

Based on funding available, staff will bring proposals for the purchase of Works of Art to the Economic and Community Development Committee, who shall recommend purchases to the Village Board.

**SECTION 2:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2005.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2005.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2005, pursuant to a roll call vote as follows:

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2005.

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk

\_\_\_\_\_  
William J. Mueller  
Village President

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk