**THE COUNCIL OF THE CITY OF NEW YORK**



**OFFICE OF THE GENERAL COUNSEL**

**COMMITTEE REPORT OF THE**

**COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS**

**Hon. Karen Koslowitz, Chairperson**

**October 29, 2020**

**Remote Hearing (Virtual Room #1)**

***New York City Art Commission – (Mayor’s nominees for appointment upon advice and consent of the Council)***

* **Kenseth Armstead [M 253]**
* **Deborah Marton [M 254]**

The New York City Art Commission, also known as the Public Design Commission[[1]](#footnote-1) (“Commission”) reviews permanent works of art, architecture and landscape architecture proposed on or over City-owned property. Projects include construction, renovation or restoration of buildings, such as museums and libraries; creation or rehabilitation of parks and playgrounds; installation of lighting and other streetscape elements; and design, installation and conservation of artwork.[[2]](#footnote-2)

The Commission itself does not contract for any artwork, nor does it select contractors, negotiate fees, or otherwise involve itself in the selection or approval of contracts. The Commission brings its expertise to the process by reviewing submitted plans or work in accordance with standards enumerated in the *Charter*. Commission members have no say in what projects are initiated, or how City funds are allocated. The *Charter* states that the Commission has general advisory oversight over all works of art belonging to the City, and advises agencies having jurisdiction over them as to methods and procedures for their proper maintenance. [*Charter* § 857 (a).]

The Commission is composed of the Mayor or his representative, the President of the Metropolitan Museum of Art, the President of the New York Public Library, the President of the Brooklyn Museum, one painter, one sculptor, one architect, one landscape architect, all of whom shall be residents of the City, and three other residents of the City who cannot be painters, sculptors, architects, landscape architects, or active members of any other profession in the fine arts. Charter § 851 (a). The Mayor and the museum and library presidents serve in an ex-officio capacity. Section 31 of the *Charter* states that the Council performs an advice and consent review of mayoral appointees for membership on the Commission. The Council does not review ex-officio members. [*Charter* § 851 (a).]

The appointive members whose service is not ex-officio are chosen from a list submitted by the Fine Arts Federation of not less than three times the number to be appointed. If the Federation fails to present a list of nominees within three months from the time when a vacancy occurs, the Mayor may appoint an individual without such input. In case the Mayor fails to appoint within one year from the time when a vacancy occurs, the Commission is authorized to fill such vacancy for any balance of the un-expired term without the Council’s advice and consent review. [*Charter* § 851 (b).]

All members serve on the Commission without compensation. Members serve for three-year terms, or until a successor has been appointed and qualified. [*Charter* § 851 (b).]

Upon appointment by the Mayor with the advice and consent of the Council, Mr. Armstead, a resident of Brooklyn, will fill a vacancy and serve as the “Painter” Member for the remainder of a three-year term that expires on December 31, 2020 as well as for a new three-year term commencing on January 1, 2021 and expiring on December 31, 2023. Copies of his résumé and report/resolution are annexed to this Briefing paper.

Upon appointment by the Mayor with the advice and consent of the Council, Ms. Marton, a resident of Brooklyn, will fill a vacancy and serve as a “Lay Member” for the remainder of a three-year term that expires on December 31, 2021. Copies of her résumé and report/resolution are annexed to this Briefing paper.

**Committee Staff:**

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1. On July 21, 2008, Mayor Michael R. Bloomberg issued Executive Order No. 119, which changed the name of the Art Commission of the City of New York to the Public Design Commission of the City of New York, except in court documents, contracts and any other situation where the name “Art Commission” is legally required. [↑](#footnote-ref-1)
2. http://www.nyc.gov/html/artcom/html/about/about.shtml [↑](#footnote-ref-2)