



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

Meeting Agenda

Arts and Culture Advisory Commission

Thursday, October 17, 2019

4:00 PM

City Council Chamber, 2nd Floor, Merced Civic
Center, 678 W. 18th Street, Merced, CA 95340

NOTICE TO PUBLIC

WELCOME

At least 72 hours prior to each regular Board/Commission meeting, a complete agenda packet is available for review on the City's website at www.cityofmerced.org or at the City Clerk's Office, 678 W. 18th Street, Merced, CA 95340. All public records relation to an open session item that are distributed to a majority of the Commission will be available for public inspection at the City Clerk's Office during regular business hours.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE BOARD/COMMISSION CLERK

Members of the audience who wish to address the Commission are requested to complete a speaker card available at the podium against the right-hand side of the Council Chamber. Please submit the completed card to the Board/Commission Clerk before the item is called, preferably before the meeting begins.

INDIVIDUALS WITH DISABILITIES

Accommodation for individuals with disabilities may be arranged by contacting the City Clerk at (209) 388-8650. Assisted hearing devices are available for meetings held in the Council Chamber.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. PUBLIC COMMENT

Members of the public who wish to speak on any matter not listed on the agenda may speak during this portion of the meeting and will be allotted 3 minutes. State law prohibits the Board/Commission from acting at this meeting on any matter raised during the public comment period. Members of the public who wish to speak on a matter that is listed on the agenda will be called upon to speak during discussion of that item.

E. CONSENT CALENDAR

Adoption of the Consent Calendar may be made by one motion of the Board/Commission, provided that any Member, individual, or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the item will be discussed and voted on separately.

- E.1. [19-611](#) **SUBJECT:** Arts and Culture Advisory Commission Minutes of September 19, 2019

REPORT IN BRIEF

Arts and Culture Advisory Commission Minutes from the meeting of September 19, 2019.

RECOMMENDATION

Arts and Culture Advisory Commission - Adopt a motion approving and filing the Arts and Culture Advisory Commission minutes of September 19, 2019.

F. REPORTS

- F.1. [19-612](#) **SUBJECT:** Update on the Official Public Art Inventory

REPORT IN BRIEF

Update on the official list of public art inventory.

RECOMMENDATION

For Information - Only

- F.2. [19-527](#) **SUBJECT:** Update on the Cost of the Art Maintenance for the G Street Underpass and Bob Hart Square Art Pieces

REPORT IN BRIEF

Staff will give an update on the total cost of the Art Maintenance for the G Street Underpass and the cement staining on the Bob Hart Square lettering.

RECOMMENDATION

For Information-Only.

G. BUSINESS

- G.1. [19-613](#) **SUBJECT:** Discussion on Establishing an Arts and Culture Policy

REPORT IN BRIEF

Discussion on creating and establishing an Arts and Culture Policy.

RECOMMENDATION

Direct Staff on the next steps in establishing an Arts and Culture Policy.

G.2. [19-536](#)

SUBJECT: Request to Add Item to Future Agenda

REPORT IN BRIEF

Provides members of the Boards and Commission the opportunity to request that an item be placed on a future Commission agenda for initial consideration by the Commission.

G.3. [19-537](#)

SUBJECT: Commission Comments

REPORT IN BRIEF

Provides an opportunity for the Chair and/or Member(s) to make a brief announcement on any activity(ies) she/he has attended on behalf of the Commission and to make a brief announcement on future community events and/or activities. The Brown Act does not allow discussion or action by the legislative body under this section.

H. ADJOURNMENT



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

File #: 19-611

Meeting Date: 10/17/2019

Report Prepared by: Jennifer Levesque, Deputy City Clerk

SUBJECT: Arts and Culture Advisory Commission Minutes of September 19, 2019

REPORT IN BRIEF

Arts and Culture Advisory Commission Minutes from the meeting of September 19, 2019.

RECOMMENDATION

Arts and Culture Advisory Commission - Adopt a motion approving and filing the Arts and Culture Advisory Commission minutes of September 19, 2019.

ATTACHMENTS

1. Arts and Culture Advisory Commission minutes September 19, 2019



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

Minutes

Arts and Culture Advisory Commission

Thursday, September 19, 2019

4:00 PM

A. CALL TO ORDER

Vice-Chair ODOM-GUNN called the regular Arts and Culture Advisory Commission meeting to order at 4:02 PM.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Present Ex-Officio Members:

Kim GARNER
Patricia PRATT

Absent Ex-Officio Members:

Harley HERMOSILLO
Anthony MARTINEZ

Clerk's Note: Commissioner HYPES arrived at 4:04 PM.

Present: 5 - Dob Francise, Rob Hypes, Monika Saini, Vice Chair Diana Odom Gunn and Maria Del Zaragoza

Absent: 2 - Chairperson Colton Dennis and Monika Modest

D. PUBLIC COMMENT

Gina PETERS, Merced - spoke in opposition of the proposed location of a homeless tile mosaic.

Wayne EISENHART, Merced - spoke on behalf of the Downtown Neighborhood Association supporting an Arts District in the Downtown Area.

E. CONSENT CALENDAR

E.1. **SUBJECT:** Arts and Culture Advisory Commission Minutes of August 15, 2019

REPORT IN BRIEF

Arts and Culture Advisory Commission Minutes from the meeting of August 15, 2019.

RECOMMENDATION

Arts and Culture Advisory Commission - Adopt a motion approving and filing the Arts and Culture Advisory Commission minutes of August 15, 2019.

A motion was made by Member Francise, seconded by Vice Chair Odom Gunn, that this agenda item be approved. The motion carried by the following vote:

Aye: 5 - Member Francise
Member Hypes
Member Saini
Vice Chair Odom Gunn
Member Del Zaragoza

No: 0

Absent: 2 - Dennis
Member Modest

F. REPORTS

F.1.**SUBJECT: City of Merced Entry Signs**

REPORT IN BRIEF

Discuss options for the City of Merced entry signs.

RECOMMENDATION

Provide a formal recommendation to City Council for next steps on entry signs and archway.

City Manager Steve CARRIGAN gave a slide show presentation on City of Merced Entry Signs.

Commissioners, Ex-Officio Members, and Mr. CARRIGAN discussed the proposed Welcome Signs and the proposed archway design.

Clerk's Note: Commissioners directed staff to remove the Gateway to Yosemite slogan and add Welcome to Merced, to extend and place the sign on both sides of the archway.

F.2.**SUBJECT: Update on the Official Public Art Inventory**

REPORT IN BRIEF

Update on the official list of public art inventory.

RECOMMENDATION

For Information - Only

Ex-Officio Member GARNER gave an update on the progress of the Official Art Inventory.

Vice-Chair ODOM-GUNN asked about a final report for the Commission to review.

Assistant City Manager Stephanie DIETZ stated that a final report will be brought to the Commission for adoption.

F.3.

SUBJECT: Update on the Community Calendar

REPORT IN BRIEF

Staff will give an update on the progress of the community calendar.

RECOMMENDATION

For Information-Only

Senior Management Analyst Mike CONWAY gave an update on the progress of the community calendar.

Commissioners, Ex-Officio Members, Mr. CONWAY, and Assistant City Manager Stephanie DIETZ discussed linking websites and social media in the calendar, re-occurring events, various times and days of plays, consistent staff approval, and completion timeline.

G. BUSINESS

G.1.

SUBJECT: Discussion on Establishing an Arts and Culture Policy

REPORT IN BRIEF

Discussion on creating and establishing an Arts and Culture Policy.

RECOMMENDATION

Direct Staff on the next steps in establishing an Arts and Culture Policy.

Assistant City Manager Stephanie DIETZ gave a brief presentation on the Arts and Culture Policy and suggested Commissioners and Ex-Officio Members review and give feedback at a future meeting.

G.2.

SUBJECT: Request to Add Item to Future Agenda

REPORT IN BRIEF

Provides members of the Boards and Commission the opportunity to request that an item be placed on a future Commission agenda for initial consideration by the Commission.

Commissioner FRANCISE requested to add an item on the Merced Open Air Theater maintenance.

G.3.

SUBJECT: Commission Comments

REPORT IN BRIEF

Provides an opportunity for the Chair and/or Commission Member(s) to make a brief announcement on any activity(ies) she/he has attended on behalf of the Commission and to make a brief announcement on future community events and/or activities. The Brown Act does not allow discussion or action by the legislative body under this section.

Ex-Officio Member GARNER discussed a grant for a ten concert series for the Merced Open Air Theater that she will be submitting.

H. ADJOURNMENT

Clerk's Note: The Arts and Culture Advisory Commission meeting was adjourned at 4:51 PM.

A motion was made by Member Francise, seconded by Member Saini, to adjourn the Arts and Culture Advisory Commission meeting. The motion carried by the following vote:

Aye: 5 - Member Francise
Member Hypes
Member Saini
Vice Chair Odom Gunn
Member Del Zaragoza

No: 0

Absent: 2 - Dennis
Member Modest



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

File #: 19-612

Meeting Date: 10/17/2019

SUBJECT: Update on the Official Public Art Inventory

REPORT IN BRIEF

Update on the official list of public art inventory.

RECOMMENDATION

For Information - Only



ADMINISTRATIVE REPORT

File #: 19-527

Meeting Date: 10/17/2019

SUBJECT: Update on the Cost of the Art Maintenance for the G Street Underpass and Bob Hart Square Art Pieces

REPORT IN BRIEF

Staff will give an update on the total cost of the Art Maintenance for the G Street Underpass and the cement staining on the Bob Hart Square lettering.

RECOMMENDATION

For Information-Only.

ATTACHMENTS

1. Art Maintenance Cost Breakdown

ART PROJECTS

G STREET UNDERPASS CLEANUP

The Public Works crews cleaned the murals at the G Street Undercrossing in July. The cost of the cleanup project amounted to \$2,267.33 (see Page 2 for cost breakdown). Below are photos depicting the condition of the murals before and after the maintenance.

Before



After



G STREET UNDERPASS CLEANUP (July 2019)			
Employees:	Hours Worked:	Hourly Rate:	Cost:
Carlos Gallegos	7	\$37.55	\$262.87
Tanner Harkreader	7	\$37.55	\$262.87
Jon Machado	7	\$40.13	\$280.91
Rafael Prado-Reyes	7	\$32.45	\$227.13
Norman Williams	7	\$31.38	\$219.69
Labor Total:			\$1,253.48
Equipment:	Hours:	Hourly Rate:	Cost:
E-1177/Truck	2	\$38.38	\$76.76
E-1232/Truck	7	\$29.60	\$207.20
E-1439/Stencil Truck	7	\$74.67	\$522.69
E-1023/Truck	7	\$29.60	\$207.20
Equipment Total:			\$1,013.85
Labor & Equipment Total:			\$2,267.33

BOB HART SQUARE MAINTENANCE

The Public Works Department's Parks Crew pressure washed Bob Hart Square of its walkways, sidewalk, benches, and planter bed in August. Trees on the south side of Main Street have been trimmed from M to K Streets, which includes the trees within Bob Hart Square. The "BOB HART SQUARE" letters on the outside of the planter bed were stained and sealed by an outside contractor. The cost of the stain & seal lettering project estimated to \$700.

Before Photo – Preparation Work (Taping of Letters)



After Photo – Letters Stained & Sealed





CITY OF MERCED

Merced Civic Center
678 W. 18th Street
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ADMINISTRATIVE REPORT

File #: 19-613

Meeting Date: 10/17/2019

SUBJECT: Discussion on Establishing an Arts and Culture Policy

REPORT IN BRIEF

Discussion on creating and establishing an Arts and Culture Policy.

RECOMMENDATION

Direct Staff on the next steps in establishing an Arts and Culture Policy.

ATTACHMENTS

1. Various Cities Policies

- Residents
- Visitors
- Businesses
- Services
- Departments
- I Want to...

Municipal Code

[Municipal Code](#) → [Title 2, Administration and Personnel](#) →

Chapter 2.33
CULTURAL ARTS COMMISSION



Sections:

- 2.33.010Creation.
- 2.33.020Purpose and intent.
- 2.33.030Functions and duties.
- 2.33.040Membership.
- 2.33.050Meeting frequency.

2.33.010
Creation.



There is hereby created a Cultural Arts Commission. The provisions of Article VI of the [City](#) Charter, Chapter [2.25](#) CVMC and this chapter shall govern this Commission. (Ord. 3211 § 7, 2011; Ord. 2403 § 1, 1990).

2.33.020
Purpose and intent.



It is the purpose and intent of the [City Council](#) in establishing the Cultural Arts Commission to create an advisory body to serve as a resource to advise and make recommendations to the [City Council](#) and the [City Manager](#) on cultural arts issues affecting the citizens of the [City](#). The focused efforts of the Cultural Arts Commission will be to identify cultural arts needs and issues.

The purpose of the Commission is to focus community energies and resources on developing a highly visible [City](#) with a cultural arts personality and to develop, support, and nurture those ideas that expand and enrich arts and cultural opportunities for the entire community. (Ord. 3211 § 7, 2011; Ord. 2403 § 1, 1990; Ord. 2362 § 1, 1990).

2.33.030
Functions and duties.



The functions and duties of the Cultural Arts Commission shall be as follows:

- A. Encourage the preservation of Chula Vista’s cultural heritage and the creation of an atmosphere – a Chula Vista image – in which our citizens could take pride and have increased stature.

- B. Help coordinate and marshal support for the arts.
- C. Encourage the provision of cultural and artistic facilities and features in public and commercial construction.
- D. Formulate recommendations for a [City](#) arts program, including funding mechanisms, criteria for the selection and placement of public art, procedures for review plans, and guidelines to carry out a [City](#) arts program.
- E. Regularly assess, review and update recommended goals and long-range plans for the [City](#); and regularly solicit public input on the arts.
- F. Encourage the development of arts and cultural programs for the youth of Chula Vista.
- G. Promote the creation of a cultural environment to attract visitors and economic development. The Commission, by having a definite focus and by demonstrating a high degree of commitment to the arts, can conduct strategic long-range planning to help reach these goals.
- H. The Commission may develop guidelines for consideration during the application and appointment processes for new members, which may include relevant questions to be included on the application, recommended considerations when making an appointment, and definitions of terms referenced in CVMC [2.33.040](#), related to the qualifications of members. (Ord. 3435 § 1, 2018; Ord. 3393 § 1, 2016; Ord. 3211 § 7, 2011; Ord. 2403 § 1, 1990; Ord. 2362 § 1, 1990).

2.33.040

Membership.



The Cultural Arts Commission shall consist of nine voting members that represent a diversity of backgrounds, to be appointed in accordance with Article VI of the [City](#) Charter, and Chapter [2.25](#) CVMC. Further, all nine members shall demonstrate competence, knowledge and experience in cultural arts; and a minimum of six members shall be appointed from among artists, educators, and those with professional qualifications and experience in disciplines of arts and culture, including the performing arts, fine arts, culinary arts, media arts or related arts disciplines. (Ord. 3393 § 1, 2016; Ord. 3211 § 7, 2011; Ord. 2403 § 1, 1990; Ord. 2362 § 1, 1990).

2.33.050

Meeting frequency.



The Commission's meeting schedule shall include at least one regular meeting per [month](#), at the [day](#), time, and location established by written resolution of the Commission. (Ord. 3435 § 1, 2018; Ord. 3393 § 1, 2016; Ord. 3211 § 7, 2011; Ord. 2403 § 1, 1990; Ord. 2362 § 1, 1990).

Disclaimer: The City Clerk’s Office has the official version of the Chula Vista Municipal Code. Users should contact the City Clerk’s Office for ordinances passed subsequent to the ordinance cited above.

City Website: www.chulavistaca.gov

Code Publishing Company

1. PURPOSE

The Town's 2017 Parks Recreation and Arts Strategic Plan states that: *"High quality artistic statements enliven public spaces and can become symbols of civic pride and community identity."* This Public Art Policy is intended to further art education and appreciation. The Policy will guide the placement of art in public places, and will include:

- identifying appropriate public locations for the placement of artwork within the Town of Danville;
- selection and acceptance of artwork to be loaned to, leased, donated, commissioned or purchased by the Town;
- maintenance of artwork; and
- removal of artwork

The Town of Danville Arts Commission is responsible for promoting interest and support for the arts within the community. The Commission will be responsible for guiding the implementation of this Public Art Policy and making appropriate recommendations related to public art and its placement to the Town Council.

The Curatorial Committee assists the Commission by making recommendations regarding selection of artwork, subject to the Curatorial Committee Guidelines and Objectives.

This policy shall apply to artwork that is to be temporarily or permanently displayed on Town owned property.

Changes to this Public Art Policy shall be recommended by the Arts Commission for approval by the Town Council. The Policy will be reviewed annually to consider any changes or updates.

2. DEFINITIONS

Art as described in this policy is intended to enrich the public environment for both residents and visitors. Art shall include, but not be limited to, sculptures, mosaics, mixed media, environmental works, music, light, water and any other medium whose purpose is to promote art education.

Temporary art as describe in this policy is defined as art being on display for a period of less than one year.

3. SITE SELECTION

The Arts Commission will develop locational criteria and recommend to the Town Council appropriate public locations that are suitable for the display of artwork that meets the criteria described in this policy.

Artwork loaned, leased or donated to the Town or commissioned or purchased by the Town pursuant to this policy may be displayed only in approved locations.

When recommending a site for art, the Arts Commission shall consider:

- whether the artwork can be properly installed, placed to be seen, and displayed with patron safety in mind;
- public accessibility to the artwork;
- impact on operational functions of the Town; and
- length of time artwork is being recommended to be displayed

4. PUBLIC ART PROPOSAL

Any person wishing to loan or lease artwork to the Town of Danville must complete a Public Art Application, available in the Recreation office, or on-line at www.danville.ca.gov/artgallery .

Applications will be received by the Recreation, Arts and Community Services Department and will be routed first to the Curatorial Committee for review to ensure that all applications meet the policy criteria; and then forwarded to the Arts Commission.

The application and accompanying materials shall include the following:

- photo, plans, model or other representation of proposed artwork;
- statement of reason for loan or lease;
- description of the artwork, including dimensions, weight, finish, and color, and system for mounting or displaying the artwork;
- any special maintenance, mounting or display requirements;
- artist biography;
- statement of the approximate value of the artwork;
- signage proposed for the artwork, including size, lettering and material; and
- dates of availability

The Curatorial Committee, Arts Commission or Town Council reserve the right to view the actual proposed piece of artwork prior to agreeing to accept or place the artwork.

Any offer to lease, loan or donate artwork may be withdrawn at any time up until execution of an agreement between the Town and the donor(s).

5. SELECTION / ACCEPTANCE PROCESS

After review of a Public Art Application, the Curatorial Committee shall prepare a written report to the Arts Commission for each object it recommends to be placed. The report shall include:

- title, artist, medium, and dimensions
- the origin/source of the artwork
- slide(s) and/or photograph(s) of the artwork
- report on the condition of the artwork
- estimated value of the artwork
- whether the artwork will be leased, loaned or donated to the Town and the term of the proposed loan, lease or donation

When reviewing works of art for possible loan, lease, donation, commission, or purchase by the Town, the Commission shall determine whether the artwork:

- inspires a sense of community
- is thought-provoking, memorable or enduring;
- is appropriate in terms of scale, form, content, and the environment;
- is durable relative to theft, vandalism and the environment;
- is not intended to be perceived as a government endorsement of religion in violation of the Establishment Clause of the Federal and State Constitutions;
- would not, when displayed, create a hostile work environment for public employees; and
- does not depict graphic violence or sexual activity

The Commission shall further determine whether the party that is loaning, leasing, donating or selling the artwork to the Town is prepared to execute a contract or agreement in the form approved by the Town Attorney and Town Manager. The Commission will then make a formal recommendation of the artwork to be displayed and its location to the Town Council for approval.

The intent of this policy is to create a limited public forum for the display of artwork that meets the standards that are set forth herein, and is appropriate to be displayed at approved locations, as set forth above, particularly because such artwork will be “on display to viewers of all ages.”

6. MAINTENANCE OF ART IN PUBLIC PLACES

Town Staff shall maintain detailed records of all artworks accepted. The records shall include all items outlined in the application attached to this policy (Attachment 1). Artwork loaned, leased or donated to the Town will be insured by the Town from the time it was received and inspected by Gallery staff until artwork is returned to the artist or artist's agent. Unless the lender expressly elects to maintain her/his own insurance coverage, the Town of Danville will insure loaned property during the display period. The insured amount is strictly limited to the cost of replacement. If the artwork is difficult to insure, then the artist must either self-insure or maintain artist's own insurance on the artwork. If the artist chooses to maintain her/his own insurance, the Town must be supplied with a Certificate of Liability Insurance naming the Town of Danville as an additional insured and waiving the right of subrogation against the Town of Danville.

Maintenance of Town-owned artwork shall be the responsibility of the Town. Town staff should consider the condition of Town-owned artwork each year in time for budget preparation and make recommendations to the Council regarding the estimated cost of appropriate maintenance activities.

Maintenance of loaned or leased artwork shall be the responsibility of the person loaning or leasing the art to the Town. Prior to undertaking any such maintenance on Town property, the person loaning or leasing the art to the Town shall obtain the approval of the Town Manager or their designee.

7. REMOVING ARTWORK

Leased or loaned art shall be removed at the end of the prescribed term.

Artwork may be removed from public display prior to the end of the prescribed term if it is determined that early removal is appropriate under the criteria described below:

- the artwork's physical or structural condition poses a threat to public safety;
- the artwork requires excessive maintenance, has faulty design or workmanship, and repair or remedy is impractical or unfeasible;
- the artwork has been damaged and repair or remedy is impractical or unfeasible;
- the condition or security of the artwork cannot be reasonably protected;
- significant changes in the use, character or design of the site have occurred and affect the integrity of the artwork;
- significant, adverse public reaction to artwork by the Town has continued unabated over an extended period of time;
- the artwork violates the selection criteria in section #5 of this policy; or
- removal is requested by the artist or donor.

A determination to remove artwork prior to the end of the prescribed term shall be made by the Town Manager or his/her designee. Should such action become necessary, the Town shall prepare a report which documents the reasons for removal, describes the condition of the artwork, and any damage that has occurred and/or any repairs rendered. The Town shall determine the estimated cost of removal and coordinate removal. Unless otherwise stipulated, it shall be the responsibility of the party loaning or leasing artwork to the Town to pay for the removal cost.

A copy of the report shall be distributed to the Arts Commission for review prior to removal of the artwork. Upon receipt of the report, the Arts Commission may initiate a review of the decision at the next scheduled Arts Commission meeting.

Staff shall make a reasonable effort to locate the owner to advise them of the Town's consideration to remove the artwork and reasons for the decision.

8. POLICY REGARDING LOANED AND LEASED ARTWORK

The Town shall not accept loaned or leased artwork with a value of more than fifty thousand dollars (\$50,000.00) per piece.



CITY OF LAFAYETTE ARTWORK GIFT POLICY

Adopted by the City Council on January 26, 2009
Ordinance No. 578

Introduction

It is the goal of the City of Lafayette to contribute to the cultural enrichment of the community by adding to its collection public art that is of the highest quality, visually stimulating and of enduring value. The City adopted an artwork gift policy to achieve this goal.

Definition of public artwork

A public artwork includes sculpture, mural, photography, original work of graphic art, waterworks, fiberworks, neon, glass, mosaics, or any combination of forms of visual media, furnishing or fixtures that are permanently affixed to a structure and/or its grounds that will be displayed at a public place.

The following items will not be considered as public artworks:

- ♦ Art objects which are mass-produced from a standard design
- ♦ Reproductions of original artworks
- ♦ Decorative, ornamental or functional elements of a building which are designed by an architect as opposed to an artist commissioned for the purpose of creating an artwork or
- ♦ Landscape architecture and landscape

Gifts of public artwork considered

The City will consider a donor's offer of an existing public artwork, commission of an artwork by a specific artist or artists, or to commission an artwork through a competitive public process. "Artist" means a person who has an established reputation of artistic excellence in the visual, performance, literary and/or media arts, as judged by peers, through a record of exhibitions, public commissions, sale of artworks, and/or educational attainment. Alternatively, the City will consider a gift that is monetary for the purpose of acquiring public art for the community.

The City will consider proposed gifts only with the understanding that no City funds will be required for fabrication, siting or installation of the artwork. Donors may be required to provide a maintenance program for the proposed gift, including estimated maintenance costs. Excessive maintenance costs may be grounds for rejection of the gift.

Review process for proposed gifts

All proposed gifts will be referred to the City of Lafayette Public Art Committee. The Committee's recommendation on the acceptance or rejection of proposed gifts will be referred to the City Council for final action.

If the City Council approves the acceptance of a gift, a formal agreement will be executed between the City and the donor and/or artist. This agreement will include the costs, responsibilities, and schedule of all aspects of the project, including project funding, fabrication, site preparation, installation, maintenance and budget requirements, transfer of title, donor's and/or artist's rights, project supervision, documentation, an identification plaque, City's rights (including deaccessioning), and other requirements established by the City.

Review criteria

The proposed artwork will be reviewed based on, but not limited to, the following criteria:

- ♦ Aesthetic quality. The foremost consideration will be the inherent quality of the proposed artwork as assessed by the critical review of the Committee. The history, reputation, and/or promise of the artist may also be key considerations.
- ♦ Relationship to the collection and to the community. The proposed artwork will be analyzed for its potential relationship to the City's present public art collection and whether it will enhance the aesthetic quality of the community.
- ♦ Compatibility. Conceptual compatibility and appropriateness of the proposed artwork to the surrounding built and/or natural environment will be factors for consideration, and will include scale, form, content and design.
- ♦ Materials, fabrication and installation. The Committee will evaluate the existing artwork's material or the artist's proposed materials and their appropriateness as regards structural and surface integrity, protection against theft, vandalism, public safety, and weathering, and an analysis of long-term maintenance needs. The Committee will also evaluate the proposed method of installation and an evaluation of safety and structural factors involved in the installation.

Standards for acceptance of a gift

- ♦ Budget. Consideration will include an evaluation of the donor's proposed budget and the artist's ability to successfully complete the project within the proposed budget, and review to assess realistic estimates and comprehensiveness of the budget as it address all costs of the proposal.
- ♦ Unrestricted gifts. Proposed gifts to the City will be clear and unrestricted.
- ♦ Unique artworks. Only one-of-a-kind artworks will be considered, with the exception of prints, photographs or other limited-edition artworks of high quality.
- ♦ Cost of artwork. Acceptance is contingent upon receipt by the City of payment from the donor for all costs associated with the gift not covered by the donor directly, such as transportation and installation.
- ♦ Alterations to proposed artwork design. Any significant change to the design or concept made by the artist or donor after approval of the gift proposal must be reviewed and recommended by the Committee and approved by the City Council.
- ♦ Review of fabrication and installation. Artworks accepted from maquettes or drawings will be subject to City review throughout fabrication and installation. Specific plans for site design, installation, maintenance and protection will be submitted to the City for approvals.

Ownership of accepted artwork

Gifts of public artwork that are accepted by the City will be owned by the City as part of its collection. In accepting an artwork into its collection, the City will not be bound by any agreement with a donor of artwork that restricts its ability to act in the City's best interests. Nothing in the acceptance of an artwork will prevent the City from approving subsequent disposal (removal, relocation, and/or sale) of such artwork if it serves the City's best interest to do so. If disposal is proposed, the Committee will review the proposal and make a recommendation to the City Council for final action. The City will deaccession and sell or otherwise dispose of artworks in its collection in accordance with the limitations of the California Preservation Act (Civil Code 987) and the Visual Artists Rights Act of 1990 (17 U.S.C. 106A and 113(d)).



PROPOSAL FOR AN ARTWORK GIFT TO THE CITY OF LAFAYETTE

To propose an artwork gift to the City of Lafayette, please complete the following information and provide your signature at the bottom of the form. The completed form and other information should be submitted to:

Lindy Chan
City of Lafayette ♦ 3675 Mount Diablo Boulevard, Suite 210 ♦ Lafayette, CA 94549
Email: lchan@ci.lafayette.ca.us

Questions: 925.284.1968

Donor Information

Name: _____

Address: _____

Phone: _____ Email: _____

If the artwork is existing:

Title of artwork: _____

Artist: _____

Artwork medium/materials: _____

Date of artwork: _____ Size of artwork: _____

Current owner of artwork: _____

Current location of artwork: _____

Please attach photographs of the artwork. Attach any other information that you would like the City to know about the artwork and the artist (for example, artist resume, examples of other artworks, artworks in other collections, press clippings, history of artwork).

If the artwork will be commissioned:

Please provide a proposal with the following information:

- ♦ Resume of the artist and photographs of his/her work
- ♦ Details about the artwork that would be commissioned, including subject of the artwork, medium/materials, approximate size
- ♦ Sketch or maquette of the artwork

I have read the City of Lafayette Artwork Gift Policy.

Signature: _____ Date: _____

Loma Linda Municipal Code[Up](#)[Previous](#)[Next](#)[Main](#)[Collapse](#)[Search](#)[Print](#)[No Frames](#)[Title 17 ZONING](#)**Chapter 17.26 ART IN PUBLIC PLACES**

17.26.010 Purpose.

- A. The purpose of the Loma Linda public arts program is to develop and maintain a visual arts program for the residents and visitors of Loma Linda, to add to the economic viability of the community, and to enhance the environment and unique character of Loma Linda by providing for the acquisition and maintenance of quality works of public art.
- B. The city council finds and declares as follows:
1. Cultural and artistic resources enhance the quality of life for individuals living in, working in and visiting the city.
 2. Balanced development of cultural and artistic resources preserves and improves the quality of the urban environment and increases real property values.
 3. As development and revitalization of the real property within the city continues, the opportunity for creation of cultural and artistic resources is diminished.
 4. As this development and revitalization continue as a result of market forces, urbanization of the community results.
 5. As these opportunities are diminished and this urbanization occurs, the need to develop alternative sources for cultural and artistic outlets to improve the environment, image and character of the community is increased.
 6. Development of cultural and artistic assets should be financed by those whose development and revitalization diminish the availability of the community's resources for those opportunities and contribute to community urbanization.
 7. Establishment of this public arts program will promote the general welfare through balancing the community's physical growth and revitalization and its cultural and artistic resources.
 8. It is the purpose of this chapter to modify, clarify and codify the city's existing public arts program. (Ord. 651 § 2, 2006)

17.26.020 Definitions.

For the purpose of this chapter:

“Commission” means the Loma Linda planning commission.

“Public arts fund” means a separate fund and account which is established to receive moneys collected for the designated purposes of the public arts program.

“Public arts program” means the program adopted by the city council. (Ord. 651 § 2, 2006)

17.26.030 Projects subject to public art requirements.

- A. Requirements. Except as provided in subsection B of this section, the requirements of this chapter shall apply to all works of construction and rehabilitation for which a building permit is required, including but not limited to:
1. New commercial and industrial construction;
 2. Remodeling or reconstruction of existing commercial or industrial property;
 3. New residential subdivisions or developments of two or more units, whether by detached single-family

residential structures, condominiums, apartments, duplexes, townhouses or other dwelling units being built in the same tract by the same owner or developer;

4. New individual single-family residential units constructed on a lot located in an existing subdivision whose building permit valuation is over one hundred thousand dollars.

B. Exceptions. The requirements of this chapter shall not apply to the following activities:

1. Public projects undertaken by any agency of the city, the state, county, school district or any other governmental entity;

2. Remodeling, repair or reconstruction of structures to comply with earthquake seismic safety code standards or which have been damaged by fire, flood, wind, earthquake or other calamity;

3. Remodeling, repair or reconstruction of residential units;

4. Nonprofit social service or cultural institution projects;

5. Low to moderate housing projects as defined by household income Health and Safety Code Section 50093;

6. Affordable housing developments receiving city, state or federal assistance;

7. Private educational institutions which provide general education equivalent to the public school system (kindergarten through high school or any part thereof);

8. Architectural rehabilitation or historical preservation of properties which are designated as Class 1 historic sites by the city council. (Ord. 651 § 2, 2006)

17.26.040 Certificate of occupancy.

A. No final city approval, such as final inspection or a certificate of occupancy, for any project subject to this chapter shall be granted or issued unless and until full compliance with the public arts program is achieved, in one or more of the following ways:

1. The approved artwork has been placed in a manner satisfactory to the public arts commission.

2. In-lieu art fees have been paid.

3. Financial security in an amount equal to the acquisition and installation costs of an approved artwork, in a form approved by the city attorney, have been posted.

4. An approved artwork has been donated and accepted by the public arts commission. (Ord. 651 § 2, 2006)

17.26.050 Requirement to provide artwork or pay development impact fee.

A. The program allocation, as used in this chapter, is a percentage of the building cost which is set aside for the city's public arts program. The total building valuation shall be computed using the latest building valuation data as set forth by the International Conference of Building Officials (ICBO) unless, in the opinion of the building official, a different valuation measure more accurately represents the value of the building. Excluding land acquisition and off-site improvement costs, the program allocation shall be an amount equal to the percentage of the total building valuation for an applicable project, as listed herein:

1. One-half of one percent for new commercial and industrial construction;

2. One-half of one percent for remodel or reconstruction of existing commercial or industrial property;

3. One-quarter of one percent for new residential subdivisions or developments of two or more units, whether by detached single-family residential structures, condominiums, apartments, duplexes, townhouses or other dwelling units being built in the same tract by the same owner or developer. A project shall be considered a development of two or more units when two or more building permits are issued to the same person for development of new residential structures within a one-hundred-eighty-day period;

4. One-quarter of one percent for new individual single-family residential units constructed on a lot located in an existing subdivision for that portion of building permit valuation in excess of one hundred thousand dollars.

B. Nothing in this section shall prohibit the applicant from placing an approved artwork with acquisition and installation costs in an amount less than the program allocation; provided that the applicant shall also pay to the public arts fund an amount equal to the difference between the program allocation and the costs of acquisition and installation of such artwork.

C. Nothing herein shall restrict the city council from waiving the requirements of this chapter, in whole or in part, with respect to any project otherwise subject to the provisions of this chapter, provided that the city council determines that the project applicant has entered into an agreement with the city providing for the applicant's acquisition and installation of artwork in connection with the development of the project which addresses the goals and aims of this chapter in a manner equally or more favorable to the city than would be achieved by strict compliance with this chapter. In such an event, the city council shall make findings to this effect on the basis of substantial evidence. (Ord. 651 § 2, 2006)

17.26.060 Site acceptability.

A. Placement of Art by Applicant. The applicant shall place artwork in outdoor areas of the private property that are accessible and used by the public a minimum of eighteen hours per day. Interior spaces, including lobbies, courtyards, malls, etc., may be eligible if they are accessible to the public a minimum of twelve hours per day.

B. Art Purchased Through Public Arts Fund. When selecting the location for art purchased through the public arts fund, preference shall be given to publicly accessible public places. This would include libraries, parks, office buildings, sidewalks, traffic islands, etc. Lobbies, plazas, adjacent open spaces or exterior treatment of publicly owned buildings shall be potential sites, but the offices themselves of publicly owned buildings shall not be considered acceptable sites. (Ord. 651 § 2, 2006)

17.26.070 Criteria for artwork selection.

A. Eligible requirements for each project will be established by the public arts commission. Specifically excluded are artworks done by students under the supervision of art instructors to satisfy course requirements and artists who are members of the public arts commission. The following criteria shall be considered in the selection of artwork:

1. Quality of the artwork;
 2. Media. All visual art forms may be considered, subject to limitations set by the selection jury or the arts commission;
 3. Style. Artworks of all schools, styles, and tastes should be considered for the city collection;
 4. Environment. Artworks and art places should be appropriate in scale, material, form and content for the immediate, general, social and physical environments with which they relate;
 5. Permanence. Consideration should be given to structural and surface integrity, permanence, and protection against theft, vandalism, weathering, excessive maintenance, and repair costs;
 6. Elements of Design. Consideration should take into account that public art, in addition to meeting aesthetic requirements, also may serve to establish focal points, terminate areas, modify, enhance, or define specific spaces, or establish identity;
 7. Diversity. The public arts program should strive for diversity of style, scale, media, artists, including ethnicity and gender and equitable distribution of artworks and art places throughout the city.
- B. The following methods may be used to select artwork:
1. Direct Purchase. A completed work of art may be purchased for a specific project or location;
 2. Direct Commission. An artist may be chosen directly by an artist-selection jury and paid to submit a proposal. Artists will be selected on the basis of their qualifications for a particular project and its probability of successful completion;

3. Limited Competition. A small number of artists may be invited and paid by the selection jury to submit proposals;

4. Open Competition. Any artist may apply subject to limitations established by the selection jury. No proposal fee is paid to artists; however, a small number of finalists may be selected to submit details, models or plans for which a fee is paid.

C. In selecting an artwork, the arts commission may appoint a selection jury of qualified persons. The jury shall be subject to the provisions of the Brown Act.

D. Review by Department of Planning and Zoning. The department of planning and zoning representative shall review the artwork and its placement and landscaping elements and may refer the artwork to the planning commission and city council for final approval. (Ord. 651 § 2, 2006)

17.26.080 Application procedures for placement of artwork on private property.

Any artwork being placed on private property as part of the city's public arts program shall be a one-of-a-kind piece. The city encourages applicants to submit an application prior to the development of the architect's schematic design. The requirements and procedures for the processing of a public arts program proposal application (an "arts application") shall be as follows:

A. Upon submission of a development project application for a project subject to the requirements of this chapter, the department of planning and zoning shall provide to the project applicant, a copy of this chapter, an arts application form and the name and phone number of the city's arts administrator.

B. The project applicant shall submit to the arts administrator the completed arts application form, describing the manner in which the project applicant intends to comply with this chapter.

C. The arts application shall include:

1. Preliminary sketches, photographs, or other documentation of sufficient descriptive clarity to indicate the nature of the proposed artwork;

2. An appraisal or other evidence of the value of the proposed artwork, including acquisition and installation costs;

3. Preliminary plans containing such detailed information as may be required by the public arts commission to adequately evaluate the location of the artwork in relation to the proposed development, and its compatibility with the proposed development (the artwork shall be an integral part of the landscaping and/or architecture of the building), including compatibility with the character of adjacent conforming developed parcels and existing neighborhoods if necessary, to evaluate the proposal;

4. A narrative statement to demonstrate that the artwork will be displayed in an area open and freely available to the general public, or otherwise provide public accessibility in an equivalent manner based on the characteristics of the artwork or its placement on the site; and

5. Maintenance factors required to insure its permanence. (Ord. 651 § 2, 2006)

17.26.090 Approval procedures for placement of artwork on private property.

A. The application for the proposed artwork and its placement will be considered at a monthly public meeting of the Loma Linda planning commission. A department of planning and zoning representative will also review the artwork and its placement and landscaping elements and may refer the application to the city council for approval. Any changes, questions or recommendations shall be conveyed in writing to the applicant. The commission will determine when all issues have been addressed and accept or reject the artwork. The applicant will be notified in writing of the public arts commission's decision.

B. If the applicant proposes or the planning commission or city council recommends significant revisions to the architecture or physical design and layout of the proposed project subsequent to the receipt of the public arts

commission's approval, the application shall, if legally permitted, be returned to the public arts commission for further review and recommendation concerning the revised proposal prior to final approval unless the council otherwise directs.

C. A contract between the city and the applicant spelling out all requirements, including insurance and maintenance, shall be executed prior to the city's final acceptance of the applicant's art-in-lieu proposal. (Ord. 651 § 2, 2006)

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City of Millbrae Public Art Policy

1. INTRODUCTION

1.1 Background: In accordance with the Millbrae Municipal Code §2.10.100(B), the Millbrae Cultural Arts Commission is charged to “encourage programs in the fine arts and to promote the cultural enrichment of the community.” This document establishes policies and procedures for the acquisition, placement, care, and management of Works of Art for the Public Art Collection of the City of Millbrae. All artworks owned by the City of Millbrae, whether acquired through purchase, gifts or bequests, or by any other method, are governed by the following policies.

1.2 Mission: The Public Art Collection shall promote a rich, diverse, and stimulating cultural environment in order to enrich the lives of the City’s residents, employees and visitors, and to enhance the City’s image both nationally and internationally. The Millbrae Cultural Arts Commission shall be committed to recommending to the City Council the acquisition and receipt of works of art for the Public Art Collection of the highest aesthetic standards reflective of diverse social and cultural perspectives. Acquisition by the City of Millbrae implies a positive and long-term commitment to the preservation, protection and display of the artwork for the public benefit. All artwork acquired by the City shall be acquired and displayed in accordance with this policy.

1.3 Goals of the Public Art Collection:

1.3.1. Ensure artwork acquired and maintained within the collection shall:

- a. Reflect the highest aesthetic standards and quality of work while promoting excellence and demonstrating diversity and a wide variety of media;
- b. Have legal authentication and identity;
- c. Have intrinsic value as works of art without conveying political or religious messages.

1.3.2. Provide that all artwork accepted into the collection be permanently exhibited in appropriate sites and be able to be properly maintained by the City for public display according to the guidelines herein.

1.3.3. Ensure that the City’s collection is diverse in its representation of artists and artistic styles and be reflective of the diversity of the local community, as well as increase public exhibition opportunities for artists.

1.3.4. Ensure that the artwork acquired and accepted into the collection is appropriate in scale, media and context with its intended display location, and be relevant within the

cultural, historical, social/political and environmental context and community standards of the City of Millbrae.

1.3.5. Ensure that artwork accepted into the program increases the understanding and enjoyment of public art by the residents of Millbrae and encourages public participation and interaction with public spaces and inspires their awareness of how surroundings impact an experience.

1.3.6. Provide for the enrichment of the public environment for residents, employees, and visitors through the incorporation of the arts in the public arena.

2. DEFINITIONS

2.1 Accession: The formal process used to accept an artwork into the Public Art Project collection.

2.2 Artwork or Work of Art: Artwork, or Work of Art, is defined as including, but is not limited to, paintings, drawings, murals in any media, stained glass, statues, bas relief or other sculptures; environmental artworks or public places designed by Artists; monuments, fountains, arches or other structures of a permanent or temporary character intended for ornament or commemoration, integrated and functional architectural elements designed by the Artist, video and other media-based works.

2.3 City Council: The City Council of the City of Millbrae.

2.4 Cultural Arts Commission: Municipal Code established commission governed by seven members appointed by the City Council. The make-up, function, powers, and duties of the Cultural Arts Commission are defined in the Municipal Code Sections 2.10.100, 2.10.110, and 2.10.120.

2.5 De-accession: De-accession is defined as the process of removing an object permanently from the collection, usually through sale or exchange or any other transaction by which title of outgoing works of art is transferred from the collection to another institution or individual. Under certain conditions, it may also include disposal by intentional destruction.

2.6 Department of Public Works: City department charged with overseeing City capital improvement projects, including architectural and engineering design and construction management.

2.7 Monuments: Structures, sculptures or other objects erected to commemorate or memorialize a person or an event.

2.8 Municipal Code: Municipal Code of the City of Millbrae.

2.9 Plaque: For the purpose of this document “plaque” refers to identification signage affixed on or near an artwork that identifies the title, artist, media, etc. A plaque may also be used to memorialize or commemorate a person, place, or significant event.

2.10 Public Art Collection: The Public Art Collection is comprised of artworks that have been accessioned by the Cultural Arts Commission on behalf of the City of Millbrae, in accordance with this policy or previous agreements by the City of Millbrae.

2.11 Public Art Program: The Cultural Arts Commission program that recommends to the City Council the purchase, acceptance, and/or commissioning of artworks.

3. RESPONSIBILITIES OF THE CULTURAL ARTS COMMISSION

3.1 Jurisdiction and Authority: Millbrae Municipal Code Section 2.10.100 assigns the following powers, responsibilities and duties to the Cultural Arts Commission:

3.1.1. To advise the City Council, and to advise and assist other City Boards and Commissions, in the field of the fine arts, and to cooperate and work with the appropriate City representatives and other stakeholders;

3.1.2. To encourage programs in the fine arts and to promote the cultural and artistic enrichment of the community;

3.1.3. To establish an effective liaison between the City and its diverse constituencies, artists and artistic groups;

3.1.4. To review and make recommendations upon all works of art to be acquired by the City, either by purchase, gift or otherwise, and with respect to their locations;

3.1.5. To undertake and carry out all functions reasonably necessary to accomplish the objectives and to discharge the functions of the Commission; and to exercise such other functions as may be prescribed by the City Council. (Ord. 727, § 1; Ord. 388, § 2; Ord. 370, § 1; 1976 Code § 2-2.302; 1966 Code § 2136).

3.2 Public Art Project Plan

3.2.1 When appropriate, the Cultural Arts Commission shall recommend to the City Council for adoption a Public Art Project Plan.

3.2.2 The Public Art Project Plan shall delineate the planned and proposed acquisition of new Works of Art in accordance with Sections 3.1.1 through 3.1.5 of this policy.

4. PUBLIC ART PROJECT GUIDELINES

4.1 Guidelines, goals and objectives. The highest possible quality of the aesthetic experience is the primary criterion for selection of public art under this Public Art Project plan. As previously stated, the objective of the Public Art Policy is to develop a worthwhile, enduring and varied collection of artworks that enhances, enlivens, and enriches the City while reflecting the values and the vision of the community. With this context in mind, the following criteria are established for the evaluation of artwork for the Public Art Project:

4.1.2 Media: All visual forms and materials shall be considered.

4.1.3 Style: Artwork reflecting any school, movement, or method style shall be considered.

4.1.4 Range. Artwork may be functional or non-functional; conceptual or tangible; portable or site-specific; folk art, craft or fine art; temporary or permanently installed; borrowed, donated, or purchased.

4.1.5 Character: Artwork shall be appropriate in scale, media, style, and content to the project and the environment and location to which they will relate.

4.1.6 Permanence: Due consideration shall be given to the structural, material and surface soundness, and its inherent resistance to theft, vandalism and weathering.

4.1.7 Design Elements: In addition to meeting aesthetic requirements, public art may be used to serve as a means for defining architectural spaces by establishing focal points, clarifying identity, delineating boundaries, and modifying and/or enhancing boundaries.

4.1.8 Public Safety, Accessibility and Liability: Artworks and art places shall be free of unsafe conditions or any other factors bearing on public liability. All artwork under this program shall not be an attractive nuisance. All artwork shall comply with all applicable building codes and accessibility requirements.

4.1.9 Diversity: The Public Arts Project shall strive for diversity, reflecting the social, ethnic, and cultural fabric of the City. The Cultural Arts Commission also encourages exploratory types of work as well as established art forms.

4.1.10 Ability to Maintain: Significant consideration shall be given to the cost and amount of ongoing maintenance and/or repair anticipated, and to the city's ability to provide adequate maintenance.

4.1.11 Feasibility: Proposed objects shall be evaluated relative to their feasibility and convincing evidence of the artist's ability successfully to complete the work as proposed. Factors to be considered include, but are not limited to: project budget, timeline, the artist's experience, soundness of materials, city approval requirements, and level of community support.

