

## **RESOLUTION NO. 20140612-058**

**WHEREAS**, in December 1971, the Town Lake Beautification Committee was formed to make Lady Bird Johnson's vision of a beautiful urban greenway a reality; and

**WHEREAS**, to complement the public-private effort to beautify the area and make it a more attractive and useful public space, the committee raised funds to plant hundreds of trees and beautify the park along the banks of the Lower Colorado River currently known as Lady Bird Lake; and

**WHEREAS**, in 2003, the Town Lake Trail Foundation, later renamed The Trail Foundation, was formed to continue the work of the Citizen's Beautification Committee and to ensure that the Town Lake Trail, renamed Ann and Roy Butler Hike-and-Bike Trail (Butler Trail), generally described in the map attached and incorporated to this Resolution, remains one of Austin's most beautiful public spaces; and

**WHEREAS**, the Butler Trail connects diverse environments and neighborhoods between Loop 1 (MoPAC) and Pleasant Valley Road (Longhorn Dam); and

**WHEREAS**, numerous independent developments, public projects and community plans are currently underway on or adjacent to the Butler Trail including Waller Creek, Seaholm Power Plant and Intake, Holly Shores,

Green Water Treatment redevelopments, the new Central Library, Lower Shoal Creek rehabilitation, the Boardwalk and wheelchair accessible pier completion, Auditorium Shores improvements as well as long-term plans for Town Lake Metropolitan Park, the Mexican American Cultural Center and South Shore Central Area; and

**WHEREAS**, the City and The Trail Foundation are approached regularly with requests from citizens and organizations wishing to donate artwork and memorials on the Trail in memory of loved ones; and

**WHEREAS**, Resolution 20120816-061 initiated the development of a consistent and efficient artwork donation policy that enables the City to respond to artwork donations or loan requests in a centralized way; and

**WHEREAS**, the City of Austin Artwork Donation and Loan Policy and Application, adopted by City Council on March 21, 2013, states that in order to foster the creation of artwork that explores and responds to the unique qualities of Butler Trail, donations of pre-existing artwork is strongly discouraged; and

**WHEREAS**, although the City of Austin Artwork Donation and Loan Policy offers a process for artwork consideration, it offers no specific guidance or vision on which to base that consideration; and

**WHEREAS**, Resolution 20130829-080, passed unanimously by City Council, asked for a cost estimate of a Butler Trail Public Art Master Plan

that engaged The Trail Foundation in the partial cost participation of the project and extensive public outreach by a consultant with national expertise in art planning; and

**WHEREAS**, the Fiscal Year 2013-14 budget ultimately did not include matching funds from the City for this project; and

**WHEREAS**, planning as well as thoughtful and consistent guidance continues to be a need for the Butler Trail and its many adjacent projects;

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

That the City Council directs the City Manager to utilize existing city staff resources from the Economic Development Department / Cultural Arts Division / Art in Public Places (AIPP), Parks and Recreation Department, Public Works Department, Watershed Protection Department and other project teams as necessary to work with a consultant, jointly selected by the City of Austin Arts In Public Places Administrator, Parks Department Director and the Trail Foundation, to complete a Public Art Plan and corresponding overlay for the Butler Trail at Lady Bird Lake. The Butler Trail Public Art Plan goals are to proactively evaluate and plan for the role that public art can play in enhancing the trail users' experience.

The Butler Trail Public Art Plan should include:

- Exploring how other communities plan for temporary and permanent public art in parkland similar in essence and role in the community to the Butler Trail;
- Defining the scope of affected parkland under consideration and identifying all current stakeholders with plans on or adjacent to the Butler Trail;
- Compiling relevant current regulations, ordinances and plans that affect the parkland under consideration;
- Providing a full inventory of current and planned capital improvement projects including proposed art components that potentially could affect the parkland under consideration;
- Reviewing current City procedures for decision-making, site selection and criteria for art curation of temporary and permanent artwork, including memorials, on the Butler Trail;
- Creating a working agreement between the Parks Department, Economic Development / Cultural Arts Division and stakeholders regarding artist selection, artwork design and installation as well as ongoing maintenance of public art;
- Reviewing the current City of Austin Artwork Donation and Loan Policy as well as the existing AIPP commissioning

procedure to explore potential changes and clarifications as it relates to the Butler Trail;

- Provide recommendations for related ordinances or regulating plans to achieve the goals of the Public Art Plan Overlay
- Engagement of community stakeholders such as park and trail users, public artists and design professionals, adjacent neighborhood and development representatives, and special area interests groups.

The Butler Trail Public Art Plan Overlay should be presented for review and approval to the Parks and Recreation Board, the Waterfront Planning Advisory Board, the Art in Public Places Panel and the Arts Commission prior to being submitted to the City Council for final approval.

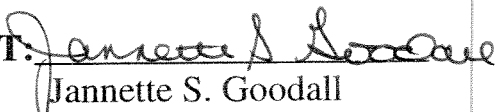
**BE IT FURTHER RESOLVED:**

That the City Manager is authorized to negotiate an agreement with The Trail Foundation that formalizes its partnership with the City of Austin for related contractual or consulting services in pursuit of the Butler Trail Public Art Plan. The City Manager shall bring the negotiated agreement to the City Council for approval at the August 7, 2014 city council meeting. The City may apply for or use grant funds in pursuit of this effort but any other financial contribution should return to City Council for approval.

**BE IT FURTHER RESOLVED:**

That the City Council directs the City Manager to suspend the receipt of commissioned or donated new permanent artwork for the Butler Trail until the completion of the Butler Trail Public Art Plan Overlay for a period not to exceed one year, with the exception of artwork that has an approved design but not yet been fully installed, which expressly includes artwork entitled *Belting it Out* by artist Ken Little currently being installed on the Boardwalk project, artwork entitled *Cyclican Interplay* by artist Andrew Bellati Green + Adam Pyrek currently being installed at the Auditorium Shores Trailhead, and artwork not yet titled to be installed at Cesar Chavez Esplanade Phase II by artist Deborah Mersky. The City Council further authorizes the artwork titled *The Home Coming* by artist Timothy P. Schmalz to continue through the donation process and not be affected by this suspension.

ADOPTED: June 12, 2014

ATTEST:   
Jannette S. Goodall  
City Clerk