4.1.12 Context of Artwork with Site: Works of Art shall be compatible in scale, material, form, and content with their surroundings. Consideration should be given to the architectural, historical, geographical and social/cultural context of the site.

4.2 Acquisition of Public Art. The Cultural Arts Commission shall be responsible for recommending to the City Council the purchase, acceptance and/or commissioning of public art in accordance with this Policy.

4.2.1 Donations: Whenever a private citizen, local business, or other entity offers to contribute artwork to the Public Art Project, the Cultural Arts Commission will review the work in terms of whether it satisfies the goals of the Public Art Collection (Section 1.3) and whether a suitable and appropriate site exists to exhibit the artwork. Once the evaluation is completed, the Cultural Arts Commission shall forward its recommendation to the City Council.

4.2.2 Memorial Gifts: In addition to any other applicable requirements established by the City Council, memorial gifts shall also comply with the following criteria:

- a. The person or event being memorialized must be deemed significant enough to merit such an honor. The person so honored shall have been deceased for a minimum of one year.
- b. The person or event being memorialized shall have represented broad and sustaining community values.
- c. The memorial has timeless qualities that will be meaningful to future generations.
- d. The location under consideration is an appropriate setting for the memorial; in general, there should be some specific geographic justification for the memorial being located at a specific site.
- e. Once the criteria for a memorial gift are reviewed and evaluated, the Cultural Arts Commission shall forward its recommendation to the City Council. No memorial shall be established on City property without prior review of the Cultural Arts Commission and approval by the City Council.

4.3 Site Selection Criteria. Prior to recommending to the City Council a site for an artwork, whether purchased, commissioned or donated, the Cultural Arts Commission shall take into consideration the following factors:

- a. Visibility;
- b. Public accessibility of the artwork;
- c. Public safety and security of the artwork;

- d. Interior and Exterior traffic patterns;
- e. Relationship of proposed artwork to existing or future architectural features, natural features and urban design;
- f. Function and use of the facility;
- g. Facility users and surrounding community and interaction of users and community members with proposed artwork;
- h. Future development plans for area;
- i. Overall program goal or concept;
- j. Landscape design;
- k. Relationship of proposed artwork to existing art works within the site vicinity;
- l. Environmental impact;
- m. Social context of artwork (intended use of the work, if any); and
- n. Utility (water, electricity, gas, etc) requirements.

4.4 City of Millbrae Responsibilities. The City of Millbrae shall make all reasonable accommodations to ensure that all commissioned, purchased, and/or donated artwork shall:

- a. Be available for public viewing and, when available for public viewing, shall be displayed in an appropriate and respectful manner;
- b. Take appropriate efforts to protect the artwork from theft, vandalism, or other damages; and
- c. Provide appropriate insurance coverage for theft, vandalism or other damage to the artwork;

4.5 Cultural Arts Commission Responsibilities. The Millbrae Cultural Arts Commission shall:

- a. Serve as resource, guide and counsel to the Millbrae City Council and the City Manager regarding planning and other issues related to the Public Art Project.

- b. Ensure that all artwork recommended to the City Council for inclusion into the City's Public Art Collection is consistent with the spirit and intent of this policy.
- c. Be responsible for a Jury or Selection Process once the City Council has approved the commissioning of a Public Art Project.

4.6 Ownership/Copyright/Reproduction/Re-siting/Resale. Work purchased, commissioned or accepted as a donation, shall become the property of the City of Millbrae.

4.6.1 The City intends that all work shall remain accessible to public viewing for as long as the City owns the work and it is practical and safe to do so. The City retains the right to transfer work from one City-owned site to another, as it deems necessary, or to place in storage in another facility, or to make a temporary loan to another agency or organization.

4.6.2 After purchase or commission is awarded, the artist/City relationship will be defined by a standard contract addressing copyright, reproduction and resale issues.

4.7 Non-destruction/Alteration/Maintenance

4.7.1 The City shall not purposefully destroy, damage, alter, modify or otherwise change a public artwork, except in an extreme emergency or similar exigent situations. Should any alteration occur after the receipt of the work by the City, whether intentional or accidental, the Artist has the right to request that the work shall no longer be represented to be the work of the Artist.

4.7.2 The City shall be responsible for the proper cleaning, maintenance and protection of the work after its installation, considering any written instructions provided by the Artist at the time of delivery of the work.

5. DE-ACCESSION

5.1 Removal, Relocation or De-accession of Gifts of Art. In accepting a gift of artwork, the City Council shall not be bound by any agreement with the donor that restricts the City's ability to act in the City's best interests. Nothing in the acceptance of a gift of artwork shall prevent the Cultural Arts Commission from recommending to the City Council the removal, relocation or de-accession of such gift if it serves the City's best interest to do so. The Cultural Arts Commission may recommend to the City Council to de-accession and dispose of works of art in its collection in accordance with the following de-accession policies:

5.1.1 The artwork's physical or structural condition poses a threat to public safety.

5.1.2 The artwork requires excessive maintenance, or repair, has faulty design or workmanship, and any remedy to these circumstances is impractical or unfeasible.

5.1.3 The artwork has been damaged and repair or remedy is impractical or unfeasible.

5.1.4 The condition or security of the artwork cannot be reasonably guaranteed.

5.1.5 Significant changes in the use, character or design of the site have occurred which affects the integrity of the artwork.

5.1.6 Significant, adverse public reaction to the artwork has continued unabated over an extended period of time.

5.1.7 Removal is requested by artist or donor.

5.1.8 Whenever deemed appropriate by the Cultural Arts Commission and approved by the City Council.

5.1.9 Based on criteria developed by the Cultural Arts Commission and City staff and approved by the City Council, artworks may be released from future City ownership and offered for sale. Written records of the entire process shall be maintained. Outside appraisals or opinions shall be used when appropriate.

5.1.10 Proceeds from sales of de-accessioned artwork shall be used to fund additional purchases or commissions.

5.2 Provisions for Emergency Removal: In the event that the structural integrity or condition of an artwork is such that, in the opinion of the Director of Public Works or legally designated representative, the artwork presents an eminent threat to public safety, the Director of Public Works may authorize its immediate removal, without the Cultural Arts Commission action or the artist's consent, by declaring an emergency, and have the work placed in temporary storage. The artist and the Cultural Arts Commissioners shall be notified of this action within 30 days. The Commission will then consider options for disposition: repair, reinstallation, maintenance provisions or de-accession. In the event that the artwork cannot be removed without being altered, modified, or destroyed, and if the Artist's agreement with the City has not waived his/her rights under the California Art Preservation Act and the 1990 Visual Artists' Protection Act, the Director of Public Works shall attempt to gain such written permission before proceeding. In the event that this cannot be accomplished before action is required in order to protect the public health and safety, the Public Works Director shall proceed according to the advice of the City Attorney.

NEWPORT BEACH CITY ARTS COMMISSION ANNUAL RETREAT

Newport Beach Community Room
100 Civic Center Drive, Newport Beach, CA 92660
Tuesday, August 29, 2017 – 4:00 PM

Welcome and Introductions

The Role of the City Arts Commission

Established by
Charter of the
City of Newport
Beach,
Article VII, Section
712

- Act in an advisory capacity to the City Council in all matters pertaining to artistic, aesthetic, historical and cultural aspects of the City.
- Recommend to the City Council the adoption of such ordinances, rules and regulations as it may deem necessary for the administration and preservation of fine arts, performing arts, historical, aesthetic and cultural aspects of the community.
- On behalf of the City, actively encourage programs for the cultural enrichment of the community.
- Perform such other duties relating to the Arts as the City Council may require.

Overview of City Arts Commission Programs

ART AT THE LIBRARY

- Art is displayed in Central Library lobby.
- The Chair appoints an ad hoc subcommittee to review applications for exhibition in the Central Library. Application is available on Cultural Arts website.
- The ad hoc subcommittee reviews applications and brings recommendations back to the Arts Commission for approval.
- Staff coordinates the installation and display of the art.

Overview of City Arts
Commission Programs

CONCERTS ON THE GREEN

- Live musical performances are staged in the Civic Green during the summer months.
- The Chair appoints an ad hoc subcommittee in December to review performers' proposals.
- The ad hoc subcommittee reviews performers and brings recommendations back to the Arts Commission for approval.
- Staff reserves the Civic Green, contracts the performers and sound engineers, promotes the events, and assist the day of the concert.

Overview of City Arts
Commission Programs

NEWPORT BEACH ART EXHIBITION

- The Arts Commissions presents an annual juried art show.
- The Chair appoints an ad hoc subcommittee to plan the event, review art work for inclusion, and select a juror.
- Staff coordinates the call for entry and artist registration, contracts an event coordinator, promotes the event, and processes the awards.
- The Newport Beach Arts Foundation assists with managing the sale of art the day of the event.

Overview of City Arts
Commission Programs

SCULPTURE EXHIBITION IN CIVIC CENTER PARK

- The Newport Beach City Council authorized the City Arts Commission and City staff to implement a temporary sculpture exhibit in Civic Center Park.
- Visit Newport Beach funds are currently being used to pay for this program.
- The Chair appoints an ad hoc subcommittee to serve on a curatorial panel to select art.
- The City contracts Arts OC to coordinate the call for entry, select finalists with Arts Commission and City Council approval, and install and de-install the pieces.
- The City Arts Commission hosts a grand opening.

Overview of City Arts
Commission Programs

SPECIAL EVENTS

- Commissioners can bring proposals for special events to the Arts Commission for approval.
- Events have included Rex Brandt Centennial, Joan Irving Brandt Centennial, and the Cows4Camp exhibition.

CITY ARTS COMMISSION BUDGET FOR 2017/18 FISCAL YEAR

This budget is allocated from the General Fund:

- | | |
|--|----------|
| • Programming: | \$35,000 |
| • Professional and Technical Services: | \$40,000 |
| • Cultural Arts Grants: | \$40,000 |
| • Administrative: | \$12,500 |

PROGRAMMING

- These funds are used to pay for the Concerts on the Green, the Newport Beach Arts Exhibition, and any special events held during the fiscal year.

PROFESSIONAL AND TECHNICAL SERVICES

These funds are used to pay for art installations, event coordination, sound engineering, and contract services. Generally, these funds pay for services that City staff cannot provide.

CULTURAL ARTS GRANTS

Each year, the City of Newport Beach distributes funds to arts organizations, enabling them to expand arts programs offered to the local community.

To apply, arts organizations are required to meet the following criteria:

- Only arts organizations are eligible; we do not award grants to individual artists.
- Arts organizations must propose projects/programs for funding that directly benefit children and adults living in Newport Beach, and schools only within the City's geographic boundaries. Collaborative events, such as public performances or programs implemented in conjunction with the City of Newport Beach are also eligible for grants.
- The Arts Commission funds only arts projects/programs which will be presented before September 28, 2018, not general operating expenses.
- Arts organizations that received cultural grants during 2016/2017 will not be considered unless they have completed and returned their [Cultural Arts Grant Completion Report](#), even if they have not completed some of the components of the project/program by the grant application due date.

ADMINISTRATIVE COSTS

These funds are used for insurance, office supplies, marketing costs, and ASCAP and BMI dues.

Visit Newport Beach

These funds are a portion of the Transient Occupancy Tax (hotel tax) that are reimbursed to the City.

These funds can be used for cultural activities, programs, beautification projects, etc. These are not strictly Arts Commission funds; for example, Council recently allocated some of these funds for the Boat Parade.

To access these funds,
City Council approval
is required.

- In fiscal year 2017/18, Council approved the use of *Visit Newport Beach* funds for the Sculpture Exhibition in Civic Center Park (\$155,000) and the Pacific Symphony concert (\$60,000).

*Balboa Performing
Arts Theatre
Foundation funds*

These funds came to the City when the
Balboa Theatre Foundation dissolved in
2014.

**To access these funds,
City Council approval
is required.**

- There are \$175,000 in this fund. Like the *Visit Newport Beach* funds, these funds can only be accessed with City Council approval. There are strict guidelines for these funds; they can only be used for performing arts programs on the Balboa Peninsula.

With the addition of funds transferred from Visit Newport Beach to the City Arts Commission budget, the City Arts Commission budget for fiscal year 2017/18 is **\$342,500.**

NEWPORT BEACH ARTS FOUNDATION

The NBAF supports, promotes, and broadens cultural activities within the local community as the fundraising organization for the Newport Beach Arts Commission.

Since its inception in 1990, the Newport Beach Arts Foundation, a private non-profit 501 (c) (3) organization, has been dedicated to supporting cultural arts activities of the Newport Beach City Arts Commission in the City of Newport Beach.

STAFF RESPONSIBILITIES

Staff support and assistance is provided, but the City Arts Commission (CAC) does not have supervisory authority over City employees. While they may work closely with the CAC, staff members remain responsible to their immediate supervisors and ultimately to the City Manager.

The CAC members are responsible for the functions of the CAC and the Chair is responsible for compliance with the policies outlined in the *Handbook for City Boards, Commissions, and Committees*.

Staff support includes preparation of a summary agenda subject to approval by the Chair, and preparation of staff reports providing a brief background of the issue, a list of alternatives, recommendations and appropriate backup material, as necessary. Staff will assist the CAC in the conduct of public meetings and ensure that the business listed on the agenda is addressed. CAC members should have sufficient information to reach decisions based upon a clear explanation of the issues involved.

An assigned staff person serves as secretary, insuring that minutes are taken as needed.

DISCUSSION

Challenges, opportunities, and questions.

RESOLUTION NO. 12-2019

**A RESOLUTION BY CITY COUNCIL OF THE CITY OF PACIFICA AMENDING THE
BEAUTIFICATION TASK FORCE 2012 BEAUTIFICATION PLAN; APPROVING THE "KEEP
PACIFICA BEAUTIFUL THROUGH PUBLIC ART PROGRAM" POLICY AND
IMPLEMENTATION GUIDELINES; AND RESCINDING
RESOLUTION NOS. 09-2013 and 12-2015**

WHEREAS, during the November 13, 2012 City Council meeting of the City of Pacifica, the Council voted in favor of the creation of the Beautification Advisory Committee("BAC") and directed staff to bring forward a resolution implementing that decision; and

WHEREAS, the BAC exists in an advisory capacity to the Director of Public Works, City Manager, and City Council to implement and sustain the Beautification Task Force 2012 Beautification Plan ("Beautification Plan"); and

WHEREAS, the BAC will work with various City departments and Caltrans to ensure continued compliance with existing ordinances, policies and practices; and

WHEREAS, the BAC is comprised of a Council Liaison, the Director of Public Works or designee (Ex Officio, non-voting) and seven (7) community members appointed by City Council; and

WHEREAS, the BAC shall comprise of seven (7) community members, of which two will be a chair and a vice-chair, elected by the committee to serve two year terms; and

WHEREAS, the Beautification Plan currently does not identify public art as a BAC task; and

WHEREAS, BAC would like to add the implementation of murals and public art on public property, such as City-owned buildings, to its goals and objectives. Since the BAC is responsible for the implementation of the "Keep Pacifica Beautiful" Policy, the BAC would also implement the "Keep Pacifica Beautiful Through Public Art" Policy through the Implementation Guidelines, which would cause the BAC to, among other things, review and approve proposed public art projects; and

WHEREAS, the Beautification Plan would be amended to include the BAC's new duty: "Developing policies and guidelines for the implementation of art projects on public property consistent with the 'Keep Pacifica Beautiful Through Public Art Program'."

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pacifica does hereby amend the 2012 Beautification Plan, Task Force Work Plan to expand the duties of the Beautification Task Force as reflected on page 6 of the Work Plan to include the following: "Developing policies and guidelines for the implementation of art projects on public property consistent with the 'Keep Pacifica Beautiful Through Public Art Program'" and to reflect that the Beautification Advisory Committee is comprised of seven members.

BE IT FURTHER RESOLVED that the City Council hereby approves the 'Keep Pacifica Beautiful Through Public Art Program' Policy and Implementation Guidelines for art projects on public property.

BE IT FURTHER RESOLVED that Resolution Nos. 09-2013 and 12-2015 are hereby rescinded in their entirety.

* * * * *

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on the 13th day of May 2019, by the following vote:

AYES, Councilmembers: Martin, O'Neill, Beckmeyer, Bier.

NOES, Councilmembers: Vaterlaus.

ABSENT, Councilmembers: None.

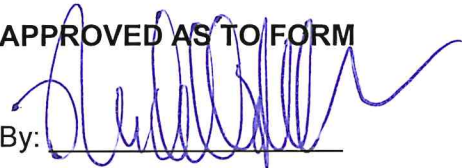
ABSTAIN, Councilmembers: None.

CITY OF PACIFICA

By: 


Sue Vaterlaus, Mayor

APPROVED AS TO FORM

By: 

Michelle Kenyon, City Attorney

ATTEST

By: 

Sarah Coffey, City Clerk

CITY OF PACIFICA

‘KEEP PACIFICA BEAUTIFUL THROUGH PUBLIC ART PROGRAM’ POLICY

Purpose:

Public art contributes to the overall vitality of a community. Public art, including murals, enhances the community landscape and environment, creates a sense of place and community pride, attracts tourists, enhances the visitor experience, and contributes to the overall economic development and business environment of the community. Public art stimulates creativity, imagination, and adds a unique human quality to the community environment and enriches public spaces.

Murals and public art create a valuable community experience that engages community groups, citizens, business owners, property owners and artists in creative ways that contribute to the color, beauty, history and culture of the community. A city rich in public art creates an outdoor cultural museum accessible to everyone.

Program Concept:

The **‘Keep Pacifica Beautiful Through Public Art Program’** concept encompasses all sectors of the community in a coordinated and focused effort to improve the overall environment and beautification of the public spaces in the community including City properties, right-of-ways and facilities. City regulations regarding public art focus on art installed on City property, or on art that is directly funded by the City.

Art is important to our common experience because it brings focus, importance, and cohesion to public spaces. Public art develops images and provides experiences that reflect the historical and cultural essence of a community. Public art transforms public spaces by giving them a context and relevance and making them places of community interest and pride. Public art has the potential to improve the appearance of an entire business block; to heighten the ethnic, historical, environmental or cultural aspects of the community; and to attract foot traffic to an area that formerly had little or none.

The City's **‘Keep Pacifica Beautiful Through Public Art Program’** focuses on soliciting for and implementing durable art projects at City-owned locations. The **‘Keep Pacifica Beautiful Through Public Art Program’** does not include art installations or mural sites on privately owned properties.

The collection should be diverse in its representation of artists and artistic styles and be reflective of the ethnic and cultural diversity of the community. By encouraging collaboration between artists, architects, and engineers, the City can provide an aesthetic dimension that expands possibilities for creating public spaces for the community.

Program Implementation:

The Beautification Advisory Committee is charged with the responsibility for the implementation of the ***'Keep Pacifica Beautiful Through Public Art Program'*** in Pacifica in accordance with approved program guidelines.

The Beautification Advisory Committee shall be responsible for administering the ***'Keep Pacifica Beautiful Through Public Art Program'*** and ensuring the following:

- Preparing and releasing solicitations for art installations at City-determined locations
- Ensuring that city departments and committees are included in the program implementation as determined appropriate and neighborhoods and the community in general are engaged in the process to ensure the community is involved in the decision making process
- Promoting the ***'Keep Pacifica Beautiful Through Public Art Program'*** throughout the community
- Reaching out to community groups, individuals and businesses to sponsor murals or public art installations
- Maintaining a registry of interested and qualified artists
- Developing guidance for artists and sponsors regarding applicable policies, solicitation requirements, and administrative procedures applicable to implementation of art projects
- Reviewing and approving mural/public art project proposals to ensure projects comply with location, size, weight, material, and safety criteria
- Reviewing installation of approved mural and public art projects
- Developing and continually reviewing the administrative procedures and processes for the implementation of projects, including the roles and responsibilities of sponsoring entities
- Developing policies and guidelines for the implementation of art projects on public property consistent with the ***'Keep Pacifica Beautiful Through Public Art Program'***

City of Pacifica

'KEEP PACIFICA BEAUTIFUL THROUGH PUBLIC ART PROGRAM' IMPLEMENTATION GUIDELINES

The following guidelines are established to guide the Beautification Advisory Committee in the implementation of the 'KEEP PACIFICA BEAUTIFUL THROUGH PUBLIC ART PROGRAM' policy adopted by the City Council of the City of Pacifica. The Implementation Guidelines may be approved by Council but as the program is implemented the City Manager may need to make changes to these Guidelines to make it more efficient. As such, the provisions provide that any future changes to the Guidelines may be made by the City Manager, so long as those changes conform to the intent of the Policy.

Definition of Public Art:

Public art is limited to permanent and/or temporary visual works of art, as opposed to performing or written art. Visual art includes but is not limited to: murals, sculptures, artist-designed landscape features, streetscape features, earthworks, environmental installations, and water or digital displays.

The Beautification Advisory Committee shall ensure all public art projects meet the program criteria and guidelines for the selection of an artist or artist team, artwork, and artwork location are consistent with the policy and implementation guidelines and neighborhood and community input has been considered before approval of the final public art or mural project is adopted.

General Keep Pacifica Beautiful (KPB) Project Criteria:

The concept of public art is broad and all-encompassing. Therefore, the guidelines for the development of public art installations are as follows:

- Elevates the viewer's awareness by stimulating curiosity, inspiration, reflection, opinion or feeling
- Engages and creates interactive energy and vitality
- All artistic styles, abstract or representational, are encouraged
- Installations shall be complementary to the selected location
- Installations shall be appropriate for the selected public place
- Art shall be the original work of the artist, or have permission of the original artist
- Finished dimensions and weight are appropriate to site
- Design and materials must mitigate any potential hazard to the public
- Materials must be enduring; vandal and weather resistant – for all media
- Permanent installations are created in durable media (that can be viewed from all sides – for sculptures)

- Sculptures not to exceed 10,000 pounds and the foundation/stand shall be designed to prevent overtopping.

General KPB Project Site Criteria:

The following criteria have been created to evaluate the selection of potential sites for murals and public art installations. The evaluation criteria include:

- Visibility of the site from walking and/or driving perspectives
- Status of the building or site
- Ease of painting and/or working on surface or mounting mural
- Safety conditions for the installation and maintenance of the mural
- Location in community
- Impact of weather and natural elements
- Current view, visual impact, focal points
- Compliance with or considerations of city ordinances or regulations
- Leverage of site in creating an overall, big picture impression
- Neighborhood support for the site and mural
- Significance and meaning to the community
- Tourist attractiveness – enhancement of and accessibility to visitor serving areas
- Historical value and status of building or site
- Potential of site to create, improve or appreciate community space
- Appropriate proportion for location
- Artist evaluation of the site

Role of the BAC:

The BAC is responsible for administering the KPB program including:

- Preparing or approving solicitations for art installations at City-determined locations.
- Promoting the 'Keep Pacifica Beautiful Through Public Art Program' throughout the community
- Reaching out to community groups, individuals and businesses to sponsor murals or public art installations
- Maintaining a registry of interested and qualified artists
- Developing guidance for artists and sponsors regarding applicable policies, solicitation requirements, and administrative procedures applicable to implementation of art projects. Ensuring that neighborhoods, interested community organizations, businesses and the general public are aware of proposed mural and public art installations and are afforded opportunities for input and comment on the proposed projects.

- Reviewing and approving public art project proposals to ensure projects comply with all applicable city and KPB program ordinances, guidelines and requirements
- Developing and continually reviewing the administrative procedures and processes for the implementation of public art/mural projects including the roles and responsibilities of sponsoring entities.

Guidelines for the Application of KPB Public Art Projects:

The following application guidelines are established for mural or public art projects. Applicants are encouraged to attend a BAC meeting to discuss initial proposals for a mural or public art project before submitting a project application. The following elements are proposed to be incorporated in the application process:

- Brief description of the project concept, objectives, relevance to the community and highlights or unique features
- A conceptual drawing of correct proportions, including color palette, of proposed art or color photo of existing work to be installed in project
- Photos of project installation site
- Resume and images of the artist's work
- Description of how the project will be completed including the timeline, use of volunteers, etc.
- Description of how project will be installed including materials to be used and installation process
- Price quote for the cost of project including artist's fees, labor, materials, installation costs as appropriate along with sources of project funding
- Description of the process for notifying the surrounding community and obtaining its input
- Acceptance of compliance with all policies and procedures established for the 'Keep Pacifica Beautiful Through Public Art Program' and applicable city requirements

The project application will be reviewed by BAC to ensure that all application requirements have been met, the proposed project meets the established installation guidelines and the applicant understands the responsibilities of sponsorship before the project is considered for approval. The BAC may require additional information or revisions from the applicant, ask for additional community input, or for a peer review of the project from selected artists before taking final action on the application.

Artist Involvement and Selection Process:

The BAC recognizes that the involvement of public art artists are critical to the success of not only individual projects but are a critical factor in the success and implementation of the overall public art process. The following processes may be used to invite artists to participate in 'Keep Pacifica Beautiful Through Public Art Program' projects:

- Invite artists to apply for inclusion in a public art/mural artist registry. The prequalified artist pool would be available to project sponsors to draw from as projects are approved. Types of projects (murals, other public art) to be determined in advance of the application period.
- Establish a 'Call for Entry' process for specific projects to provide opportunities for artist involvement.
- Encourage personal recommendations by a sponsoring entity of an artist who meets the qualifications determined by the BAC.
- Artists can be asked to participate in a peer review process to provide input on selected public art proposed projects.

Criteria for Artist Qualifications:

The following describes the criteria used by the BAC for artists interested in participating in the '*Keep Pacifica Beautiful Through Public Art Program*':

- Open to artists residing in San Mateo, San Francisco, Santa Clara, Santa Cruz, Alameda, Contra Costa, Marin, Napa, and Sonoma Counties.
- Design that reflect the history, diversity, character, or culture of Pacifica are encouraged.
- Established, mid-career and emerging artists who have completed other mural/public art projects.
- An Artist's Statement of Interest, noting relevant past-experience, conceptual approach for design and materials, and other information to highlight the artist's work and career.
- Artist Resume and portfolio of 3 – 7 examples of previous work will be required.
- Waiver of proprietary rights for artwork to be placed on City property, including a signed waiver of rights pursuant to the Visual Artists Rights Act (VARA) (17 U.S.C. §§106A and 113(d)) and California Art Preservation Act (CAPA) (Civil Code §§ 987 and 999) and other documents deemed necessary by the City of Pacifica.

The BAC recognizes the value and importance that artists play in the development and implementation of a public art program. The BAC encourages project sponsors to include artist remuneration in the KBP project budget.

Public Notification and Approval for Public Art Applications:

The Beautification Advisory Commission shall hold a public meeting on each public art application and shall give notice of such meeting by mailing notice not less than ten (10) days prior to the date of the meeting to the owners of the property within a radius of five hundred (500) feet of the exterior boundaries of the property which is the subject of the application.

If the public art application is approved, the artist shall submit all necessary documents and commence work 30 days after a 10-day appeal period. The BAC shall send a letter to the artist stating what day work shall commence.

Appeals of Public Art Application

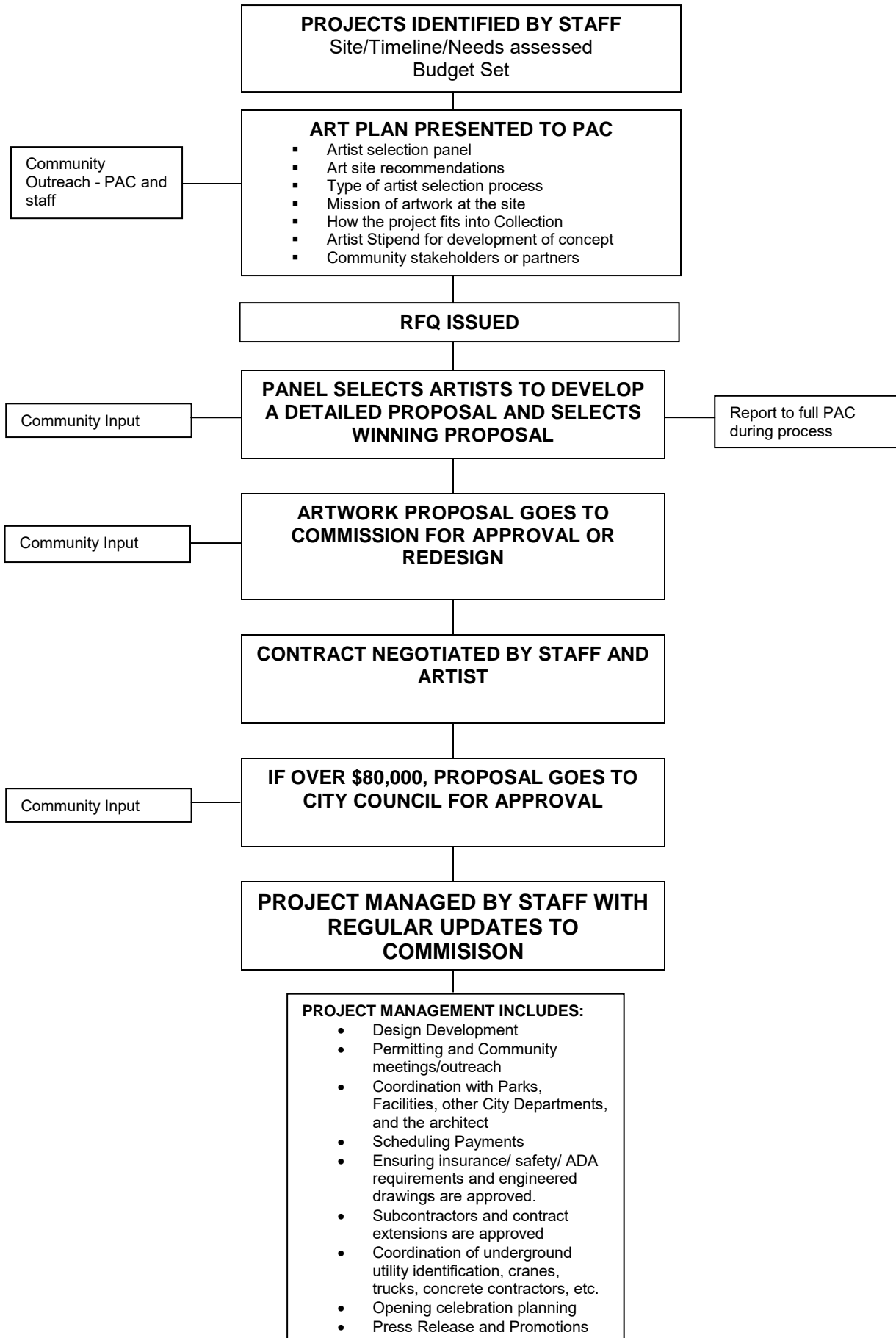
The decision of the Beautification Advisory Committee may be appealed to the City Council by filing a notice of appeal, with the City Clerk within seven (7) days of the date of the decision of the Beautification Advisory Committee. Appeals shall be heard and determined according to the procedures set forth in Chapter 4 of Title 1 of the Pacifica Municipal Code. The Council may approve, disapprove, or modify the decision of the Beautification Advisory Committee.

Decision "Call Up" Procedure

The City Council may "call up" a decision of the BAC. Any decision by the BAC may be called up for Council review according to the procedures set forth in Chapter 1 of Title 2 of the Pacifica Municipal Code. The Council may approve, disapprove, or modify the decision of the Beautification Advisory Committee.

PUBLIC ART SELECTION AND APPROVAL PROCESS

Percent for Art in Municipal Projects





CITY OF PALO ALTO PUBLIC ART MASTER PLAN

Created in cooperation with Barbara Goldstein & Associates and Gail M. Goldman Associates and City of Palo Alto staff: Rob de Geus, Director Community Services Department, Rhyena Halpern, Assistant Director, Community Services Department; Director, Arts & Sciences Division; Elise DeMarzo, Public Art Program Director; Nadya Chuprina, Public Art Program Coordinator



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EXECUTIVE SUMMARY

1.1 PLANNING FOR THE PRESENT AND THE FUTURE

The City of Palo Alto is in the process of updating its comprehensive plan, looking at the work of all of its City departments and engaging the community in this process. The development of this Public Art Master Plan is particularly appropriate now because the Public Art Program transitioned from volunteer to professionally-led in 2013 and there is accumulated funding available for public art through the City's Capital Improvement Program and a Private Percent for Art ordinance that was approved by City Council in January 2014.

In early 2015, the Public Art Program engaged public art planners Barbara Goldstein and Gail M. Goldman to lead the process in creating a Public Art Master Plan. The team conducted extensive outreach and research and developed a plan working in collaboration with City staff, the Public Art Commission and a Public Art Advisory Committee.

Throughout the course of research and community engagement for the Public Art Master Plan, two overarching goals emerged. The first is the intense motivation to embrace ambitious, bold, forward-thinking projects that take a serious amount of time to thoughtfully plan and implement. These are the Big-Picture ideas and ideals for which the community aspires that will put Palo Alto on the map as an innovative and notable city whose identity is defined by its public art.

The second goal is fundamental to the success of the first. There is a compelling interest and recognized need to create temporary artwork and interactive art experiences for residents and visitors that can be commissioned within the first year. These are short-term projects that can be accomplished easily and efficiently, that can be temporary or permanent in nature, and that have funds readily available to allow immediate implementation.



Brad Oldham, *Whimsy & Wise*, 2013

1.1 (cont.)

These two goals—summarizing the ideas and sentiments that the consultants heard from stakeholders and gathered from planning documents—form the basis of this Public Art Master Plan document. Each goal is supported by an exploration of a hierarchy of questions:

- Where is the City of Palo Alto Public Art Program now?
- Where does it want to be?
- How does it get there?
- How is the progress measured?

In turn, these questions are addressed through a series of themes, objectives, and measurable, recommended actions. Each step is generated in direct response to the Public Art Program Mission and Vision, which are stated below.

1.2

MISSION STATEMENT

The Palo Alto Public Art Program promotes the highest caliber of artwork, commissioning memorable public artworks and experiences that stimulate discussion and thoughtful reflection, celebrating Palo Alto’s character and enhancing civic pride and sense of place.

1.3

VISION STATEMENT

Public art reflects Palo Alto’s people, diverse neighborhoods, the innovative and global character of its businesses and academic institutions, and the beauty of its natural environment.

1.4

NEED FOR CULTURAL PLANNING

Aside from the ideas articulated for Public Art, there is strong community demand for support of broader arts offerings and activities. These ideas will be incorporated in the City’s future Cultural Plan, but are not within the scope of the Public Art Master Plan. While Public Art is one of several Programs of the Division of Arts and Sciences in the Community Services Department, the

1.4 (cont.)

Division also includes two museums, three theatres, an artist studio program and a teen-run “maker” program. Each program area has or will have a plan that will become an element of the Division’s cultural plan, estimated to be completed within three years. Many of the ideas voiced during the Public Art planning process pointed to Palo Alto’s need to create a plan that will assess the breadth of Palo Alto’s arts and cultural facilities and offerings and recommend how to enhance these to serve the community in the future.

Some of the ideas that emerged for a cultural plan during the Public Art planning process included:

- Create art-focused central gathering places at areas suggested by the community: the linear park/pathway adjacent to Caltrain, the area surrounding City Hall, and Cubberley Community Center.
- Focus on engagement, interaction and participation that involve teens in collaboration with artists for the design of spaces where they can gather and spend time; and create opportunities for community art-making events that build pride and connection to residents and local businesses. Many people suggested increasing opportunities for teens to participate in creative activities to boost well-being, self-esteem, and identifying places for youth to gather after school and weekend to socialize without tech devices.
- Build on current activities and programs at Cubberley Community Center. Already home to several performing arts organizations, artists’ studios, the ArtLab, and MakeX Studio, Cubberley Community Center offers a myriad of opportunities to program classrooms and outdoor spaces for arts education, activities, festivals, performances and temporary interactive public artwork. CSD could easily build on this by engaging artists and young people in creating additional arts-centric gathering areas. This could be a useful strategy for the City and PAUSD as they explore the future of Cubberley.
- Include additional studio, exhibition, rehearsal and performance spaces in the renovation of Cubberley Community Center to meet the needs of the local artist community. In developing Cubberley as an arts and culture destination, reconfigure spaces to include more spaces for artists to develop their work and share it with the community at large. Continue to include local artists and arts groups in the planning of Cubberley’s future.

Public art reflects Palo Alto's **people, diverse neighborhoods,** the **innovative** and **global character** of its businesses and academic institutions, and the beauty of its natural environment.

INTRODUCTION

2.1 THE COMMUNITY

Palo Alto is a city with several distinct identities: it is a residential community with walkable neighborhoods, high quality of life, award-winning schools, tree-lined streets and established cultural institutions. It is the home of Stanford University and the innovative technology and venture capital businesses it has attracted. The city is notable for a residential population of 66,000 and a daytime population of nearly twice that number. One-third of its land is dedicated park land, and, with its highly educated and deeply engaged population, it is a city that takes its politics and community involvement seriously.

To its long-time residents, Palo Alto is characterized by its charming, walkable neighborhoods, parks, and distinctive small-scale shopping districts. Some remember the days when it was an affordable, middle class small town, with strong company connections to Hewlett Packard and Stanford University. To the approximate 60,000 daily commuters, Palo Alto is an important location for start-up businesses with good restaurants. To new residents, it's an exciting gateway to the world of high tech and a great education for the kids. To the wider world, Palo Alto is the heart of Silicon Valley's technological revolutions.

While not everyone shares the identical vision of Palo Alto, all of them view it as a place that values excellence, hard work, and a high quality of life. And, although Palo Alto is best known as a center for technological innovation, its residents also place great value on its arts and cultural offerings.

2.2 HOW THE PUBLIC ART MASTER PLAN CAME ABOUT

The arts have long been important to Palo Alto, from the Palo Alto Art Center (PAAC) and Children's Theatre to the Pacific Art League and the community-based Palo Alto Philharmonic, and West Bay Opera, the Cubberley Artist Studio Program (CASP) to the many arts programs offered at the Cantor Art Center and Stanford Lively Arts. Public art, as one element of the arts landscape, has had a growing presence starting with the creation of the Public Art Commission in 1975, the passage of its municipal percent for art ordinance in 2005, and the Public Art Program's transition from volunteer-led to professionally-staffed in 2013.



2.2 (cont.)

The City acquired its first piece of public art in 1976 and the collection has grown to 344 artworks valued at nearly \$2 million, including 44 permanently sited sculptures, 38 murals, and 262 portable works in its permanent collection. These are displayed throughout City facilities, on publicly-accessible walls and on public property.

Public Art, a Program of the Division of Arts and Sciences in the Community Services Department, is responsible for commissioning and placing art on public property and for administration of the private percent for art program which requires developers to commission an artwork on site or pay an In Lieu fee. A percent for art program in public construction was initiated in 2005 and was expanded to include a percent for art requirement for private development in January 2014.

With the influx of funds anticipated from the public art in private development ordinance, staff and the Commission desired an implementable plan to guide how those funds are used and help provide direction to private developers commissioning art on site to ensure a cohesive look and feel to the new artwork being commissioned throughout the city. Additionally, the current priority to update the City's 2007 Comprehensive Plan and the present development of the Parks and Recreation Master Plan presented an opportunity to develop the Public Art Master Plan in parallel with the other plans and allow for sufficient integration between documents and priorities.

In late 2014, the Community Services Department and the Public Art Commission initiated a call for consultants to create a 10-year public art master plan whose purpose was "to set a vision and develop a plan that will provide a clear vision for the future of public art in Palo Alto." The plan was intended to:

- Outline goals for public art in Palo Alto;
- Identify relevant themes and priorities for the art program;
- Identify strategic partnerships and possible sources of alternative funding; and
- Provide direction for ongoing program development and management.

In late February 2015, after a formal RFP process, the City hired consultant Barbara Goldstein & Associates with Gail M. Goldman Associates to lead the process of creating the Public Art Master Plan.



2.3

PAMP consultants conducting a focus group with community artists.

THE INFORMATION GATHERING PROCESS

Since February 2015, the public art master plan consultants have completed extensive outreach and research to understand the values and aspirations of the community, the resources available and the opportunities for future placement of public art. A list of meeting participants is attached to this report as Appendix 1 and a list of proposed public artwork locations suggested by community members is attached to this report as Appendix 2.

The consultants conducted:

- 30 meetings and/or interviews with internal and external stakeholders including City department heads and representatives, former and current Public Art Commissioners, business owners, developers and political leaders;
- 20 Focus Groups including neighborhood groups, business leaders, educators, youth, environmentalists, community activists and artists;
- One “Boot Camp” to educate various City Commissioners and Department staff about the process of commissioning and maintaining public art;
- Three Public Art Commission meetings;
- Three Public Art Advisory Committee meetings comprised of a cross-section of Palo Alto leaders;
- One Public Art Commission retreat;
- Two Public Community Forums that were advertised broadly and held at two different times of the day for maximum accessibility;
- One Public Art Workshop where Public Art Commissioners and community members were invited to comment on emerging themes and identify potential artwork locations;
- One City Council Study Session; and
- One Historic Resources Board meeting.

2.3 (cont.)

In addition, the Public Art Program commissioned artists Chris Treggiari and Peter Foucault to bring their Mobile Art Platform (MAP) “What’s the Big Idea” project to 18 different locations to solicit community members’ ideas about how art and artists can transform Palo Alto. The MAP was a means of reaching populations who have an important stake in Palo Alto and are unlikely to attend public meetings – commuters, students, neighborhood residents and the elderly. A list of MAP event locations and community observations is attached to this report as Appendix 3. Overall, the findings from all of the community outreach initiative were consistent with a number of the same values, ideas and themes expressed by each group surveyed.

2.4

INTERNAL STAKEHOLDERS

During the course of the research, the consultants spoke to many City Department heads and representatives about how their work intersects with the Public Art Program. In general, City representatives were very supportive of the value public art can add to their work. Many cited a workshop, sponsored by the City Manager’s Office, with Peter Kageyama entitled “For the Love of Cities” that showcased examples of art enhancing place. Staff sees the value of integrating public art into the work of their departments.

Some specific opportunities emerged from the consultants’ conversations with City representatives, such as including artists on the design teams of new public facilities, pooling funds to create more impactful artworks, and commissioning unique artworks to complement construction. City stakeholders also suggested ideas that were more relevant to the development of the cultural plan that will be created by the Arts and Science Division. These included promoting opportunities for youth and teens to create temporary artworks and performances through the Palo Alto Art Center and the Children’s Theater, and exploring partnership opportunities with the City Library to help promote and present the public art collection and artists to the public.

The Public Art Program actively works with many departments throughout the City, and especially in partnership with the other programs within the Division, including:

- The Junior Museum and Zoo;
- The Children’s Theatre;
- Cubberley Artist Studio Program (CASP); and
- Palo Alto Art Center (PAAC).

2.4 (cont.)

For example, the Public Art Program:

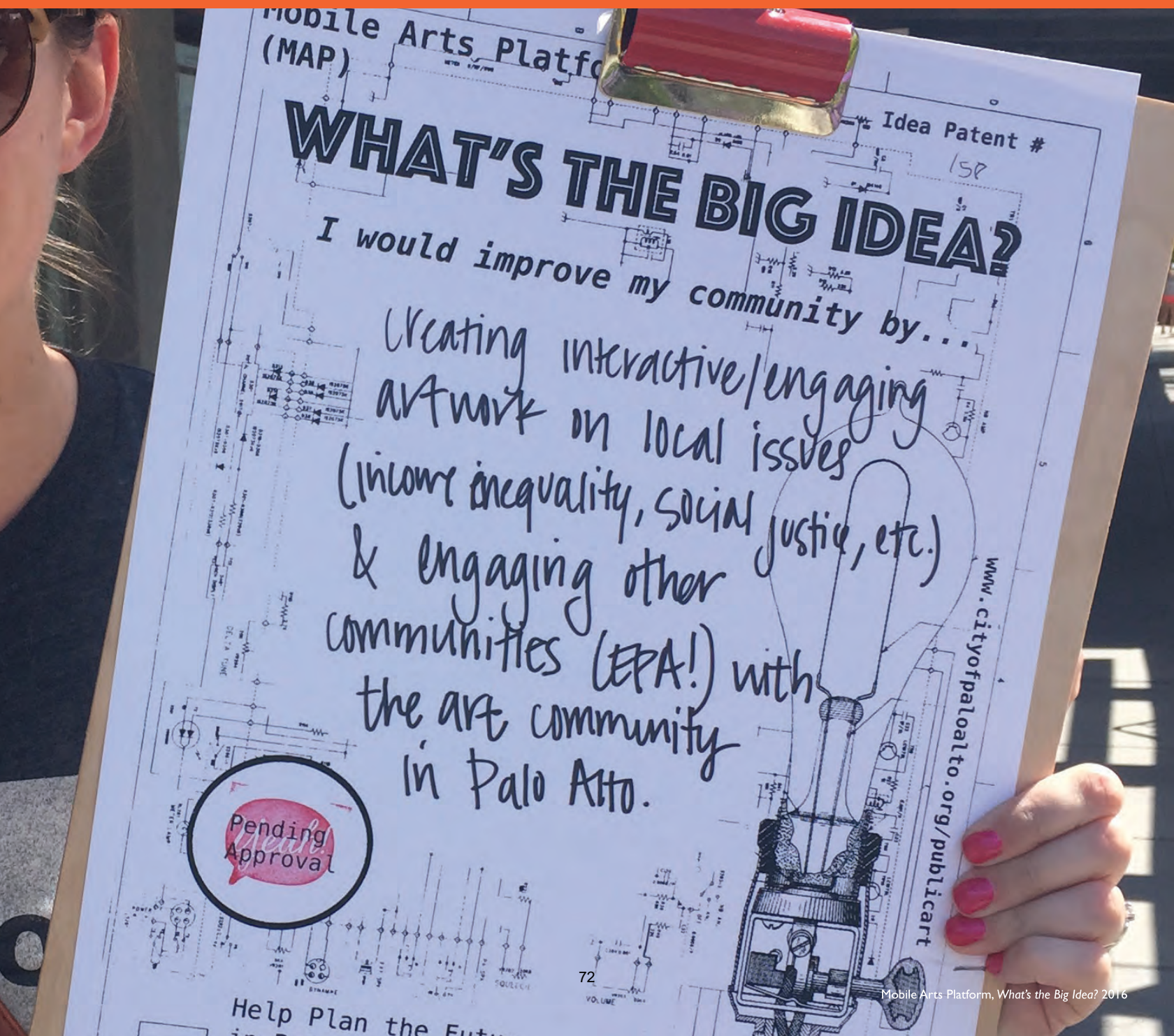
- Collaborated with the PAAC on four temporary public art works installed while the Art Center was closed for renovation in 2011;
- Collaborated with the PAAC and Library Department selecting the artist team who created the six-piece artwork, entitled “Brilliance”; and
- Works with the CASP artists on their required donations to the portable artworks collection.

While the Palo Alto Art Center (PAAC) and Public Art Program have some areas of overlap, they are distinct and complementary programs. PAAC is known for its youth and adult classes, its public programs and its high quality exhibitions. Since 2011 it has developed temporary projects and artist residencies outside its walls, most recently the Creative Ecology residency in collaboration with the Junior Museum and Zoo. The Public Art Program has focused primarily on permanently sited projects and has also initiated temporary projects. Temporary projects are an area where PAAC and the Public Art Program can continue to share responsibility for curation, fundraising and project management.

2.5

EXTERNAL STAKEHOLDERS

Different opportunities and concerns emerged in conversations with neighborhood residents, artists, developers, Stanford faculty, business people and commuters. In general, there were many comments about the need to improve the quality of public artworks that the City commissions. The emphasis was on the opportunities to employ art as a means of enhancing the physical landscape, addressing urban design challenges and bringing people together. Stakeholders viewed public art as a means of creating stronger identities for Palo Alto’s shopping districts, stimulating a connection between people with differing backgrounds, enlivening pedestrian and bicycle routes and creating opportunities for employees to enjoy Palo Alto outside of office hours. Interviewees defined public art broadly, including high quality temporary and permanent artwork installations and frequently emphasized the value of interactive artworks.



2.5 (cont.)

The Mobile Arts Platform (MAP) “What’s the Big Idea” project reached almost 350 people who hailed from a wide range of demographics. MAP was located in areas that attracted substantially different populations and each of these populations had a slightly different perspective on the types of public art that most appealed to them. In general, we found that older participants valued public art as a means of connecting people and building community; younger participants were interested in the potential of creating spontaneous street art and representing the voice of their generation.

Private Developers are willing partners in the private percent for art program and see it as a way of enhancing their projects. They stated their need for a better understanding of the total public art fee and the process involved in determining whether to commission on-site artworks or pay the In Lieu fee. Developers have concerns regarding potential delays associated with the public art commissioning process and review procedures yet, all things considered, to date prefer to commission on-site art for large scale projects.

GUIDING PRINCIPLES AND THEMES

3.1 GUIDING PRINCIPLES

Interviews and focus groups revealed both overlapping and differing perspectives from various stakeholder groups. However, there were a number of recurring themes that arose in most meetings. Based on that input, the consultants developed a number of guiding principles.

Palo Alto's public art will:

- Be distributed citywide, focusing on areas where people gather and in unexpected places that encourage exploration;
- Represent a broad variety of artistic media and forms of expression;
- Enhance City infrastructure, transportation corridors and districts;
- Include both permanent and temporary artworks;
- Strive for artistic excellence; and
- Be maintained for people to enjoy.

3.2 THEMES

Increase accessibility to public artwork and experiences while reinforcing community and neighborhood identity.

Palo Alto stakeholders support the distribution of artwork and art experiences throughout all areas of the city, noting the importance of including south Palo Alto and the University Avenue and California Avenue downtown areas.

Community members see public art as a catalyst for welcoming and orienting people to neighborhoods, creating destinations and gathering places, enlivening the pedestrian and bicycling experience and reinforcing a sense of community pride, identity and connection to local history and culture.

Provide meaningful arts opportunities for youth and families.

Stakeholders consistently advocated for publicly accessible public art activities and events that engage parents and their children.

Employ art to promote environmental stewardship.

Palo Alto residents value the natural environment more than almost any other characteristic of their city. Stakeholders frequently expressed their love of local parks and open space, the Bay Trail and the creeks. These places can be enhanced and celebrated through environmental and interpretive artworks.



Linda Gass, *Where the Bay Shoreline Once Was, Cooley Landing*, 2015. Image by Joel Bartlett; Linda Gass, *Life in Water*, 2015. Image by Don Tuttle

3.2 (cont.)

Engage partners to build support for public art.

Collaborating with Palo Alto's community organizations, businesses and citizen groups on public art projects and other special initiatives will leverage financial and staff resources to deliver greater quality, value and a broader range of public art experiences than would otherwise be possible. These partnerships are important because they can stretch the resources for public art in Palo Alto, open up a wider range of artistic opportunities, and broaden public art's impact in the city.

Make art integral to the City's planning efforts.

Incorporating artists' ideas into the fundamental aspects of planning elevates the quality of the urban environment and promotes a cohesive vision for the character of public places and neighborhoods. Including public art considerations in Comprehensive and General Plan updates, Strategic Plans, and Master Plans redefines the relationship of art to urban space as an integral part of the urban infrastructure and the natural environment.

Support local and regional artists.

Artists participated actively in the Public Art master planning process, attending focus groups, community meetings and Mobile Art Platform "What's the Big Idea" events. Many of the artists who participated expressed feeling isolated and under-recognized. Studio space in Palo Alto is expensive and there are few places for artists to display their work or to meet one another. While Cubberley Artist Studio Program provides studio space for approximately 25 artists, there is a growing need for more affordable space and venues for artists to work and spend time together.

Increase public awareness of the program and collection.

Bringing people together to learn and connect around ideas, questions and concepts related to public art is a critical investment in the success of the Public Art Program. This includes raising awareness of existing and upcoming artwork installations, temporary artwork programming, and community engagement and outreach initiatives.

GOALS AND RECOMMENDATIONS

4.1 GOALS

- Plan for and commission long-term, ambitious, bold, projects that will reflect Palo Alto's reputation as an innovative global city. These projects should be carefully planned and thoughtfully implemented over time.
- Commission short-term, temporary artwork and interactive art experiences for residents and visitors that can be implemented within the next year.

4.2 RECOMMENDATIONS

4.2.1 EXPLANATION OF RECOMMENDATIONS

The following recommendations are described as Short Term (within one year); Mid-Term (two to five years) and Long-Term (six to ten years), providing a menu of options for the staff and Public Art Commission to consider when creating their annual work plan. The annual Public Art work plan is an important tool in charting current and future public art projects, determining resources and funding priorities, and informing the policy-makers, City staff, and the public about the activities and opportunities available through the Public Art Program.

Existing Municipal percent for art projects already in progress will have to be considered when creating these work plans and selecting which recommendations to implement. It is also important to consider that these recommendations are created in 2016, and there may be unanticipated changes in funding opportunities, projects and priorities that may affect the timing, priority, or viability of implementing these recommendations. Each requires careful planning, assembling an appropriate team of stakeholders and partners, and adequate funding to proceed. Short-term, temporary artwork projects provide the opportunity to increase the current level of engagement of the curatorial and artist resources of the Palo Alto Art Center and the Cubberley Artist Studio Program for artist selection panels and to assist with artist outreach.

Each recommendation includes potential funding sources, internal and external partners. Each relies on the assistance of community organizations and the Public Art Commission to build funding partnerships, relationships, and to seek private sponsorship from individuals or businesses. Each recommendation is intended to insure the highest quality of artistic outcome.



4.2.2 COMMUNITY PROCESS

Implementation of recommendations requires community engagement, and this should be a managed process. The role of community members should be well defined so it is understood in advance where and when their input will be sought. It also is important for city staff to make progress reports to key community groups at specified points in the process, using all available channels of communications, including social media, to keep diverse segments of the community up to date on the project. In addition, all Public Art Commission meetings are open to the public and are a valuable resource for information and discussions about public art projects.

The community at large can be involved at these key junctures:

- Visioning of the project prior to the artist selection;
- Representation on artist selection panels;
- Interaction with the artist finalists prior to development of an artwork proposal;
- Initial introduction of the selected artist to the community, through presentations at schools, community group meetings, libraries and other venues;
- Guided tours and visits to the project site;
- Providing public comments on artist proposals at Public Art Commission meetings.

A strong and open relationship between City staff, the artist and the community will result in a project that is embraced and cared for by the public it serves.

Implementation of recommendations will also have an impact on Public Art Program staff's workload. Therefore, the Public Art Program and Public Art Commission will need to determine which recommendations to implement first and which projects may require the support of contracted art consultants. Ideally, City-funded projects, whether supported by CIP Percent for Art or In Lieu Percent for Art funds, should be managed by Public Art Program staff with approved art consultants employed only if necessary. Private developers can be encouraged to employ pre-approved public art consultants to manage private percent for art projects. Projects that are dependent on private fundraising may require engaging staff with fundraising expertise.

An implementation grid providing a summary list of each objective, recommendation, and general cost estimates is attached to this report as Appendix 5. It should be noted that staff will continue to explore potential grant opportunities to support public art initiatives.

4.3 IN BUSINESS DISTRICTS

There are a variety of opportunities to integrate art into the design of Downtown and California Avenue business districts. Each will require participation from businesses and business associations. Timing and budgets will therefore depend on the ability of the Public Art Program and Public Art Commission to build support for these projects.

OBJECTIVE 1: Locate art in unexpected places, such as alleys, to provide an element of surprise and whimsy to everyday life.

Businesses, community members and commuters encouraged art that enlivens the pedestrian experience along sidewalks, alleys, parking garage interiors and other centers of activity that tend to be overlooked.

Short Term Recommendation: Identify a total of six key alleys total in downtown University Avenue and downtown California Avenue and engage artists to create proposals for individual temporary artworks. This is an opportunity to engage recognized street artists, muralists or installation artists. Consider commissioning Stanford University MFA students.

- **Potential Funding Sources:** In Lieu Percent for Art funds, match from business associations, Palo Alto Zero Waste;
- **External Partnership Opportunities:** Palo Alto Downtown, California Avenue Business Association, business sponsorship;
- **Internal Partners:** Public Art Commission, Cubberley Artist Studio Program, Palo Alto Zero Waste.

Short Term Recommendation: Commission an artist/artist team to create one unique design for new benches planned for the University Avenue downtown shopping district.

- **Potential Funding Sources:** In Lieu Percent for Art, match from business associations, CIP Percent for Art adding value to Department of Public Works CIP;
- **External Partnership Opportunities:** Palo Alto Downtown, local business sponsorship;
- **Internal Partners:** Public Art Commission, Department of Public Works.



Primitivo Suarez-Wolfe, *Domestic Seating*, San Francisco, CA, 2014, Image courtesy of San Francisco Arts Commission



Businesses, community members and commuters encouraged art that **enlivens the pedestrian experience** along sidewalks, alleys, parking garage interiors and other centers of activity that tend to be overlooked.



Bill Fitzgibbons, *Light Channels*, San Antonio, TX, 2007, Image by Bryan Rindfuss

4.3 (cont.)

Mid-Term Recommendation: Commission temporary artwork at the University Avenue Caltrain Tunnel that creates a strong visual bridge among the City of Palo Alto, its residents, businesses and the Stanford University community. Establish a programmatic framework to replace the artwork annually and develop collateral programming that engages commuters in arts related conversations and activities. For example, commission an artist to develop a crowd-sourced patterned mural throughout the length of the tunnel, or commission community members to submit poems that can be painted on the tunnel walls, or commission applied patterns to the tunnel floors that reflect themes submitted by commuters.

- **Potential Funding Sources:** In Lieu Percent for Art, Palo Alto Downtown, private business sponsorship;
- **External Partnership Opportunities:** Palo Alto Downtown, private businesses, Stanford University;
- **Internal Partnerships:** Public Art Commission, Cubberley Artist Studio Program, Transportation Division

Mid- Term Recommendation: Showcase the work of regional and national artists and Stanford graduate students in a program of changing, playful, interactive projects on Caltrain track fencing, Caltrain platforms, tunnels, walkways and ground floor office windows. Work with local business associations and neighborhood groups to identify two to four (2-4) opportunities annually.

- **Potential Funding Sources:** In Lieu Percent for Art, business sponsorship;
- **External Partnership Opportunities:** Caltrain, California Avenue Business Association, private businesses, neighborhood associations;
- **Internal Partnerships:** Public Art Commission, Cubberley Artist Studio Program, Transportation Division.

Mid-Term Recommendation: Employ an artist/historian team to capture the unique music history of the California Avenue downtown district through temporary public art in alleys, building lobbies and windows.



Jaume Plensa, *Wonderland*, Calgary, AB, Canada, 2012, Image courtesy of Jaume Plensa

4.3 (cont.)

- **Potential Funding Sources:** In Lieu Percent for Art fund, private sponsorship;
- **External Partnership Opportunities:** California Avenue Business Association, private businesses;
- **Internal Partners:** Public Art Commission, Cubberley Artist Studio Program, Palo Alto Art Center.

OBJECTIVE 2: Integrate impactful, permanently-sited public art project in business areas.

Long Term Recommendation (In- Progress): Employ an artist to be on the design team for upcoming downtown garages and the new Public Safety Facility and Garage adjacent to California Avenue to address facades and directional elements.

- **Potential Funding Sources:** CIP Percent for Art, In Lieu Percent for Art;
- **External Partnership Opportunities:** Palo Alto Downtown, local business sponsorship;
- **Internal Partnerships:** Public Art Commission, Department of Public Works, Public Safety Department.

Long Term Recommendation: Commission artist-designed gateways on University Avenue at Alma and Middlefield. Select one artist to create impactful gateway sculptures that visually announce the downtown.

- **Potential Funding Sources:** CIP Percent for Art, In Lieu Percent for Art, business sponsorship;
- **External Partnership Opportunities:** private businesses;
- **Internal Partnerships:** Public Art Commission, Department of Public Works.



Jennifer Dixon, *FlipBooks*, Seattle, WA, 2008, Image by Jim Tillman; William Wareham, *Love Spoken Here*, 1999

4.4

IN NEIGHBORHOODS

Creating artworks in neighborhood settings is dependent on building partnerships with individuals and community organizations. These partnerships are important because they can stretch the resources for public art in Palo Alto, open up a wider range of artistic opportunities, and broaden public art's impact in the city.

OBJECTIVE 3: Install public art in neighborhoods for residents to enjoy on a daily basis.

- Employ art to reflect community diversity and knit together Palo Alto's 37 neighborhoods.
- Rotate temporary art among neighborhoods to refresh the landscape, build excitement and anticipation for what's coming next, and engender cooperation among neighborhood groups.
- Present temporary art that changes over time and builds interest for repeat visits. Identify locations along routes, such as traffic circles, rest areas or cul-de-sacs, where changing artworks will enhance the walking or biking experience and encourage conversation.
- Commission pedestrian and bike-friendly art on trails and bridges. Locate permanent and temporary artworks that enhance the design of bridges and trails, assist with navigation and reinforce the unique characteristics of place.

Short Term Recommendation: Select four neighborhoods in diverse areas of the City to pilot creation of temporary artworks in right-of-ways, bulb-outs or traffic circles, and plan to rotate these artworks among the neighborhoods.

- **Potential Funding Sources:** CIP Percent for Art;
- **External Partnership Opportunities:** Neighborhood organizations and private individuals;
- **Internal Partners:** Transportation Division to integrate footings into pedestrian/bike areas recommended by Alta Design as part of Transportation element of Comprehensive Plan.



4.4 (cont.)

Mid Term Recommendation: Commission serial art experiences such as Greg Brown's iconic downtown murals in other pedestrian-oriented areas, like Midtown, the shopping center adjacent to Cubberley Community Center and pedestrian and bicycle routes. Identify locations that enable artists to tell a story over a period of time and in multiple places.

- **Potential Funding Sources:** In Lieu Percent for Art and private donations;
- **External Partnership Opportunities:** Neighborhood Councils, Silicon Valley Bicycle Coalition, private individuals;
- **Internal Partners:** Cubberley Artist Studio Program.

Mid Term Recommendation: Commission artist-designed directional and informational elements and seating areas at City shuttle stops and bike corridors. Integrate these into the planning of new shuttle routes.

- **Potential Funding Sources:** CIP Percent for Art for design; Transportation Division CIP funds for implementation;
- **External Partnership Opportunities:** Neighborhood Councils, private individuals;
- **Internal Partners:** Public Art Commission, Transportation Division.

Long-Term Recommendation: Commission and install art that invites climbing and physical interaction. Place these in public parks, school grounds, walking and bike paths to encourage engagement and stimulate physical activity by youth and families. Work with the Parks Division of the CSD to identify three to six (3-6) parks in diverse geographic areas of the City and engage an artist with a landscape design firm for the design of a playground.

- **Potential Funding Sources:** CIP Percent for Art adding value to CIP;
- **External Partnership Opportunities:** Private donors;
- **Internal Partners:** Parks Division to identify location opportunity and budget.

Long-Term Recommendation: Integrate art into Rinconada and Byxbee Parks. Identify locations and commission permanent, impactful artworks that integrated with the designs of these major parks.

- **Potential Funding Sources:** CIP Percent for Art;
- **External Partnership Opportunities:** Private donors;
- **Internal Partners:** Parks Division to identify location opportunity and budget.

4.5 ENVIRONMENTAL PROJECTS

A focus on the natural environment and sustainability is a priority in Palo Alto. Public art is an important tool that can incorporate sustainable strategies, demonstrate green processes and utilize green design, materials, theories and techniques.

OBJECTIVE 4: Use art to promote environmental stewardship and sustainability. Create partnerships with Environmental Services and local regional agencies to integrate public art into environmental projects.

Short-Term Recommendation: Embed an artist in the Environmental Services Division of the Public Works Department. As the City updates its interpretive programs, it can embed more artists for initiatives such as the recent Creative Ecology Art Center initiative that provide opportunities for young people from different communities to collaborate on art projects.

- **Potential Funding Sources:** CIP Percent for Art, Environmental Services;
- **Internal Partners:** Public Art Commission, Palo Alto Art Center, Cubberley Artist Studio Program.



Stacy Levy, *Spiral Wetland*, Fayetteville, AR, 2013, Image by Stacy Levy



Bruce Beasley, *Rondo I*, 2013

4.6 EMPOWERING HIGH QUALITY PROJECTS USING DEVELOPMENT FEES

The public art in private development ordinance offers developers the opportunity to create on-site publicly accessible artworks or contribute to the In Lieu fund. In reviewing the opportunities created by the private percent for art, the consultants see two paths the City can take to employ the percent for art requirement to enhance its neighborhoods, shopping districts and transportation corridors. Both approaches will provide developers with clear direction and yield artworks that are of a relevant scale, location and medium to enhance their developments and their surroundings.

One path is to continue to implement each new development as a separate project, stimulating high quality artworks by providing developers with clear guidelines. These guidelines should articulate the appropriate locations for project types, the appropriate media, the need for public art consultants so that their on-site project reach a high standard and meet the City's design aspirations.

Another path is for the Public Art Program to commission a series of area-specific art plans throughout the city that would identify locations, types of art, and media appropriate for the area that would help reinforce the distinct character of these districts and make them more desirable destinations. Developers could review the plan relevant to the area in which they are building and choose to pay the In Lieu fee toward the realization of the artwork identified in the plan. Staff would then be responsible for implementing these plans.

OBJECTIVE 5: Commission artists or artist/design teams to create specific public art plans for areas of Palo Alto where development is taking place.

The distinct areas that could benefit from a comprehensive approach to public art planning are downtown California Avenue, including adjacent alleys, from the train station to El Camino; downtown University Avenue, including adjacent alleys, from Middlefield to Alma; Stanford Research Park; El Camino Real corridor from San Antonio to Sand Hill Road; the Embarcadero Corridor east of 101; and the Charleston Arastradero corridor from Middlefield to Gunn High School.

Short Term Recommendation: Solicit detailed public art plans for the Embarcadero Corridor, downtown University Avenue and Stanford Research Park.

- **Potential Funding Sources:** In Lieu Percent for Art;
- **External Partnership Opportunities:** Palo Alto Downtown, Stanford Research Park;
- **Internal Partners:** Planning & Community Environment, Development Services.

Mid-Term Recommendation: Solicit detailed public art plans for El Camino Real, California Avenue downtown and the Charleston Arastradero Corridor.

- **Potential Funding Sources:** In Lieu Percent for Art;
- **External Partnership Opportunities:** California Avenue Business Association, Gunn High School, private businesses and individuals;
- **Internal Partners:** Planning & Community Environment, Development Services.

Mid-Term Recommendation: Provide developers with the option to contribute In Lieu toward the realization of an artwork included in the completed public art plan specific to the area in which the development is located.

- **Total Cost:** None;
- **External Partnership Opportunities:** California Avenue and Palo Alto Downtown, Stanford Research Park, Private Developers;
- **Internal Partners:** Planning & Community Environment, Development Services.

WHAT'S THE BIG IDEA?

I would improve my community by...

MURALS ON
WALLS OF
BUILDINGS,
SIDEWALK
PAINTINGS,
PLANT ART
(MORE GARDENS!)

Pending
Approval

Help Plan the Future of Art
in Palo Alto!

Where would you like to see art in Palo Alto?

How can artists make Palo Alto a more livable city?

www.cityofpaloalto.org/publicart

Long-Term Recommendation: Commission specific artworks identified in the public art development district plans as funding accumulates. Oversight of artist and artwork selection and project management are the responsibility of Public Art Program staff in accordance with established practices and procedures.

- **Funding Source: In Lieu Percent for Art;**
- **External Partnership Opportunities:** California Avenue and Palo Alto Downtown, Stanford Research Park;
- **Internal Partners:** Planning & Community Environment, Development Services.

4.7 EDUCATIONAL INITIATIVES

Collaborating with other City Department as well as Palo Alto's community organizations, Stanford University businesses and citizen groups on public art educational initiatives will leverage financial and staff resources to deliver greater quality, value and a broader range of public art experiences than would otherwise be possible. Building support and momentum for a high quality public art program is dependent on engaging community members and all partners in the value of public art.

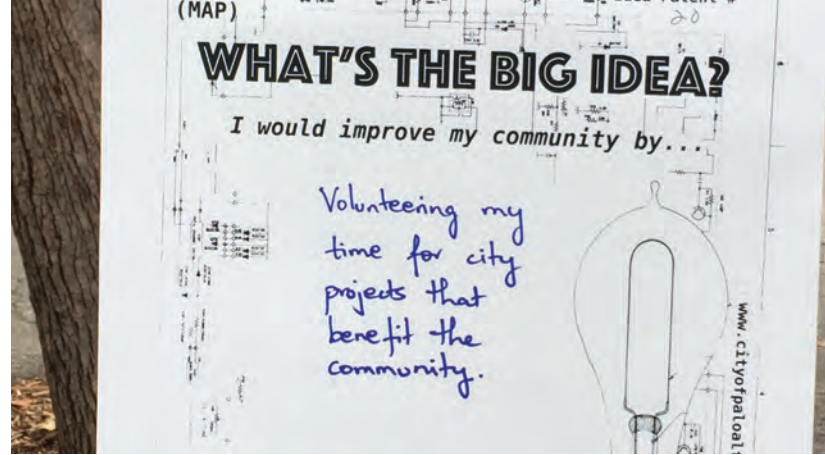
Educational programming will help accomplish this objective. The implementation of the following objectives will be accomplished by Public Art Program staff in partnership with the entities listed and therefore no funding has been assigned to these initiatives. Stanford University is an essential and valued partner for the Program's educational initiatives as its visual arts programs, faculty and students are a resource that can add both depth and breadth to the public art conversation.

OBJECTIVE 6: Use available tools to engage the public in the Public Art Program.

Short-Term Recommendation: Increase use of mobile platforms and social media as a means of promoting the Public Art Program. Begin by including interactive elements for the Public Art Program's Facebook page such as quizzes and virtual scavenger hunts to stimulate a two-way conversation such as the programs developed by Association for Public Art in Philadelphia and Rose Kennedy Greenway in Boston.



Participants engage at the Mobile Art Platform “Whats the Big Idea” project.



4.7 (cont.)

Short-Term Recommendation: Refine the standard public art presentation to be used in a range of community settings. Train Public Art Commissioners to deliver presentations to community members, students and business people.

Short-Term Recommendation: Create ‘fun facts’ about public art for display on Palo Alto’s shuttles, for Palo Alto Online and for inclusion in the recent public art project media installation in the lobby of City Hall.

OBJECTIVE 7: Engage partners in educational initiatives.

Short-Term Recommendation: Strengthen the connection between the Public Art Program and other Community Services Department programs and initiatives. Expand synergy between the work of the Palo Alto Art Center, CASP and the Public Art Program by initiating an exploratory meeting among those divisions. Expanded partnerships can take the form of coordinated marketing and cross-division programming such as tours, lectures and social media.

Mid-Term Recommendation: Engage cyclists and walkers with public art by creating tours and maps that showcase public art on their routes. Include public art in Palo Alto’s trail brochure so that cyclists and walkers can enjoy the City’s art collection. Include public art tours during Bicycle Week.

Mid-Term Recommendation: Build stronger connections with Stanford University by encouraging the university to host lectures by nationally acclaimed artists creating public art in the City and by creating volunteer opportunities for students to participate as docents.

Mid-Term Recommendation: Host Public Art Program presentations and events at the Institute for the Future and other business locations.

Long-Term Recommendation: Explore the Library’s role in supporting and promoting public art. Partner with the Library to develop a standard, museum-type authority file that includes background on the individual public artworks, the artists who created them, and a bibliography of those artists’ work. Consider the possibility of establishing a lending library of portable works that the public could borrow, using the programs at Oberlin and Williams College as examples.



Andrew Leicester, *Gold Line Bridge*, Sierra Madre Villa, CA, 2013, Image by Douglas Hill Photography

4.8 EMBEDDING ARTISTS IN THE WORK OF THE CITY

Artists can contribute to the look, feel and operations of the City if they are actively engaged in thinking about the work of City Departments and Commissions. The following strategies can be staff-initiated and have been successfully employed by cities throughout the United States.

OBJECTIVE 8: Employ the skills of regional and national artists to enhance the work of the City.

Short Term Recommendation: Promote inclusion of artists in the City’s planning processes such as City boards and commissions. Artists bring important leadership to the planning process. By sitting on boards and commissions, artists bring creativity and excellence in design, helping to advocate for the importance of distinctive and site-specific design.

Mid-Term Recommendation: Provide public art training to local artists. The Public Art Program can join with other regional public art programs to initiate a series of Bay Area training sessions providing artists with professional development opportunities and information about available commissions.

Mid-Term Recommendation. Embed artists in City Departments, starting with the Transportation Division and Environmental Services Division of Public Works to enhance the quality of design and reinforce the importance of work done by the departments.

- **Funding Source:** In Lieu Percent for Art;
- **Internal Partners:** Transportation Division, Environmental Services, Public Works.

PUBLIC ART POLICY AND PROGRAM ADMINISTRATION

5.1 COLLECTION MANAGEMENT

The image and value of the City's public art collection depends on the work being in good condition, which requires careful documentation, monitoring, and maintenance. The City currently owns over 300 artworks of uneven quality and has new projects underway. It has recently commissioned condition assessments of key works by ARG conservators. In addition, a collection assessment prepared as part of the public art master planning process is attached to this report as Appendix 4.

OBJECTIVE 9: Ensure that artwork maintenance, conservation, and collection review occur with regularity.

Short term Recommendation: Refine and update the Deaccession of Artwork Policy for the removal and disposition of artwork on City-owned land and in City-owned facilities for review and acceptance or rejection by the Public Art Commission.

It is important for the City to retain the right to remove any artwork in the public art collection that, among other considerations, requires excessive maintenance, poses public safety risks, is damaged beyond repair, or is adversely affected by changes in the site. It is critical that considerations of removal and relocation of an artwork are governed by careful, standardized procedures that represent best professional practices in the field of public art and serve to insulate the deaccessioning process from fluctuations in personal taste.

Mid Term Recommendation: Provide ongoing financial and staffing support for public art collection management and conservation.

It is essential that there are adequate resources for staff to oversee inventory, cataloguing, and assessment of all artwork on a regular basis in order to retain the value and success of the Public Art Program.

5.2 BEST PRACTICES: POLICIES, ORDINANCES, AND GUIDELINES

As the national profile of the Palo Alto Public Art Program continues to rise, it's important that the policies and procedures related to public art are updated to meet best practices in the field of public art. If an ordinance or policy is vague, it is open to interpretation, which is likely to result in inconsistencies in implementation and misunderstanding about its purpose. Therefore, providing the clearest definitions to accurately represent the specific objectives inherent to the public art ordinances and policies are critical to the success of the program.

OBJECTIVE 10: Apply national standards and best practices in the field of public art for added transparency and accountability.

Short Term Recommendation: Adopt new policies and update existing policies, ordinances, and guidelines to reflect best practices in the public art field.

To bring Palo Alto's ordinances and policies to current national standards and best practices in the field of public art and to provide adequate information on the purpose, requirements and procedures necessary to implement it, the City should adopt and from time to time amend policies (in addition to the Deaccession of Artwork Policy noted above) as follows:

- Gifts Policy
- Murals Policy and Guidelines
- Temporary Artwork Policy

The Public Art Program administrative practices regarding artist and artwork selection and community engagement can be enhanced by refining their standards and guidelines. In addition to guiding City department staff, they serve to inform the general public in understanding the goals, policies, and procedures of the Public Art Program. The City should refine guidelines on the selection of artists.

5.3 PROGRAM ADMINISTRATION

Public Art Program staff's role has expanded significantly since the two full-time positions were established in 2013-14, with additional supervision by the Assistant Director overseeing the Arts and Sciences. With changes to the public percent for art and introduction of the private percent for art, staff is tasked with management of the public art collection as well as administration of a public art process that involves multiple departments and review bodies. In addition, the increasing volume of projects, focus on partnerships, new program initiatives and policy changes recommended in this Public Art Master Plan require a sufficient workforce of experienced and dedicated staff to achieve success.

There must be a dependable funding source for permanent staff that adequately supports administrative and project management expenses for costs associated with the administrative coordination of private on-site projects and for artist selection and project management of publicly-funded projects, collection management, community outreach and education.

OBJECTIVE 11: Ensure ongoing staff support for successful administration of the public art program.

Short Term Recommendation: Periodically review the percentage of In Lieu funds allowable for Administration to determine if they are adequate to cover costs of Public Art Program staff and consultants needed to successfully implement public art project workload.

Review the In Lieu procedures to ensure funds are being used for appropriate project purposes such as:

- Pay for Public Art Program staff project management;
- Hire artists to create artworks and participate in planning efforts;
- Fabricate and install artworks;
- Maintain artworks created through In Lieu funds; and
- Hire consultants to manage municipal public art projects if Public Art Program staff needs additional staff support.

5.3 (cont.)

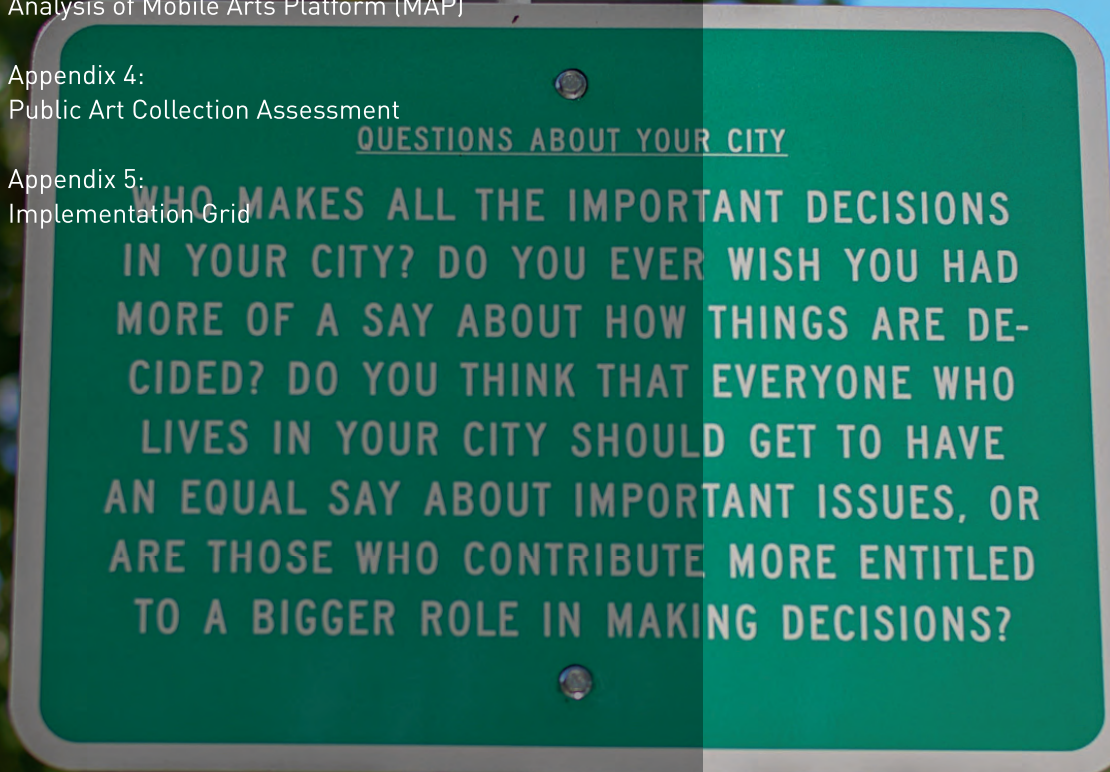
Short Term Recommendation: Continue to include Public Art Program staff at the earliest levels of inter-departmental planning initiatives.

- Public Art Program staff can provide professional expertise to identify future opportunities for public art projects and to:
- Define public art goals, guidelines and opportunities that include the examination of character, connections, history and land uses;
- Outline criteria for placement of public art, including appropriate material and scale;
- Classify high visibility placement opportunities;
- Describe programming ideas for temporary public art installations and performances; and
- Recognize City departments that can collaborate with the Public Art Program for the successful implementation of each public art project initiative.

Short Term Recommendation: Consider a periodic review of funding structures and project management scope of work for public art in private development projects to ensure that the Public Art Program is following best practices in the field of public art and serving the needs of the City and developers.

APPENDICES

- 5.1 Appendix 1:
List of Meeting Participants
- Appendix 2:
List of Proposed Public Artwork Locations
- Appendix 3:
Analysis of Mobile Arts Platform (MAP)
- Appendix 4:
Public Art Collection Assessment
- Appendix 5:
Implementation Grid



Date	Person	Affiliation	Type
2/13/2015	Elise DeMarzo	Community Services Department	Meeting: Internal Stakeholder
2/23/2015	Rhyena Halpern	Community Services Department	Meeting: Internal Stakeholder
2/23/2015	Rhyena Halpern, Elise DeMarzo	Community Services Department	Meeting: Internal Stakeholder
2/23/2015	Rob De Geus	Community Services Department	Meeting: Internal Stakeholder
2/24/2015	Amy French	Planning & Community Environment Department	Meeting: Internal Stakeholder
2/24/2015	Mike Sartor, Brad Eggleston	Public Works Department	Meeting: Internal Stakeholder
3/13/2015	Ben Miyaji	Public Art Commission	Meeting: External Stakeholder
3/13/2015	Elise DeMarzo	Community Services Department	Meeting: Internal Stakeholder
3/27/2015	Matthew Tiews	Stanford University	Meeting: External Stakeholder
3/27/2015	John Aikin	Junior Museum and Zoo	Meeting: Internal Stakeholder
3/30/2015	Oleg Lobykin, Marianne Lettieri, Paloma Lucas, Mel Day, Barbara Boissevain, Daniele Archambault, Jonathan Fisher, Dony Cesera, Bette Kiernan, Judy Gittelsohn	Artist Focus Group	Focus Group: External Stakeholder
3/30/2015	Annette Glanckopf	Midtown Resident	Meeting: External Stakeholder
3/30/2015	Judge Lucky, Lane Pianta	Palo Alto Children's Theatre	Meeting: Internal Stakeholder
4/1/2015	Karen Kienzle, Lisa Ellsworth, Fanny Retsek	Palo Alto Art Center	Focus Group: Internal Stakeholder
4/8/2015	Downtown Business and Professional Improvement Association	Downtown Business and Professional Improvement Association	Focus Group: External Stakeholder
4/8/2015	Daren Anderson	Parks	Meeting: Internal Stakeholder
4/8/2015	Rhyena Halpern, Elise DeMarzo	Community Services Department	Meeting: Internal Stakeholder
4/14/2015	Emily LaCroix, Amal Aziz, Lacey Kortsen, MarchlaRina Davis	Community Services Department	Focus Group: Internal Stakeholder
4/22/2015	Elise DeMarzo	Community Services Department	Meeting: Internal Stakeholder
5/7/2015	Rhyena Halpern, Elise DeMarzo	Community Services Department	Meeting: Internal Stakeholder

5/14/2015	Jessica Roth, Mora Oomen, Elena Silverman	California Avenue Business Representatives	Focus Group: External Stakeholder
5/14/2015	Bob Bonilla, Catherine Capriles, Geoffrey Blackshire	Police and Fire Departments	Focus Group: Internal Stakeholder
5/14/2015	Chop Keenan	Developer	Meeting: External Stakeholder
5/14/2015	Dina Cheyette	Veterans Administration	Meeting: External Stakeholder
5/14/2015	David Harris, Maurina Gorbis	Institute for the Future	Meeting: External Stakeholder
5/14/2015	Amanda Ross, Ben Miyaji, David Harris, Judy Kleinberg, Linda Gass, Matthew Tiews, Meera Saxena, Paula Kirkeby, Rachelle Doorley, Shagorica Basu, Steve Ferrera, Yoriko Kishimoto, Joelle Dong Heller, Sophie Swezey, Deanna Messinger	Public Art Advisory Committee	Public Art Advisory Committee Mtg.
5/15/2015	Russ Cohen, Barbara Gross, Travis Nichols	Downtown Business and Professional Improvement Association	Focus Group: External Stakeholder
5/15/2015	Leslyn Leong	Leadership Palo Alto	Meeting: External Stakeholder
5/15/2015	Walter Rossman, Eric Bilamoria	Budget: City Managers Office	Meeting: Internal Stakeholder
5/15/2015	Molly Stump	City Attorney	Meeting: Internal Stakeholder
5/15/2015	Claudia Keith	Economic Development/Our Palo Alto	Meeting: Internal Stakeholder
5/20/2015	Elise DeMarzo	Community Services Department	Meeting: Internal Stakeholder
6/3/2015	Elise DeMarzo	Community Services Department	Meeting: Internal Stakeholder
6/17/2015	Rhyena Halpern	Community Services Department	Meeting: Internal Stakeholder
6/22/2015	Leslyn Leong, Terry McMahon, Bobby Fox, Camelia Sutorious, Nancy Lewis, Stephen McGraw, Erin Tajime Castelon	Neighborhood Focus Group	Focus Group: External Stakeholder
6/22/2015	Peter Ruddock , Tricia Mulvey, Jerry Hearn, Bruce Hodge	Environmental Group	Focus Group: External Stakeholder

6/22/2015	Amy French, Sarah Seyed, Jonathan Lait	Planning & Community Environment Department	Focus Group: Internal Stakeholder
6/22/2015	Hillary Gitelman	Planning & Community Environment Department	Meeting: Internal Stakeholder
6/23/2015	Jennifer Hetterly, Lucy Larson, Peter Jensen, Stacey Ashland, Alexander Lew, Alex Lew, Tina Keegan, Kyu Kim, Ben Miyaji	Public Art Boot Camp	Boot Camp: Internal Stakeholders
6/23/2015	Paula Kirkeby, Karen Frankel, Eric Filseth, Judith Wasserman	Former Commissioners	Focus Group: External Stakeholder
6/23/2015	Tommy Fehrenbach	Economic Development	Meeting: Internal Stakeholder
6/24/2015	Jackson Kienitz, Jason Pollak	Teens	Focus Group: External Stakeholder
6/24/2015	Ewa Nowicka, Lauren Baines, Julie Jigour	Performing artists	Focus Group: External Stakeholder
6/24/2015	Tiffany Griego, Whitney McNair	Stanford Real Estate	Meeting: External Stakeholder
7/1/2015	MJ Elmore	Advisory Committee Member	Meeting: External Stakeholder
7/7/2015	Robin Weiss, David Harris, Alessandro Voto, Julian Renard, Karin Lubeck, Andrew Covett- Booro, Daniel Burnen, Daria Lamb	Palo Alto Commuters	Focus Group: External Stakeholder
7/7/2015	Jill Stanfield, Meimei Pan, Kimberly Wong, Nalon Ng, Annie Yamashita, Robert Yamashita	Neighborhood Focus Group	Focus Group: External Stakeholder
7/13/2015	Trish Mulvey, Jerry Hearn, Len Meterman	Environmental Group	Focus Group: External Stakeholder
7/13/2015	Beth Mostovoy, Susie Peyton, Betsy Halaby, Pearl Kruss, Mary Holzer, Roger Stoller, Trina Wilson, Rob Browne, Sheila Cepero, Mel Day	Artist Focus Group	Focus Group: External Stakeholder
7/13/2015	Meera Saxena	Advisory Committee Member	Meeting: External Stakeholder
7/13/2015	Carolyn Tucher	Leadership Palo Alto	Meeting: External Stakeholder

7/14/2015	Steve Ferrera, Esther Tokihiro, Deanna Messinger	PAUSD Art Teachers	Focus Group: External Stakeholder
7/14/2015	Shagurica Basu	Advisory Committee Member	Meeting: External Stakeholder
7/14/2015	Trish Mulvey, Jan Schachter, Ellen Uhrbrock, Kenneth Hou, Stephanie Grossman, David Harvey, Sandra Slater, Phil Faroudja, Barbara Jacobs	Public Outreach Meeting	Public Meeting
7/20/2015	Rhyena Halpern, Amanda Ross, Elise DeMarzo, Claudia Keith, Ben Miyaji	Artist Selection: Artist Led Outreach Project	Artist Selection Panel: Internal Stakeholder
8/3/2015	Elise DeMarzo, Peter Foucault, Chris Treggiari	Artist-Led Outreach	Meeting: Artists
8/3/2015	Elise DeMarzo	Community Services Department	Meeting: Internal Stakeholder
8/12/2015	Elise DeMarzo	Community Services Department	Meeting: Internal Stakeholder
9/2/2015	Michael Smit	Artist, Former PAC Commissioner	Meeting: External Stakeholder
9/8/2015	Michael Smit, Anja Ulfeldt, Kathryn Dunlevie, Mitchell Johnson, Jon Schachter, Loren Gordon, Alyssa Levitan	Artist Focus Group	Focus Group: External Stakeholder
9/8/2015	Elise DeMarzo, Rhyena Halpern	Community Services Department	Meeting: Internal Stakeholder
9/9/2015	Matthew Tiews, Peggy Phelan, Ali Gass, Phillipe Cohen, David Lenox, John Barton, Branislav Jakovljevic	Stanford University	Focus Group: External Stakeholder
9/9/2015	Mike Anderson	Art Collector/Developer	Meeting: External Stakeholder
9/9/2015	Monique le Conge Ziesenhenné,	Library Department	Meeting: Internal Stakeholder
9/9/2015	Amanda Ross, Ben Miyaji, David Harris, Judy Kleinberg, Linda Gass, Matthew Tiews, MJ Elmore, Sid Espinosa, Steve Ferrera, Ewa Nowicka, Deanna Messinger	Public Art Advisory Committee	Public Art Advisory Committee Mtg.
9/10/2015	Sid Espinosa	Microsoft	Meeting: External Stakeholder
9/10/2015	Peter Pirnejad	Development Services	Meeting: Internal Stakeholder

9/10/2015	Mila Zelkha, Oleg Lobykin, Raj Bhargava, Rashmi Bhargava, Elizabeth Lada, Mary Holzer	Public Outreach Meeting	Public Meeting
9/24/2015	David Bower, Beth Bunnenberg, Patricia Di Cicco, Roger Kohler, Michael Makinen, Margaret Wimmer	Historic Resources Board	Historic Resources Board: Internal Stakeholder
10/5/2015	Marc Berman, Patrick Burt, Tom DuBois, Eric Filseth, Karen Holman, Liz Kniss, Greg Scharff, Greg Schmid, Cory Wolbach	City Council Study Session	City Council Study Session: Internal Stakeholder
10/14/2015	Jim Keene	City Manager	Meeting: Internal Stakeholder
1/28/2016	Ben Miyaji, David Harris, Matthew Tiews, MJ Elmore, Yoriko Kishimoto, Deanna Messinger, Steve Ferrera	Public Art Advisory Committee	Focus Group: External Stakeholder

APPENDIX 2: City of Palo Alto Public Art Master Plan

Proposed Artwork Locations

These artwork locations were identified in focus groups, community meetings, Mobile Art Platform (M.A.P.) project and interviews with City department representatives and external stakeholders. The list is intended to be a resource for consideration by the Public Art Program and Commission in the context of developing annual work plans.

Bike Trails/Wayfinding:

- Junipero Serra from Stanford loop to Arastradero
- Charleston/Arastradero Corridor between Gunn High School and Middlefield Rd.
- Park Blvd Bike Blvd (W of Alma)
- Bryant Street Bike Blvd
- Along Bike Alley from JLS to East Charleston
- Artist designed benches Downtown (University Ave.)
- Friendship Bridge connecting East Palo Alto to Palo Alto

Shopping Districts

- Downtown alleys, streetscape and gateways at El Camino and Middlefield
- California Avenue alleys, streetscape between Caltrain Station and El Camino Real
- Midtown shopping center
- Town and Country

Transportation Corridors

- Palo Alto shuttle stops
- Embarcadero east of 101 to Baylands
- El Camino Real between San Antonio and Sand Hill Rd.
- University Avenue Tunnels
- California Avenue Tunnel
- Arastradero/Charleston
- Palo Alto Shuttle stops

Parks and Recreation

- All City parks (inventory and ensure distribution of public art). The following parks and/or park areas were specifically mentioned:
 - Byxbee Park
 - Baylands at Airport
 - Timothy Hopkins Creekside Park
 - Rinconada Park

- SE Waverly corner in front of Gamble Gardens
- Pardee Park where live oak fell (a lot of E Palo Alto families have kids parties here)
- NE corner of Greer Park
- Scott Meadow
- Herbert Hoover Park
- Heritage Park
- Middlefield Ballpark
- Robles Park
- Bol Park
- Juana Briones Park
- Duck Pond
- Cubberley Community Center redevelopment
- Golf Course

Temporary Artwork Locations

- King Plaza
- Lytton Plaza
- University Avenue Caltrain Tunnel
- Cubberley Community Center

Other

- Gunn High School
- Parking Garage at University and High
- Rinconada Pool
- Linear path from Churchill to University along Urban Lane W. of Alma

Secured Municipal Infrastructure Sites for Future Projects:

- Public Safety Building on Sherman
- Hamilton and Waverly parking structure
- Highway 101 Pedestrian Bridge
- Newell/Woodland Bridge

**APPENDIX 3: City of Palo Alto Public Art Master Plan
Mobile Art Platform – What’s the Big Idea? Report
One month long interactive public art work, integrated into the
Public Art Master Plan Process
September through October 8, 2015
Number of Participants: 350**

Locations and Meeting Dates

Thursday September 10th:

- Midtown Shopping Center @ Walgreens
- King Plaza / City Hall

Saturday September 12th:

- Rinconada Park

Sunday September 13th:

- California Avenue Farmers Market
- Hoover Park

Thursday September 17th:

- Gunn High School
- Mitchell Park Community Center

Friday September 18, 2015:

- Palo Alto Art Center

Thursday September 24, 2015:

- Town & Country Village
- Antonio’s Nut House

Friday September 25, 2015^h:

- Baylands Athletic Center

Saturday September 26, 2015:

- Cubberley Community Center
- Mitchell Park Library

Thursday October 1, 2015:

- Magical Bridge Playground
- Lytton Plaza

Saturday, October 3, 2015:

- Stanford Shopping Center

Thursday October 8, 2015^h:

- Cogswell Plaza / Avenidas
- Meet the Street Event, Downtown Palo Alto

Ideas for Locations and Artwork Types:

California Ave:

- Connect to the history and character of the neighborhood. Current public art does not “fit in” with the neighborhood.
- Place art inside of some of the vacant storefronts.
- Sponsor more day/night events on California Avenue including visual art and music.

Downtown:

- Place more murals on the buildings, especially closer to University Ave. Younger participants favored urban/graffiti art and older residents respond to the established murals of Greg Brown.
- Sponsor more day/night events on California Avenue including visual art and music.
- Create nighttime projections on buildings in the downtown area.
- Create “street art zones” -- designated walls where artists can create street art. Make this a rotating program featuring different artists and events.

Parks:

- Commission more sculptures that people can touch, climb on and interact with. Create engaging public artworks that address the history of this area.
- Commission public art that engages children and youth. Build them in safe, touchable, durable materials

General comments:

- Integrate technology and digital media into the public art, reflecting Silicon Valley as the technology capital of the world.
- Include more diversity in the selection of public artists and commission artworks that reflect diversity in their content and aesthetics.
- Engage local artists.

Quotes:

“Integrating tech into the public art. How can we utilize the technology.”

“Art in unexpected places...especially downtown.”

“Making art more interactive! I want to be able to touch it, sit on it, feel it.”

“Walking/bike tours of public art in Palo Alto.”

**MAP Palo Alto Grant Synopsis, “What’s the Big Idea?”:
By Peter Foucault and Chris Treggiari**

From September to early October 2015, Mobile Arts Platform (MAP) artists Peter Foucault and Chris Treggiari completed “What’s the Big Idea?” - an interactive pop-up art project that asked residents of Palo Alto what they would like to see the future of art in Palo Alto to look like. For this project MAP designed two custom-built bicycles that pulled mobile trailer units, which could arrive on-site and pop-up into a portable art-making and idea-generating space. The goal of the project was to directly engage residents in a creative and fun way and gather their thoughts on how artists might make Palo Alto a more vibrant or livable city. All components of this project were powered by two rechargeable electric generators so it required no outside power source and left no carbon footprint.

Throughout the project MAP received more than 250 written responses and over 300 photographs documented in the field. Over the course of the project we engaged over 350 participants through conversations about public art and its future in Palo Alto. In general everyone was extremely interested in talking to us and at least discussing how they would improve their neighborhoods and the current and future state of Public Art.

Project Description

MAP created an interactive, hand-screen-printed poster that was designed as an “Idea Patent” referencing a technical blueprint schematic complete with an image of the Edison lightbulb. The posters had write-in dialog spaces that asked participants three questions. The first question – “I would improve my community by_____” – served as a lead-in question to begin their thought process and respond to a more general and broad topic.

From here people were invited to dive in deeper and respond to the questions: “Where would you like to see art in Palo Alto?” and “How can artists make Palo Alto a more livable city?” Once the idea patent was filled out they were approved by hand stamping a “Yeah!” rubber stamp in a designated space on the poster. Participants were then invited to hold up their “Idea Patent” and have a photo taken of their response on an iPhone. Once the photo was taken a perforated bottom portion of the poster paper was folded and torn off.

This bottom portion contained questions #2 and 3, which was collected and given to the Palo Alto Public Art staff to process. The rest of the poster was given to participants as a free take away from the interaction. The photos were printed in real time via a small wireless printer and included in a photo archive display that was mounted on one of the trailers and grew over the course of the project. People really enjoyed looking through these photos to see what others’ responses were and it served to spark further

conversation on these topics. The posters included a web address where people could get further information on the project and access a list of upcoming set up locations.

In addition to the photo montage, two LCD ticker boards were installed on the sides of the mobile carts. MAP displayed responses to the three questions and scrolled them across the screens to further share content from the project back with the community. These were particularly successful when set up at night and served as a visual lure to invite people to see the project from a distance and come in closer to investigate. MAP also installed battery powered LCD light cords to further illuminate the installation when set up at night.

As a further interactive component MAP designed to allow the bikes and trailers to be activated while in transit between locations where two “Honk if You Like Public Art” signs that were installed in prominent and easy to read locations above the awning spaces on the trailers. Commuters in cars really seemed to get a kick out of this and we got around 30 “Honks” as responses.

Artist/Community Interactions

MAP set up this project at 19 different locations across the city that were selected to allow the greatest reach in terms of demographics of participants and geographic areas in the city. The most successful locations were the larger events we engaged with, including the California Ave Farmers Market, The Moonlight Run, the Mayor’s “Meet the Street” event downtown, and our lunchtime set up at Gunn High School. We really enjoyed these locations because of the large number of participants and overall interest from the audience we received. In these cases it was important to be embedded in the event, which made people more open to approach the project and less suspicious of our agenda in asking questions and collecting information. Another great location was the Avenidas Senior Center because we were able to interact with an older demographic that had a rich collective knowledge of local public artworks around the city.

Some less successful locations were in front of City Hall and near the Magical Bridge Playground. In both cases we were trying to catch participants who were in transit from point A to B. While set up at City Hall, people were on their way home and had no time to stop and engage. In the case of the Magical Bridge Playground it was hard to get parents to invest time in the project because their kids were rushing off into the playground. Transitory spaces can be challenging but not impossible, it often just takes engaging at the right time and being positioned in a location that has a steady flow of pedestrian traffic. Even being set back from a pedestrian corridor by a short distance can detour people from coming up and being curious. In many of the downtown locations we found that around 5-6 PM was most successful in terms of getting the most participation, a time when people were off of work and out on the town for dinner and entertainment. In the end however we really enjoyed all of the locations we popped-up in, providing us unique experiences and audiences with each spot.

The Palo Alto Public Art Commission was very helpful in implementing these installations and was on hand at 10 different locations to help interact with participants and directly engage community members. This was particularly helpful in answering specific questions the public had about artworks in Palo Alto, the history of public art in the City, and details about the current and future Public Art Master Plan. The commissioners and the staff were also of great assistance in giving us a hand when we had a large amount of participants interacting with the project. In the end they were important for the success and quality of the engagements we had with the community.

Analysis of Community Interactions

Some trends we discovered were people's interest in more free public events in the form of film screenings, music events, pop-up art shows, and street festivals. There was interest in more murals on underutilized buildings using street art techniques and styles. Participants also talked about the idea of having more Public Art that directly addresses the history of Palo Alto, Silicon Valley and the Bay Area. Some criticisms we received voiced concerns that some of the public art currently installed around the city does not resonate with the culture and mindset of Palo Alto residents. We also received responses that asked for more support of local artists so they can sustain their practice in such an expensive economic climate, and showcasing the diversity in the arts and artists in the area. In the end, people were excited to participate in the project but sometimes were not as informed about local public arts, or have the time to get involved on a deeper level.

Conclusion

MAP really enjoyed our month-long engagement with the diverse residents and locations in Palo Alto. We were embraced and encouraged by our participants, the Public Art staff, and the Art Commission which allowed us to create and operate a successful platform. A project like this takes time to invest in a community and the month-long timeframe was a great start. As with all community engagement projects momentum is good for the visibility and sustainability. It was great to create a buzz where we could begin to see people we recognized around the City (through previous participation) in multiple locations and have many of our upcoming locations be spread through word of mouth bringing along their friends and family to take part. It began to create a feeling of family and acceptance in a community where we were transplants, and where we were able to create an impact for a period of time. Through these interactive tactics the public can further their perspective of the parameters public art can manifest in. We hope the Commission will continue supporting this type of work in the community. From what we experienced from this project over the course of the month, the public was supportive and interested!

APPENDIX 4: City of Palo Alto Public Art Master Plan Public Art Collection Assessment Report

The City of Palo Alto owns a permanently-sited public art collection that dates back to 1976, excluding any historical artworks that may not be in the Public Art database. There are 44 permanently-sited artworks listed in the database, 38 murals and 262 portable artworks, totaling a value of more than \$2Million. The artworks were acquired in a variety of ways: as commissions through public funding, as gifts of art and as public/private acquisitions.

The permanently-sited artworks in the collection fall into several categories:

- Free-standing sculpture
- Site-integrated artworks
- Functional artworks
- Murals

The small-scale “portable” artworks in the collection include both two- and three-dimensional works and are located in a variety of City venues. These artworks are in generally good condition. In addition to the permanently-sited and portable artworks, the Program has commissioned temporary artworks which are being documented for historical purposes.

The condition of the permanently-sited artworks in the collection is generally good with a few notable exceptions. These should be evaluated by a qualified conservator and considered for either conservation or deaccession. These include artworks that were made of materials that are not suitable for outdoor display and artworks that are not structurally sound. Based on the conservator’s recommendation, these works should be repaired in place, repaired and relocated to a more suitable location, or deaccessioned.

Vulnerable Artworks

ARG has conducted a thorough conservation assessment for a selected group of artworks in the collection. The assessment includes conservation recommendations and costs for these artworks. The following is an assessment of artworks observed by the Public Art Master Plan consultants with recommendations regarding their disposition.

- *California Avenue, California Native*: This environmental artwork has been severely compromised by retrofits to the streetscape that have taken place since its original 1997 installation. Because the work is subject to the Visual Artists Rights Act, it is imperative that the City of Palo Alto continue to discuss the status of the artwork with the artist and determine whether it should be removed. The Public Art Program should consider commissioning the artist to create a new artwork that repurposes the elements of this artwork in a more suitable location on a trail or adjacent to a creek.

- *Digital DNA*: This artwork, constructed on a fiberglass base, is damaged and may be structurally unstable. It is covered with small, flat computer components that were screwed into the fiberglass shell. The coatings have peeled off and the existing boards are faded and some are breaking. Some of these have been pried off or are in danger of being removed. ARG has assessed it and recommended suitable repairs. However, the artwork is not suitable for outdoor display due to the nature of the materials and, if relocated to an indoor venue, will require substantial repair. Deaccession is recommended unless repairs are completed and a suitable indoor location can be found.
- *Environmental Works at Byxbee Park*: These environmental artworks are not listed in the City's Public Art Database because they were originally integrated into the design of the park which is a land art installation. Many of the artist-designed mounds have deteriorated and been removed and the oyster shell pathways have not been maintained. While there are certain elements of the land art that remain relevant (the poles) the City does not intend to restore other elements of the composition. The Public Art Program should create signage at the site explaining the original land art design and the changes at the site that led to its removal.
- *From Sea to Shining Sea*: This artwork appears to be fabricated in concrete and inset in a sloping lawn where it has been vulnerable to damage by lawnmowers, weather and vandalism. It should be assessed by a conservator with a view toward deaccession.
- *Go Mama*: This artwork is a figure balanced on one foot. Artworks of this type should not be displayed in an outdoor location because of their structural vulnerability. This specific artwork is top-heavy and balanced on one point on a low pedestal. Therefore, any physical pressure (e.g. someone climbing on it) and some natural wind loads can put the artwork at risk of falling. This work is already unstable and poses a public safety hazard. Its condition has been assessed by ARG, which has proposed conservation and fencing surrounding the sculpture. Because fencing the sculpture will compromise both the streetscape and the work; and because the artwork is poorly fabricated, it should be considered for deaccession.
- *Nude in Steel*: This artwork, typical for its time period, appears to have been brush painted as a means of preventing rust. ARG has completed an assessment and the work can be restored. Once repairs have completed the artwork should be moved to a suitable indoor location such as the auditorium at Cubberley Community Center.
- *Rrrun*: While this artwork is similarly top-heavy like *Go Mama*, it appears to be more structurally stable. ARG has assessed it and recommended conservation treatment. Because the artwork is fabricated from fiberglass which is not intended to be a long-lasting outdoor material its condition should be periodically reassessed and it should be considered for relocation to an indoor location or deaccessioned if a suitable location cannot be found.

- *Student Mural*: This ceramic artwork adjacent to the entrance of the Palo Alto Art Center auditorium appears to have been vandalized in the past. A conservator should assess its condition and recommend conservation or deaccession.
- *Skyhook Boca Raton*: This artwork is in fairly stable condition however the enamel steel elements are beginning to show signs of deterioration. ARG has assessed it and recommended appropriate repairs.

All of the artworks in the collection should be regularly maintained. Fortunately, it appears that most of the artworks are in stable condition, that most required maintenance is routine in nature, and that maintenance can be conducted by properly-trained City staff.

A maintenance manual for the entire permanent collection should be created that includes maintenance instructions created by the original artist, fabricator, or instructions created by a conservator where instructions do not exist. Instructions should include detailed information about the materials used in the artworks, methods of fastening, how the artwork is anchored, specifications for paint and/or other surface treatment, and cleaning instructions. The artist should also provide the City with scale drawings of the artwork, if available and, in the case of artworks that include lettering or images, the artist should provide the City with digital files.

Aesthetics:

The artworks in the collection are uneven in quality. This can be attributed to the way that they were acquired. Up until the last several years the Public Art Program was led by a changing group of Public Art Commissioners with the support of the Community Service Department staff. Because there was no clear vision for the collection, and because the program was being managed by volunteers, the collection lacks a consistent esthetic character and uniform vision. Variety is a strong point in a collection, just as it is in a library with books of certain character. That said, in the future it is worth considering a few specific points:

- **Diversity**: The public art collection includes multiple works by the same artists and multiple works in the same material. While this can be strength if the goal is to establish a specific esthetic character, it is also a weakness because it inhibits diverse voices.

Recommendation: Except in the case of works that are specifically meant to be serial in nature, such as Greg Brown's downtown murals, the City should strive to include a more diverse range of artists and avoid collecting additional works by artists who are already well represented by more than three permanently-sited artworks in the collection. It should also place a moratorium on artworks constructed in Cor-ten steel which is difficult to maintain and already well represented in the collection.

- **Materials**: Certain materials are more durable than others. Steel is more durable than wood; bronze is more durable than fiberglass. Artworks constructed of materials, such as fiber glass, that have a short life when exposed to the elements, should be commissioned as temporary artworks and the contracts written for them should specify

the lifespan. Two artworks in the collection that currently fall into this category are *Digital DNA* and *Rrun*. Murals (see bullet point 4) also fall into this category.

Recommendation: Contract with a qualified conservator to evaluate all artworks in the collection that are constructed of volatile materials and request that an appropriate lifespan be determined. Consider relocation of smaller scale, volatile works to sheltered or indoor locations.

- **Construction methods:** Permanently-sited, free-standing sculptural works can be prone to structural failure if poorly constructed or installed. While most of the sculpture in the collection appears to be stable, a conservation assessment will assess the safety of existing works, starting with the ones named in this report.

Recommendation: Hire a conservator to assess free-standing artworks in the collection and recommend stabilization or deaccession. Require all artists commissioned who create permanent free-standing or site-integrated artworks to work with a certified engineer who can sign off on the safety of the artwork construction and installation.

Murals

The murals range in age starting with work created in 1976. None of the outdoor murals, with the possible exception of the Victor Arnautoff frescoes in the Roth Building, in the City's collection are mosaic which indicates that all are likely to fade and deteriorate over time. Three main factors affect the condition of painted murals like those in the City collection: the direction the wall faces, the condition of the wall, and the paint used to create the work. All of the murals in the collection require assessment by a conservator to determine their condition based upon these factors.

Another concern with murals is the likelihood that the buildings they occupy may be demolished or other buildings may be constructed that block the work. This is of particular concern with the much-beloved Greg Brown murals in the downtown area.

Recommendation: Create high resolution photo documentation of all the murals in the City's collection so they can be reproduced on portable materials such as canvas or vinyl if the buildings they occupy are demolished. Review all artists' contracts to determine the legal status of the murals and prepare to contact muralists or their estates to determine the lifespan and eventual disposition of these artworks. Have a conservator evaluate and make recommendations regarding the condition and long term care for the 1920's Victor Arnautoff frescoes at the Roth Building and ensure that they are protected during the upcoming construction.

Portable Works

The City's portable artworks collection consists of purchases, gifts and student works. The collection consists of professional artists who have a connection to Palo Alto or have

exhibited at the Palo Alto Art Center. Professional artists are defined in Municipal Code Section 2.25.010 (2). Not all of the works are of a uniform quality and their method of acquisition is not always clear. Resources are needed in order to respectfully collect and maintain a portable artwork collection: storage space, workspace to repair and reframe artworks, staff to manage installation, de-installation and record keeping.

Recommendation: Adopt the proposed policy for the acquisition of artworks and estimate the cost of managing a portable collection. Consider a moratorium on acquisition of new portable artworks until such a policy and budget are developed.

APPENDIX 5: City of Palo Alto Public Art Master Plan Implementation Grid

ST = Short Term (within one year) **MT** = Mid Term (two to five years) **LT** = Long Term (six to ten years)

- The cost estimates are minimal cost estimates for the implementation of projects in 2016 dollars. Amounts are not inflation adjusted.

	OBJECTIVE	ST	MT	LT	RECOMMENDATION	TOTAL EST. COST	POTENTIAL FUNDING SOURCE
1	Locate art in unexpected places.				Identify a total of six (6) alleys in downtown University Avenue and downtown California Avenue and solicit proposals for individual temporary artworks.	\$45,000 - \$75,000	In Lieu Percent for Art Funds Palo Alto Zero Waste Business associations
					Commission an artist/artist team to create one unique design for new benches planned for the University Avenue downtown shopping district.	\$12,500	In Lieu Percent for Art Funds Department of Public Works CIP Palo Alto Downtown
					Commission temporary artwork at University Avenue Caltrain Tunnel.	\$55,000-\$150,000	In Lieu Percent for Art Fund Palo Alto Downtown Private business sponsorship
					Showcase the work of artists and university MFA students on Caltrain fencing, platforms, tunnels, walkways, etc. on a changing basis.	\$15,000-\$55,000 annually	Caltrain California Avenue Business Association Private business sponsorship Neighborhood associations
					Commission an artist/historian team to celebrate the unique music history of California Avenue with temporary art.	\$7,500-\$12,500 per artwork	In Lieu Percent for Art Funds Private business sponsorship
2	Integrate impactful, permanently-sited public art in business areas.				Employ an artist to be on the design team in upcoming downtown garages and the new Public Safety Facility and Garage.	\$100,000-\$200,000	CIP Percent for Art In Lieu Percent for Art Funds <i>*In Progress – subject to Municipal Percent for Art</i>
					Commission artist-designed gateways on University Avenue at Alma and Middlefield.	\$120,000-\$520,000	CIP Percent for Art In Lieu Percent for Art Funds Private business sponsorship
3	Install public art in neighborhoods.				Select four (4) neighborhoods to pilot the creation of temporary, rotating artworks in right-of-ways, bulb-outs, and traffic circles.	\$5,000 per artwork plus footings and lighting	CIP Percent for Art

				Commission serial art experiences in pedestrian-oriented areas.	\$5,000-\$10,000 per artwork	In Lieu Percent for Art Funds Private donations
				Commission artist-designed directional and informational elements and seating areas at City shuttle stops and bike corridors that can be easily manufactured.	\$10,000	CIP Percent for Art Transportation Division CIP
				Integrate art into the design of the Junior Museum and Zoo.	\$100,000-\$160,000	CIP Percent for Art In Lieu Percent for Art <i>*In Progress- Subject to Municipal Percent for Art</i>
				Commission art that invites climbing and physical interaction for placement in public parks, school grounds, and walking and bike paths.	\$60,000 – 150,000 per artwork	CIP Percent for Art
				Integrate art into Rinconada and Byxbee Parks.	\$120,00-\$200,000 per artwork	CIP Percent for Art
4	Use art to promote environmental stewardship and sustainability.			Embed an artist in the Environmental Services Division of the Public Works Department.	\$20,000 per residency	CIP Percent for Art Environmental Services
				Integrate art into future development of the San Francisquito Creek environmental projects.	\$15,000-\$40,000	CIP Percent for Art Environmental Services San Francisquito Creek Joint Powers Authority <i>*In Progress- Subject to Municipal Percent for Art</i>
				Employ an artist to participate on the design team for the new Highway 101 Pedestrian-Bike Bridge.	\$80,000	CIP Percent for Art <i>*In Progress-Subject to Municipal Percent for Art</i>
5	Commission specific public art plans for areas of Palo Alto where intense development is taking place.			Solicit detailed public art plans for the Embarcadero Corridor, downtown University Avenue, and Stanford Research Park.	\$15,000 per plan for a total of \$45,000 for all three.	In Lieu Percent for Art
				Solicit detailed public art plans for El Camino Real, California Avenue downtown and the Charleston Arastradero Corridor.	\$15,000 per plan for a total of \$45,000 for all three.	In Lieu Percent for Art

[illegible]

8	Employ the skills of regional and national artists to enhance the work of the City.				Promote inclusion of artists in the City's planning processes such as City boards and commissions.	None	NA
					Provide public art training to local artists.		
					Embed artists in City Departments, starting with the Transportation Division and Environmental Services Division.	\$15,000-\$30,000 per residency	In Lieu Percent for Art
9	Ensure that artwork maintenance, conservation, and collection review occur with regularity.				Refine and update Deaccession of Artwork Policy for the removal and disposition of artwork.	None	NA
					Provide ongoing financial and staffing support for public art collection management and conservation.	None	NA
10	Apply national standards and best practices in the field of public art for added transparency and accountability.				Adopt new policies and update existing policies, ordinances, and guidelines to reflect best practices in the public art field.	None	NA
11	Ensure ongoing staff support for successful administration of the public art program.				Periodically review the percentage of in-lieu funds allowable for administration to cover the costs of program staff and consultants.	None	NA
					Continue to include public art program staff at the earliest levels of inter-departmental planning initiatives.	None	NA
					Periodically review funding structures and project management scope of work for public art in private development projects to ensure that the program is following best practices in the field and best serving the needs of the City and developers.	None	NA



Tabula, 2016 LED installation by Charles Gadeken and D.V.Rogers, located on Visa building, 385 Sherman Avenue in Palo Alto, CA

How to get started

If you decide to create original public art on site, beginning the process early is key. Begin with the following steps:

- Meet with the Public Art Program within 60 days of the planning intake meeting and application to the Planning Dept. You will get details about the types of artwork, commissioning process, and resources.
- Public Art Commission Initial Review. Present your development project and gain input from the PAC as to types of artists and artwork that may be suitable for your site. Getting an artist on board at early stages of your development project is key to success.
- Public Art Commission Final Review. The PAC reviews your art proposal and makes recommendations or approves it. This step must be complete prior to issuance of a building permit.
- The artwork is installed on site prior to the issuance of the final Certificate of Occupancy.

Who We Are

About Us

The City of Palo Alto Public Art Program promotes the highest caliber of artwork, commissioning memorable public artworks and experiences that stimulate discussion and thoughtful reflection, celebrating Palo Alto's character and enhancing civic pride and sense of place. The Palo Alto Public Art Program is administered by the City's Community Services Department.

Contact Us

Phone: 650-329-2227

Email: nadya.chuprina@cityofpaloalto.org

Website: cityofpaloalto.org/publicart

Instagram: [instagram.com/publicartpa](https://www.instagram.com/publicartpa)

Facebook: [facebook.com/publicartpa](https://www.facebook.com/publicartpa)

Twitter: @publicartpa

1313 Newell Road
Palo Alto, CA 94303

Cover Image: *Qualia*, 2016 by Brad Howe ,
located at Stanford Shopping Mall in Palo Alto, CA



PUBLIC ART IN PRIVATE DEVELOPMENT

*The City of Palo Alto
Public Art Program*





Cradle, 2010 by Ball Nogues Studio, Santa Monica, CA

Why Public Art in Private Development?

The City of Palo Alto is committed to contributing to the intellectual, emotional and creative life of the Palo Alto community and creating engaging art experiences and dynamic public spaces for Palo Alto residents and visitors.

As a part of this commitment the City passed the Art in Private Development Ordinance which became effective on January 3, 2014. The Ordinance requires commercial developments to contribute to public art by commissioning artwork on their site, or contributing to the Public Art Fund, with the understanding that by doing so, they contribute to the vitality and livability of Palo Alto.

What Development Projects are Subject to the Ordinance?

The Ordinance establishes a requirement for public art for all new commercial developments, including new construction, remodels, addition and reconstruction with a floor area of 10,000 sq. ft. or more and construction valuation of \$200,000 or more; and all new residential projects of five or more units.

“Public art has both intrinsic and instrumental value. Intrinsic value refers to the aesthetic value of any work of art. Instrumental value refers to the ability of art to educate, stimulate commerce, increase real estate value, build better citizens, increase tourism and provide other benefits.” John R. Caldwell, Arts Writer

Developer Options for the Public Art in Private Development Compliance

The Ordinance also provides the option of commissioning artwork on your site equal to 1% of the estimated construction value or paying the 1% to the Public Art Fund in-lieu of commissioning artwork.



Digitized Field, 2004 aluminum façade by Ned Kahn, Santa Rosa, CA

The Ordinance allows a very broad spectrum of types of artworks – this creates opportunities for developers to bring engaging and diverse art experiences to the community. The City of Palo Alto Public Art Commission supports the commissioning process by providing recommendations to the developer.

Site Criteria and Requirements for Public Art

Public Art should be an original artist-designed work in any variety of styles and forms. It should be site specific and well integrated with its surroundings and accessible to the public for a minimum of 40 hours per week. It may include a vast spectrum of forms and media – from sculpture, murals and photography, to interactive video, light and sound installations, or integrated functional elements.



**CITY OF PALO ALTO PUBLIC ART PROGRAM
GIFTS OF ARTWORK POLICY**

PURPOSE

From time to time, private individuals, organizations and agencies desire to donate Artwork to the City of Palo Alto (City). This policy outlines the procedures that the City shall follow in accepting donations of Artwork.

POLICY

- A. Acceptance of an Artwork into the City's collection shall imply a commitment to its long-term care and preservation. Therefore, the acceptance of such donations must be deliberate, must maintain high aesthetic standards, and must further the goals of the Public Art Program.

Recognizing that Palo Alto's public spaces are a valuable and limited public resource, each proposed Artwork must add significant and long-term value to the space in which it is proposed to be located.

- B. This policy shall:

1. Provide uniform procedures for the review and acceptance of donations of Artwork to the City;
2. Vest in the Public Art Program the responsibility of insuring the management and long-term care of donated Artwork;
3. Facilitate planning for the placement of Artwork on City-owned property;
4. Preserve the City's public spaces for the greatest enjoyment of the citizens and visitors;
5. Maintain high aesthetic standards for Artwork displayed or installed in City facilities;
6. Provide for appropriate recognition for donors of Artwork to the City; and
7. Further the goals of the City's Public Art Program.

DEFINITIONS

- A. **ARTIST.** An individual generally recognized by critics and peers as a professional practitioner of the visual arts as judged by the quality of the professional practitioner's body of work, educational background, experience, past public commissions, sale of works, exhibition record, publications, and production of Artwork.
- B. **ARTWORK.** Works in any style, expression, genre and media created by an Artist as defined herein that may be permanent, temporary, and functional, may be stand-alone and integrated into the architecture or landscaping if such are designed by an Artist as defined herein. For the purposes of this policy, the following are not considered Artwork:
1. Reproductions, by mechanical or other means of original Artwork, except in cases of film, video, photography, printmaking, theater, or other media arts and limited editions of sculpture;

2. Art objects that are mass produced, ordered from a catalog, or of a standard design, such as playground sculpture or fountains; and
 3. Directional or other functional elements such as signage, supergraphics, color coding, or maps.
- C. **CONSERVATION.** The activities required to repair, restore, and conserve a damaged or malfunctioning Artwork, including treatment that returns the Artwork to its original condition.
- D. **DONATION.** A gift of an Artwork.
- F. **MAINTENANCE.** All activities required to conserve, repair, or preserve the integrity of the Artwork and setting within which the art work is located. Routine maintenance is limited to the basic day-to-day care of the Artwork.
- G. **RESTRICTED DONATION.** A donation to the City for a specified purpose, or for which there are conditions or limitations by the donor as to the current or future use.
- H. **UNRESTRICTED DONATION.** A donation to the City without any restrictions or limitations being placed by the donor as to its current or future use.

PROCEDURES

- A. When a donation of an Artwork has been proposed, the City department receiving the proposal shall notify the Public Art Program whose staff shall contact the prospective donor to inform the donor of the City's Gifts of Artwork Policy and gather information about the proposal.
- B. Prior to consideration of a donation of Artwork to the City, the donor must establish ownership of the proposed gift of Artwork.
- C. For proposed site-specific gifts, any site recommended for the placement of Artwork must :
1. **OWNERSHIP.** Be owned by the City of Palo Alto.
 2. **VISIBILITY.** Be visible to a broad, public audience.
 3. **SAFETY.** Not pose any hazard or threat to public safety and must meet the safety standards of the City's Risk Manager.
 4. **MAINTENANCE.** Be easily maintained by City staff in a routine manner and with standardized equipment.
 5. **ACCESSIBILITY.** Comply with accessibility laws including the Americans with Disabilities Act.
 6. **CONTEXT.** Be socially, culturally, historically, ecologically, physically, and/or functionally appropriate.
 7. **DEPARTMENTAL SUPPORT.** Have the support of the City department that is responsible for operating and maintaining the site, as well as any advisory bodies that are responsible for making recommendations concerning the use of City-owned property.

- C. The prospective donor shall meet with Public Art Program staff and prepare written and visual documentation on the proposed donation (Donation Request). The Donation Request shall include, at a minimum, the following:
1. Contact information for the donor and the artist.
 2. Artist's name, biographical information, samples of past artwork, and resume.
 3. A written description and images of the Artwork.
 4. Artist's statement about the Artwork.
 5. If available, a certified formal appraisal of the Artwork provided by a qualified art appraiser.
 6. Information about the origin, derivation, history, and past ownership of the Artwork.
 7. A warranty of originality of the Artwork.
 8. If available, Information about the condition of the Artwork provided by a qualified visual arts conservator.
 9. A maintenance plan for routine care and long-term conservation, including estimated costs.
 10. Information about and images of the proposed Artwork site, if any.
 11. For permanently-sited outdoor artworks: community feedback about the Artwork, including information about the methods used for collecting the feedback.
 12. A detailed budget for all aspects of installation and maintenance of the proposed Gift of Artwork, including design, fabrication, installation, operation, conservation, maintenance, insurance, and staff support. Depending on the characteristics and condition of the Artwork, the donor may be asked to provide an endowment for the routine maintenance and long-term conservation of the Donation for the duration that the donation is owned by the City.
 13. If available, detailed plans for the design, fabrication, installation, operation, maintenance, conservation, insurance, display, and storage of the Artwork.
 14. Any conditions or limitations on the donation requested by the donor.
- D. Artwork Donation Requests shall be reviewed by Public Art Program staff, and Requests that PAP staff determine are appropriate for further consideration shall be presented to the Public Art Commission with a recommendation at a regularly scheduled and noticed public meeting.
- E. The Public Art Commission will inform the community of the proposed donation and receive feedback about accepting the work into the collection and about the recommended site for a donation of any site-specific Artwork.
- E. Public Art Program staff, as needed, shall solicit input from other City department advisory commissions and/or committees.

- F. The Public Art Commission shall review the donation proposal and, approve or deny acceptance of the donation. The Public Art Commission shall consider the following criteria in making their decision, and shall base their determination on the Artwork without consideration of the identity of the donor:
1. **ARTISTIC EXCELLENCE.** Qualifications and professional reputation of the Artist; craftsmanship, conceptual content, style, form, condition, and value of the Artwork.
 2. **RELATIONSHIP TO EXISTING COLLECTION OF ARTWORK.** Style, form, scale, condition, diversity, quantity, quality, longevity, and compatibility with the existing collection of Artwork and goals of the public art program.
 3. **COST AND AVAILABILITY OF CITY SUPPORT.** The availability of necessary funding for conservation, maintenance, installation and/or repair; exhibition and storage space; real property for siting Artwork; and staff support.
 4. **RELATIONSHIP TO SITE, IF A SPECIFIC SITE IS PROPOSED.** Accessibility, public safety, and social, cultural, historical, ecological, physical, and functional context of the Artwork in relation to the site, both existing and planned.
 5. **LEGAL CONSIDERATIONS.** Issues related to liability, insurance, copyright, warranties, ownership, theft, vandalism, loss, indemnification, and public safety.
 6. **TIMING.** Safety or hazard emergencies, relevant construction schedules, and the allowance of sufficient time for a normal review process.
 7. **DONOR CONDITIONS OR RESTRICTIONS.** Issues related to donor conditions or restrictions on the proposed Gift.
- H. Public Art Program staff shall obtain a legal instrument of conveyance of title. Any conditions the City or donor places on a donation shall be stated in writing and attached to the instrument of conveyance.
- I. Once the Donation of Artwork has been accepted and the City becomes the legal owner, the Public Art Program staff shall coordinate all processes relating to the installation, exhibition, storage, maintenance, removal or relocation of the Artwork on City-owned property. If a specific City department operates and maintains the site of the Artwork, the Public Art Program staff shall consult with the City department to discuss the financial and practical responsibilities of maintaining or operating the Artwork.
- J. The Public Art Program staff, working with the department head and the donor, shall provide for appropriate recognition of the donor's contribution to the City.
- K. City departments shall:
1. Report to Public Art Program staff any damage to a donated Artwork.
 2. Not intentionally destroy, modify, relocate or remove from display any donated Artwork without prior consent from the Public Art Commission or Public Art Program Director.
 3. Not cause any non-routine maintenance or repairs to donated Artworks without prior consent from the Public Art staff.

EXCEPTIONS

- A. Gifts of state presented to the City by foreign governments or by other political jurisdictions of the United States – municipal, state or national – which may be accepted by the Mayor, City Council, or City Manager shall not be considered part of the Public Art Collection and will remain in the care of the City Clerk's Office.
- B. Memorials, whether Artworks or other forms of recognition, shall not be considered an Artwork for purposes of this policy; a Memorial is defined as an item, object or monument established to preserve the memory of a deceased person or an event that occurred in the past.

Recommended:



Director2-3-17
Date

Approved:



City Manager2/10/17
Date



PUBLIC ART IN CITY CAPITAL IMPROVEMENT PROJECTS

POLICY STATEMENT

This policy implements Palo Alto Municipal Code Section 2.26.070 "Public Art for Municipal Projects," which provides that the City will budget one percent (1%) of the annual CIP budget for eligible projects for public art.

GOALS OF PUBLIC ART PROGRAM

It is the goal of the City's public art program to:

- use art in public places to enhance the City's identity and the quality of public spaces.
- increase the quantity and quality of public art in the City.
- create integrated public art, that is, art that is designed to relate to or be incorporated with the design of public facilities.

PROJECTS INCLUDED

1% of all CIP costs not specified under the exclusions below are subject to the policy.

Examples of projects included in the public art policy may include but are not limited to:

- New buildings such as libraries, public safety buildings, community centers, parking garages and lots, transit stations, performing art centers, new restrooms or small structures
- Parks, medians, landscaping and plazas
- Gateways entering and exiting the City boundaries
- Bridges, walls, tunnels, streetscape improvements and transportation corridors

Salaries and benefits of public employees supporting these CIP projects shall not be considered.

The public art staff will work with the Office of Management and Budget and appropriate City departments (which may include but are not limited to Planning and Community Environment, Public Works, Utilities, and Community Services) to implement PAMC section 2.26.070 by identifying the projects that are subject to the one percent for public art requirement.

The City Manager, prior to the release of the Proposed Capital budget, will review the list of identified projects. Where the applicability is uncertain, the City Manager or his designee will make the final determination.

Salaries and benefits of public employees supporting eligible CIP projects will not be considered as part of the CIP budget subject to the public art program. The one percent (1%) will be based on the initial CIP budget and adjusted if the CIP budget is later increased through the annual budget process. If the CIP budget is later decreased, the art contract shall be adjusted as much as allowed depending upon the status of the art design and/or fabrication.

EXEMPTIONS TO POLICY

The following CIP expenses are excluded from the policy:

1. ADA Compliance Projects (not including projects where ADA compliance is a portion of a larger project).
2. Road, path and sidewalk repairs, including: traffic signals and upgrades, curb and gutter repairs, sign reflectivity, road and parking signage, resurfacing of roads or other existing hardscape areas.
3. Emergency repair projects.
4. Cyclical replacement and repair of trails, outdoor furnishings, or fencing.
5. Studies.
6. Roof replacement
7. Mechanical, security, A/V equipment, HVAC, and IT installations, upgrades and repairs.
8. Art in Public Places CIP.
9. Utilities projects, unless there is a building construction or reconstruction involved.
10. Vehicle repair and replacement.
11. Seismic upgrades and waterproofing.
12. Projects where the majority of the cost is allocated to elements located underground.
13. Projects where prohibited by federal law, including projects or portions of projects funded by grants from non-City sources that prohibit expenditure of funds for art.

TRANSFER OF FUNDS

Funds will be identified during the budget cycle and be allocated to the Public Art Program at the beginning of the new Fiscal Year, with the exception of grant funds allocated for public art, which will remain in the project budget.

PROCEDURE FOR IDENTIFYING AND SELECTING PUBLIC ART PROJECT SITES

- A. Public Art Staff shall have the authority to pool funds, and may propose funds for use at a current CIP site or any other public or publicly-accessible site.
- B. The City Manager or designee, in consultation with the Public Art Commission, shall identify sites for public art funded by this program. CIP or other sites that merit further consideration for integration of artwork will be presented to the Public Art Commission. Consideration will include, but not be limited to:
 - Opportunities for the incorporation of art into the site
 - Types of artwork that may be appropriate at the site
 - Maintenance considerations specific to the site
 - Available funds to create an impactful artwork
- C. Identification of project sites and establishment of an art budget early in the process allows the artist to be hired at an early stage of design so that the art can be better incorporated with the design. For projects in which art will be integrated on site, the project manager, in consultation with the public art manager, will determine the final public art plan for the site.
- D. For projects in which it is determined that artwork will not be incorporated on site, the Public Art Program staff will coordinate with the Public Art Commission to determine the allocation of those funds to another municipal public art site or publicly-accessible site.

- E. Every effort should be made to identify and select projects in a timely manner.
- F. Some projects may not have a public art requirement but may voluntarily choose to include a public art element.

PROCEDURE FOR IDENTIFYING AND SELECTING ART WORKS

Artworks may include permanent or temporary art, including performance-based and experiential art.

The Public Art staff will develop the RFP or RFQ for the artwork, with input from the Commission, Project Manager and designer/architect. The one percent (1%) will be subject to change during the design phase with the determination of final cost estimates for construction. The RFP/RFQ will include, but not be limited to:

- Artist's timeline beginning with the project design phase.
- Any restrictions and requirements of the project as defined by staff and/or project manager.
- Artist's responsibilities to the project in regards to time and involvement with the project manager and project team.
- Potential sites and materials for the art work(s).
- Necessary Community outreach efforts for design development.
- Purpose of the project, identification of stakeholders, vision for the artwork.

- A. Selection of the artist and artworks will fall into one of three processes:
 - Open competition - for most projects.
 - Limited competition - for small projects, typically using the prequalified artist pool.
 - Commissioned artist for specific projects that lend themselves to that artist's stylistic approach.
- B. Selection of the artists and artworks will be made through submittals reviewed by a selection panel composed of representatives of the Public Art Commission, arts professionals, community representatives and appropriate City department representatives or architect/designer. Considerations in selecting the artist and/or proposed work of art will include:
 - Artistic quality
 - Safety and security
 - Maintenance and repair to the work of art
 - Appropriateness to the purpose of the site
 - Ability of the project to be realized within the budget
 - Project's fit in the City's collection
 - Diversity of artists represented in Palo Alto
- C. The Public Art Commission will recommend the selected artist and artist's proposal to the City with the concurrence of the Director of Community Services or designee.
- D. The selected artist will work with the appropriate department(s) and project manager as noted in the RFP/RFQ and contract.

- E. Every effort should be made to conduct the artist selection and contract process in a timely manner to optimize coordination during the construction phase.
- F. The Public Art Manager will work closely with the Project Manager to coordinate efforts and ensure smooth management of the art installation.

OWNERSHIP AND MAINTENANCE

The City of Palo Alto owns and maintains all art in City projects and has sole fiscal and legal responsibility for the artworks and the maintenance of the works. Project managers with existing art, including murals, sculpture or land art, within their project site or within 100 feet of their project site must contact the Public Art Program staff to ensure the proper precautions are taken for the care and protection of the artwork. A comprehensive inventory of all art shall be maintained and updated by the City and made available for review.

NOTE: Questions and/or clarification of this policy should be directed to the Public Art Manager with the Community Services Department. The Public Art program is a program of the Arts & Sciences Division in the Community Services Department.

Recommended:


Director

2-3-17
Date

Approved:


City Manager

2-10-17
Date



CITY OF PALO ALTO PUBLIC ART PROGRAM TEMPORARY ARTWORK POLICY

Purpose

The City of Palo Alto's Temporary Artwork Program is intended to activate publicly-owned spaces in parks, plazas, streetscapes, and other City-owned property. Temporary artworks enliven communities, provoke conversations and refresh the public realm. The City of Palo Alto commissions temporary artworks through its Public Art Program.

Temporary artworks may be funded by the City or by private individuals or organizations. The City may initiate temporary artworks, or individuals or community organizations may initiate or request City consideration of temporary art projects.

The Temporary Artwork Policy establishes criteria and guidelines for the consideration and installation of temporary artworks in parks, plazas, streetscapes and similar City property. These policies and procedures are intended to complement Municipal Code Section 2.26, Visual Art in Public Places, in order to insure a consistent approach to placing art in the public realm.

Goals

1. To encourage the temporary placement of thought-provoking, innovative works of high artistic merit that connect people to place;
2. To contribute to Palo Alto's sense of identity and pride;
3. To build on Palo Alto's identity as a diverse community and a global center for innovation;
4. To engage artists in projects that stimulate and encourage community interaction;
5. To create pilot projects in potential locations for permanent artworks;
6. To provide opportunities for emerging and established artists.

Scope

This policy applies wherever temporary art works is proposed for placement on property owned or controlled by the City of Palo Alto. Temporary public art is defined as any art, including visual artworks, performances, projections, digital media, virtual reality, and other artistic media, that is not intended to be permanent and is not made a part of the permanent public art collection. Temporary public art is generally displayed for twelve months or less.

Public Art Project Types and Artwork Considerations

Temporary artworks are allowed on any City-owned property provided that the City Department responsible for that site is willing to allow the temporary placement of art. Temporary art may include display of existing works of art as well as artworks and art experiences that are created specifically for the site.

All approaches and media for public art will be considered. These include, but are not limited to artworks that consist of or include sculpture, light, social practice/community art, performance, sound, projection art and other artistic media.

Physical artworks must be constructed to withstand outdoor placement during the City-designated display period. Temporary artworks and experiences must not create a nuisance in the community where the artwork is proposed, especially when employing light or sound. Artwork must not present any public safety hazards or violate City laws or codes. Physical artwork selected for temporary placement may require stamped engineering drawings and have specific insurance requirements, and environmental review may be required. All temporary artworks must be removed by the artist, who must restore the site to its original condition upon completion of the display.

Procedures and Program Management

The Public Art Program will include the commission of City-funded temporary artwork projects in its Annual Public Art Work Plan. A project description may be developed that includes the proposed location/s and goal of the commission and artist selection methods. The Public Art Program may issue an RFP to solicit artists to develop original project proposals or submit artworks to be placed on loan and may enter into a contract with the artist that includes the artist's cost for design, fabrication, installation, maintenance and de-installation of commissioned temporary artwork created for the Program; or a fee for the loan and maintenance of pre-existing artworks.

The City may contract for the services of guest curators or non-profit arts organizations to select and curate temporary artworks. When a contracted arts organization or curator is chosen by the City to implement the temporary artworks, the City's Public Art Program staff must be represented in the artist selection process as well as on the project team that reviews design development and implementation. Projects implemented by the Public Art Program or by a partner organization may be selected through an open Request for Proposal (RFP) process, limited invitation or by a curatorial process that invites artist proposals. The City will employ its list of available sites for soliciting proposals. The RFP or invitation typically will indicate the available sites for art placement, the duration of the display, and the City's requirements for insurance, liability, safety, etc.

At its discretion, the Public Art Program staff may convene a panel to review proposals.,

Projects proposed by individuals or arts organizations will be evaluated by Public Art Program staff for compliance with City standards and requirements and consistency with the Public Art Master Plan and overall program goals. Where appropriate, Public Art Program staff may convene a review panel and/or forward the proposal to the Public Art Commission.

Artists or commissioning organizations submitting artwork for consideration shall submit the following information:

- Artist's resume
- A minimum of two photographs of the work
- A written narrative describing the artwork

- In the case of physical artworks, a description of the construction materials and methods of fabrication and anchoring details

Selection criteria will be defined in advance by the Public Art Program based on the goals articulated in the annual Public Art Work Plan. In general, selection criteria will include:

- Artistic merit
- Appropriateness to site and goals articulated for the project
- Community engagement
- Feasibility and durability
- Compliance with City codes

The Public Art Commission will review and approve, deny, or suggest revisions to temporary artwork proposals. Temporary and Performance based projects of less than 24-hour duration may be reviewed and approved at staff level.

Acceptance Conditions

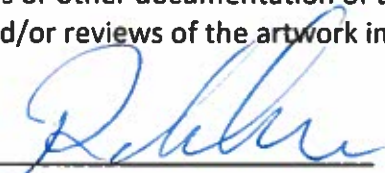
1. The City reserves the right to manage its own property including the removal of the artwork, for reasons that include but are not limited to artwork that poses a public safety risk, has been left on City property beyond the agreed terms, or is damaged beyond repair.
2. If an artwork is not completed within the timeline originally approved by the Public Art Commission, or if changes in content, materials, form, presentation, or financing of the artwork occur, the artwork must be reviewed again by the Public Art Program Director and Public Art Commission.
3. In accepting a temporary artwork, the City of Palo Alto requires that the responsible parties enter into an agreement for the duration of the display that outlines the maintenance responsibilities and agreement to remove the work at the agreed upon conclusion of the display, leaving the site in its original condition or better.
4. Neither the Public Art Commission, nor the City of Palo Alto, nor any of its agents, will be held liable for any damage or state of disrepair of a temporary artwork.

Documentation

Artists shall assist Public Art Program Staff to collect or create documentation that includes the following information:

- photographs or other documentation of the installed work
- Mention and/or reviews of the artwork in local press

Recommended:



Director

2-3-17

Date

Approved:



City Manager

2/10/17

Date

Pleasanton Downtown Public Art Master Plan

City of Pleasanton, California

Approved August 21, 2007

CITY COUNCIL

**Jennifer Hosterman, Mayor
Cindy McGovern, Vice Mayor
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Downtown Pleasanton Public Art Plan

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INTRODUCTION

Downtown Pleasanton is an unusually well preserved and beloved town center. It functions as a pedestrian-oriented experience, where street life is leisurely and social. Much of its vitality comes from the many coffee bars and restaurants on Main Street that offer outdoor dining, providing opportunities for interaction between diners and passersby. In many ways Main Street retains the character of an earlier era, one defined by a close-knit community, in which a leisurely stroll becomes a community event. The more typical contemporary automobile-induced sprawl does exist in greater Pleasanton, but within the confines of downtown one enters a slower and more personal world. Downtown is in most every way a successful and complete small town center with no overt visual or physical feature or element calling out for attention or addition.

The physical structure of downtown is a wonderfully scaled walking environment. There are well-preserved early twentieth century buildings from various decades and more recent infill buildings. Mature trees, abundant planters and seating all contribute to a fully realized streetscape. In addition to the spine that Main Street provides for gathering, there are several adjacent open spaces including Lions Wayside Park, DeLucchi Park, Arroyo del Valle and Main Street Green. These are small open spaces that maintain individual functions. Each is a relatively neutral open space and therefore, more appropriate for and in more need of the addition of public art.

The fact that Main Street is already a successful gathering place for Pleasanton residents and visitors provides a unique opportunity for public art. The Downtown Public Art Plan recommends a series of projects that envision Main Street as a site for family fun and enjoyment with contemporary art as a primary attraction.

Unlike Main Street, adjacent open spaces remain works-in-progress. Each is earmarked for improvements in the *Master Plan for the Downtown Parks and Trails System*. The *Downtown Specific Plan* identifies opportunities for public art in several parks. There are wonderful opportunities for public art in the parks and along the trails of downtown; these locations are the primary focus of this Downtown Public Art Plan.

The Public Art Program is guided by the Civic Arts Commission, which establishes policy for the program and approves public art projects funded by the City. The Downtown Public Art Plan was also guided by input from the Downtown Public Art Plan Task Force, convened in 2005 to provide insights to consultants drafting the plan. The Task Force reviewed and approved the Goals and Objectives of the Plan, which were also reviewed and approved by the Civic Arts Commission. The final Plan will be submitted to the Civic Arts Commission for review and recommendation to the City Council.

In addition to interviewing over two dozen community representatives, City staff and elected officials, the consultants used several key recent documents that are based on extensive community participation. These include:

- Cultural Plan, 1998
- Master Plan for the Downtown Parks and Trails System (DPTS), 2002
- Downtown Specific Plan, 2002

FUNDING

The City's budget contains an annual allocation of \$50,000 for public art, with \$5,000 of the amount dedicated to conservation of existing artworks. Some administrative costs are allocated through separate line items in the annual budget. A "percent for art" ordinance, applicable either to City projects or private development, is not in place at this time. At the time of this report, there is \$350,000 in the Public Art Fund.

In its annual review of the Public Art Program, staff will recommend to the Civic Arts Commission a set of priorities to be adopted for the coming year, which may or may not include a public art project for Downtown. These priorities will be reviewed by the commission and formally adopted into the annual Public Art Plan. Once the Plan is adopted by the Civic Arts Commission, staff will prepare a budget outlining each allocation from the Public Art Acquisition Fund, including any multi-year allocations, and submit it to the City Council for adoption.

Additional artworks may be funded as integral components of public works projects, as was the case for the Ann Chamberlain artworks at Val Vista Park financed through the park's budget. For instance, planned restrooms for DeLucchi Park could include a small area set aside for custom tile by an artist without much additional impact on the budget. One of the tasks for the Public Art Program is an annual review of the City's Capital Improvement Plan with an eye to locating any projects that might be suitable for integrated artworks. These projects could hire an artist to work as part of the design team and produce artwork within the constraints of the established budget.

GOALS AND OBJECTIVES

The following goals and objectives were developed by the Downtown Public Art Plan Task Force and approved by the Civic Arts Commission. It is the intent of the Civic Arts Commission that these Goals and Objectives be adapted and to evolve as the City adapts and evolves.

Mission Statement: Develop an exceptional Public Art Program that celebrates artistic excellence for its own sake and that works to inspire our community, creating greater cohesiveness, igniting ones imagination and contributing toward Pleasanton's civic life.

Goal 1. Create a Public Art Program that enhances downtown Pleasanton.

Objective 1. Place exceptional artworks throughout downtown in highly visible locations and gathering points.

Objective 2. Focus on public art as an integral component of civic design and identity.

Objective 3. Commission artists to create works that address and interpret downtown for locals and visitors.

Goal 2. Create a Public Art Program that involves and serves diverse residents and visitors.

Objective 1. Ensure that over time, there is a diverse collection of artwork so that the range of taste, heritage and interest represented in Pleasanton's demographics is respected, reflected and celebrated.

Objective 2. Create a marketing and educational component that ensures information about the Public Art Program is widely disseminated in a variety of formats to regional audiences.

Objective 3. Create a public art collection that is visible and relevant for day and evening, weekday and weekend viewing and interaction.

Goal 3. Create a Public Art Program that values the creative thinking and broad perspectives of artists, sponsors and audiences.

Objective 1. Seek alliances and collaborative projects with local businesses, civic groups, non-profit organizations and industries, enhancing marketing efforts for Downtown.

Objective 2. Pursue partnerships with local schools and facilitate a variety of opportunities for students to work with and/or learn directly from artists.

Objective 3. Develop a process to allow artists to benefit from community input, involvement and feedback and instill a sense of community ownership.

Goal 4 Create a Public Art Program that honors the past and celebrates the future.

Objective 1. Commission artworks related to downtown's multiple histories, current circumstances and future ambitions.

Objective 2. Support a program of temporary and permanent works of art.

Objective 3. Collaborate with sponsors of festivals and annual events to conceptualize and develop public artwork and installations.

Goal 5. Create a Public Art Program that builds upon other civic initiatives.

Objective 1. Consider sites for public art commissions identified in urban design plans as high priority locations and furnishings for gathering points and landmarks.

Objective 2. Commission artwork that serves to reinforce downtown as the community's cultural center.

Objective 3. Integrate the Public Art Program with other civic priorities related to the Sister Cities, regional interests, environmental sustainability and community character.

INVENTORY OF EXISTING PUBLIC ARTWORK

While downtown is rich in architecture, there is comparatively little public art. Among the existing artworks in the immediate downtown are the mosaic-clad triangular forms called "Pleasanton Centennial" by Granizio at the southern end of Main Street. This work gives a visual history of early Pleasanton. Within City Hall, in the Council Chamber is a mural from the Sister City of Tulancingo, Mexico. There are two outdoor murals on or near Main Street. One mural commemorates Pleasanton's Centennial and is located on a wall of the Cheese Factory. The other mural is on the Meadowlark Dairy drive-in on Neal Street and it provides a visual history of the dairy. On the northern end of Main Street, at the entrance to the Arroyo, is a unique artist-made bench by Bob Graham titled "Keep Smiling". The bench is a beautiful one-of-a-kind functional artwork that lends legitimacy to the possibility of commissioning additional such artworks from artists (see the Pleasanton Benches project on p. 19).

Outside of the downtown core, one can find the artwork "Swimming Through Air" at the Dolores Bengston Aquatic Center, and the "Albus" at the Senior Center, along with other pieces throughout the City. There are plans to include two artworks in the new firehouse and both would represent the first integrated artworks in the downtown collection. The library has several artworks, including two sculptures showing young children reading and a piece by Yoshio Taylor entitled "Leap".

THEMES

There is strong community consensus that the themes of the public art program should be sophisticated and current, commensurate with the high quality of other community amenities such as the Senior Center and Aquatic Center. Several thematic priorities emerged in the interview and retreat process and are incorporated into projects recommended in the Project Menu section of this document:

Commemorate local history

- Commemorate veterans of war throughout Pleasanton's (and Alisal's) history;
- Respect "Wild California's" original native fauna and habitats, including trees and plants, surrounding the natural water basin/lagoon;
- Explain the Muwekma/Verona Ohlone's aboriginal settlements, their tribulations during the Mission era and their community presence in Pleasanton through the late 19th century;
- Recognize the Spanish settlements and Mission Era;
- Recall the role of Alisal as a regional commerce destination during the Gold Rush;
- Interpret agricultural traditions of hops growing and processing, cattle ranching, rose growing and dairies;
- Evoke the colorful history of the racetrack, its original creation by Spanish settlers in the late 1850s, later use by community leaders such as Joseph Nevis and George Hearst. Recognize the seminal date of July 23, 1939, when mutuel wagering started in Pleasanton, often referred to as the birthplace of horse racing in California;
- Celebrate the evolution of the wine industry.

Reinforce community identity

- Highlight opportunities for community-generated art for and with teens and younger children;
- Feature the concept of education as a commonly held community value: e.g., the award-winning "character education" mandate adopted by the School District, individual schools, Chamber of Commerce, faith groups and the City;
- Highlight that one third of community residents work in technology businesses and that there is a high concentration of PhDs in the tri-valley, work in future-oriented industries, introducing wonderful corporate partnership/sponsorship opportunities;
- Embrace cultural and ethnic diversity, celebrating the history and identity of African American, Anglo, Asian, Asian Pacific Islander, East Indian, Egyptian, Filipino, Latino, Native American, Persian, Portuguese, Southeast Asian and Swedish residents;
- Enhance the downtown Farmers Market presence and adjacent business owners' involvement.

Create sensory environments

- Use water as a medium in public art for contemplation, interactive qualities and enjoyment, relating to the natural history of the area;
- Feature moveable, changing and kinetic artwork (not only static objects);
- Consider sound elements as integral to art;
- Imbue functional elements of city life (e.g., street furniture, tree grates, etc.) with unique design, humor, whimsy, and personality.

COMMUNITY INVOLVEMENT

Residents, staff and elected officials believe that community involvement is critical to guide and oversee the development of public art projects in Pleasanton. In order to utilize and embrace those locally who are knowledgeable about the arts, a special "Selection and Review Procedure" will be established and will include local individuals with expertise in the arts, public art and community issues pertinent to each project. Pleasanton is a city of neighborhoods, yet everyone recognizes the central role of downtown as the focus of community life through the importance of Main Street and its parks, recreation and shopping amenities. The specific nature of the primary audiences and art consumers will vary from site to site, and their reaction to public art will vary as well. To assist in achieving successful public art projects and gaining widespread acceptance, it is highly desirable to involve the public at the earliest possible stage.

Involving youth

The need for additional creative and constructive outlets for youth was consistently emphasized by interviewees and meeting participants. The most promising option for integrating the Downtown Public Art Plan with youth interests is a coordinated effort with the Youth Commission and should include:

- City-wide organizations interested in supporting educationally-themed public art projects;
- Joint sponsorships between the school district and the Public Art Program on public park projects;
- Public art projects integrated into the curriculum or treated as an after-school enrichment activity;
- Youth-themed materials, in-class presentations by artists and architects and field trips to public artworks to help students see their city in a new light and appreciate the many ways art can be incorporated into the built environment.

Involving community members

Residents interviewed exhibited a high level of engagement and sense of ownership of the Public Art Program. This document outlines a process by which greater numbers of community members can participate. For this to be efficient and successful, the City needs to take the lead to ensure that community members are equipped to deal with the complexity of the selection process. Community representatives will need practical tools to select appropriate, feasible projects. They will also need knowledge of best practices and current innovations in the public art field and an understanding of the integrated nature of art, infrastructure and community development.

The City should conduct an annual workshop for potential members of the Commission (including youth) and potential selection panelists. Community members with an interest and knowledge in the

arts should be identified to serve as members of selection panels and other City-sponsored organizational entities.

The Bay Area offers an unusually rich and diverse collection of public art. Tours of nearby public artworks should be arranged by the City and offered to Civic Arts Commissioners and other potential players in the public art process. In addition, the City can sponsor and invite them to attend a “How To” workshop on collaborative public art projects. Include topics such as:

- how to design and host an artist residency project;
- how to incorporate public art projects with civic improvement projects;
- ideas for self-initiated special public art special events related to other civic celebrations;
- creating public art projects involving children, youth and families.

Involving businesses and civic organizations

There is common consensus that the business partnership model is relatively untapped in Pleasanton. Such alliances could leverage precious City dollars and accrue a substantial in-kind match for public art projects. Involvement in cultural programs and projects is often viewed by local headquarters operations as good “corporate citizenship” and value added marketing for management and employee recruitment programs. They indicate a high quality of life in the region. Potential co-sponsorships include:

- Corporate business sector and mutual benefit associations
- Livermore Valley Winegrowers Association
- Pleasanton Downtown Association
- Alameda County Fair Association

AUDIENCES

Sites for public art should be selected for maximum visibility; however, the nature of public art sites and the nature of each site’s audience will vary. For instance, some sites have greatest impact on those passing by in cars, while other sites attract people walking, shopping, and engaging in active sports or passive recreation.

Identification of primary and secondary audiences

The major users of the site and environs and their behaviors should inform the artwork’s scale and siting. Primary audiences include tourists, store customers, residents, families, workers, business property owners, and restaurant patrons. Within these groups, there are specific tendencies. Each of the following visitor profiles denotes a specific type of art-viewing audience to which the range and breadth of the aggregated art collection should respond.

- Some local residents use downtown as an errand-related destination, with less time to savor and reflect on their arts experience. For them, a highly visible, high impact artwork that can be experienced at a glance will be effective.
- Other local residents habituate the area during their leisure time, using it as a meeting place, a social center, for dog walking or to simply “hang out”. For them, the pleasures and experience of public art can unfold upon closer and lengthier examination.
- Some residents travel through downtown by car, bike or motorcycle. Artwork and other visually peripheral stimuli are experienced while in motion and from a narrow field of vision.

- Regional residents from Livermore, Fremont and the larger metro area may visit on special occasions or during special events. They may not be as intrigued by artwork that uses local history as subject matter.
- Some residents and tourists calendar their visits for only one of the following scheduled times: during the Farmers' Market, for First Wednesday evening strolls and window shopping or for festivals and special events. They are often distracted by the array of stimuli and require a more substantially-scaled, participatory, high impact artwork to attract their attention.
- Workers who frequent downtown every day will maintain interest in artwork that changes visibly, responding to movement, seasonal change, daylight conditions or naturally occurring elements such as a stiff breeze or a fast-moving cloud.

General guidelines for community access

- General public viewing: Vantage points should be identified from which the public can view the work. Passing vehicular traffic should be able to view the work without compromising public safety.
- Adjacencies: Views of the artwork should fit within existing, planned, or proposed landscape and hardscape features and public improvements, and be scaled for future plant growth.
- Operational characteristics: The artwork should be visible from vantage points outside the property whether or not the site is open to the public.



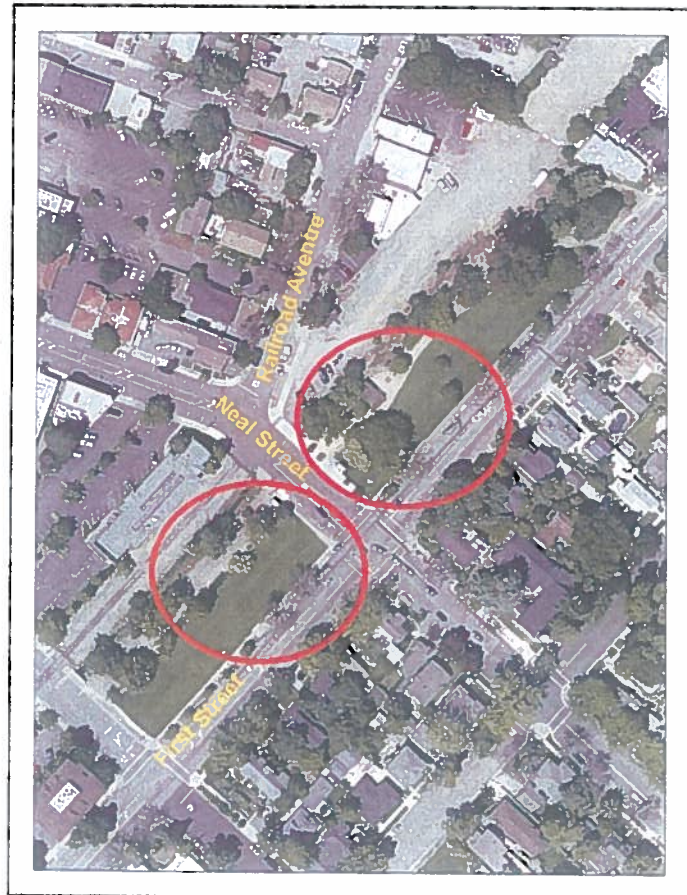
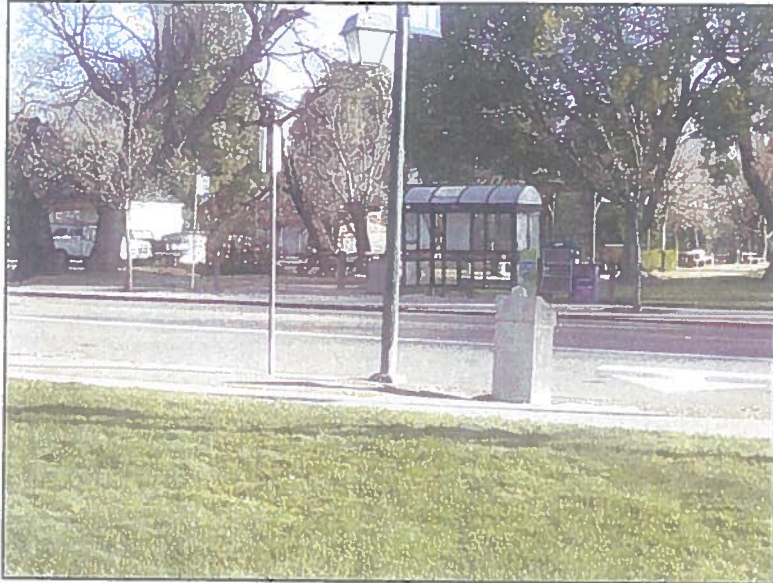
PROJECT MENU

The following list of projects is presented as a suggested menu of options. Each year, staff will analyze available resources, partnership opportunities, community interest, relevant City initiatives, CIP plans and the overall balance of the collection and present their findings and recommendations for priority projects to the Civic Arts Commission for review and adoption as the Annual Downtown Public Art Projects Plan.

Project Name: Neal Street Plaza

Location: Neal Street flanked by Lions Wayside and DeLucchi Parks

Type of Project: Integrated art and landscape design



Summary Description: The combined Lions Wayside and DeLucchi Parks create a major open space serving immediately adjacent neighborhoods and form an eastern gateway to downtown. The Master Plan for the Downtown Parks and Trails System identifies numerous public art opportunities for these two parks, none more important than the plaza areas on both sides of Neal Street. The DPTS cites possible features including "...one flagpole, a drinking fountain, shade trees, seating, trash receptacles, planter pots, and special lighting." All of these elements, as well as the paving treatment, are opportunities for an artist to design.

Even more significantly, the Master Plan suggests that there be a fountain in either or both of the plazas. The best opportunity here is for a unified artistic approach that includes all aspects of the plaza. Such an approach would commission an experienced artist in landscape and open space design to work with a landscape architect in developing a suitable plan. This approach assumes that when the park is redesigned there will be project costs for the plaza (such as a paving budget, etc.) that will form the basis of the art budget. Should budget constraints prohibit such a comprehensive treatment, any of the individual elements cited above could be designed by an artist as a stand alone art element. The fountain should be the element of highest priority for design by an artist.

Audiences: Residents of the adjacent neighborhoods will be the most frequent users of the park and visitors to downtown will be the secondary audience. The plaza can accommodate people waiting for a bus and could be a gathering spot if the hard surfaces are extensive enough.

Budget:

\$200,000–\$400,000 for the entire plaza (supplemented by landscape budget)

\$150,000 fountain (supplemented by landscape budget)

\$10,000 flagpole

\$30,000 design fee only (for artist)

Timeframe for Construction:

Design: one year

Construction and installation: six months to one year

Site requirements/constraints:

The existing parks are almost neutral sites that can very easily accommodate a broad array of design interventions. A fountain will require on-site public utilities.

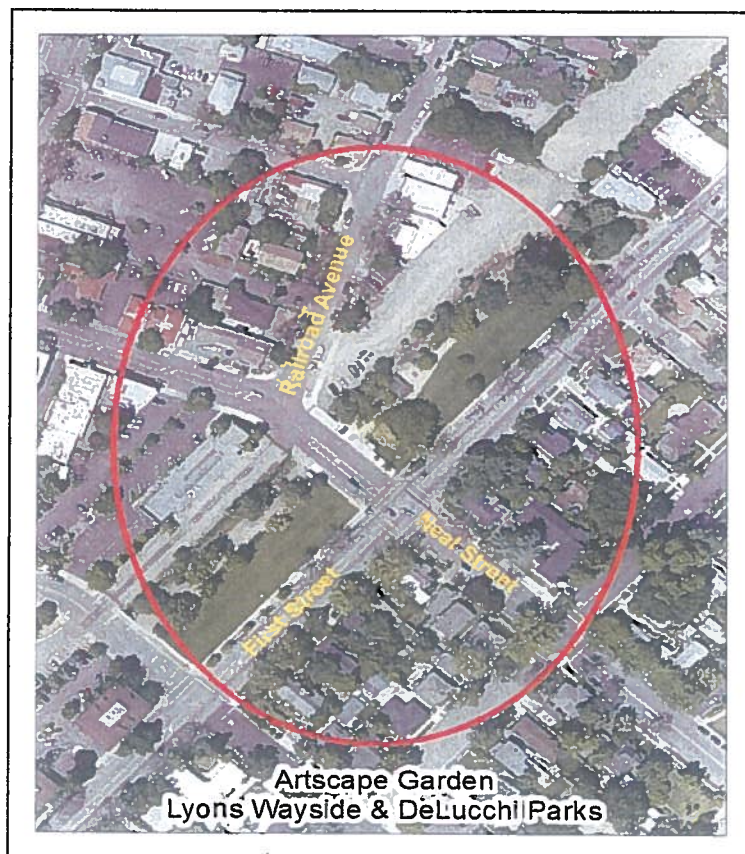
Potential Co-sponsors, Partners, Collaborators:

Local nurseries and greenhouses, Livermore-Amador Valley Garden Club

Project Name: Artscape Garden

Location: Lyons Wayside and DeLucchi Parks

Type of Project: Environmental artwork



Summary Description: One of the recommendations of the Downtown Specific Plan is for “a sculptural feature and rose garden with public sculpture in Lyons Wayside and DeLucchi Parks.” With a slight twist, this idea can be expanded as an opportunity for an artist to create a garden within the

park, one that provides park visitors with a walk-through experience. The garden can be defined by plant materials designated by the artist; they might be native flora that would be found in the Arroyo or other plants that can be easily maintained in Pleasanton's environment. The environmental artwork is different from the plaza concept for the two sides of Neal Street at Lions Wayside and DeLucchi Parks as that location serves as a gateway and would impact those driving on Neal Street. The Garden Place would be a more intimate artwork, one experienced directly by park visitors.

The exact location within the two parks would be determined by the artist working with the Parks Department. Functional requirements and constraints, such as maintaining an audience zone for the bandstand, would be defined for the artist to integrate into any plans. A number of artists work with a palette of landscape elements, such as plant materials, seating and water features. The most notable such garden is at The Getty Center in Los Angeles, where artist Robert Irwin has created an unusual and extremely popular garden. The value of an artist-designed garden is its unexpected qualities and sense of the extraordinary. The expectation of an artist-commissioned garden should be for something extraordinary and likely to spark animated conversation and spirited engagement.



Audiences: The primary audience is park visitors. If there is visibility from the street, there would be a large secondary audience of people in vehicles traveling on Neal and First Streets.

Budget:
\$100,000 – \$200,000

Timeframe for Construction:
Design: one year
Fabrication and installation: one year

Site requirements/constraints:
Plant materials should be adaptable to local environmental conditions and require minimal water. Native plants should be encouraged. Access to the bandstand and restrooms must be maintained.

Potential Co-sponsors, Partners, Collaborators:
Local nurseries and greenhouses, Livermore-Amador Valley Garden Club

Project Name: Sparkle on Main

Location: Main Street from Stanley Blvd. to Bernal Ave.

Type of Project: Temporary evening light and media displays



Summary Description: Ephemeral artworks based on light and media technologies are among the most contemporary statements from living artists. Light and media artworks are frequently highly dramatic and capture the attention of audiences across the range of age and experience. Many artists are exploring ways in which light and media technologies can be applied to public art and there are now enough success stories to make consideration of such work feasible.

The temporary installation of light and media artworks could be dynamic, especially for Main Street. First and foremost, such artworks have minimal physical impact on their environments. Other than the placement of equipment, which is relatively contained, media and light artworks are ephemeral. The artworks act as an additional layer on top of existing structures or features, be they situated on an architectural, natural or public works environment. Almost any surface can receive light and imagery, including, walls, sidewalks, streets, plants and automobiles.

Second, a program of media and light displays can be orchestrated to augment existing celebrations and events in downtown Pleasanton and reflect seasonable themes. It is also critical to support such works that have intrinsic value in and of themselves as contemporary expression using advanced technologies. There are many options for such a program; a few directions might be:

- a summer-long series with changing artworks every month, perhaps three artworks in July, August and September;
- a summer-long program in which several artworks are placed in multiple locations along Main Street and remain in place three months;
- a program that provides technical systems and permanently installed hardware for artists to make use of, such as a simple video projection system focused on a large wall, while many artists are able to be included in the program, much like a screen in a cinema, and
- special programs at key calendar events during the year, when Main Street is especially active with pedestrians.

The Bay Area is a particularly rich resource for such a program as it is the central breeding ground for much of the technology used by artists to produce media and light works. The region is abundant in technical and artistic resources and they should be engaged to make downtown Pleasanton a landmark destination for such art. Main Street is already defined by its attractive and people-friendly environment, adding an additional layer of visual material will build upon existing strengths.

Media labs and programs exist at high schools and community colleges and such resources can be tapped to bring fresh ideas into the public sphere. Indeed, the prevalence of media tools in most homes is producing a generation of young and sophisticated users and producers who are ideal participants and audience members for these programs.

Audiences: Regular visitors to downtown will be joined by those coming especially to see the media and light artworks.

Budget:

Individual project costs will vary between \$5,000 - \$50,000. Fees to artists for exhibiting existing work on equipment provided by Pleasanton can be \$500 and up.

Timeframe for Construction:

Project development: six to twelve months

On-site preparation: one to three weeks

Site requirements/constraints:

- evening hours
- easy access to utility connections
- locations to safely place and install equipment
- locations that have feasible surfaces to receive projections
- available storefronts and store interiors
- cooperation of building tenants and owners

Potential Co-sponsors, Partners, Collaborators:

Project Name: Banners on Main Street

Location: Main Street between Bernal Ave. and the railroad tracks just south of Amador High School

Type of Project Rotating exhibition of banners



Summary Description: Currently, there is a banner program on Main Street coordinated by the Parks Department that rotates banners on 90 lighting standards, three times a year. The 54-inch high by 24-inch wide banners are ideal opportunities for artworks that could be rotated three times a year in the same way the current program functions.

Digital technology makes the production of banners an especially easy and affordable way to share artworks with large public audiences. Digital files can be supplied by artists and quickly translated by signage companies into durable and economical banners. Artists using almost any medium, painting, photography, language, collage, etc., can provide digital files of their work for banner production. Not every banner need be unique, it is possible and probably most practical to consider the repetition of some banners, based on each banner project's goals and available funding.

A multitude of programming options should be explored as a guiding principle of the banners project, so that a wide a range of approaches and sensibilities are supported. Over time, artists representing the broadest aesthetic interests should be commissioned, so that the public will have the opportunity to see work varying from traditional representation to conceptualism. Some directions might include the following:

- a solo exhibition of the work of one artist, created for the banners
- a group show of a number of artists
- poets and writers commissioned to create text-based pieces for the banners
- collaborative commissions that cross disciplines
- projects in which lead artists work with community and/or student groups to produce artworks for display
- projects that originate in Pleasanton high schools and incorporate the work of students. This approach would have curriculum relevance if teachers coordinate course work toward issues of public display and commercial reproduction.

Themes can vary from those that have tie-in potential with on-going downtown events and those that would appeal to the greater Pleasanton community's interests. Alternatively, the banners can be conceived as opportunities for artists to define their own themes and approaches.

Audiences: The primary audience will be regular users of Main Street; with secondary users would include anyone involved in a community outreach effort (students or other community members involved in the production of banners).

Budget:

Design fees for original work: from \$500 for the use of an existing image to \$10,000 for an artist's solo exhibition of multiple unique images

Design fee for community-based projects: \$5,000 - \$7,500, depending upon the length and complexity of the workshop

Production and installation fees: \$75 - \$125 per banner

Timeframe for Construction:

Design schedules will range from three and six months. Banner production should be completed within one month of artwork submittal. City installation must be scheduled in advance, aligned with other staffing priorities.

Site requirements/constraints:

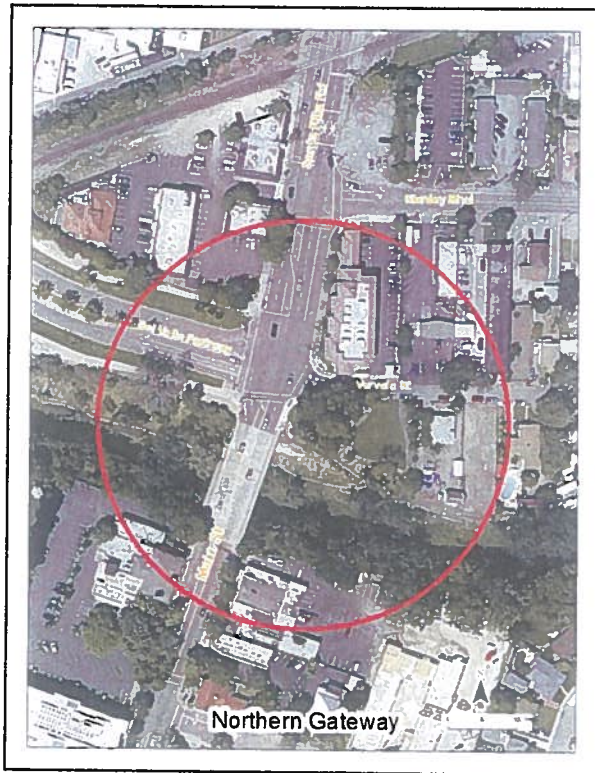
Designs must be translated into digital files for production into a banner. The existing banner armature must be used and the 54 x 24 inch format observed. A removal and replacement plan should ensure that banners do not degrade over time due to their exposure to the elements.

Potential Co-sponsors, Partners, Collaborators:

Project Name: Northern Gateway

Location: Southeast corner of Main Street and Vervais

Type of Project: Sculpture



Summary Description: There is significant interest in reinforcing the idea of downtown as a distinct area, through identification of entries and gateways at the northern and southern edges of Main Street. The Main Street Bridge already serves as a de-facto gateway and point of arrival and/or departure. At this location, the Arroyo and the bridge serve as a boundary and a visual/physical experience for all coming into and leaving downtown. The Master Plan for the Downtown Parks and Trails System recommends “the bridge should be a major entry gateway to the downtown area.” While there are some opportunities for the bridge to accommodate public art, another possibility is the setback between Del Valle Parkway and the fence, where a small brick pad already is in place. This site is well placed for a sculpture of medium scale that would be visible to pedestrians and those riding in vehicles.

Just across Main Street, at the corner of Vervais Drive, is the Main Street Green, a small open space and a gate that opens onto the Pleasanton Centennial Trail. This side of Main Street has more visitors due to the lawn-covered open space and the access provided to the arroyo. However, there is little space available for a sculpture. The site features a wonderful artist-designed bench, donor brick pavers and an stately pine tree with a dedication plaque at its base honoring a long-time City employee.

The sculpture could address the hidden treasure of the Arroyo, somewhat obscured at this point due to the growth of plants adjacent to the fence. Reference to the natural scenery just under the bridge could tie together a number of elements and make thematic sense. From a formal point of view, the sculpture needs to have vertical legibility to be noticed by those traveling in vehicles and it should also offer tactual rewards for pedestrians. Lighting, either as an integral component of the sculpture or an external source, is important as there is significant evening traffic passing by this intersection.



Audiences: Pedestrians, transit patrons and those in vehicle on Main Street and along Vervais Drive and Del Valle Parkway

Budget:
\$75,000 – \$150,000

Timeframe for Construction:
Design: one year
Fabrication and installation: one year

Site requirements/constraints:

There are three vertical supports nearby: Two for streetlights and one for a traffic signal, requiring a sculpture of sufficient bulk to assume visual prominence. Anything too thin will run the risk of visual distraction from these three elements. There are also some restrictions on the width of the sculpture as it meets the ground, as there must be sufficient passage allowed for pedestrians, strollers, wheelchairs and the like. Even though there are two light standards in the immediate area, the sculpture should be lighted with its own system.

Potential Co-sponsors, Partners, Collaborators:

Project Name: Pleasanton Benches

Location: First Phase: Throughout downtown. Second Phase: City-wide

Type of Project: Artist-designed benches



Summary Description: There are lovely and well-used benches along Main Street. They are high quality multiples of two primary types: metal benches with backs that include elaborate ornamentation of a botanical nature and cast concrete plank benches with a more constrained flourish, mostly sited on street corners along with planters. At the Main Street Green, a unique, artist made bench provides physical comfort and visual pleasure. This bench is a model for what could be a city-wide program of artist-designed benches, placed in parks and along streets that attract pedestrians. Such a program might commission only two benches a year, but the collection would grow and become a defining aspect of Pleasanton's public art collection. Physical standards would be established that address maintenance and universal design so that all concerns for access and durability are addressed. Alternatively, the City could purchase "blanks" of ready-made, code-compliant and ADA-accessible benches for artists to adapt.



The emphasis would be on the unique qualities of each bench, so that over time there would be a great range of expression, material and approach. From humor to poetic narrative, from tiles and embossed cement to new hybrid materials, (benches with sun shelter, benches with reading ledges, benches with foot rests) the benches would be a laboratory for exploration and discovery.

Audiences: Downtown visitors

Budget:

\$5,000 – \$10,000 per bench

Timeframe for Construction:

Design: six months

Fabrication and installation: six months

Site requirements/constraints:

The site must warrant a bench, as a location where pedestrians might wish to pause and sit. Parks are natural settings for benches and should be the highest priority site for the City's unique bench program. Public Works or other sponsoring departments must prepare the site for attachment and foundation requirements.

Potential Co-sponsors, Partners, Collaborators: Local merchants and property owners

Project Name: Main Street Chalk Festival

Location: Main Street between Neal and St Mary Streets

Type of Project: Two-day, weekend chalk drawing festival



Summary Description: Chalk festivals are popular throughout the world and have firmly taken root in many cities in California, including Palo Alto, San Rafael and Santa Barbara, to name but a few. Sometimes the festivals are referred to as the Italian word “Madonnari”, which comes from a tradition begun in the 16th century of poor people drawing images of the Madonna with chalk and asking for donations. There are many artists who are dedicated chalk, or Madonnari, practitioners and they travel from festival to festival creating astonishing tromp l’oeil images, copying a famous painting or producing an original composition. In addition to the experienced chalk artist, other artists join in and use the opportunity of drawings with chalk directly on a street or sidewalk surface as a new adventure and avenue for bringing their art to a large public audience. Chalk festivals appeal to and attract a broad section of the general public. School children partake with teachers, community groups participate and teams of artists and non-artists work together for two days to create beautiful artworks which will disappear forever except for documentation.

Most frequently, chalk festivals involve many aspects of a community, from schools, non-profits, community centers, artists and their supporters and businesses. As the street or sidewalk is gridded off to provide “canvases for participating artists, business are asked to sponsor a specific group, artist or “canvas”. Main Street businesses are logical supporters of this event, but other Pleasanton business should also be involved to insure its city-wide appeal and importance. Funds from this underwriting can be used to cover expenses of the chalk festival and can also be earmarked to support a local charity.

A combination of professional and amateur artworks makes for a successful festival, with professionals creating inspiring images and community members providing enthusiasm and local participation. The beauty of the chalk festival is that it not only welcomes, but benefits from, the participation of all –the more the merrier. A core group of professional chalk artists, and perhaps several professionals who have not previously worked on chalk projects, should be invited by the Public Art Program to participate in the festival. These artists will be paid. Featured professional artists working at a larger scale start a day or two in advance of the event to create their grid, plot their work and produce

backgrounds. This also serves to build up advance public and media interest in the event, as well as permit school groups to visit with and learn techniques from the artist to use over the weekend.

Others wishing to participate will typically pay a nominal registration fee and be allocated a specific site and be provided with ample chalk. Within a two day weekend, Saturday is dedicated to work and by mid-day Sunday, all artworks are completed. Monday morning will bring regular traffic to Main Street and the erasure of the chalk drawings.

Many chalk festivals are held on three-day holiday weekends to lengthen production, media coverage, public viewing and fundraising opportunities. Some chalk festivals are part of larger events, such as the Italian festival in San Diego and the Chocolate and Chalk Art Festival in Albany and Berkeley. In its initial years, it might be best to keep the focus on the chalk festival to keep organizational challenges to a minimum. There will be need for a broad-based community effort, most likely with a steering committee, to energize as large an audience and participation pool as possible. Most festivals rely upon organizing committees and this will be particularly important in Pleasanton, where cultural staff resources are limited.

Audiences: The primary audience is the large group of participants, mostly Pleasanton residents who are making chalk drawings or supporting them. Their friends and family can also be counted on the primary audience. Visitors and others attracted to the festival will come from Pleasanton and its surrounding neighbors. There is strong potential to attract visitors from throughout the East Bay region.

Budget:
\$30,000 –\$40,000

Timeframe for Construction:
Organizational effort: at least one year
The festival occurs in a two-day or three-day weekend.

Site requirements/constraints:
Main Street between Neal and St. Mary Streets will need to be closed to traffic for two days to make the festival possible.

Potential Co-sponsors, Partners, Collaborators:
Local business, especially those located downtown; schools; community groups

Project Name: Downtown Artist In Residence Program

Location: Community institutions and organizations with (or desiring) a downtown presence

Type of Project: Variable

Summary Description: An artist-in-residence program, including but not limited to libraries, community centers, educational institutions and utilities and other public settings has numerous advantages:

- The public is in direct contact with artists and their work processes, not just the resulting artwork. This experience generates more interest in and understanding of art and ultimately builds support for all cultural programs.
- Specific constituencies can be targeted for participation, such as seniors, youth, and park users.
- By emphasizing process over product, the final outcomes are often unexpected, but the participation of the affected constituency helps to assure a positive outcome.

In this scenario, an artist is hired to work with clients and user groups of a community facility for a specified duration, toward such tangible results as production or creation of an art object, a public artwork, a community art project, a performance or a cultural celebration.

In the first year, the City would circulate a description of the program to City departments, school districts and local non-profits and host a seminar to better familiarize potential sponsors with the program. It will be advisable to discuss potential residencies and terms of agreement with several interested respondents before selecting a sponsor site. In the second year, budgets, sites and scopes of work would be defined and an artist would be selected.

Once the artist develops a concept, she or he would share it with the sponsor for review and comments. Some concepts may be achieved within sponsors' budget capabilities. Most concepts would require additional funds to be realized. Budgets would be reviewed by the sponsor and the City. Funding would be sought from the sponsor and matched by an allocation from the public art program.

Audiences: School groups, museum visitors, park users

Budget:

\$10,000 – \$25,000 for a six month residency. Project implementation budget determined during the course of the residency

Timeframe for Construction: variable

Site requirements/constraints: ample space for an artist to work on-site, as scheduled

Potential Co-sponsors, Partners, Collaborators: Schools, youth groups, Senior Center

Project Name: Phoebe Apperson Hearst Award

Location: Museum on Main

Type of Project: Biennially-awarded public art commission.



Summary Description: Phoebe Apperson Hearst was one of Pleasanton's most distinguished and colorful residents of the late 19th and early 20th centuries. To the general public, she is known as the mother of William Randolph Hearst. But many Pleasanton residents are aware that she was an independent, forward-thinking, well-traveled and highly creative woman with a love of the design arts, building arts and fine arts and an equally strong interest in world cultures.

Phoebe Hearst dedicated her life to developing national policies for early childhood education, children's and youth's rights and community public health. She had a strong appreciation of the material culture and art forms of populations around the world and in California. Her vast collections in her Pleasanton home (which formed the initial 60,000 objects/holdings of the Phoebe A. Hearst Museum of Anthropology in Berkeley) included the indigenous arts of Mexico, Latin America, the Middle East, the Asian Pacific Islands, Alaska and Native California.

Many of her passions (e.g., education, youth, Native American history, appreciation of ethnic and cultural diversity) were precisely those cited by interviewees as priorities to be addressed in the downtown Pleasanton Public Art Program. It is therefore a most appropriate and timely opportunity to request permission from a Hearst heir to institute a bi-annual art award/public commission in Phoebe Hearst's honor. Since the Hearst surname is so widely known, cultural tourism interest and marketing may be a component of this project. Artworks themed to Mrs. Hearst's interests, passions and benevolent causes could take the form of images screened onto ceramic tile plaques or incised as a relief in concrete medallions/ form molds, embedded along edge of landscaped grounds, flanking the entry of Museum on Main. Alternatively, the designs can be positioned on concrete planters and benches on Main Street or used as imagery for temporary banners.

Audiences: Residents, tourists and museum visitors

Budget:

Initial cost: \$2,500 to design system for series of works

Biennial cost: \$2,000 (\$1,000 commission, \$500 fabrication, \$500 installation)

Timeframe for Construction:

Bi-annual Award announcement on every other December 3rd (the day of Phoebe Hearst's birth)
Design concept approval, fabrication and installation the following spring/summer

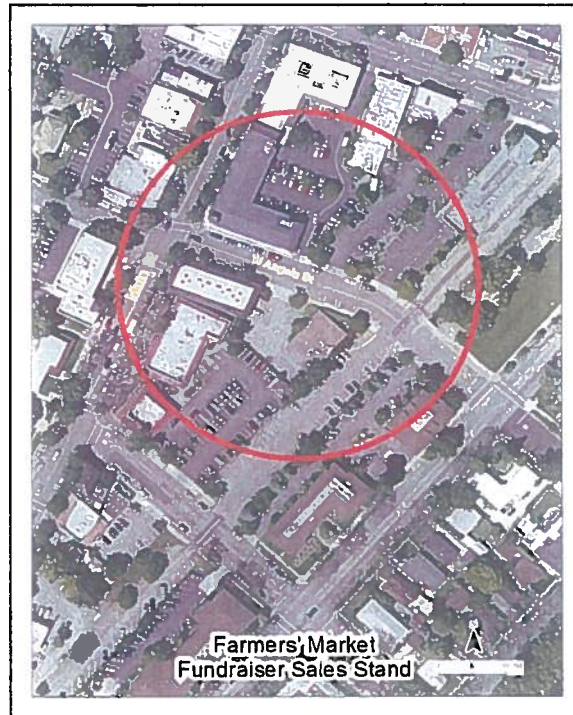
Site requirements/constraints: Site planning is required to determine appropriate placement and design of the plaques as a cumulative series, integrated with overall landscape design.

Potential Co-sponsors, Partners, Collaborators: Amador-Livermore Historical Society, neighboring restaurants

Project Name: Fundraiser Sales Stand

Location: Weekly Farmer's Market at Main and West Angela Streets

Type of Project: Functional sculpture



Summary Description: The weekly Saturday morning Farmers' Markets and the First Wednesday Street Parties attract hundreds of shoppers and are lively social centers for local and regional residents. At the same time, local non-profits, educational support groups, fundraising committees and community assistance efforts are always seeking a high-foot traffic venue to maximize their sales. Potential uses for a permanent non-profit sales stand include Girl Scout cookies, Rotary scholarship raffle tickets, Friends of Pleasanton Library book sales, Humane Society pet adoptions and Parent Faculty/Teacher Association and school band fundraisers. A scheduling system will have to be set up by the Market's manager to ensure fair access to stand reservations each week.

The design criteria, functional specifications and iconic imagery for a festive, artist-designed sculpture/stand should be developed as a community effort, with representatives from potential non-profit users on the selection committee. The competition could also be opened to high school art and vocational classes (and parents with carpentry, welding and construction skills). The stand could be permanent if an appropriate location can be found. If it is conceived as a portable prototype, a second stand could be sponsored by the Pleasanton Downtown Association for use by non-profits at monthly special events and street fairs.

Audiences: Non-profits, local residents, non-profit supporters

Budget:
\$5,000 annually for design and fabrication. Installation by City

Timeframe for Construction:
Project development and competition selection: six to twelve months

Design and fabrication: six months

Plan check review and approvals, site preparation and installation: three to six months

Site requirements/constraints:

- compatible with and amenable to the mixed-use nature of the neighborhood
- gross footprint of approximately 35 square feet
- may require site preparation if installed permanently
- adjacent to public right of way; near the 100% location of the market, but safely distant from traffic at other times of the week
- storage location required if it is portable

Potential Co-sponsors, Partners, Collaborators:

Pacific Coast Farmers' Market Association, Pleasanton Downtown Association, local non-profits and school groups

Project Name: Temporary Artworks for Annual Festivals

Location: Main Street

Type of Project: Artist commission



(Mosaic Artist Laurel True – Hearts in San Francisco) (temporary installation for BBC in London)



Summary Description: Pleasanton residents enjoy an extensive schedule of special events throughout the year. Many are held on Main Street. Patrons comprise a built in, receptive audience, in some cases representing the broadest demographic of Pleasanton.

Temporary public art projects and exhibitions are an excellent way to build change and surprise into annual events, receive added media coverage and create a “buzz” of anticipation. Temporary projects of a smaller scale can be created by artists with little or no previous public art experience. In this way, temporary art serves as a training ground and learning experience, helping to widen the pool of candidates for permanent projects. Each festival theme offers artists endlessly varied opportunities and inspiration.

Funding for temporary projects may be augmented by private sector underwriting. Businesses often sponsor projects that meet their community giving objectives or result in a public relations benefit. Civic groups, from the PTA to gardening clubs, as well as individuals may wish to support a project through in-kind donations of goods and services. Examples of potential projects include:

Antique Fair: Many artists use recycled, vintage and discarded materials as their primary media. Vintage stop light glass forms stained glass windows; letters from defunct store signs become iconographic symbols; candelabras are turned into chandeliers. In keeping with the theme of “one man’s trash is another man’s treasure,” the City could commission an artist who works in “assemblage” and solicit community-donated materials to develop a temporary work capturing the spirit of downtown’s bi-annual antique fairs.

Wine Events: Pleasanton’s history as a center for winemaking started from the first grapes planted by Spanish missionaries in the 1760s, extended through its peak as a headquarters for vintners just before Prohibition, and has been resurrected through recent industry innovations and current rejuvenation of tourism interest. The Livermore Valley Winegrowers Association (LVWA) sponsors annual events

showcasing the pleasures and flavors of the local wine and food industries. An artist could be commissioned to design a poster illustrating the calendar of LVWA annual events for purchase at their events, and at downtown wine shops and restaurants.

First Wednesdays Street Parties: In partnership with the Pleasanton Downtown Association, the City could commission a suite of five images, each related to one of the five monthly First Wednesday themes print (e.g., Cinco de Mayo; Mardi Gras; Red, White and Blues, etc.) and available for sale as a set or as individual prints. Distributed profits of sales could return to the Public Art Program and the Pleasanton Downtown Association to fund the following year's commissions and print-making costs.

Audiences: Wine and food aficionados, event attendees

Budget: variable

Timeframe for Construction: to be scheduled with non-profit sponsor

Site requirements/constraints: none, requires pre-arranged sales outlets

Potential Co-sponsors, Partners, Collaborators: Pleasanton Downtown Association, Livermore Valley Winegrowers Association and other downtown special event sponsors

Project Name: “Best Friend” Amenity Stations

Location: Main Street sidewalks

Type of Project: Stations for dogs’ water bowls, leash tethering and plastic bag dispensers.



Summary Description: A popular pastime of many Pleasanton residents is to walk with their dogs along Main Street for recreation, shopping/errands, socializing and meeting other dog owners. Dog walkers are faced with the predicament of improvising ways to accomplish errands, ensure their companions’ comfort and comply with City health regulations and ordinances.

As a complement to the more common pedestrian-oriented “street furniture” of benches, bike racks, trash receptacles and tree grates, dog amenity stations can promote responsible ownership practices while adding humor and personality to the streetscape.

An artist’s commission would result in a prototype model and locational recommendations for replication at several strategic locations along Main Street. The stations could be adhered to building frontages (with owners’ permission) or installed along sidewalk curbs and maintained by cooperating merchants, with additional support from the Pleasanton Downtown Association (PDA).

Audiences: Dogs and their owners, dog lovers, street maintenance workers/pedestrians

Budget:

\$3,000 fabrication per station

\$5,000 artist’s prototype design fee

Timeframe for Construction:

Fabrication: six months

Installation: two months

Site requirements/constraints: Building facade, frontage or curbside; safely distant from pedestrian traffic, away from parked/parking cars.

Potential Co-sponsors, Partners, Collaborators: Pleasanton Downtown Association, local property owners and merchants, Valley Humane Society, local dog clubs

Project Name: Timeline Trail

Location: Main Street sidewalks

Type of Project: Sequence of independent, small artworks evoking local history

Summary Description: Downtown Pleasanton is fortunate to retain many visible vestiges of its past: historic architectural styles, decorative ornament, vintage signs, mature trees and adaptively used landmarks. Less visible historic milestones and events along the street played an equally important role in the community's development, such as venerable, long-standing businesses that have recently closed; founding community members' accomplishments; 19th and early 20th century parades, celebrations and marches; ghost stories; humorous anecdotes; agricultural traditions; and legendary tales and mysteries passed down through generations.

This series of small commissions is a way to evoke and stimulate interest in community history creatively, replacing the common convention of somber historical plaques that explain an important date, personage or event. Artists, writers and poets will collaborate with local historians to develop topics and create sculptural clues, allegorical objects and interpretive icons. These will be subtly placed in sidewalks, embedded in building facades and attached to street furnishings, forming a linear timeline. Some artworks should be tactile in nature, scaled and placed at a low height so as to be discovered by small children as an entertaining treasure hunt or familiar touchstone. The timeline trail can be the basis of a self-guided downtown walking tour, integrated with current architectural history tours.

Audiences: Residents, tourists, history buffs, school groups, long time residents, new arrivals, families

Budget:

Initial phase: Convene visual and literary artists and historians to decide on initial primary themes, chronologies and topics. \$250 honorarium per participant.

Initial commissions (per commission): \$2,500 design fee. \$5,000 fabrication budget. \$1,500 installation budget.

Timeframe for Construction: variable

Site requirements/constraints: Some topics may be site-specific, such as the former location of the Kolln hardware store. Other topics, such as historic local parades, could be located anywhere along the route. Permission to locate the artworks on private property may require a partnership/co-sponsored funding agreement, so as not to constitute a gift of public funds to the property owner.

Potential Co-sponsors, Partners, Collaborators: Amador-Livermore Historical Society, Pleasanton Downtown Association

Project Name: "100 Views of Pleasanton"

Location: Downtown-wide

Type of Project: Views of artists at work

Summary Description: Pleasanton residents treasure their rich environmental resources, natural habitats, lush gardens and verdant landscapes. A one-day plein-air painting (painting in the open air) annual event: "100 Views of Pleasanton" could inspire even greater public appreciation of the city's parks, vistas, and the Arroyo. Entry could be offered to selected local and regional artists with nationally recognized artists invited and paid to participate. An inexpensively produced map/guide would be produced for visitors who would like to view artists at work in the natural light of a Pleasanton afternoon. A public reception featuring the finished works would culminate in an award of one work for later reproduction as large scale vinyl banner, displayed for one year at a mural site downtown.



Audiences: Park users, tourists, local residents

Budget:

\$10,000 (\$2,000 stipend/expenses per invited artist)

\$500 for conversion of artwork to banner

Timeframe:

Select sites for large banner location, exhibition/reception: three months

Artist selection/invitation: four months

Research and produce artists' guide/map to potential observational locations: three months

Site requirements/constraints: Exhibition/reception site for completed work; banner/mural location identification per Appendix

Potential Co-sponsors, Partners, Collaborators: Tri-Valley Convention & Visitors' Bureau

SELECTION AND REVIEW PROCEDURES

Once the Civic Arts Commission has adopted the Annual Downtown Public Art Projects Plan, staff will initiate a process to select an artist or artists to design and/or implement specific public art projects. The integrity and quality of the Public Art Program is dependent upon a decision-making structure, processes and criteria for artist and artwork selection that are designed and implemented in a consistent, equitable and inclusive manner.

Public art projects should be developed through the use of selection panels composed of people with expertise in public art and community issues pertinent to each project. The composition of panels may vary with some panel members bringing more expertise in regards to the public art project site and its history, potential audience and users than in knowledge about contemporary art. The mixture of points of view and bases of knowledge is an enriching component for discussion and selection purposes. With professional staff prepared to advise panelists and manage the process, a selection panel can perform its curatorial charge with distinction.

Implementation

Public art projects will have a Selection Panel and, as appropriate, an Advisory Panel to lend necessary technical oversight. Both will be convened specifically for each project. Guidelines and approaches for the Selection Panel will be identified in the Annual Downtown Public Art Projects Plan. Should several projects share a similar timeline, at least for project initiation, it would be economically prudent to have one panel charged to make selections for several projects. Panelists will be briefed by staff on the specific project, the overall goals of the Public Art Program and the relationship of the immediate project to the Program.

Some projects may be of such small scope and require immediate selection that the staff should be charged to make recommendations directly to the Civic Arts Commission. In these rare cases, Civic Arts Program staff should be able to make recommendations from a pre-screened and approved roster of artists that the Civic Arts Program staff has assembled.

The role of the Civic Arts Commission will be to review and approve the annual projects plan, artist and panel/advisory methods and selections, artists' concepts, proposals and final designs.

Composition of Selection Panels

Selection panels can vary in size and composition, with an average range of five to nine voting members. Circumstances may necessitate the panel giving more weight to one kind of expertise than another and the panel should be so configured. Staff will recommend panel composition and number to the Civic Arts Commission for approval as part of the Annual Downtown Public Art Projects Plan. At the very least, a panel should contain representatives of the following:

- An arts professional with explicit experience in public art
- A member of the Civic Arts Commission
- Staff or Commission member from the sponsoring department
- A member of the user group or relevant community to be impacted by the project

Additional panel members can be appointed from the following groups:

- Artists
- Architectural/building design team member, if applicable

- other City department(s) and/or commissions impacted by the project
- secondary users and/or community groups impacted by the project.

The value and integrity of the panel selection process is dependent upon its ability to have access to authoritative knowledge about the public art field. This task can never be completely fulfilled by staff, nor should it be expected. The value of the panel system is the nature of discussion that happens within the panel; panel members should include those experienced and respected in the public art field as well as relevant stakeholders in the project. Professionals in the field of public art and artists should be selected for their expertise and their ability to positively contribute to the selection process. Residency is not an appropriate or relevant criterion for panel members fulfilling the arts professional or artist positions. Fortunately, Pleasanton is situated in a region rich in such expertise. The vast majority of panel members fulfilling the other positions will either be Pleasanton residents or will be working on Pleasanton projects; they will all be highly informed about local issues and values.

The Civic Arts Manager will develop a pool of potential panelists to fill the arts professional and artist positions and forward it to the Civic Arts Commission for approval. The Manager will also recommend the method of selection for the project, including either an open competition or an invitational competition. Competitions should be based on qualifications and past work. The criteria listed below should be used to evaluate contenders and proposals. Finalists can be interviewed based on their ideas and past work or finalists can be interviewed and asked to submit a project proposal, for which they will be paid a fair fee based on prevailing and competitive amounts.

Criteria for Selecting Artists

- Quality and merit of art
 - Artist's experience, training, and professional recognition
 - Artist's ability to successfully complete the project within the proposed budget
 - Artist's ability to respond to the project's contextual issues, community, audiences and users.
 - Artist's availability to work within the established timeline.
 - Place of work or residence, if geographic restrictions are outlined in the RFP or RFQ.
 - Additional criteria if agreed by Selection Panel consensus

Criteria for Reviewing Artwork Proposals (concepts, schematics, design development)

- Creativity and originality of the artist's response to the program
- Artist's response to the physical context of the site, including such indicators as choice of scale, materials, form and content
- Proposed relationship of the artwork to existing or anticipated environmental conditions, including architecture, landscaping, urban design and development, traffic and circulation
- Artists' response to the social context of the site, which may include: local demographics, history, intended function of the artwork, views and public access
- Relationship of the proposed artwork to other works in the City's collection and its ability to become a noteworthy addition
- Analysis of the artist's proposed method of fabrication and installation of the artwork and an evaluation of safety and structural factors involved
- Evaluation of the artist's proposed budget and schedule for completion
- Evaluation of the proposed materials and their appropriateness to the project, including issues of structural and surface integrity, protection against theft and vandalism, public safety and weathering, and long term maintenance requirements
- Feasibility within the limitations of the overall development schedule if the artwork is part of a larger construction project

- Mass-produced artwork, artwork from catalogue ordering outlets and artwork that is not of museum quality will not be purchased or commissioned.

GIFTS, RELOCATION AND DEACCESSION OF WORKS OF ART

As the Public Art Program matures, it is to be expected that changes to the collection through gifts and deaccession will occur. Planning for these eventualities will benefit all parties as guidelines become fully articulated and communicated to the public.

Gifts of art

As the City's collection grows and its capacity to care for the collection is respected, gifts of art will be offered. Responding to such offers is a delicate matter, for the proposed gifts represent acts of generosity, usually by individuals and organizations with an emotional attachment to the gift. However, the first priority must be to maintain the quality and nature of the City's collection manifested in the artworks as well as in ordinances, policies, guidelines and practice. Additions to the collection can only be accepted where the value of the collection as a whole is enhanced and where the resources of the City will not be unduly taxed. Gifts that include art with memorial content are even more complicated to consider, due to the special circumstances required to justify permanent commemoration on City property. The City must also be mindful of the tax advantages a donor can receive by deducting full market value of the donation. This puts a special burden on the City to act responsibly and carefully in accepting donations.

The Public Art Program will work with potential donors to prepare their application for acceptance of art into the City's collection. The application will be reviewed by the Civic Arts Commission and other affected Commissions and stakeholders, that will recommend acceptance (or decline acceptance) to the City Council, which has the final authority on accepting gifts. Acceptance of artwork should meet the following minimum conditions:

- The artwork is appropriate within the context of the City's collection and the goals of the Public Art Program
- The artwork is of serious artistic merit
- The artwork is in excellent condition
- Maintenance requirements are acceptable to the Public Art Program
- There is a suitable and available location for the artwork
- The artwork will be donated with a cash amount necessary to procure a proper installation and signage, as well as supplement the Public Art Fund to underwrite maintenance costs

Relocation of art

Under certain circumstances it may be necessary to relocate a permanent artwork. The City should allow relocation only under circumstances that cannot be alternatively mitigated. Some of these circumstances also pertain to the consideration of deaccessioning works of art. Relocation should be considered only when:

- The site of the artwork is to be changed or altered in a way that cannot accommodate the artwork in a respectful manner and one in keeping with its original intent
- The nature, use and function of the site has changed and poses a physical threat to the well-being of the artwork
- The artwork is a limited edition print and as such, does not reflect the goals and objectives identified in the Public Art Plan
- The original location of the artwork is a threat to public safety

An intrinsic part of the relocation process is the identification of a satisfactory new site for the art. The new site must meet the physical context requirements of the artwork as articulated by the artist and the City in its original agreement with the artist. A site must also meet the maintenance needs of an artwork, with environmental conditions suitable to the materials used in the artwork. Staff will submit a Request for Relocation to the Civic Arts Commission that discusses all pertinent issues and defines a budget and funding source for the relocation. Relocation efforts should be included in the Annual Downtown Public Art Projects Plan.

Deaccession of art

The act of deaccessioning an artwork is more complex than accepting a gift or relocating an artwork. Taking such an action must follow scrupulous procedures with opportunities for the public to speak to the Civic Arts Commission, who will recommend to the City Council any final action. Issues of public safety are more persuasive than aesthetic controversy, which tends to disappear over time. The Washington D.C. Vietnam Veterans Memorial is the best example of artwork that outlived its controversy and became a landmark. Care must be taken to seriously consider issues of cultural heritage and the City's reputation for responsibly protecting its physical assets. California and federal law protect artworks from deliberate destruction, which could make the removal of some works especially difficult. Should deaccession be seriously considered, staff must submit a report to the Civic Arts Commission who will then accept or reject the application and forward their recommendation to City Council for final disposition.

Appendix A:

MURALS

Introduction:

Murals are a significant art form in many California cities and can lend themselves to providing civic identity (as in Folsom) and being a potent vehicle for community expression (as in Los Angeles). Relative to other public art forms, murals are extremely easy to produce. They do not require any structural framework which is frequently an expensive and often an invisible part of many public art projects. The fact that murals almost exclusively rely upon existing structures also eases the typically complex review process required by building codes. With a relatively small budget and a limited set of materials, artists can easily transform walls to vibrant outdoor paintings.

The relative ease of their fabrication and installation have made murals a popular form of expression for individual artists, community groups and public arts and culture offices. The ease of implementation also lays the foundation for weaknesses in murals as permanent and durable public art. Frequently, murals are created quickly with more emphasis on community participation than artistic merit. And most importantly, painted murals decay quickly when exposed to outdoor elements. Maintenance and conservation requirements are particularly demanding, with associated costs totaling more than the original budget. Murals created in ceramic tile, baked porcelain enamel and other permanent building materials can meet durability standards comparable to most standard three dimensional public art works.

The Program

There are several approaches to mural policies which take into account both the unique assets murals can bring to communities and at the same time are mindful of their potential artistic and economic liabilities. A Murals' Exhibition Program will be established for downtown Pleasanton. One of the main concepts of the Program is that murals will be of a temporary nature, with exhibition durations varying from one month to one year. This approach allows downtown to function much like an outdoor community gallery, with regularly scheduled changing exhibitions. Visitors to downtown, over the course of a year's time, will be able to enjoy and expect new images and new sites within the Murals' Exhibition Program.

The Civic Arts Commission will encourage all parties sponsoring murals to maintain the one year limit but compliance is voluntary for artwork on private property. Secondly, the Civic Arts Commission will encourage sponsors to create murals on removable materials that can be easily attached and removed from support surfaces. Murals painted directly on buildings will not be encouraged due to challenging conservation issues.

Methods

Murals must be painted on removable materials that can be easily attached and removed from support surfaces. Murals will not be painted directly on buildings except under special authorization of the Civic Arts Commission. There are numerous appropriate mural surfaces, including canvas and other durable materials used in commercial banners for outdoor display. Murals can be painted on site, allowing a wonderful in-process drama appreciated by the public; or they can be painted in a studio setting, often preferable and easier for artists to work day and night, during inclement weather and under more controlled circumstances. There are also liability issues in having artists and community members painting on-site and working from ladders in public settings. Murals completed in studio or indoor settings, can be easily transported to and installed on site. For projects that might involve community groups and/or school children, painting murals in school or community settings is logistically easier.

Media

Like most other art forms, mural art has been radically transformed by digital technology. Now it is possible to develop mural concepts in a studio setting entirely in digital files or to develop a small scale (or full scale) concept by hand and transfer the images into digital files. Digital files can then be printed at full scale onto vinyl surfaces that can be attached to outdoor surfaces using a variety of means, including grommet fasteners and temporary adhesives. This is common, and readily available as outdoor advertising technology. The design and imagery can be stored and re-used at any time. This gives a very different complexion to issues of preservation and conservation. It also challenges the traditional distinctions in image production between painting and photography. Indeed, opportunities for including photographic images in a mural program should be supported.

Sites

There are a variety of walls in downtown Pleasanton that might be used as a mural site. Not every wall is appropriate; for example, historic brick walls' time-worn surfaces must be respected as a treasured component of historic buildings. Walls should be considered that are easily viewed from either Main Street or a side street. Walls with little visibility should be avoided as should walls exposed to strong, direct sunlight, unless the exhibition duration is short term.

Procedures for Placing a Mural Downtown

For four decades, cities across the country have struggled with legislative and regulatory issues surrounding mural permitting, review and approvals. Today when the issue emerges, most municipal legal counsels advise City Councils against creation of mural ordinances, citing the impossibility of creating objective criteria, clear language and binding legislation that are aligned with Constitutional rights, enforceable by City staff and defensible against litigation threats.

Subjective issues such as thematic content, color selection and artistic merit are often best addressed through consensus, artists' peer review and neighborly good will. However, several objective and technical guidelines for murals can more easily be established, distributed and monitored. These include professional standards for levels of workmanship/production, suggested materials, provisions for the artwork's protection, maximum dimensions or percentage of coverage for credits (to distinguish murals from advertising that would fall under a sign ordinance), maintenance and repair.

An application form should be created for discussion and consensus with proposers that requests the following information:

- Name of organization or individual sponsoring/supporting the mural
- Artist's name
- Project narrative
- Scaled drawing
- Medium and method of attachment to wall
- Protection, security and maintenance provisions
- Budget (if applying for financial support)
- Budget must include necessary insurance coverage if public funds are used or if mural is on public property
- Inclusive dates of mural exhibition
- If the mural will be painted on site, list dates required for that task
- Photograph of the wall

- Letter from owner of the wall agreeing to the use of the wall for the specific period of time that mural will be on display
- Support letters from neighboring businesses, organizations and/or residents, as applicable

Murals must include a project label, either within the mural or attached to an adjacent location. The label information must include the project artist(s), any community groups involved in the effort, and the dates for which the mural will be on display. Credit to project sponsors should be acknowledged.

Pleasanton Municipal Code[Up](#)[Previous](#)[Next](#)[Main](#)[Collapse](#)[Search](#)[Print](#)[No Frames](#)[Title 2 ADMINISTRATION AND PERSONNEL](#)**Chapter 2.39 CIVIC ARTS COMMISSION**

Note

* **Prior ordinance history:** Ords. 1674 and 1768.

2.39.010 Commission created.

There is created a civic arts commission (commission). (Ord. 1819 § 1, 2001)

2.39.020 Duties.

The commission shall have the power and duty to:

- A. Act in an advisory capacity to the city council in all matters pertaining to the arts and culture of the city.
- B. Recommend to the city council the adoption of such ordinances, rules and regulations as it may deem necessary for the administration and preservation of fine arts and performing arts.
- C. Work cooperatively with city boards and commissions, city departments, and other public and private organizations in creating and promoting art and cultural programs and activities within the city.
- D. Review and recommend grant funding to arts-related, non-profit organizations in the community that are providing additional non-competitive arts programming.
- E. Serve as the art and culture ambassadors to the general public.
- F. Advocate to the public about the city's arts programs and policies.
- G. Review and make recommendations upon all works of art to be acquired by the city, either by purchase, gift, or otherwise pursuant to art in public places Chapter 13.16.
- H. Review and make recommendations with reference to any existing work of art in the public art collection in connection with: (1) the relocation or alteration thereof; or (2) the removal of; pursuant to the deaccession policy generally described in the Pleasanton Downtown Public Art Master Plan, as may be amended.
- I. Recommend the promulgation of policies and procedures for the development and implementation of public art in the city.
- J. With city council approval, apply for and accept gifts, grants, funds, contributions and bequests from individuals and public and private entities, agencies, foundations, trusts, corporations and other organizations or institutions that are arts and culture related.
- K. Other powers and responsibilities as outlined in other sections of this chapter and as may be appropriate in carrying out the purposes and goals of this chapter and as set forth in reports or recommendations adopted by the city council. (Ord. 2132 § 1, 2016; Ord. 1819 § 1, 2001)

2.39.030 Membership—Appointments.

- A. The commission shall have seven regular commissioners, one youth member, and one alternate commissioner all of whom shall be residents of the city.
- B. The youth member shall be a minimum age of a high school freshman.
- C. The regular commissioners, the youth member, and alternate commissioner shall be appointed by the mayor, subject to ratification by the city council, as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.
- D. Commissioners shall be eligible to participate in all activities of the commission except that the alternate commissioner shall vote only in the event of an absence or conflict of interest of one of the regular commissioners, and

the youth member shall not vote.

E. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the commission's representative to other boards and commissions.

F. Commissioners shall be compensated as established by city council resolution. (Ord. 2132 § 1, 2016; Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.39.040 Term of membership.

A. Regular commissioners shall be eligible to serve a maximum of eight years with two four-year terms.

B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.

C. The youth member shall be eligible to serve a two-year term.

D. The terms of commissioners shall be consistent with and subject to city council resolution concerning limiting service on boards and commissions. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.39.050 Maintenance of membership.

A. Persons appointed to the commission shall continue to serve as members of the commission except when:

1. The commissioner's term of office on the commission expires;

2. The commissioner voluntarily resigns from the commission;

3. The commissioner is absent from one-third of the regular meetings within a six-month period as provided in subsection C of this section;

4. The commissioner fails to maintain a primary residence in the city;

5. The commissioner is employed with the city in a capacity related to the duties of the commission.

B. The secretary of the commission shall inform the council when any of the above occurs.

C. The following procedures shall apply to termination of office as a result of absences from commission meetings:

1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.

2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.

3. The city council shall determine if the commissioner's reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.

4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner's term has been officially terminated. (Ord. 1819 § 1, 2001)

2.39.060 Commissioner vacancies.

Vacancies on the commission shall be filled as provided in the city council resolution establishing procedures for appointments to city boards and commissions. (Ord. 1819 § 1, 2001)

2.39.070 Organization.

A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held in December of each year. The term of service for these offices shall

be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council's adopted "rules and operating procedures," as said rules and procedures may be amended from time to time.

C. The chairperson shall:

1. Preside at all meetings;
2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and
3. Call special meetings.

D. The vice chairperson shall preside in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 1887 § 9, 2003; Ord. 1819 § 1, 2001)

2.39.080 Meetings.

A. The commission shall attempt to meet on a monthly basis at a predetermined time and place, but shall meet at least four times each calendar year.

B. Special meetings may be called by the chairperson or by a majority of the commissioners, the city manager, and/or the city council, provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Four commissioners allowed to vote need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present who are allowed to vote. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

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RESOLUTION NO. 6818

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS ESTABLISHING A CITY PUBLIC ARTS PROGRAM

WHEREAS, art located in public places throughout the City has the power to add beauty, character and a sense of history to the City, enhance the quality of life within the City, educate the City's residents, and become an economic asset by attracting businesses and visitors to the City through the beautification of the City's public spaces; and

WHEREAS, art located in public places within the City also contributes to a sense of civic pride and provides visual evidence of the creativity and cultural quality of Redlands' residents; and

NOW, THEREFORE, the City Council of the City of Redlands does resolve as follows:

Section 1. Purposes. The purposes of this Resolution are to:

A. Establish an "Art in Public Places" program whereby the City's Cultural Arts Commission makes recommendations to the City Council regarding the promotion of the visual, educational and performing arts in order to enhance the environment and character of the City through the installation, acquisition and maintenance of high quality publicly displayed Artwork, and by making available public artistic performances and educational opportunities for the residents and visitors of the City;

B. Encourage institutions (e.g. churches, schools, colleges and universities), new development, businesses, homeowners' associations and private clubs (e.g., golf, tennis and country clubs) to sponsor, create and display artwork for the public good; and

C. Establish an inventory of all publicly displayed artwork in the City, whether located on public or private property.

Section 2. Definitions.

A. "Artwork" means any item or items recognized by the City as a visual artistic expression, permanently or temporarily installed, including but not limited to, a drawing, painting, mural, fresco, tile design, mosaic, statue, fountain or assemblage of materials such as metal, wood, plastic, glass or fiber. Artwork shall not have the primary purpose of being perceived by a reasonable person to direct attention to the purchase of merchandise.

B. "Loaned Artwork in Public Places" means any Artwork that is owned by a private party, loaned to the City, and displayed in a Public Place.

C. "Public Artwork" means any Artwork owned by the City, which may or may not

be publicly displayed, including but not limited to permanent Artwork and installations and artistic architectural features on, and within, municipal buildings.

D. “Public Art Fund” means an account established by the City, into which donated funds, grants and gifts, or private or corporate contributions, are deposited to finance the Art in Public Places Program.

E. “Public Place” means any interior or exterior place owned by the City and accessible or visible to the public during regular business hours or any other time, and any exterior place owned by a private party that is accessible or visible to the public at any time.

F. “Art in Public Places Program” means supporting and/or aiding the visual, performing and educational programs and activities for the arts through financial assistance, promotion, activities and fundraising. The program will also include inventory data gathering, promotional art publications, in addition to the purchase and installation of public artwork.

Section 3. Public Art Fund.

A. There is hereby established a City Public Art Fund into which shall be deposited all donations, gifts, contributions, and funds raised through fundraising events held by the Cultural Arts Commission and others, for the purpose of financing the Art in Public Places Program. The Public Art Fund shall be established with the donation of the first gift to such fund in the amount of \$20,000.00 from the University of Redlands. All interest accruing on the funds deposited into the Public Art Fund shall also be deposited into such fund and shall be used for expenditures consistent with the purposes identified by this section.

B. The Public Art Fund shall be maintained by the City’s Finance Department and shall be used for the acquisition, installation, improvement and maintenance of Artwork to be displayed in the City. Furthermore, the Public Art Fund shall provide support for performing and theater arts, inventory projects and promotion of the arts and for community public art education programs.

C. A minimum of ten percent (10%) of the funds deposited in the Public Art Fund shall be designated for the purpose of the maintenance of Public Artwork.

Section 4. Art in Public Places Program.

A. Acquisition program.

(1) The City, through its Cultural Arts Commission, will develop a Public Artwork acquisition program to acquire and display Public Artwork for the benefit of the community through the following methods:

a. An annual call for artists with the intent of commissioning at least one (each year) Artwork to be owned and displayed by the City.

b. The acceptance of gifts from private individuals or businesses of appropriate Artwork.

(2) The Cultural Arts Commission shall establish, and submit to the City Council for approval, criteria for determining the appropriateness of Public Artwork.

B. Administration of the Art in Public Places Program. The Cultural Arts Commission shall serve as an advisory board to the City Council for the Art in Public Places Program, and the staff of the City's Community Services Division, or other staff as designated by the City Manager, shall assist the Cultural Arts Commission in carrying out the provisions of this Resolution. The Cultural Arts Commission shall solicit donors for Public Artwork, undertake fundraising events, and make recommendations to the City Council for approval of expenditures from the fund to promote Artwork via the following means: inventory data collection gathering of existing public art, promotional art brochures, educational and performance art programs and activities, in addition to the purchase and installation of Public Artwork. The City Council shall have final approval of all expenditures of funds.

Section 5. Criteria for Artwork selection.

A. Eligibility requirements for each proposed Artwork shall be established by the City's Cultural Arts Commission. Specifically excluded is Artwork done by students under the supervision of art instructors to satisfy course requirements and artists who are members of the Cultural Arts Commission.

The following criteria shall be considered in the selection of the Artwork:

- (1) Quality of the Artwork;
- (2) All Artwork may be considered, subject to limitations set by the Cultural Arts Commission;
- (3) Artwork of all schools, styles and tastes shall be considered;
- (4) Artwork and its location should be appropriate in scale, material, form and content for the immediate, general, social and physical environments with which they relate;
- (5) Consideration should be given to structural and surface integrity, permanence and protection against theft, vandalism, weathering, and excessive maintenance and repair costs;
- (6) Consideration should take into account that Public Artwork, in addition to meeting aesthetic requirements, should also serve to establish focal points, terminate areas, modify, enhance or define specific spaces or establish identity;
- (7) Artwork should strive for diversity of style, scale, media, and artists, including ethnicity and gender, and equitable distribution throughout the City.

B. The following methods may be used to select Artwork:

(1) Artwork may be purchased for a specific project or location;

(2) An artist may be chosen directly by the Cultural Arts Commission and paid to submit a proposal. Artists will be selected on the basis of their qualifications for a particular project and its probability of successful completion;

(3) A small number of artists may be invited and paid by the Cultural Arts Commission to submit proposals;

(4) Any artist may apply, subject to limitations established by the Cultural Arts Commission. No proposal fee shall be paid to artists; however, a small number of finalists may be selected to submit details, models or plans for which a fee is paid.

C. In selecting Artwork, the Cultural Arts Commission may appoint a selection jury of qualified persons. The selection jury shall be subject to the provisions of the Ralph M. Brown Act (Government Code section 54950 et seq.).

Section 6. Inventory and maintenance of Public Artwork.

A. Inventory. The City will maintain an inventory of all Artwork in Public Places, including, but not limited to, the following information: title, artist, description including medium, subject matter, materials, size, weight (if applicable) and history of the Artwork, photographs, value as supplied by a qualified appraiser, location of display or storage, and date and method of original acquisition. The inventory shall be kept in the City Clerk's Office.

B. Maintenance of Public Artwork. The City will maintain all Public Artwork in a manner and condition that protects the appraised value of the Artwork. The City will further establish a maintenance schedule for each piece of Public Artwork. A copy of the schedule shall be kept with an inventory of Public Artwork maintained in the City Clerk's Office.

C. Donations. The City may accept donations of Artwork to its Public Art collection. At the direction of the City Council, the donor may be required to provide for the maintenance of the Artwork in perpetuity through a financial contribution to the City to the City's Public Art Fund as a condition of the City's acceptance of the donation.

D. Maintenance of Private Artwork Publicly Displayed. The City shall establish and maintain an inventory of Private Artwork Publicly Displayed. The inventory shall include a general description of the Artwork, the owner and the location. Owners of Private Artwork Publicly Displayed shall maintain the Artwork in good condition, in accordance with recognized industry standards.

E. Maintenance of Loaned Artwork in Public Places.

(1) The City shall maintain an inventory of Loaned Artwork in Public Places.

The inventory shall include a general description of the Artwork, the owner, the location and the loan agreement between the owner and the City.

(2) Owners of Loaned Artwork in Public Places shall pay for maintenance to keep the Artwork in such condition that it does not detract from the character of the zoning district in which it is displayed, or contribute the sum of one-percent (1%) of the appraised value of the Art to the Public Art Fund and authorize the City to perform required maintenance work.

F. Other provisions for Loaned Artwork in Public Places.

(1) Owners of Loaned Artwork in Public Places shall provide all necessary insurance as required by the City.

(2) Any Loaned Artwork in Public Places not retrieved within ninety (90) days of the termination date of the loan agreement shall become the property of the City and shall be designated as Public Art and added to the City's Public Art Inventory.

Section 7. Approval for the placement of Artwork Publicly Displayed. A proposal shall be submitted to the Cultural Arts Commission.

A. Completed proposal shall be submitted to the Staff Liaison for review by the Cultural Arts Commission;

B. The Staff Liaison shall accept the proposal and agendize the item for review and recommendation by the Commission concerning the proposed placement of Artwork.

C. The Cultural Arts Commission shall consider the proposal for review and recommendation to the City Council of the proposed artwork and for other pertinent commissions and organizations review.

D. All Artwork placed on private property shall remain the property of the owner of the property, and the obligation to provide all maintenance necessary to preserve the Artwork in good condition shall remain with the owner of such property.

Section 8. Removal or Alteration of Artwork.

A. Any Artwork shall not be removed or altered without the prior approval of the City. If such Artwork is knowingly removed or altered without such prior approval, the City may, in addition, pursue any other available civil or criminal remedies or penalties.

Section 9. Donation of Artwork to the City of Redlands

A. The City believes that Artwork placed in public sites or in public buildings increases the aesthetic appeal and beauty of such public sites and buildings, and of the City in general.

B. All proposals for donations of Artwork to the City shall be reviewed by the Cultural Arts Commission for recommendation to the City Council.

C. The responsibility of the Cultural Arts Commission is to:

(1) Confer with persons who have offered to donate Artwork to the City, informing them of the donation policy, including criteria for accepting Artwork and the scope of the approval process.

(2) Advise the City Council of the artistic merit and value of Artwork offered to the City as donations.

(3) Advise the City Council regarding appropriate public sites or buildings for display of such Artwork, in conjunction with the City Commission and/or Department which has responsibility for planning or maintaining the proposed location.

D. The Cultural Arts Commission shall consider the following criteria in making a recommendation for accepting a donation of Artwork to the City:

(1) The Artwork should be an original creation, and be of the highest quality and level of artistic excellence.

(2) The Artwork should add significantly to the balanced inventory of the City's collection, representing a variety of style, design and media.

(3) The donor should complete a standardized donation form.

(4) The Artwork should be of satisfactory physical condition, be sufficiently durable as to not be easily damaged or destroyed, should not require restoration or extensive long term conservation, and should be of a physical size and weight that it can be managed in storage, transport and public display without difficulty.

(5) The Artwork should be consistent with and relevant to the civic interests and broad variety of tastes within the Redlands community.

E. Proposed donations of Artwork to the City must have the approval of the Cultural Arts Commission prior to making a recommendation for acceptance to the City Council.


F. Artwork accepted by the City is done so with the expected understanding that the City shall have the right to place such Artwork on public display on either a permanent or temporary basis, and to store the Artwork when not on display. No gifts will be accepted based upon the understanding that the Artwork will be displayed in perpetuity.

G. The City will not provide estimated values or appraisals of Artwork being donated to the City. The value of such Artwork shall be determined by the donor to the City at the time of


donation. It is the responsibility of the donor to furnish such values or appraisals to the appropriate government taxing agencies as may be required by law.

H. The City shall require all donors of Artwork to the City to grant by written agreement all intellectual and other property rights to such Artwork to the City.

ADOPTED, SIGNED AND APPROVED this 19th day of May, 2009.

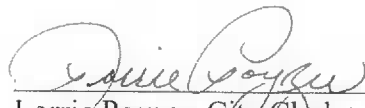

Jon Harrison, Mayor

ATTEST:


Lorrie Poyzer, City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands, hereby certify that the foregoing resolution was duly adopted by the City Council at a regular meeting thereof, held on the 19th day of May, 2009, by the following vote:

AYES:	Councilmembers Gilbreath, Gallagher, Aguilar, Bean; Mayor Harrison
NOES:	None
ABSENT:	None
ABSTAIN:	None


Lorrie Poyzer, City Clerk

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

POLICIES

ARTICLE	8	-	GENERAL OPERATIONS
PART	8.5	-	VISUAL AND PERFORMING ARTS
SECTION	8.50	-	POLICY FOR THE AIRPORT AUTHORITY ART PROGRAM

PURPOSE: To establish policy governing acquisition, retention, display, gifts and loans, and deaccession of Artwork at all public-use facilities and airports under the jurisdiction of the San Diego County Regional Airport Authority (“Authority”), as well as overall administration of the Airport Arts Program and Arts Advisory Committee; and to integrate the Airport Arts Program into the day-to-day administration of the Authority, afford new and innovative opportunities for the presentation of arts and culture, and to further the mission of the Authority.

DEFINITIONS:

Acquisition. Permanent artwork collected and catalogued by the Authority through purchase, commission, bequest, or gift.

Airport. All public-use facilities and airports under the jurisdiction of the Authority including San Diego International Airport (Lindbergh Field).

Airport Arts Master Plan. A five-year planning document reviewed and recommended by the AAC to the President/CEO and subsequently approved by the Board that establishes a strategic direction for the Airport Arts Program and defines the associated administrative, organizational, financial resources and guidelines to support its implementation.

Airport Arts Program. A program of the Authority consisting of the: (1) Public Art Program; (2) Temporary Exhibitions Program; and (3) Performing Arts Program. The Airport Arts Program enriches the travel experience and airport environment for customers through innovative and memorable arts programming and exemplifies the Airport’s role as a respected community partner and regional resource.

Airport Art Site and Opportunities Plan. A comprehensive plan created for the Airport Arts Program related to major capital projects. The Airport Art Site and Opportunities Plan should include recommendations for public art projects and arts infrastructure and include recommended budget allocations for each project or infrastructure investment. The Airport Art Site and Opportunities Plan is reviewed and recommended by the AAC to the President/CEO and subsequently approved by the Board.

Artist. An individual recognized by critics and peers as a professional practitioner of serious intent and substantial ability in the visual, performing, or literary arts.

Artist Selection and Review Panels. Ad hoc committees comprised of members appointed by the AAC that review and recommend Artists for participation in the Airport Arts Program.

Arts Advisory Committee (AAC). A standing committee that serves to advise the President/CEO and Board on matters regarding the Airport Arts Program.

Arts Professionals. Individuals with recognized expertise and working knowledge in one or more fields of the visual, performing, and literary arts including arts administrators, arts educators, or practicing artists.

Artwork. A permanent, temporary, fixed, portable, visual, and/or performative work in any style, expression, genre and/or media created by an Artist as defined herein. Memorials, as defined herein, shall also constitute Artwork subject to this Policy 8.50. Gifts of State, as defined herein, shall not constitute Artwork subject to this Policy 8.50.

Board. The Authority's Board of Directors.

Capital Project. Construction projects within the Authority's Capital Program which is defined by Policy 4.30.

Collections Management Plan. A plan maintained by the Airport Arts Program staff that documents the Airport's Public Art Collection, records previous conservation, and documents and prioritizes conservation needs.

Conservation. The preservation, protection and restoration of artwork and cultural property through activities that prolong its existence and minimize chemical and physical deterioration and damage, and that prevent loss of informational content.

Deaccession. The removal of Artwork from the Authority's collection and care.

Design Professionals. Generally refers to architects; civil, structural, mechanical, electrical engineers; landscape architects; urban planners; graphic, interior, industrial, fashion designers; and others whose services require licensing or registration by the state or otherwise require the knowledge and application of design principles appropriate to the Airport Arts Program.

Eligible Project. A Capital Project that includes construction of or renovations to terminals, curbsides, roadways, connecting green spaces and other related landside improvements that directly impacts the customer experience by nature of being physically accessible and/or visually prominent.

Financial Contributions. Funds contributed to support any element of the Airport Arts Program. This may include cash contributions and sponsorships.

Gifts of Artwork. The donation of Artwork, or the funds to acquire or commission Artwork, to the Authority for placement in the Airport.

Gifts of State. Items given to the Authority by a domestic or foreign government official as an expression of goodwill; not considered Artwork under this policy.

Incoming Loan of Artwork. Artwork borrowed by the Authority for display in the Airport for a specified period of time.

Ineligible Project. A Capital Project that includes airside improvements, utilities, land acquisition, purchase of right of way, equipment purchase or rental, pollution mitigation, and other project soft costs that do not directly impact or relate to the public experience.

Memorial. An item, object, or monument designed or adapted to commemorate or honor the memory of a person, place, idea, or event that occurred in the past.

Outgoing Loan of Artwork. Artwork from the Public Art Collection that is loaned to qualified institutions which include a non-profit museum, art gallery, governmental or educational entity for a specified period of time.

Performing Arts Program. The presentation of live performances of music, dance, theater or other performative art forms.

President/CEO. The President/Chief Executive Officer of the Authority.

Program Review. A periodic review of the Airport Arts Program that considers the overall vision and goals for the Airport Arts Program, its internal processes, and external partnerships, with special consideration given to current staffing resources. The Program Review is reviewed and recommended by the AAC and approved by the President/CEO.

Public Art Collection. The group of permanent Artworks acquired by the Authority.

Public Art Program. Planning, development, and Conservation of a collection of permanent Artwork that is integral to the Airport.

Public-Private Partnership (P3). A contract between a public sector entity and a private sector entity that outlines the provision of assets and the delivery of services.

Site. A specified area, space or system within the Airport identified for the placement of Artwork.

Temporary Exhibitions Program. The temporary presentation of items on loan from local and regional museums, cultural institutions, arts organizations, educational groups, collectors, and Artists.

POLICY STATEMENT:

- (1) General Policy. The Authority recognizes the unique physical, social and economic contribution of the arts and culture. The Authority is committed to the presentation and advancement of a wide variety of high quality arts and culture programming that has artistic merit, cultural interest, and educational value; that positions the Airport as a creative industry driver; and that promotes regional prosperity and quality of life. Such programming shall be aligned with the mission of the Authority.
 - (a) Airport Arts Program. The President/CEO shall sustain the Airport Arts Program through the presentation and advancement of quality arts and cultural programming that supports and enhances the mission of the Authority.
 - (b) Funding. Funding for the Airport Arts Program shall be accomplished as follows:

- i. The President/CEO shall take appropriate action to allocate for Board approval two percent (2%) of eligible construction costs from each Eligible Project to fund the Public Art Program. In certain extraordinary circumstances, including but not limited to a large-scale Eligible Project or a period of poor economic climate, the President/CEO, in his/her discretion, may request that the Board reduce the two percent (2%) allocation on a per-Eligible Project basis. If less than two percent (2%) of eligible construction costs from an Eligible Project is allocated to fund the Public Art Program, all such instances shall be documented on an annual basis, accounting for the actual percentage that was allocated per Eligible Project to fund the Public Art Program. The accounting report shall be provided to the Arts Advisory Committee and the Board.
 - a. Allocations shall be calculated based on the total of construction costs for the Eligible Project.
 - b. In collaboration with the Airport Design and Construction Department, the Airport Arts Program staff shall participate in the identification of eligible projects during the initial planning phase for Capital Project funding.
 - c. The Board shall approve public art fund allocations in conjunction with Capital Project funds. All Capital Project monies appropriated for the Airport Arts Program purposes shall be maintained in a separate project fund.
- ii. The Temporary Exhibitions Program, Performing Arts Program, and administrative costs required to operate the Airport Arts Program shall be funded from the Authority's annual operating expense budget.
- iii. Up to 15% of the funds allocated for an Eligible Project shall be placed in a separate fund for Conservation, costs associated with relocation and Deaccession, and other costs related to collections management. The amount shall be recommended by Airport Arts Program staff.
- iv. Public Private Partnerships. Any Public Private Partnership (P3) project in which the Authority is a public partner, whether or not the project is owned and operated by the Authority, shall be subject to and considered a Capital Project, or an Eligible Project if so deemed, under this Policy 8.50.
- v. Financial Contributions. The Authority may accept financial contributions to support the Airport Arts Program.
 - a. Financial Contributions shall be held in a fund that allocates the funding for the purpose that it was contributed.

- b. Donors making financial contributions to the Airport Arts Program shall agree that their funds will be used to support projects and programs developed by the Airport Arts Program in accordance with the Policy, and may not influence artistic decisions or direct the selection of particular artists, performers or contractors.
- (c) Ownership. Except as described below, Authority shall obtain full ownership of and title to all Artwork acquired through the Airport Arts Program.
 - i. Waiver and Transfer of Rights. The Authority shall not commission, accept, or receive any Artwork unless prior to such commissioning, acceptance, or receipt, the author and (or) owner of the Artwork has executed a written waiver of all interests and rights held by the author and (or) owner in the concerned Artwork under all applicable local, state and federal law, and transferring all ownership interests to the Authority.
 - ii. Copyright. Subject to the above provisions, the Artist retains copyright to the Artwork as the sole author of the Artwork and the Artist (or other copyright holder if not the Artist) gives the Authority perpetual license and right to use the Artwork and images of the Artwork at the Authority's sole discretion and without further compensation, including all non-commercial uses. The Authority retains the right to pursue a separate agreement with the Artist for the purpose of producing commercial merchandise featuring the Artwork. The Authority will reasonably endeavor to provide advance notice to the copyright holder for any Artwork that is anticipated to be prominently featured in a commercial use undertaken by the Authority.
 - iii. Unconstrained Use. The Authority shall have the right to alter, change, modify, relocate, destroy, distort, mutilate, remove, transport, store, sell, transfer in whole or in part, replace and replicate the Artwork in whole or in part when the Authority, in its sole discretion, deems it necessary for any reason or when required as part of public works or infrastructure improvements to enhance Airport facilities.
- (d) Rights and Responsibilities. A legal instrument of conveyance clearly defining the rights and responsibilities of all parties must accompany all Artwork acquired and presented by the Authority, including but not limited to ownership, copyright, license, and reproductions.
- (e) Conservation and Maintenance. The President/CEO shall ensure that all Artwork in the Public Art Collection is maintained and conserved in accordance with the Collections Management Plan. Maintenance and conservation shall be conducted through the use of qualified fine art conservators when necessary, skilled maintenance technicians, and detailed Artwork maintenance records.
- (f) Collections Management. The President/CEO shall ensure accurate records that document the ownership, care and appraisal value of Public Art Collection.

(g) Gifts and Loans of Artwork. The AAC shall review all Gifts and Loans of Artwork and based upon their professional expertise, shall provide a written recommendation to the President/CEO. The AAC shall review all proposed Gifts and Loans by deliberate, standardized procedures independent of political pressures, fluctuations in artistic taste, and public opinion.

- i. The Authority shall accept donated Gifts and Incoming Loans of Artwork only where the President/CEO, in his or her sole discretion, determines that special and unique circumstances exist. In making such a determination, the AAC and the President/CEO shall consider, at a minimum, whether some or all of the following criteria exist:
 - a. Relevance of the Gift or Incoming Loan of Artwork to the Public Art Collection;
 - b. Appropriateness of the Gift or Incoming Loan of Artwork to the Airport;
 - c. Artistic excellence of the Gift or Incoming Loan of Artwork;
 - d. Costs for delivery, site preparation, installation, maintenance and ongoing display of the Gift or Incoming Loan of Artwork;
 - e. Any special restrictions, conditions, or considerations required by the donor regarding the use of the Gift or Incoming Loan of Artwork;
 - f. The proposed gift of Artwork supports the vision and goals of the Airport Arts Program;
 - g. There is an available location for the siting of the gift;
 - h. The gift adds to the diversity of the Public Art Collection; and
 - i. The gift is an Artwork and is created by an Artist, as defined in the Policy.
- ii. Unless otherwise approved by the AAC, the donor of the proposed gift shall be required to pay all costs associated with the donation including but not limited to design, fabrication, transportation, installation, security, permits, on-going maintenance, lighting and removal.
- iii. All gifts shall be subject to all applicable provisions regarding review, acquisition, exhibition, ownership and Deaccession governing the Airport Arts Program as described herein.
- iv. The consideration of acceptance of gifts may be held for up to 12 months to be reviewed in conjunction with other donations.

- v. The Authority may establish limitations to or a moratorium on future installations of a gift at its sole discretion.
 - vi. The Authority shall approve Outgoing Loans of Artwork only where the President/CEO, in his or her sole discretion, determines that special and unique circumstances exist. In making such a determination, the President/CEO shall consider, at a minimum, the following criteria:
 - a. Value of Artwork and period of Outgoing Loan;
 - b. Function of the facility in which the Artwork is to be located and hours of operation;
 - c. Accessibility of the building in which the Artwork is to be located;
 - d. Environmental controls for Artwork;
 - e. Provision of security and staffing for Artwork; and
 - f. Proof of adequate insurance coverage for Artwork.
 - vii. Gifts of state by foreign governments or by other political jurisdictions of the United States are not considered Artwork and shall not be reviewed by the AAC.
 - viii. Objects that do not meet the Policy's definition of Artwork are not reviewed under this Policy.
- (h) Memorials. The AAC shall review all Memorials, as defined herein, being considered for placement on Airport property and shall provide its written recommendation to the President/CEO. The AAC shall review all proposed Memorials by deliberate, standardized procedures independent of political pressures, fluctuations in artistic taste, and public opinion.
- i. The Authority shall accept requests for Memorials only where the President/CEO, in his or her sole discretion, determines that special and unique circumstances exist. In making such a determination, the President/CEO shall consider, at a minimum, whether some or all of the following criteria exist:
 - a. The person, place, idea or event being memorialized is deemed significant enough to merit such honor and is appropriate to the mission of the Airport;
 - b. The Memorial has timeless qualities and makes a statement of significance to future generations;
 - c. The Memorial represents broad community values and has been embraced and supported by the community it is intended to honor;

- d. The proposed location is an appropriate setting for the Memorial and there is specific justification for the Memorial being located at that site;
 - e. The quality, scale, and character of the Memorial are at a level commensurate with the proposed location or setting;
 - f. The Memorial is relevant to the Public Art Collection; or
 - g. Provision of a maintenance endowment to ensure adequate quality of care for the Memorial in perpetuity.
 - ii. Unless otherwise approved by the AAC, the donor of the proposed Memorial shall be required to pay all costs associated with the donation including but not limited to design, fabrication, transportation, installation, security, permits, on-going maintenance, lighting and removal.
 - iii. All Memorials shall be subject to all applicable provisions regarding review, acquisition, exhibition, ownership and Deaccession governing the Airport Arts Program as described herein.
 - iv. The Authority may establish limitations to or a moratorium on future installations of a Memorial at a particular location or area.
- (i) Deaccession. The Authority shall retain the right to Deaccession any Artwork in the Public Art Collection. The AAC shall review all Artwork being considered for Deaccession by deliberate, standardized procedures independent of political pressures, fluctuations in artistic taste, and public opinion.
- i. The Authority shall Deaccession Artwork only where the President/CEO, in his or her sole discretion, determines that special and unique circumstances exist. In making such a determination, the President/CEO shall consider, at a minimum, whether some or all of the following criteria exist:
 - a. The condition or security of the Artwork cannot be reasonably guaranteed;
 - b. The Artwork requires excessive maintenance or has faults of design or workmanship and repair or remedy is impractical or unfeasible;
 - c. The Artwork has been damaged or has deteriorated and repair or remedy is impractical or unfeasible;
 - d. The Artwork's physical or structural condition poses a threat to public safety;
 - e. The Artwork is proved to be inauthentic or in violation of existing copyright laws;
 - f. The Artwork is not, or is only rarely on display because no suitable site is available;

- g. Significant changes in the use, character or design of the site have occurred which affect the integrity of the Artwork;
 - h. The Artwork has been lost, stolen, or is missing;
 - i. The Artwork has received documented and unabated adverse public reaction over an extended period of time; and
 - j. Deaccession is requested by the Artist.
- ii. Should the Authority choose to Deaccession an Artwork, the Authority reserves the right to sell the Artwork. The Artist shall be given the first opportunity to purchase the Artwork at its current appraised value.
 - iii. Should the Artist choose not to purchase the Artwork, the Authority may sell, trade, donate, or destroy the Artwork.
 - iv. Destruction shall only be used where, in the sole discretion of the President/CEO, the following circumstances exist:
 - a. Most or all of the Artwork has been damaged or has deteriorated and/or repair or remedy is impractical or unfeasible; and
 - b. Public safety can be protected only by destroying the Artwork.
- (2) Arts Advisory Committee (AAC). In carrying out its duties, the AAC shall make recommendations to the President/CEO on matters relating to the Airport Arts Program upholding the Airport Arts Program mission, ensuring the Airport Arts Program policies and procedures are followed, and supporting the development and stewardship of the Airport Arts Program. The President/CEO shall decide, in his or her sole discretion, whether or not to forward the AAC recommendations to the Board for approval. The AAC shall be advisory in nature and shall have no authority to negotiate for or commit the Authority in any respect.
- (a) Composition. The AAC shall be comprised of seven voting members and no more than three ex-officio, non-voting members. The composition should include members who bring a variety of professional expertise in the arts and design, cultural backgrounds, and spectrum of life experiences, striving especially to ensure inclusive representation, including but not limited to age, cultural background, and gender. The following membership shall constitute the AAC:
 - i. Six voting members who are Arts Professionals or Design Professionals.
 - a. At least two of the six members shall be practicing Artists.
 - b. At least one of the six members shall be actively involved in the performing arts.
 - c. At least two of the six members shall reside outside San Diego County.

- d. At least one of the six shall be active in building design, architecture or operational engineering.
 - ii. One voting member who serves as the Board Representative.
 - iii. Up to three ex-officio non-voting Authority staff members whose departments work closely with the Airport Arts Program as determined by the President/CEO.
- (b) Appointment Process. Appointment of members to the AAC shall be as follows:
 - i. The Chair of the Board shall annually appoint one Board Representative to serve as a voting member of the AAC. The Board Representative may be a past or present Board member. The President/CEO shall recommend six individuals who are Arts Professionals and Design Professionals to serve as voting members of the AAC subject to appointment by the Board, for three-year terms.
 - ii. The President/CEO shall review interested candidates' qualifications and make recommendations to the Board as follows:
 - a. Solicit and review qualifications submitted by AAC, staff, and interested professionals in the fields of design, visual art, performing arts, and literary arts annually or as needed; and
 - b. Conduct interviews as needed.
- (c) Terms of Membership. Voting members of the AAC shall be recommended by the President/CEO for appointment by the Board for a term of three years, and no member may serve more than two consecutive terms. Should a member serve a partial term less than one-and-a-half years to complete the non-expired term of a prior member, such partial term shall not be included for purposes of the maximum service of two consecutive terms. Partial terms equal to or exceeding one-and-a-half years shall count as a full term. Ex-officio members of the AAC shall be appointed by the President/CEO without a term limit.
 - i. A member's term shall commence on the date the member is appointed or reappointed to the AAC.
 - ii. Should a vacancy occur prior to the end of the member's scheduled term, the President/CEO shall recommend a replacement for the non-expired term, subject to appointment by the Board.
 - iii. The Authority shall maintain a record of the current AAC members and their term expirations.
- (d) Governance. The members of the AAC shall elect a Chair and Vice-chair at the first meeting of each calendar year for a one-year term.
 - i. The Chair shall be a resident of San Diego.

- ii. The Chair and Vice-chair shall not hold a current leadership position on the staff, governing board, or advisory committee of the arts agency or department of any local governmental or educational entity within San Diego County, to prevent any overlap of authority.
- (e) Role. The AAC shall make recommendations to the President/CEO who shall decide, in his or her sole discretion, whether or not to forward the AAC recommendations to the Board for approval. The AAC shall:
- i. Recommend Airport Arts Program policies to the President/CEO for his/her review and recommendation to the Board for its approval;
 - ii. Recommend Airport Arts Program guidelines and procedures to the President/CEO for his/her approval;
 - iii. Recommend the Arts Master Plan to the President/CEO for his/her review and recommendation to the Board for its approval;
 - iv. Recommend the Program Review to the President/CEO for his/her review and approval;
 - v. Recommend the Airport Art Site and Opportunities Plan to the President/CEO for his/her review and recommendation to the Board for its approval;
 - vi. Approve selection process and Artist Selection and Review Panel composition for public art commissions;
 - vii. Approve selection panels for Performing Arts Residency and Temporary Exhibition programs;
 - viii. Recommend approval of artist selection for public art projects to President/CEO for his/her review and confirmation;
 - ix. Recommend approval of artist concept design for public art projects to the President/CEO for his/her review and confirmation;
 - x. Recommend Deaccession to the President/CEO for his/her approval;
 - xi. Recommend Gifts and Loans to the President/CEO for his/her approval;
 - xii. Recommend Memorials to the President/CEO for his/her approval; and
 - xiii. Participate in advocacy, community outreach and strategic planning in support of the Airport Arts Program mission.

- (f) Conflict of Interest. AAC members must abide by the following:
 - i. Withdraw from participating or voting on any recommendation involving a competition, commission, project or program for which any monetary gain or for which any business or familial relationship would make it difficult to render an objective and impartial decision or create the perception that an objective and impartial decision would be difficult;
 - ii. Be ineligible for any Authority-related competition, commission, project, or program during their tenure; and
 - iii. Disclose any real or perceived conflicts of interest.
- (3) Artist Selection and Review Panels. The AAC shall appoint Artist Selection and Review Panel members to review and recommend Artists for designated projects and program opportunities within the Airport Arts Program.
 - (a) Composition. Each Panel shall be comprised of the following:
 - i. Three to five voting members who are Arts Professionals or Design Professionals;
 - ii. A representative from the project design or construction team of the Authority who shall participate as a non-voting advisor; and
 - iii. A member of the AAC who shall participate as a non-voting advisor.
 - (b) Duration. Artist Selection and Review Panels shall be formed for only the duration of the designated selection process. Upon final recommendation of an Artist to the AAC, the specific Artist Selection and Review Panels shall be disbanded.
 - (c) The AAC, at staff's request and at the Committee's discretion, reserves the right to serve as the Artist Selection and Review Panel.
- (4) Duties of the Board. The Board shall, in its sole discretion:
 - (a) Approve the Airport Art Site and Opportunities Plan;
 - (b) Approve the allocated 2% of the amount of eligible construction costs from Eligible Projects for the Public Art Program;
 - (c) Through its Chair, appoint one Board Representative annually to serve as a voting member of the AAC who may be a past or present member of the Board.
 - (d) Approve appointments to the AAC, other than the Board Representative who is selected by the Chair; and.
 - (e) Approve Airport Arts Program public works contracts per Policy 5.02.

- (5) Duties of the President/CEO. The President/CEO shall be responsible for the administration and implementation of the Airport Arts Program and shall decide, in his/her sole discretion, whether or not to forward the AAC recommendations to the Board for its approval as defined herein. The President/CEO shall determine processes to carry out the following:
- (a) Negotiate and execute contracts with Artists to commission the design, fabrication, and installation of Artwork for the Airport;
 - (b) Ensure that artists shall be involved at the earliest stages of design for Eligible Projects to maximize the successful integration of the Artwork at the Site;
 - (c) Review and approve the Program Review;
 - (d) Review the Airport Art Site and Opportunities Plan and forward it to the Board for its approval;
 - (e) Allocate 2% of eligible construction costs from Eligible Projects for the Public Art Program;
 - (f) Review and confirm the AAC's recommended artist selection for public art projects;
 - (g) Review and confirm the AAC's recommended concept design for public art projects;
 - (h) Approve Deaccession and relocation of public art;
 - (i) Approve Gifts and Loans;
 - (j) Approve Memorials;
 - (k) Serve as a liaison between the Authority and the public on Airport Arts Program-related matters, including coordinating outreach and communications efforts; and
 - (l) Pursue collaborations and partnerships that further the goals of the Authority and the Airport Arts Program.

[Amended by Resolution No. 2019-0031 dated March 14, 2019.]

[Amended by Resolution No. 2013-0005 dated January 10, 2013.]

[Amended by Resolution No. 2006-0149 dated December 4, 2006.]

[Amended by Resolution No. 2006-0081 dated July 6, 2006.]

[Adopted by Resolution No. 2002-02 dated September 20, 2002.]

RESOLUTION NO. 18-004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SARATOGA AMENDING THE PUBLIC ART POLICY

WHEREAS, the City Council of the City of Saratoga adopted Resolution 03-026 establishing the Saratoga Public Art Policy; and

WHEREAS, this policy was superseded by Resolution 16-028, which declared that placement of public art on City property by the City of Saratoga shall be approved by majority vote of the City Council on a case-by-case basis; and

WHEREAS, since adoption of Resolution 16-028, the City Council has formed the Public Art Committee, which is comprised of two City Council Members and provides the City Council with recommendations on programs that foster arts and culture in Saratoga for the enrichment and appreciation of the City and its citizens; and

WHEREAS, with the formation of the Public Art Committee and an increasing interest in public art, some of the responsibility regarding placement of public art can be delegated to the Public Art Committee; and

WHEREAS, the Public Art Committee hereby is authorized to approve installation of artwork and exhibits on City property that meet the following criteria:

- Artwork/exhibits do not impede typical uses of the site where they are proposed to be installed
- Artwork/exhibits are appropriate in scale, media, and context with the intended display location
- Artwork/exhibits do not contain political statements or symbols, religious reference or symbols, profane or offensive content, graffiti-like style artwork, copyrighted or trademarked material, or corporate or organizational references, branding, or symbols
- Artwork/exhibits are suitable for display to a diverse audience, including children, and should help create a sense of place and community
- There is evidence of community support for the artwork/exhibit
- Artwork/exhibits installed outdoors is be able to withstand an outdoor environment through the public display period
- Artwork/exhibits do not pose a threat to public safety
- Any costs associated with artwork/exhibits, such as a lease or installation expenses, can be accounted for within the Public Art Budget approved by the City Council
- Artwork/exhibits will be displayed for a period of 3 years or less

WHEREAS, placement of public art or exhibits on City property by the City of Saratoga that do not fall within the discretion of the Public Art Committee shall be reviewed by the Public Art Committee and, at the recommendation of the Public Art Committee, be considered for approval by the City Council by majority vote on a case-by-case basis; and

WHEREAS, this resolution shall replace and supersede all prior resolutions, policies, and understandings relating to the Public Art Policy.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Saratoga hereby grants the Public Art Committee with the discretion to approve placement of public art and exhibits based on the above criteria and any pieces of public art or exhibits that fall outside the discretion of the Public Art Committee will be reviewed by the Public Art Committee and if recommended for approval by the Public Art Committee, considered by the City Council by majority vote on a case-by-case basis.

The above and foregoing resolution was passed and adopted at a regular meeting of the Saratoga City Council held on the 21st day of February 2018 by the following vote:

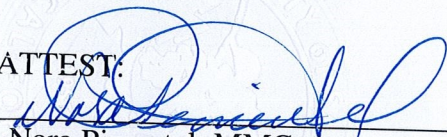
AYES: Mayor Mary-Lynne Bernald, Vice Mayor E. Manny Cappello, Council Members
Howard A. Miller, Emily Lo, Rishi Kumar

NOES:

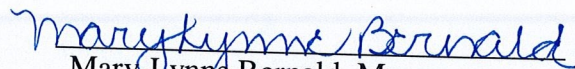
ABSENT:

ABSTAIN:

ATTEST:



Nora Pimentel, MMC
City Clerk



Mary-Lynne Bernald, Mayor

DATE: 2/26/18

Policy 6.4.4 Art in Public Places

POLICY PURPOSE

The purpose of this policy is to ensure uniform guidelines and procedures for the inclusion of publicly accessible art on public properties, and to establish uniformity between the requirement for art in municipal construction projects with the requirement for art in private development projects. Additionally, this policy will also provide uniform procedures and guidelines for the permanent removal or deaccession of a city-owned public art piece.

POLICY STATEMENT

In 2002, the City Council reviewed the status, intent and effectiveness of public art policy in Sunnyvale and approved a policy to require art in public construction projects under certain circumstances.

In 2012, the Council again reviewed the effectiveness of existing public art policy and voted to amend the current policies to include a deaccessioning policy for the City's Permanent Art Collection, as well as to further define project eligibility for subsidies from the City's Public Art Fund.

DEFINITIONS

1. Art: The conscious use of skill and creative imagination in the production of aesthetic objects.
2. Public Art: Artwork that is publicly accessible and that allows an unobstructed view of the artwork. The artwork can be located on either public properties or private properties.
3. Public Areas: Any public gathering place including, but not limited to; public plazas, the library, parks and park buildings, police and fire stations, community, neighborhood and senior centers, public transportation centers, and civic centers.
4. Publicly Funded Projects: All construction funded by public or taxpayer funds.
5. Public Art Fund: A fund established to create community art projects or to purchase artwork for installation on the interior or exterior of public buildings, or other such public property, such as parks, the grounds of public facilities, or community gateways. The Public Art Fund is administered by the Department of Library and Community Services and receives funding through in-lieu fees for art. Public Art Funds may be used to support eligible projects:
 - A. Create community art projects for installation on public property.
 - B. Install public art on public property such as parks or the grounds of public facilities such as the Community Center and Civic Center.
 - C. Install public art in the interior of public buildings that are deemed to be areas of concentrated public activity such as the lobbies and public areas of the Library, City Hall buildings and Community Center buildings.

COUNCIL POLICY MANUAL

- D. Install public art at City gateways and focal points or other high profile locations identified in the Master Plan for Public Art.
 - E. Install temporary or rotating art exhibits on public property.
 - F. Subsidize public art projects required through municipal construction projects and located on public property.
6. Project Valuation: The City's building permit valuation formula as set forth in Title 16 of the Municipal Code will be used as the basis for calculating the required expenditure for public art. The formula is based on the building standards published by the International Conference of Building Officials. In the case of park and open space projects, the one percent (1%) requirement will be calculated based on the total project budget, excluding administrative costs.
7. Required Expenditure Valuation: When determining whether or not the 1% required expenditure has been met, the following costs can be included:
- A. The purchase price of the artwork
 - B. Art consultant fees
 - C. Travel costs for the artist
 - D. Transportation of the artwork to the site
 - E. Installation of the artwork
 - F. Site preparation costs directly associated with installation of the artwork
 - G. Landscaping that is integral to the artwork
 - H. Pedestals or display costs
 - I. Lighting for the artwork and utility fees associated with installation and/or operation of the artwork
 - J. Identification plaque
- Ineligible costs include:
- A. Land acquisition
 - B. Site preparation
 - C. Architect fees
 - D. Fees associated with dedication ceremonies, publicity, or educational components
 - E. Maintenance fees and repairs
8. Public Art Collection: The collection of artwork either donated to the City, or purchased through public funds, which is owned and maintained, in trust for the public, by the City of Sunnyvale.
9. Deaccession: The process to permanently remove an artwork from the City's Public Art Collection.
10. Disposal: Any method used to transfer ownership of the deaccessioned piece to another entity, either through sale, donation, trade or destruction.

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11. Conservation: The broad concept of care necessary to maintain an artwork in good condition.
12. Preservation: Actions taken to prevent deterioration of damage in artworks.
13. Restoration: The treatment of deteriorated or damaged artwork to approximate as nearly as possible its original (or artist-intended) form, design, color and function.

ART IN MUNICIPAL CONSTRUCTION PROJECTS

Eligible municipal construction projects are required to integrate public art. The artwork shall be located in publicly visible areas either inside a public building or on public property. The artwork shall be valued at an amount equal to 1% of the project valuation within a variance of ten percent.

PROJECT ELIGIBILITY

Eligible Projects:

- A. All aboveground publicly funded buildings or public open space projects within City jurisdiction with a construction valuation of \$1,000,000 or more. This includes the development or renovation of all public facilities, as well as; parks, street medians, City gateways, public plazas and any other locations identified in the Master Plan for Public Art developed in accordance with Council direction.
- B. All construction or renovation projects of \$100,000 or more in facilities such as:
 - Sunnyvale Community Center
 - Sunnyvale Civic Center complex including Library and Public Safety Building
 - Fire Stations
 - Columbia Neighborhood Center
 - Neighborhood Park Buildings
 - Water Pollution Control Plant and SMART Station
 - Focal points and gateways into the community
 - Any future City buildings that are comparable in nature

Exempt Projects: All underground projects, utility (including water) projects, streets and sidewalks, trees and landscaping, utility relocation, seismic upgrades, mechanical and electrical work, traffic improvements (such as traffic lights, crosswalks and traffic calming measures), and construction due to fire or other natural calamities.

ASSIGNMENT OF RESPONSIBILITIES

The Director of Public Works and the Director of Library and Community Services, or their designees shall be responsible for identifying municipal construction and renovation projects that meet the conditions of this policy and will be required to provide public art.

COUNCIL POLICY MANUAL

The Director of Library and Community Services, or his/her designee shall be responsible for initiating public art projects that are not required through municipal construction, but that have been designated as eligible for funding from the Public Art Fund, in accordance with the City's approved Master Plan for Art.

1. Review Process for Art in Public Places:

A. Project review Committee: This committee will coordinate the public art component of an eligible municipal construction project, and shall consist of staff from the Departments of Public Works, Library and Community Services, and Community Development, as appropriate.

B. Location and Artwork Review: Possible locations for the artwork and the type of artwork to be considered for the project shall be identified with input from the Project Review Committee, the Sunnyvale Arts Commission, pertinent city staff, interested citizens and project architects. Based upon this information, proposals will be solicited from qualified artists.

C. Short List of Artists: The Project Review Committee will be responsible for reviewing all art proposals and/or qualifications of artist applications. A short list of 2-5 artists and/or proposals will be established by the Committee. The short list shall have a minimum of two artists and/or proposals for consideration.

2. Approval Process:

A. Report to Council (RTC): A draft RTC outlining the project and the short list of artists will be forwarded to the Arts Commission for review and recommendation prior to going to City Council for action.

B. Council Approval: Following Council approval of a specific art proposal, the Director of Library and Community Services, or the Director's designee(s), shall be responsible for coordinating the integration of the public artwork into the municipal construction project.

3. In-Lieu Fee Alternative:

A. The in-lieu fee alternative available to private developers applies to public construction projects at the discretion of the Director of Public Works.

B. If the in-lieu option is exercised, the funds will be placed in the Public Art Fund for acquisition and installation of art on public property or in public buildings at a later date.

PERMANENT ART COLLECTION

Artwork approved for purchase or commission by the City Council shall become part of the City's Permanent Art Collection. All artwork in the collection will be documented in the City's Public Art Inventory and identified with a metal plaque. Oversight and maintenance of the Public Art Collection is the responsibility of the Department of Library and Community Services.

DE-ACCESSIONING PLAN

COUNCIL POLICY MANUAL

Artworks in the City's Public Art Collection are meant to remain on public display. However, circumstances may deem it necessary to permanently remove works of art from the City's Public Art Collection.

1. Eligible Circumstances for De-accessioning:

- A. Security: The security or continued good condition of an artwork cannot be reasonably guaranteed in its current location. Arts staff will attempt to relocate any artwork deemed at risk for security purposes; but in the event a suitable, secure location cannot be found, the item may be de-accessioned from the collection.
- B. Public Safety: The artwork is a danger to the general public because it is naturally deteriorating, or it has been altered through vandalism, unforeseen man-made circumstances or a natural disaster.
- C. Inauthentic: The artwork is discovered to be inauthentic or fraudulent.
- D. Stolen Art: The artwork is discovered to be stolen, and therefore, is returned to its legal owner.
- E. Theft: The artwork is illegally removed from its place of public display and cannot be located.
- F. Damage Beyond Repair: The artwork has been severely damaged and deemed "beyond repair" by a professional art conservationist, or the artist, and it cannot be restored to the artist's original intended condition for a price less than is considered prohibitive.
- G. Change in the Public Art Collection's Mission: The artwork no longer meets the mission of the Public Art Collection due to a formal change in the Collection's Mission Statement.
- H. Loss of Site (Site Alteration or Sale of Site): The artwork can no longer reside in its original location because the original location is altered due to construction, a change of site usage, or sale of the site. Arts staff will attempt to relocate the artwork to a suitable site; however, lack of a suitable site, either now or in the foreseeable future, or if there is not suitable storage until a site in the foreseeable future is available, could merit deaccessioning.

For site-specific artwork, or permanently-affixed artwork, deaccessioning may be warranted without any attempt to relocate the artwork. It is deemed that the artwork cannot be moved without causing irreparable damage or the cost of relocating the artwork is considered prohibitive.

- I. Temporary Acquisition: The artwork is intended to be a temporary display and the City's obligation to display the artwork is complete.
- J. Excessive Representation: The artwork is deemed as duplicative or excessive in representation of work of that type or of that artist.
- K. Aesthetic Value: The artwork has not withstood the test of time and has been professionally determined to lack aesthetic value to justify its continued upkeep and/or storage.
- L. Content: Once the Artwork has been accessioned into the City's Public Art Collection, it may not be de-accessioned solely on the basis of content or personal preference of any staff member, commission or board member, or member of the public.

2. Assignment of De-accessioning Responsibilities:

COUNCIL POLICY MANUAL

- A. No city department shall remove any work of art from the site for which it was selected, nor remove it from display, without prior consent of the Director of Library and Community Services, or the Director's designees(s).
- B. The Director of Library and Community Services, or the Director's designee(s), is responsible for determining whether or not the artwork meets any of the above criteria for removal or de-accessioning.
- C. The Director of Library and Community Services, or the Director's designee(s), shall be responsible for oversight of the de-accessioning process.
- D. The Director of Library and Community Services, or the Director's designee(s), shall make every effort to contact the artist of the artwork recommended for de-accession, or the artist's heirs, using current contact information. The artist, or the artist's heirs, shall be given the opportunity to purchase the artwork, or its parts, before the disposal or destruction of the artwork.
- E. The Director of Library and Community Services, or the Director's designee(s), shall determine the purchase price of a de-accessioned artwork, based on current market value.
- F. In the event that the de-accessioned artwork is sold, the Department of Library and Community Services will deposit the proceeds of such sale into the Public Art Fund of the City.
- G. In the event that the de-accessioned artwork is sold or donated, the removal of the artwork from city property shall be the responsibility of the purchaser or recipient of the donation and shall be of no cost to the City.
- H. De-accessioning and disposal of an artwork must be conducted publicly and formally with adequate documentation. It must also comply with all applicable local, state and federal laws.
- I. No current, or former, member of the Art Commission, City Council or City staff member shall be allowed to bid and/or purchase a de-accessioned artwork.
- J. A permanent record of the artwork's inclusion in the City's Public Art Collection, and reasons for its removal, shall be maintained in a Public Art Collection database by the Department of Library and Community Services.

3. Process for De-accessioning Artwork:

- A. If an artwork is subject to any of the above conditions and deemed eligible for de-accessioning, the Arts staff will prepare a report for review and evaluation by the City's Arts Commission, which will prepare a formal recommendation to the City Council for action on the de-accession.
- B. The Staff Report shall include:
 - a) Reasons for the suggested de-accession
 - b) Original accession method(s) and cost of artwork
 - c) Estimated current market value of the artwork
 - d) Proposed de-accession method(s) and cost for each proposed method, including the sale price if applicable
 - e) When appropriate, photo documentation of the site conditions and/or current condition of the artwork in question
 - f) Official Police Report (if applicable)

COUNCIL POLICY MANUAL

(Adopted: RTC 02-136 (5/7/2002); Updated for accuracy (10/28/09); Amended: RTC 12-187 (8/14/2012); Clerical update (9/30/14); Clerical update (12/3/14))

Lead Department: Department of Library and Community Services



Community Services Department Art in Public Places



Community Services Superintendent
41000 Main Street
Temecula, CA 92590
951-694-6480

Community Services Department Art in Public Places Guidelines



The City of Temecula seeks to enhance the quality of life for city residents, workers and visitors by providing for the acquisition and maintenance for public artwork. The mission of the City of Temecula's Community Services Department is to promote, encourage, and support the regions artistic and cultural assets; integrating arts and culture into the community and highlighting Temecula as a premier artistic tourism destination.

The City, through its Arts, Culture & Entertainment TEAM (Temecula Entertainment, Art, and Museums), works to support the arts through museums, various events, programs, and by displaying art at City facilities and parks. Additionally, the City encourages developers to enhance their projects with art through reduced fees.

The City also encourages artists to take advantage of the opportunities available, including partnering with developers, showcasing their work at City events and galleries, and through donation of artwork for the public good.

The City will consider loans and donations of artwork (either as a gift or to satisfy a development requirement) as specified by City of Temecula, Art in Public Places Ordinance 5.08.010 through 5.08.100. (attached)

There are two categories of public art applications:

CULTURAL ART PROJECTS/EXHIBITS/EVENTS

There is one type of application for this category -

Individual Artists – Art exhibits and events at City facilities, both temporary loans and permanent gifts.

- If the proposed work is a **Cultural Art Project**, then the Community Services Director is the decision maker.
- The application shall be submitted to the **Community Services Manager, Museums/ACE**
- Upon acceptance, a loan or donation agreement is required (see sample, section __)
- For instances where an agreement is not practical (event with multiple artists) a liability waiver will be required. (see sample, section __)
- Donations will be accessioned as part of the City of Temecula's Cultural Arts Collections

PRIVATE DEVELOPMENT PROJECTS

There are two types of applications for this category -

Donations – Public Art on Public Property.

- If the proposed work is for **Donations**, then the Community Services Commission shall be an advisory body and the City Council shall be the decision maker. The City Council's decision shall be final.
- The application shall be submitted to the **Community Services Superintendent**

Installations – Installation of Public Art on Private Property.

- If the proposed work is for **Installations**, then the Community Services Commission shall be the decision maker and its decision shall be final unless appealed to the City Council.
- The application shall be submitted to the **Community Services Superintendent**

In the case of **Donation** or **Installation** to satisfy a development requirement, the complete application shall be filed and approved prior to the issuance of grading or building permits. Review and approval of public artwork for development shall be conducted concurrently with review and approval of development permits.

Community Services Department Art in Public Places Application Process



Please see attached for application form.

The application is submitted to the Community Services Department for processing. Please allow sufficient time for processing based on scope/timeline of proposed project. In the case of **Donation** or **Installation** to satisfy a development requirement, the complete application shall be filed and approved prior to the issuance of grading or building permits. Review and approval of public artwork for development shall be conducted concurrently with review and approval of development permits.

FOR CULTURAL ART PROJECTS/EXHIBITS/EVENTS

Submit to :

Community Services Manager, Museums/ACE
28314 Mercedes Street
Temecula, CA 92590
951-694-6450

Community Services Manager will evaluate for completeness and submit to Community Services Director for approval. Upon Approval, Loan, Donation, or Purchase agreement will be facilitated.

FOR PRIVATE DEVELOPMENT PROJECTS

If the proposed work is for **Donations**, then the Community Services Commission shall be an advisory body and the City Council shall be the decision maker. The City Council's decision shall be final.

If the proposed work is for **Installations**, then the Community Services Commission shall be the decision maker and its decision shall be final unless appealed to the City Council.

Submit to :

Community Services Superintendent
41000 Main Street
Temecula, CA 92590
951-694-6480

Community Services Superintendent will evaluate for completeness and submit to Community Services Director for approval and submittal to Community Services Commission or City Council. Upon Approval, ??? agreement will be facilitated.

Entries not adhering to these guidelines will not be considered. Incomplete applications will be returned.

Community Services Department Art in Public Places Application



The City of Temecula will consider loans and donations of artwork (either as a gift or to satisfy a development requirement) as specified by City of Temecula, Art in Public Places Ordinance 5.08.010 through 5.08.100.

Applicant Name	
Artist Name (If Different from above)	
Company	
Address	
City/State/Zip	
Phone	
Email	
Website	

There are two categories of public art applications – Check Applicable Box:

☐ CULTURAL ART PROJECTS/EXHIBITS/EVENTS

Individual Artists – Art exhibits and events at City facilities, both temporary loans and permanent gifts.

- The application shall be submitted to the **Community Services Manager, Museums/ACE**

Description of Event or Exhibit Attach additional pages and samples of Art Where Appropriate	

☐ PRIVATE DEVELOPMENT PROJECTS

There are two types of applications for this category – Check Applicable Box:

☐ **Donations** – Public Art on Public Property.

☐ **Installations** – Installation of Public Art on Private Property.

- The application shall be submitted to the **Community Services Superintendent**

Proposed Work Application Checklist Attach the following documents	
<input type="checkbox"/>	Development Project Summary
<input type="checkbox"/>	Preliminary plans of sufficient descriptive clarity to indicate the compatibility of the proposed public artwork with the development project, adjacent parcels and the surrounding neighborhood.
<input type="checkbox"/>	A written statement explaining how the proposed artwork will be publically accessible
<input type="checkbox"/>	A written statement that the work is original and wholly created by the artist; is appropriate for all ages; that no copyrights or trademarks have been violated; that nothing about or within the work has been plagiarized, stolen or copied; and that the work will not defame or invade the rights of a person, living or dead.
<input type="checkbox"/>	Appraisal of work
<input type="checkbox"/>	Artists Resume
<input type="checkbox"/>	Visual Arts Rights Waiver
<input type="checkbox"/>	Additional information requested by the Community Services Department (if any)

Temecula Municipal Code

[Up](#)[Previous](#)[Next](#)[Main](#)[Collapse](#)[Search](#)[Print](#)[Title 5 BUSINESS LICENSES AND REGULATIONS](#)**Chapter 5.08 ART IN PUBLIC PLACES**

5.08.010 Purpose.

The purpose of this chapter is to enhance the quality of life for city residents, workers and visitors by providing for the acquisition and maintenance of public artwork. (Ord. 04-06 § 2)

5.08.020 Implementation of chapter.

A. The procedures prescribed by this chapter for review and approval of public artwork shall be conducted concurrently with any applicable procedures prescribed by Title 17 of this code for review and approval of development permits.

B. The community services department shall establish guidelines that specify maintenance requirements for public artwork installed on private property to satisfy the public artwork requirement. (Ord. 04-06 § 2)

5.08.030 Definitions.

For the purposes of this chapter, the following words and phrases shall have the following meanings:

“Appropriately maintained” means maintained in conformance with the city’s public artwork guidelines.

“Artwork” means an original creation of physical art including without limitation a fountain, mobile, mosaic, mural, painting, sculpture and tapestry. An artwork may be realized through such mediums as bronze, ceramic tile, concrete stained glass, steel or wood. An artwork may be an integral part of a building or public space, whether attached to, interior of or external to the building.

“Development project” means construction or modification of a building.

“In lieu art fee” means a fee in the amount of one-tenth of one percent of the project cost in excess of one hundred thousand dollars.

“Project cost” means the total value of a development project, excluding the land value, as indicated on the building permit issued by the city for the project.

“Public artwork” means an artwork that is either (a) donated to the city for installation on city property; or (b) installed on private property in a publicly accessible location.

“Public artwork requirement” means the requirement, imposed by this chapter, of providing a public artwork or paying the in lieu art fee.

“Publicly accessible” means accessible to the public for viewing in a direct line of sight for a minimum period of ten hours per day, seven days per week.

“Value of a public artwork” means the cost of designing, acquiring, constructing and installing an artwork, as applicable. (Ord. 04-06 § 2)

5.08.040 Art in public places fund.

A. There is established in the city a fund known as the “Art in Public Places Fund,” which shall be a depository for fees paid pursuant to this chapter and for public art-related monetary donations to the city.

B. The art in public places fund shall be maintained by the finance director and shall be utilized for the following purposes:

1. Administration of this chapter;

2. Design, acquisition, installation, improvement, maintenance and insurance of public artwork displayed on city property;
3. Offering of performing arts programs on city property for the community;
4. Art education programs on city property for the community; provided, however, that not more than five percent of the fund's annual budget shall be used for this purpose. (Ord. 04-06 § 2)

5.08.050 Applicability of public artwork requirement.

A. Except as provided in subsection B below, the public artwork requirement shall apply to the following development projects:

1. Single-family residential unit on a lot within an approved subdivision and having a project cost in excess of one hundred thousand dollars;
2. Multi-family residential units having a project cost in excess of one hundred thousand dollars per unit;
3. Commercial, industrial, office and other non-residential units in excess of one hundred thousand dollars.

B. The following development projects shall be exempt from the public artwork requirement:

1. Government agency development projects;
2. Reconstruction of structures that have been damaged by fire, flood, wind, earthquake or other calamity. (Ord. 04-06 § 2)

5.08.060 Satisfaction of public artwork requirement.

A. The public art requirement shall be satisfied by completing one of the following actions in accordance with this chapter:

1. Donating a public artwork to the city;
2. Installing a public artwork on private property;
3. Paying an in lieu art fee.

B. If the value of a public artwork used to satisfy the public artwork requirement is less than the amount of the in lieu art fee that otherwise would be applicable to the development project, then the difference shall be paid to the city and deposited in the Art in Public Places Fund. (Ord. 04-06 § 2)

5.08.070 Procedure for donation or installation of public artwork.

A. An application for donation of a public artwork to the city, or for installation of a public artwork on private property, shall be filed with the community services department prior to the issuance of grading or building permits for a development project. The application shall include:

1. Preliminary sketches, photographs, models or other documentation of sufficient descriptive clarity to indicate the nature of the proposed artwork;

2. An appraisal or other evidence of the value of the proposed artwork;

3. The resume of the creator of the proposed artwork;

4. If the application is for donation, then the application shall also include the following:

a. A city attorney-approved written statement executed by the artwork's creator waiving such person's rights under the Visual Artists Rights Act of 1990 (17 U.S.C. 101 et seq.), California Civil Code Section 1542 and equivalent laws;

5. If the application is for installation, then the application shall also include the following:

a. Preliminary plans of sufficient descriptive clarity to indicate the compatibility of the proposed public artwork with the development project, adjacent parcels and the surrounding neighborhood,

b. A written statement explaining how the proposed artwork will be publicly accessible;

6. Any other information requested by the community services department to enable reasonable evaluation of the application.

B. Each application shall be reviewed initially by the community services department, which shall make a recommendation thereon. If the application is for donation, then the community services commission shall be an advisory body and the city council shall be the decisionmaker. The city council's decision on an application for donation shall be final. If the application is for installation, then the community services commission shall be the decisionmaker and its decision shall be final unless appealed to the city council in accordance with Chapter 2.36 of this code.

C. Prior to installing a public artwork on private property to satisfy the public artwork requirement, the property owner shall execute and record with the county recorder a city attorney-approved covenant. Such covenant shall require the property owner and successors thereof to do the following:

1. Maintain the public artwork in good condition;
2. Allow city representatives to enter upon the property upon reasonable written notice to perform necessary repairs to the public artwork at the property owner's expense when it is not maintained in good condition;
3. Indemnify, defend and hold harmless the city, its officers, employees and agents from any claim, demand, damage, liability, loss, cost or expense attributable to the public artwork. (Ord. 04-06 § 2)

5.08.080 Procedure for payment of in lieu art fee.

Payment of the in lieu art fee shall be made prior to the issuance of grading or building permits unless an alternative deadline is approved by the city council. (Ord. 04-06 § 2)

5.08.090 Maintenance of public artwork on private property.

Public artwork installed on private property to satisfy the public artwork requirement shall be appropriately maintained and insured by the property owner. The insurance shall be in an amount determined by the city manager and shall provide coverage in the event of fire damage to or vandalism of the public work. (Ord. 04-06 § 2)

5.08.100 Removal or alteration of public artwork on private property.

Artwork installed on private property to satisfy the public artwork requirement shall not be removed or altered without the prior approval of the city council. In addition to any other applicable penalty, violation of this section may render the property owner liable for payment of the in lieu art fee that would have been applicable to the development project, and may result in revocation of the occupancy permit issued for the development project. Prior to any imposition of in lieu art fee liability or occupancy permit revocation pursuant to this section, the city shall afford the property owner notice and an opportunity for a hearing. (Ord. 04-06 § 2)

View the [mobile version](#).



City of Temecula

ART IN PUBLIC PLACES DEVELOPER GUIDELINES

2017

I. PROGRAM OVERVIEW

Temecula is an extraordinary city. It has a stunningly beautiful environment and is located close to desert, mountain, and beach resorts. It has an agreeable climate and a youthful, well-educated, and creative citizenry. Incorporated in 1989, Temecula is a new and contemporary city. It is a community with a firm commitment to preserve the area's unique character and to balance development with artistic and cultural enhancements.

In 2004 the City Council adopted an ordinance requiring Developers to place art or pay a fee to the Art in Public Places Fund for each new construction project. These funds are used to purchase art and develop art programs for our community. The goals of the Public Art Program are to create an aesthetic relationship between the buildings, landscaping, and open spaces as well as to serve the people of the community and visitors by bringing art into daily life.

Public art is a critical component to ensure that the visual aesthetics of the City are enriching and engaging. The development of civic pride can also be a factor as part of an overall community-building effort. The vision for Temecula's public art program is to enhance the quality of life for city residents, workers and visitors by providing for the acquisition and maintenance of public artwork.

II. ART IN PUBLIC PLACES REQUIREMENTS

Through its public art ordinance, the City of Temecula requires that private development projects contribute a percentage of the overall project construction budget (excluding land costs) to enhance the visual appeal of the project and consequently the City.

An Art in Public Places Fund was established as a depository for public art fees paid by private developers to secure a building permit from the City of Temecula. For the private sector, this fee may be refunded if an artwork has been either placed on the development site or donated to the City. The fee remains in the Art in Public Places Fund for the discretionary use of the city should the Developer elect not to participate in the program.

A. Program Requirements

No permanent or temporary Certificate of Occupancy shall be issued for any structure in the City unless the Art in Public Places requirements have been satisfied. Artwork located on private property shall remain the property of the owner for the life of the Certificate of Occupancy. Ownership of the work will transfer to any successive owner of the property. Once the artwork has been accepted by the City and installed it cannot be removed or altered without specific written approval by the City of Temecula. Private sector projects subject to compliance are:

- All individual residential units whose building valuation permit is in excess of one hundred thousand dollars (\$100,000) which is assessed an amount equal to one tenth of one percent (1/10%) for that portion in excess of one hundred thousand dollars.
- All other residential development, including two or more single-family dwellings being built concurrently in the same tract by the same owner or contractor in excess of one hundred thousand dollars per unit, which is assessed an amount equal to one tenth of one percent (1/10%) of the total building valuation.
- All commercial, industrial, office, or other non-residential units in excess of one hundred thousand dollars (100,000) which is assessed an amount equal to one tenth of one percent (1/10%) of the total building valuation, excluding land acquisition and off-site improvement costs.

Government agency development projects and structures damaged by fire, flood, wind, earthquake and other natural disasters are exempt from the Art in Public Places requirement.

The total building valuation is computed by the Building and Safety Department.



Town Square Plaza, Temecula, CA

B. Developer Options

Several options are available to the private developer to fulfill the City's art requirement. They are:

1. Artwork on Site

The Developer may elect to include a permanent public artwork as part of the development project. Using this option allows the developer to select the artist directly or hire a professional consultant to select artists for commission of artworks. He may also purchase artworks for permanent installation.

Artworks must be:

Singular, discrete objects (sculpture)

- a. Artist designed amenities (streetscapes, paving treatments, lighting standards and treatments, benches, way finders, architecturally integrated water features, artist designed landscape treatments or other artist designed amenities or aesthetic treatments).
- b. Located in publicly accessible locations.

2. Art Donated to the City of Temecula

Upon assessment of the public art fee, the Developer may choose to purchase an existing artwork or commission an original artwork for donation as a gift to the City of Temecula. Donations to the City are reviewed by the Community Services Commission and subsequently the City Council to determine the aesthetic quality of the donation.

3. Fees In Lieu of placing Artwork

Upon assessment of the public art fee, the Developer may elect to pay the fee to the Art in Public Places Fund with no intention of placing artwork on site or donating a work of art to the City. These funds are subsequently used by the City of Temecula on publicly sited projects or programs at its discretion.

IV. SITE CRITERIA FOR DEVELOPERS

A. Eligible Public Art Locations

Facilities include commercial or residential buildings and adjoining plazas, parks, sidewalks, traffic islands, public buildings, power stations, etc.

Locations can include surface treatments of buildings, retaining walls, and bridges.

Projects can also include artist-designed features that are typically prefabricated such as: gates, water features, tile and surface materials, doors, furniture, clocks, lighting fixtures, railings, signage, etc.

B. Eligible Public Art Components

The Art in Public Places Program embraces the broadest definitions of art and encourages creative interpretations of media. The possible media and materials which might be used for a public art work are as follows:

1. Sculpture: Free standing, wall supported or suspended; kinetic, electronic, etc., in any material or combination of materials.
2. Earthworks, fiber works, neon, glass, mosaics, photographs, prints, any combination of forms of media including sound, film, holographic and video systems, hybrids of any media and new genres. Standardized fixtures such as gates, streetlights, signage, etc., may be contracted to artists for unique or limited editions.



BRAD HOWE. *The Voice of Water*, 2002, Stainless Steel, Polycarbonate, 72 x 48 x 36 inches

V. BUDGETARY GUIDELINES FOR DEVELOPERS

A. Eligible Costs

All artworks created by artists are considered eligible expenses for the Art in Public Places Program as well as the following:

Artists' budgets for projects, which will be expected to cover:

1. Professional fees for the artist(s).
2. Labor of assistants, materials, and contracted services required of the production and installation of the work of art.
3. Any required permit or certificate fees.
4. Business and legal costs directly related to the project.
5. Studio and operating costs.
6. Communication and other indirect costs (insurance, utilities).
7. Travel expenses of the artist for site visitation and research.
8. Transportation of the work of art to the site.
9. Preparation of site to receive artwork.
10. Installation of the completed work of art.
11. Documentation (color slides and black and white photographs) of the artwork.

B. Ineligible Costs

1. Directional elements such as supergraphics, signage, or color-coding except where these elements are integral parts of the original work of art.
2. "Art objects" which are mass-produced such as playground equipment, fountains, or statuary objects.
3. Reproductions of original works of art, except in cases of film, video, photography, printmaking or other media arts.
4. Decorative, ornamental, or functional elements that are designed by the building architect, as opposed to an artist commissioned for this purpose.
5. Landscape architecture and landscape gardening except where these elements are designed by the artist and/or are an integral part of the work of art by the artist.
6. Services or utilities necessary to operate or maintain the artwork over time.

VI. ART IN PUBLIC PLACES ART SELECTION GUIDELINES

A. An application for donation of a public artwork to the city, or for installation of a public artwork on private property, shall be filed with the Community Services Department prior to the issuance of grading or building permits for a development project. The application shall include:

1. Preliminary sketches, photographs, models or other documentation of sufficient descriptive clarity to indicate the nature of the proposed artwork;
2. An appraisal or other evidence of the value of the proposed artwork;
3. The resume of the creator of the proposed artwork;
4. If the application is for donation, then the application shall also include the following:
 - a. A City Attorney-approved written statement executed by the artwork's creator waiving such person's rights under the Visual Artists Rights Act of 1990 (17 U.S.C. 101 et seq.), California Civil Code Section 1542 and equivalent laws;
5. If the application is for installation, then the application shall also include the following:
 - a. Preliminary plans of sufficient descriptive clarity to indicate the compatibility of the proposed public artwork with the development project, adjacent parcels, and the surrounding neighborhood;
 - b. A written statement explaining how the proposed artwork will be publicly accessible.

6. Any other information requested by the Community Services Department to enable reasonable evaluation of the application.

- a. Each application shall be reviewed initially by the Community Services Department, which shall make a recommendation thereon. If the application is for donation, then the Community Services Commission shall be an advisory body and the City Council shall be the decision maker. The City Council's decision on an application for donation shall be final. If the application is for installation, then the Community Services Commission shall be the decision maker and its decision shall be final unless appealed to the City Council.
- b. Prior to installing a public artwork on private property to satisfy the public artwork requirement, the property owner shall execute and record with the county recorder a City Attorney-approved covenant. Such covenant shall require the property owner and successors thereof to do the following:
 1. Maintain the public artwork in good condition.
 2. Allow city representatives to enter the property upon reasonable written notice to perform necessary repairs to the public artwork at the property owner's expense when it is not maintained in good condition.
 3. Indemnify, defend and hold harmless the city, its officers, employees and agents from any claim, demand, damage, liability, loss, cost or expense attributable to the public artwork.



I see what you're saying (train of thought), Installed 2001
Eileen Cowin, artist

VII. PRIVATE OWNERSHIP AND MAINTENANCE REQUIREMENTS

A. Maintenance

All privately sited artworks shall remain the property of the owner for the life of the Certificate of Occupancy. Title and ownership of the artwork shall transfer in whole or in part to any successor in interest of the structure. The owner of the artwork shall provide all maintenance necessary to preserve the work in good condition. In addition, the owner of artwork shall maintain in full force and effect fire and extended insurance coverage.

B. Removal or Alteration of the Work

Artwork installed on private property to satisfy the public artwork requirement shall not be removed or altered without the prior approval of the City Council. In addition to any other applicable penalty, violation of this section may render the property owner liable for payment of the in lieu art fee that would have been applicable to the development project, and may result in revocation of the occupancy permit issued for the development project. Prior to any imposition of in lieu art fee liability or occupancy permit revocation pursuant to this section, the city shall afford the property owner notice and an opportunity for a hearing.

VIII. SITE SELECTION

General criteria for the selection of an art site include:

A. Location, Installation and Identification

1. Artworks for public and private projects must be located in an exterior area, which is accessible to the public at all times.
2. Installation of the artwork should be planned to complement the work and allow for unrestrained viewing from a variety of vantage points.
3. Potential obstruction of growing trees, shrubbery, or future construction should be taken into account.
4. The artwork shall be a permanent, fixed asset to the property.

Each artwork shall be identified by a plaque stating the artist's name, artwork title, and date the artwork was dedicated. The plaque will be placed in an appropriate location near the artwork that can be easily accessed by pedestrians.

B. Public Placement

1. Artwork sites for public projects are selected for their aesthetic possibilities as recommended by the Community Services Department to the Commission or City Council.
2. Sites may include urban gateways, vistas, public spaces and plazas, or other exterior, publicly accessible places.
3. Artwork sites for City Capital Improvement Projects including RDA or private donations may include public facilities such as the Civic Center, Senior Center, schools, parks and recreation buildings or other sites as appropriate.

C. Private Placement

1. On-Site: The artwork shall be displayed in one or more of the following locations on the site of the commercial structure:
 - a. Architecturally integrated into the structure or hardscape.
 - b. Placed as a discrete object in any exterior location open and available to the general public, in a manner, which complements the artwork and site.
2. Off-Site: At the request of the applicant for a Certificate of Occupancy, the artwork may be located on a site other than that of the development provided, however, that the site is selected by the Community Services Commission and approved by the City Council.

IX. ARTWORK SELECTION

A. Selection Criteria for Artists

General criteria for the Community Services Commission or developer to consider in selecting artists for public or private projects should include:

1. The aesthetic and technical quality and originality of the artist's previous work as evidenced by slides and other supporting materials;
2. The artist's previous experience with public art projects of a similar scale and scope;
3. The artist's demonstrated ability to execute and complete a project in a timely and professional manner;
4. The artist's ability to communicate ideas verbally and visually, and work effectively in a team environment;
5. The appropriateness of the artist's proposal to the particular project and its probability of successful completion;
6. A wide variety of nationally known artists as well as local artists.

B. Selection Criteria for Artwork

General criteria for the Community Services Commission or developer to consider in selecting artwork for public or private projects should include:

1. Quality: artwork demonstrates originality, artistic excellence, and quality;
2. Media: all visual forms and media may be considered;
3. Response to Site: artworks and art places should be appropriate in scale, material, form, content, and value for the immediate, general, social, and physical environments with which they are to relate;
4. Team Approach: encourage the early involvement of the artist as a member of the project design team of architect, engineer, landscape architect, etc.;
5. Durability: consideration should be given to structural and surface integrity, permanence, and protection against theft, vandalism, weathering, and excessive maintenance and repair costs;
6. Elements of Design: consider that public art, in addition to meeting aesthetic requirements, may also serve to establish focal points, modify, enhance, or define specific spaces or establish identity;
7. Public Liability: artworks and art places should be examined for unsafe conditions or factors that may bear on public liability;
8. Diversity: strive for diversity of style, scale, media, artists, community values, forms of expression, and equitable distribution of artworks throughout the City.

C. Selection Methods

Artworks for public and private projects may be selected in a variety of methods. In addition to advertising of projects, selection methods may include but are not limited to:

1. Open Competition: The project is advertised locally, regionally, nationally or internationally. Interested artists may submit materials for review, which include slides, letter of interest, resume and supplementary materials such as reviews, articles, books or brochures.
2. Limited Invitational: A selected number of artists are invited to submit materials for review. Artists finalists may be selected to submit detailed models for the project for which they will be paid a fee.
3. Invitation: One artist is invited to submit materials for review, and may be commissioned to create a detailed proposal.
4. Direct Purchase: An existing work is purchased for a specific project.



Guardians of the Track, 1996
Michael Amescua, artist

X. REVIEW AND APPROVAL PROCESS

A. Community Services Commission

The Community Services Commission serves in an advisory capacity providing recommendations for art placement to the City Council.

XI. ARTIST SELECTION METHODS

A. Cultural Arts Division

1. Artists solicited
2. Materials reviewed by Community Services Department, finalists short listed (as appropriate) with selection forwarded as recommendation for commission or purchase to the City Council;
3. Review by City Council with direction to staff to proceed with commission contract if approved;
4. City Council determination of final acceptance upon project completion.

B. Private Development Process

1. Public Art Developers guide received upon contact with Planning Department.
2. Art In Public Places Program contacted.
3. Public Art fees paid to receive building permit.
4. Pre-Design consultation with Community Services Director/Superintendent.
5. Artwork site/artwork selected.
6. Art In Public Places application submitted.
7. City review/approvals of artwork site and artwork.
8. Artist/artwork commissioned/donated/purchased.
9. Artwork installed.
10. City notified of completion/Certificate of Occupancy application.
11. Application for refund of fee.

XII CONTACTS

Community Services Superintendent
Community Services Department
41000 Main Street
Temecula, CA 92590
951-694-6480

XIII ADDITIONAL INFORMATION ON PUBLIC ART

Americans for the Arts through the Public Art Network

Americans for the Arts
1000 Vermont Ave 12 floor
Washington DC 20005
www.artusa.org

Forecast: Public Art Works
2324 University Ave W. #102
St Paul, MN 55114
www.forecastart.org

International Sculpture Center
14 Fairgrounds Rd Suite B
Hamilton NJ 08619
www.sculpture.org

City of Palm Desert
Public Art Registry
www.palmdesertart.org

Metropolitan Transit Authority
Los Angeles
www.mta.net

CHOOSE AN ITEM
ART LOAN AGREEMENT WITH
INDIVIDUAL ARTIST, CORPORATION OR NON-PROFIT ORGANIZATION

THIS ART LOAN AGREEMENT is made and entered into as of **[Enter Date – i.e. City Council date, or today's date]** by and between the **CHOOSE AN ITEM**, a **CHOOSE AN ITEM** (hereinafter referred to as "City") and **[Enter Name of Consultant and d/b/a if applicable]** (the "Lender"). In consideration of the mutual covenants, conditions and undertaking set forth herein, the parties agree as follows:

TERMS OF LOAN OF WORK

EXHIBITION:

LOAN TERM:

ADDRESS OF LENDER:

BUSINESS, HOME AND CELL
TELEPHONE NUMBERS OF LENDER:

DESCRIPTION OF WORK

TITLE and TYPE OF WORK (painting, drawing, sculpture, etc.):

MEDIUM OF MATERIALS and SUPPORT:

LOCATION OF DISPLAY OF WORK

DISPLAY LOCATION:

SIZE (use additional pages if required):

HEIGHT and WIDTH OF WORK:

OUTER DIMENSIONS OF FRAME (height and width):

DIMENSIONS and WEIGHT OF SCULPTURE only:

DIMENSIONS and WEIGHT OF PEDESTAL, if applicable:

IS PEDESTAL DETACHABLE?:

INSURANCE VALUE (U.S. Currency per item):

INSURANCE VALUE DETERMINED BY:

DOES LENDER PREFER TO MAINTAIN OWN INSURANCE?:

REMARKS ON CONDITIONS OF THE WORK:

CONDITIONS:

1. Lender agrees to lend Work to the City and City agrees to display and maintain such Work as provided in this Agreement, including the Terms of Loan of Work set forth above.
2. As used in this Agreement "Work" means a painting, drawing, sculpture or other work of art.
3. The City is responsible for the installation and removal of the Work at City facilities, parks and right-of-ways as determined by the City in accordance with the City's requirements. At the City's discretion, the City may require that installation and removal of the Work be performed by a professional contractor acceptable to the City. The City reserves the right to refuse display of any Work or require the removal of any Work if the City determines, in its sole discretion, that the Work may be a safety hazard.
4. The Work shall remain in the possession of the City for the time specified herein, **but may be withdrawn from such exhibition at any time by the CHOOSE AN ITEM**. The Work will be returned only to the Lender at the address stated unless the City is notified in writing to the contrary. If the legal ownership of the Work shall change during the pendency of this loan, whether by reason of death, sale, insolvency, gift, or otherwise, the new owner may, prior to its return, be required to establish his legal right to receive the Work upon proof satisfactory to the City.
5. The City will establish the same care with respect to the Work as it does in the safekeeping of comparable property of its own and use all American Association of Museums (AAM) standard best practices in the care for the Work while handling and displaying them during the scheduled exhibition of the Work. The City is not liable for damage or loss of any objects stored or displayed. No work will be altered, cleaned, or repaired without the permission of the Lender. Works will be protected from unusual temperatures and humidity, excessive light, insects, vermin and dirt. Only experienced personnel will handle objects. Works loaned to the City may not be loaned to other institutions without prior approval of the Lender. In the event of any damage to the Work, which requires its immediate repair or removal in order to prevent injury to persons or property, Lender shall at its own cost either immediately repair or remove the Work following receipt of notification from the City of the need for such repair or removal. In the event that the Lender fails to perform the repairs or removal within a reasonable time, or if the damage to the Work is such that immediate action is required in order to prevent injury to persons or property, the City may take action to remove, repair and/or secure the Work and the Lender shall reimburse the City for all costs and expenses incurred in connection therewith promptly following receipt of a written statement therefore.
6. If the Lender chooses to maintain his own insurance, the City must be supplied with a certificate of insurance naming the City of Temecula, Successor Agency to the Temecula Redevelopment Agency, and the Temecula Community Services District, its elected

officials, officers, employees, agents, and volunteers (collectively referred to as the "City and its Agencies") as additional insured and waiving subrogation against the City and its Agencies.

7. The Lender hereby warrants that Lender has inspected the Work, and, to its knowledge, the Work is structurally sound and properly constructed.
8. The Lender authorizes the City to photograph, telecast, videotape, reproduce and publish the work in any medium for any purpose including but not limited to archival, educational, and publicity purposes. It is understood that during the exhibition there will be no prohibition against patrons or the media from photographing or videotaping any or all Works contained in the exhibition, this provision shall survive the termination of this Agreement.
9. The Lender represents and warrants to the City that it has the proper legal authority to loan the Work to the City on the terms and conditions set forth herein
10. Lender hereby agrees to defend, indemnify, protect, and hold harmless the City, the Successor Agency to the Temecula Redevelopment Agency, the Temecula Community Services District and its elected official, officers, agents, employees, and volunteers (collectively referred to as the "City and its Agencies") from and against: a) any and all losses, liability, costs, or expenses (including attorneys' fees and costs) arising from any intentional, reckless, negligence, or otherwise wrongful acts, errors, or omissions of Lender, its agents, employees, subcontractors or other personnel; b) any copyright or ownership issues relating to the Works; c) any safety issues relating to the Works; d) any issues arising out of any representations or warranties made by Lender in this Agreement ; and e) any other liabilities arising from the Works.
11. Lender hereby releases and holds the City and its Agencies harmless from any liability for damage or loss of the Work not covered by City's insurance. The City and its Agencies shall not be responsible for the preservation and safekeeping of the Work, nor shall the City and its Agencies have any liability for theft, loss, or damage to the Work. In the event that the Lender's insurance is not adequate to cover losses which arise in connection with this Agreement, Lender shall be responsible for all such losses not covered by insurance and shall hereby releases the City and its Agencies from and all liability for any and all claims arising out of such loss or damage. If the Lender fails to supply the City and its Agencies with the required insurance certificates, this loan agreement shall constitute a release of the City and its Agencies from any liability in connection with the Work.
12. All Work shall be delivered to and picked up by Lender at the Temecula Valley Museum. Unless otherwise agreed to by **CHOOSE AN ITEM** in writing, if the Lender fails to retrieve the Work within fifteen (15) business days after the close of the exhibition, Lender shall be charged a storage fee of \$50 per day while the Work(s) are stored in City facilities. If the City is required to remove the Work from the City facilities for storage at another location, Lender shall reimburse the City for all cost and expenses incurred for the removal and storage of the Work, including staff time, promptly following receipt of a written statement therefore, If, after three (3) years, the Work shall not have been reclaimed, then, and in consideration for its storage, insurance, and safeguarding during such period, the Work shall be considered an unrestricted gift to the City.

13. The City reserves the right to cancel any loan agreement and return the Work upon thirty (30) days' written notice to the Lender, unless said work is in danger of loss or extreme damage, at which time they will be removed immediately. This loan agreement may be extended if approved in writing by the Lender and the **CHOOSE AN ITEM**.
14. For purposes of this Agreement, the term **CHOOSE AN ITEM** shall constitute the **CHOOSE AN ITEM** or any of his or her designees.
15. For purposes of this Agreement the term "City" shall include the City of Temecula, the Successor Agency To The Temecula Redevelopment Agency, the Temecula Community Services District and its elected officials, officers, agents, employees, and volunteers.
16. This Agreement represents the entire integrated agreement between the City and Lender and supersedes all prior negotiations, representations, or agreements, either written or oral. Except as otherwise provided herein, this Agreement may be amended only by a written instrument signed by both the City Council and Lender. The interpretation and implementation of this Agreement shall be interpreted in such a manner as to be valid under applicable law. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force and effect. In the event that either party shall commence any action against the other party relating to this Agreement or for the breach of any obligation contained herein, the prevailing party shall be entitled to recover from the losing party reasonable attorneys' fees, expenses, and court costs.
17. The **CHOOSE AN ITEM** is authorized to enter into an amendment on behalf of the City to make the following non-substantive modifications to the agreement: (a) name changes; (b) extension of time; (c) non-monetary changes in scope of work; (d) agreement termination.
18. **[Delete this section if no Special Conditions are required]** Special Conditions concerning the display and maintenance of the Work are attached hereto as Exhibit A and incorporated herein as though set forth in full. In the event of a conflict between the Special Conditions and the terms of this Agreement, the terms of this Agreement shall prevail

Executed by the parties on the date first written above at Temecula, California

[Information Only Delete Prior To
Printing: Consultant/Lender Signature(s) &
Insurance Approval Required Before Routing
Contract for Internal City Signature Approval)

CHOOSE AN ITEM

LENDER

(Two Signatures of corporate officers required unless corporate documents authorize only one person to sign the agreement on behalf of the corporation.)

By: _____

CHOOSE AN ITEM

By: _____

[Enter Name]

[Information Only - Delete prior to printing]:

- *Agreements exceeding \$30,000 require City Council Approval. In such cases, choose the Mayor*

ATTEST:

By: _____

CHOOSE AN ITEM

APPROVED AS TO FORM:

By: _____

CHOOSE AN ITEM

[Information Only – Delete prior to printing]

- *If this Agreement is \$5,000 or less select the Purchasing Manager*

PM Initials:

Date:

Please complete, sign, and return.

Retain a copy for your records.

EXHIBIT A

SPECIAL CONDITIONS

[Delete this section if no Special Conditions]

**ART PURCHASE AGREEMENT BETWEEN
THE CHOOSE AN ITEM AND [ENTER NAME OF
INDIVIDUAL]**

THIS AGREEMENT is made and effective as of this [Enter Date – “Today’s Date” or Council Date.] day of [Enter Month], [Enter Year], by and between the CHOOSE AN ITEM, a CHOOSE AN ITEM (hereinafter referred to as “City”), and [Enter Name of Individual], , hereinafter referred to as the “Artist”). In consideration of the mutual covenants, conditions and undertakings set forth herein, the parties agree as follows:

1. RECITALS

This Agreement is made with respect to the following facts and purposes which each of the parties acknowledge and agree are true and correct:

a. The Artist created and has ownership of Artwork they are selling to the City of Temecula. The Artwork is described and depicted on Exhibit A.

b. The Artist intends by sale of this Artwork to the City to relinquish all legal claim of right to title, royalties, copyright or trademark of the Artwork.

2. SALE AND ACCEPTANCE

a. The Artist hereby agrees to sell to the City all right, title and interest in the artwork to the City, and the City hereby agrees to purchase the Artwork each subject to and under the terms, qualifications and conditions set forth in this Agreement.

b. The purchase price for the Artwork shall be _____ Dollars and No Cents (\$_____.)

c. The sale of the Artwork shall be documented by the execution and delivery of the bill of sale in the form of Exhibit B (the “Bill of Sale”).

d. City shall have the right to terminate this Agreement at any time prior to the payment of the purchase price for any reason, with or without cause.

e. The sale and delivery of the Artwork shall be completed as soon as possible after the date of this Agreement but in no event later than thirty (30) days after the date of this Agreement.

f. As of the date the Artwork is received by City in accordance with this Agreement, the Artist will transfer to the City good, valid and marketable title and exclusive and unrestricted right to possession of the Artwork free and clear of any and all rights or interests of others, claims, liens, mortgages, security interests, restrictions, conditions, assessments, exceptions, options, equities or other encumbrances of any kind held or claimed by any person (collectively, “Claims”). The Artist has no knowledge of any Claims threatened or pending, nor any knowledge of any facts or circumstances likely to give rise to any Claims.

3. REMOVAL, RELOCATION AND NON-USE OF ARTWORK

Upon delivery of the Artwork to the City, the City may display the purchased Artwork in any public building or facility and may replicate the Artwork to be utilized in any way, including, but not limited to, any media, City events, documentation, brochures, programs, community service campaigns, and promotional products. Upon delivery of the Artwork to the City, the City

shall have the right at its sole discretion to relocate or permanently remove the Artwork from public display or not utilize the Artwork in any manner or to destroy the Artwork or to take any other action with respect to the Artwork. City shall have no obligation to maintain the Artwork. Artist hereby releases, relinquishes, and waives any and all rights it may have to the Artwork or its display in public places as may be established by state or federal law.

4. INDEMNIFICATION

The Artist shall indemnify, protect, defend and hold harmless the City of Temecula, Temecula Community Services District, and/or the Successor Agency to the Temecula Redevelopment Agency, its elected officials, officers, employees, volunteers, and representatives from any and all suits, claims, demands, losses, defense costs or expenses, actions, liability or damages of whatsoever kind and nature which the City of Temecula, Temecula Community Services District, and/or the Successor Agency to the Temecula Redevelopment Agency, its officers, agents and employees may sustain or incur or which may be imposed upon them for damage to property or property rights, including, without limitation, Claims as described in Paragraph 2 hereof, arising out of or in any way related to the Artists performance or non-performance of this Agreement.

5. GOVERNING LAW

The City and the Artist understand and agree that the laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and also govern the interpretation of this Agreement. Any litigation concerning this Agreement shall take place in the municipal, superior, or federal district court with geographic jurisdiction over the City of Temecula. In the event such litigation is filed by one party against the other to enforce its rights under this Agreement, the prevailing party, as determined by the Court's judgment, shall be entitled to reasonable attorney fees and litigation expenses for the relief granted.

6. LEGAL RESPONSIBILITIES

The Artist shall keep itself informed of all local, State and Federal ordinances, laws and regulations which in any manner affect those employed by it or in any way affect the performance of its service pursuant to this Agreement. The Artist shall at all times observe and comply with all such ordinances, laws and regulations. The City, and its officers and employees, shall not be liable at law or in equity occasioned by failure of the Artist to comply with this section.

7. ASSIGNMENT

The Artist shall not assign the performance of this Agreement, nor any part thereof, nor any monies due hereunder, without prior written consent of the City.

8. NOTICES

Any notices which either party may desire to give to the other party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by a reputable document delivery service, such as but not limited to, Federal Express, that provides a receipt showing date and time of delivery, or (iii) mailing in the United States Mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below or at any other address as that party may later designate by Notice:

Mailing Address: City of Temecula
Attn: **Choose an item**

41000 Main Street
Temecula, CA 92590

To Recipient: [Enter Artist Name]
[Enter: Attn: Name of Contact Person]
[Enter Artist Address]

8. ENTIRE AGREEMENT

This Agreement contains the entire understanding between the parties relating to the obligations of the parties described in this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged into this Agreement and shall be of no further force or effect. Each party is entering into this Agreement based solely upon the representations set forth herein and upon each party's own independent investigation of any and all facts such party deems material.

9. AUTHORITY TO EXECUTE THIS AGREEMENT

The person or persons executing this Agreement on behalf of the Nonprofit warrants and represents that he or she has the authority to execute this Agreement on behalf of the Nonprofit and has the authority to bind the Nonprofit to the performance of its obligations hereunder. The **CHOOSE AN ITEM** is authorized to enter into an amendment on behalf of the City to make the following non-substantive modifications to the agreement: (a) name changes; (b) extension of time; (c) non-monetary changes; (d) agreement termination.

10. INCORPORATION OF EXHIBITS. The following Exhibits are attached hereto and incorporated herein as though set forth in full:

EXHIBIT A Description and Depiction of Artwork

EXHIBIT B Bill of Sale

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

**[Information Only Delete Prior To Printing:
Consultant/Artist Signature(s) & Insurance
Approval Required Before Routing
Contract for Internal City Signature
Approval)**

Choose an item

[INSERT NAME]

(Two Signatures of corporate officers required unless corporate documents authorize only one person to sign the agreement on behalf of the corporation.)

By:

Choose an item

By:

[Enter Name], [Owner]

[Information Only - Delete prior to printing]:

- *All Sponsorship Agreements require City Council Approval. In such cases, choose the Mayor*

ATTEST:

By:

Choose an item

By:

[Enter Name], [Enter Title]

APPROVED AS TO FORM:

By:

Choose an item

Artist

Information Only - Delete prior to printing]:

- *If this Agreement is \$5,000 or less, choose the Purchasing Manager (PM)*

[Insert Business Name]

[Insert Contact Person]

[Insert Mailing Address]

[Insert Phone Number]

[Insert Fax Number]

[Insert E-Mail]

PM Initials:

Date:

EXHIBIT A

DESCRIPTION AND DEPICTION OF ARTWORK

EXHIBIT B

BILL OF SALE FOR PURCHASE

Dated: _____ 2015

Sold by: _____, Artist

Sold to: City of Temecula ("City")

Artwork: Title: _____ (the "Artwork")
Artist: _____
Medium: _____
Size: _____
Date: _____

Purchase Price: \$ _____ .00 U.S. Dollars

Payment Terms: In full on: _____, 2015.

The Artist in consideration of the terms of the Art Purchase Agreement between Artist and City dated as of _____ 2015 ("Agreement") and receipt of the Purchase Price, hereby irrevocably and without condition or reservation of any kind transfer to the City good, valid and marketable title and exclusive and unrestricted right to possession of the Artwork free and clear of any and all rights or interests of others, claims, liens, mortgages, security interests, restrictions, conditions, assessments, exceptions, options, equities or other encumbrances of any kind held or claimed by any person.

Upon receipt of the Artwork by the City, the City may display the donated Artwork in any public building or facility and may replicate the Artwork to be utilized in any way, including, but not limited to, any media, City events, documentation, brochures, programs, community service campaigns, and promotional products. Upon delivery of the Artwork to the City, the City shall have the right at its sole discretion to relocate or permanently remove the Artwork from public display or not utilize the Artwork in any manner or to destroy the Artwork or to take any other action with respect to the Artwork. City shall have no obligation to maintain the Artwork. Artist hereby releases, relinquishes, and waives any and all rights it may have to the Artwork or its display in public places as may be established by state or federal law.

The Artwork is sold subject to each and all of the terms, conditions, representations and warranties contained in the Agreement, and all such terms, conditions, representations and covenants of the parties thereunder are incorporated herein by this reference as if fully set forth herein in their entirety. All capitalized terms not defined in this Bill of Sale shall have the same meaning as set forth in the Agreement.

The Artist agrees to execute and deliver such additional documents and to take such other further actions from time to time after the date hereof as the City may reasonably request, to assure and confirm this transaction.

The terms and provisions of this Bill of Sale shall be binding upon the Artist and its successors, assigns and legal representatives and shall inure to the benefit of the City and his successors, assigns and legal representatives.

The benefits of the representations, warranties and indemnities contained in the Agreement and this Bill of Sale shall survive completion of the transaction contemplated by the Agreement and this Bill of Sale, including without limitation the transfer of the Artwork to the Buyer.

This Bill of Sale shall be governed by and shall be construed and enforced in accordance with the internal laws of the State of California, without regard to conflict of laws principles.

_____("Artist")

**ART DONATION AGREEMENT BETWEEN
THE CHOOSE AN ITEM AND [ENTER NAME OF
INDIVIDUAL]**

THIS AGREEMENT is made and effective as of this [Enter Date – Todays Date or Council Date] day of [Enter Month], [Enter Year], by and between the CHOOSE AN ITEM, a CHOOSE AN ITEM (hereinafter referred to as "City"), and [Enter Name of Individual], , hereinafter referred to as the "Artist"). In consideration of the mutual covenants, conditions and undertakings set forth herein, the parties agree as follows:

1. RECITALS

This Agreement is made with respect to the following facts and purposes which each of the parties acknowledge and agree are true and correct:

a. The Artist created and has ownership of all right, title, interest and ownership in the Artwork and all legal claim of right of title, royalties, copyright or trademark of the artwork, to the Association, including but not limited to the artistic rights described in Section 2 of this Agreement ("Ownership and Artistic Rights in the Artwork"). The Artwork is described and depicted on Exhibit A.

b. The Artist intends by this donation to the City to relinquish all Ownership and Artistic Rights in the Artwork.

2. DONATION AND ACCEPTANCE

a. The Artist hereby conveys to the City by donation the Ownership and Artistic Rights in the Artwork, each subject to and under the terms, qualifications and conditions set forth in this Agreement.

b. The conveyance and delivery of the Artwork shall be completed as soon as possible after the date of this Agreement but in no event later than thirty (30) days after the date of this Agreement.

c. City shall have the right to terminate this Agreement at any time prior to the payment of the delivery of the Artwork to the City for any reason, with or without cause.

d. The conveyance of the Artwork shall be documented by the execution and deliver of the bill of sale in the form of Exhibit B (the "Bill of Sale").

e. As of the date the Artwork is received by City in accordance with this Agreement, the Artist shall transfer to the City good, valid and marketable title and exclusive and unrestricted right to possession of the Artwork free and clear of any and all rights or interests of others, claims, liens, mortgages, security interests, restrictions, conditions, assessments, exceptions, options, equities or other encumbrances of any kind held or claimed by any person (collectively, "Claims"). The Artist has no knowledge of, nor any reason to suspect, any Claims threatened or pending, nor any knowledge of any facts or circumstances likely to give rise to any Claims. Artist hereby indemnifies the City its employees, officials, agents, attorneys and assigns from any all claims relating to ownership of the Artwork, including, but not limited to, all claims or actions by creditors of Artist or others claiming any right title or interest in the donated Artwork. Said indemnification shall include but not be limited to all costs and expenses required to perfect title to the donated Artwork including attorney fees and costs.

f. Artist hereby waives, releases and disclaims any rights, demands or claims as may arise at any time and under any circumstances against the City, its City Council, Arts Commission, officers, employees, agents, successors and assigns arising under the federal Visual Artists Rights Act (17 U.S.C. §§ 106A and 113(d)), the California Art Preservation Act (Cal. Civil Code § 987 *et seq.*), and any other local, state, federal or international laws that convey rights of the same nature as those conveyed under 17 U.S.C. section 106A, California Civil Code section 987 *et seq.*, or any other type of moral right protecting the integrity of works of art. Artist acknowledges and agrees that the City, in its sole and exclusive discretion, may, among other acts, temporarily or permanently modify, alter, change, relocate or destroy the donated Artwork. The City agrees that prior to any proposed destruction of the Artwork, Artist shall be provided with a reasonable opportunity to reclaim possession of the Artwork.

3. REMOVAL, RELOCATION AND NON-USE OF ARTWORK

Upon receipt of the Artwork by the City, the City may display the donated Artwork in any public building or facility and may replicate the Artwork to be utilized in any way, including, but not limited to, any media, City events, documentation, brochures, programs, community service campaigns, and promotional products. Upon delivery of the Artwork to the City, the City shall have the right at its sole discretion to relocate or permanently remove the Artwork from public display or not utilize the Artwork in any manner or to destroy the Artwork or to take any other action with respect to the Artwork. City shall have no obligation to maintain the Artwork. Artist hereby releases, relinquishes, and waives any and all rights it may have to the Artwork or its display in public places as may be established by state or federal law.

4. INDEMNIFICATION

The Artist shall indemnify, protect, defend and hold harmless the City of Temecula, Temecula Community Services District, and/or the Successor Agency to the Temecula Redevelopment Agency, its elected officials, officers, employees, volunteers, and representatives from any and all suits, claims, demands, losses, defense costs or expenses, actions, liability or damages of whatsoever kind and nature which the City of Temecula, Temecula Community Services District, and/or the Successor Agency to the Temecula Redevelopment Agency, its officers, agents and employees may sustain or incur or which may be imposed upon them for damage to property or property rights, including, without limitation, Claims as described in Paragraph 2 hereof, arising out of or in any way related to the Artists performance or non-performance of this Agreement.

5. GOVERNING LAW

The City and the Artist understand and agree that the laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and also govern the interpretation of this Agreement. Any litigation concerning this Agreement shall take place in the municipal, superior, or federal district court with geographic jurisdiction over the City of Temecula. In the event such litigation is filed by one party against the other to enforce its rights under this Agreement, the prevailing party, as determined by the Court's judgment, shall be entitled to reasonable attorney fees and litigation expenses for the relief granted.

6. LEGAL RESPONSIBILITIES

The Artist shall keep itself informed of all local, State and Federal ordinances, laws and regulations which in any manner affect those employed by it or in any way affect the performance of its service pursuant to this Agreement. The Artist shall at all times observe and comply with all such ordinances, laws and regulations. The City, and its officers and employees, shall not be liable at law or in equity occasioned by failure of the Artist to comply with this section.

7. ASSIGNMENT

The Artist shall not assign the performance of this Agreement, nor any part thereof, nor any monies due hereunder, without prior written consent of the City.

8. NOTICES

Any notices which either party may desire to give to the other party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by a reputable document delivery service, such as but not limited to, Federal Express, that provides a receipt showing date and time of delivery, or (iii) mailing in the United States Mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below or at any other address as that party may later designate by Notice:

To City of Temecula:

City of Temecula
Attn: **Choose an item**
41000 Main Street
Temecula, CA 92590

To Artist:

[Enter Artist Name]
[Enter: Attn: Name of Contact Person]
[Enter Artist Address]

8. ENTIRE AGREEMENT

This Agreement contains the entire understanding between the parties relating to the obligations of the parties described in this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged into this Agreement and shall be of no further force or effect. Each party is entering into this Agreement based solely upon the representations set forth herein and upon each party's own independent investigation of any and all facts such party deems material.

9. AUTHORITY TO EXECUTE THIS AGREEMENT

The person or persons executing this Agreement on behalf of the City or the Artist warrants and represents that he or she has the authority to execute this Agreement on behalf of the Nonprofit and has the authority to bind the party to the performance of its obligations hereunder. The **CHOOSE AN ITEM** is authorized to enter into an amendment on behalf of the City to make the following non-substantive modifications to the agreement: (a) name changes; (b) extension of time; (c) non-monetary changes; (d) agreement termination.

10. INCORPORATION OF EXHIBITS.

The following Exhibits are attached hereto and incorporated herein as though set forth in full:

EXHIBIT A Description and Depiction of Artwork

EXHIBIT B Bill of Sale

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

Choose an item

[INSERT NAME]

(Two Signatures of corporate officers required unless corporate documents authorize only one person to sign the agreement on behalf of the corporation.)

By: _____
Choose an item

By: _____
[Enter Name], [Owner]

[Information Only - Delete prior to printing]:

- All Sponsorship Agreements require City Council Approval. In such cases, choose the Mayor

ATTEST:

By: _____
Choose an item

By: _____
[Enter Name], [Enter Title]

APPROVED AS TO FORM:

By: _____
Choose an item

Artist

Information Only - Delete prior to printing]:

- If this Agreement is \$5,000 or less, choose the Purchasing Manager (PM)

[Insert Business Name]

[Insert Contact Person]

[Insert Mailing Address]

[Insert Phone Number]

[Insert Fax Number]

[Insert E-Mail]

PM Initials:
Date:

EXHIBIT A

DESCRIPTION AND DEPICTION OF ARTWORK

EXHIBIT B

BILL OF SALE FOR DONATION

Dated: _____ 2018

Donated by: _____ Artist

Conveyed to: City of Temecula ("City")

Artwork: Title: _____ (the "Artwork")
Artist:
Medium:
Size:
Date:

The Artist in consideration of the terms of the Art Donation Agreement between Artist and City dated as of _____ 2018 ("Agreement"), hereby irrevocably and without condition or reservation of any kind transfer to the City all right, title, interest and ownership in the Artwork and all legal claim of right of title, royalties, copyright or trademark of the artwork, to the Association, including but not limited to the artistic rights described in Section 2 of the Agreement paragraph 4 of this Bill of Sale ("Ownership and Artistic Rights in the Artwork").

Upon receipt of the Artwork by the City, the City may display the donated Artwork in any public building or facility and may replicate the Artwork to be utilized in any way, including, but not limited to, any media, City events, documentation, brochures, programs, community service campaigns, and promotional products. Upon delivery of the Artwork to the City, the City shall have the right at its sole discretion to relocate or permanently remove the Artwork from public display or not utilize the Artwork in any manner or to destroy the Artwork or to take any other action with respect to the Artwork. City shall have no obligation to maintain the Artwork. Artist hereby releases, relinquishes, and waives any and all rights it may have to the Artwork or its display in public places as may be established by state or federal law.

The Artist represents and warrants to the City that as of the date the Artwork is received by City in accordance with this Agreement, the Artist shall transfer to the City good, valid and marketable title and exclusive and unrestricted right to possession of the Artwork free and clear of any and all rights or interests of others, claims, liens, mortgages, security interests, restrictions, conditions, assessments, exceptions, options, equities or other encumbrances of any kind held or claimed by any person (collectively, "Claims"). The Artist has no knowledge of any Claims threatened or pending, nor any knowledge of any facts or circumstances likely to give rise to any Claims. Artist hereby indemnifies the City its employees, officials, agents, attorneys and assigns from any all claims relating to ownership of the Artwork, including, but not limited to, all claims or actions by creditors of Artist or others claiming any right title or interest in the donated Artwork. Said indemnification shall include but not be limited to all costs and expenses required to perfect title to the donated Artwork including attorney fees and costs.

Artist hereby waives, releases and disclaims any rights, demands or claims as may arise at any time and under any circumstances against the City, its City Council, Arts Commission, officers, employees, agents, successors and assigns arising under the federal Visual Artists Rights Act (17 U.S.C. §§ 106A and 113(d)), the California Art Preservation Act (Cal. Civil Code § 987 *et seq.*), and any other local, state, federal or international laws that convey rights of the same nature as those conveyed under 17 U.S.C. section 106A, California Civil Code section 987 *et seq.*, or any other type of moral right protecting the integrity of works of art. Artist acknowledges and agrees that the City, in its sole and exclusive discretion, may, among other acts, temporarily or permanently modify, alter, change, relocate or destroy the donated Artwork. The City agrees that prior to any proposed destruction of the Artwork, Artist shall be provided with a reasonable opportunity to reclaim possession of the Artwork.

The Artwork is sold subject to each and all of the terms, conditions, representations and warranties contained in the Agreement, and all such terms, conditions, representations and covenants of the parties thereunder are incorporated herein by this reference as if fully set forth herein in their entirety. All capitalized terms not defined in this Bill of Sale shall have the same meaning as set forth in the Agreement.

The Artist agrees to execute and deliver such additional documents and to take such other further actions from time to time after the date hereof as the City may reasonably request, to assure and confirm this transaction.

The terms and provisions of this Bill of Sale shall be binding upon the Artist and its successors, assigns and legal representatives and shall inure to the benefit of the City and his successors, assigns and legal representatives.

The benefits of the representations, warranties and indemnities contained in the Agreement and this Bill of Sale shall survive completion of the transaction contemplated by the Agreement and this Bill of Sale, including without limitation the transfer of the Artwork to the Buyer.

This Bill of Sale shall be governed by and shall be construed and enforced in accordance with the internal laws of the State of California, without regard to conflict of laws principles.

_____("Artist")
Name:
Date:

City of Temecula
Community Services Department



Liability Waiver
(Please Print)

First Name Initial Last Name

Address

City State Zip

Phone (Day) Phone (Evening) Phone Emergency)

Name of Program: Night Of The Luminaries Date of Program: Saturday, June 24, 2017

I, _____, realize reasonable precautions are taken to reduce any injuries or hazard from this activity; however, in the event of an injury, I hereby waive, release and hold harmless from any liability for damages of personal injury including accidental death, as well as from claims for property damage which may arise in connection with the above named activity, against the City of Temecula, its elected and appointed officials, agents, employees and volunteers. The City of Temecula, Temecula Redevelopment Agency, and any all otherwise officially named sponsors shall not be responsible to compensate, indemnify, or pay damages to an applicant for any reason whatsoever.

I HAVE CAREFULLY READ THIS RELEASE, HOLD HARMLESS AND AGREE NOT TO FILE A CLAIM OR TAKE OTHER LEGAL ACTION AGAINST THE CITY OF TEMECULA. THE REDEVELOPMENT AGENCY OR ITS EMPLOYEES, AND FULLY UNDERSTAND ITS CONTENT. I AM AWARE THAT IT IS A FULL RELEASE OF ALL LIABILITY, AND SIGN IT OF OWN FREE WILL.

Signature Date

Signature Date

(If under 18 must be signed by parent/guardian)

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City Clerk
City of Temecula
P.O. Box 9033
43200 Business Park Drive
Temecula CA 92589-9033

[Space Above Line For Recorder's Use]

Recording Fee: Exempt pursuant to California
Government Code Section 27383

COVENANT AND AGREEMENT
(To Install and Maintain Public Artwork)

This Covenant and Agreement is made and entered into as of the ____ day of
_____, 200__, by _____ and _____ among the undersigned,

_____, *[insert names of all
record owners]* a _____ *[properly describe
the record owner's legal status (e.g., a corporation, a partnership, a trust, etc.)]* (the "Owner"),
and the City of Temecula, a municipal corporation (the "City"), with respect to the following
facts:

RECITALS:

A. The Owner hereby represents and warrants that Owner is the record owner of the
following described real property (the "Property") generally located at _____
_____ *[street address of the Property]* in the City of
Temecula, County of Riverside, State of California, identified by Riverside County Assessor's
Parcel Number(s) _____ *[fill in APN(s) for the
Property]* and more particularly and legally described as follows:

[fill in legal description]

B. Owner desires to *[briefly describe proposed development (e.g., construct,
reconstruct, construct and addition or constructing an addition to a commercial or industrial
building within the City)]* _____
_____ (herein called the "Project").

Artwork at the Owner's expense if and when the Public Artwork is not maintained in good condition;

3. It is the intention hereof that this Covenant and Agreement shall constitute a covenant running with the land owned by the Owner. This Covenant and Agreement shall be enforceable by and shall inure to the benefit of the City and the City's successors and assigns, and shall be jointly and severally binding upon the Owner, and each of the Successors.

4. The Owner shall indemnify, hold harmless and defend City, and its elected officials, officers, employees, servants, designated volunteers, and agents serving as independent contractors in the role of City officials (collectively "Indemnitees"), from any claim, demand, damage, liability, financial loss, cost or expense (including, without limitation, attorneys fees and costs) arising, either directly or indirectly, from any City permit authorizing the installation of the Public Artwork at the Property, including, without limitation, the agreement to install and maintain the Public Artwork (including, without limitation, this Covenant and Agreement to install and maintain the Public Artwork, and the conditions contained herein).

5. This Covenant and Agreement shall remain in effect until released in writing by the order of the City Council upon a determination that this Covenant and Agreement is no longer required.

6. This Covenant and Agreement shall not be amended without City's written consent.

7. Should any provision, section, paragraph, sentence, clause or word of this Covenant and Agreement be rendered or declared invalid or ineffective by any final action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, clauses and words of this Covenant and Agreement shall remain in full force and effect.

8. This Covenant and Agreement shall be recorded in the office of the County Recorder for the County of Riverside.

– Signatures Begin on Next Page –

Executed this _____ day of _____, 200 ____.

CITY OF TEMECULA:

OWNER:

Approved as to content:

_____*
[Name of Owner]

Herman Parker
Director of Community Services

By:_____*
Name:
Title:

By:_____*
Name:
Title:

Attest:

Susan W. Jones, MMC
City Clerk

Approved as to form:

Peter M. Thorson
City Attorney

*Note: If any Owner is a corporate entity, signatures from two corporate officers are required.
One signature must be from any officer in Group A, and one signature must be from any officer in Group B as follows:

Group A: the chairman of the board, the president, or any vice president
Group B: the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer of the corporation.

ALL-PURPOSE ACKNOWLEDGMENT

State of California)
County of)

On appeared _____, 2007, before me, _____,
appeared _____

- ☐ personally known to me -OR-
☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

Witness my hand and official seal.

SIGNATURE OF NOTARY

CAPACITY CLAIMED
BY SIGNER

- ☐ INDIVIDUAL(S)
☐ OFFICER(S) (TITLE[S]):

- _____

☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ SUBSCRIBING WITNESS
☐ GUARDIAN/CONSERVATOR
☐ CHAIRPERSON/MAYOR _____
☐ OTHER: _____

SIGNER IS REPRESENTING:

ALL-PURPOSE ACKNOWLEDGMENT

State of California)
County of)

On appeared _____, 2007, before me, _____,
appeared _____

- ☐ personally known to me -OR-
☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

Witness my hand and official seal.

SIGNATURE OF NOTARY

CAPACITY CLAIMED
BY SIGNER

- ☐ INDIVIDUAL(S)
☐ OFFICER(S) (TITLE[S]):

- _____

☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ SUBSCRIBING WITNESS
☐ GUARDIAN/CONSERVATOR
☐ CHAIRPERSON/MAYOR _____
☐ OTHER: _____

SIGNER IS REPRESENTING:

EXHIBIT “A”
PUBLIC ARTWORK LOCATION PLAN

Exhibit “A” consists of ____ pages, excluding this cover page.

Chapter 17.177 PUBLIC ART PROGRAM

17.177.010 Program execution.

The Yountville Arts Commission shall carry out the duties established by this chapter. (Ord. 16-449)

17.177.015 Definitions.

“Applicant” means a person or entity who applies to the Town for any development entitlement, including a use permit or master development permit.

“Commercial unit” means a structure or enclosed portion of a structure intended for occupation by a commercial use.

“In-lieu art fee deposit” means a deposit in an amount equal to the in-lieu fee calculated pursuant to Section 17.177.060.

“Public art” means physical and permanent artwork, installed on private property for public view as required in this chapter. (Ord. 16-449; Ord. 18-473)

17.177.020 Provision of public art or contribution towards placement of public art—Required.

An applicant for commercial development within the Town shall either directly provide public art or make a contribution towards the placement of public art. An applicant has three ways in which to comply with the requirement to place public art or make a contribution towards the placement of public art:

A. Install and maintain approved public art on property which has a value equal to or exceeding the in-lieu art fee deposit. Prior to installation of public art in satisfaction of this chapter, the property owner or developer shall comply with all procedures set forth in this chapter for selection and approval of public art.

B. Install and maintain approved public art which has a value less than the in-lieu art fee deposit and pay the difference as an additional in-lieu fee. Prior to installation of public art in satisfaction of this chapter, the property owner or developer shall comply with all procedures set forth in this chapter for selection and approval of public art.

C. Direct payment of the in-lieu art fee deposit into the dedicated art program fee fund managed by the Yountville Arts Commission in accordance with Section 17.177.050. (Ord. 16-449; Ord. 18-473)

17.177.030 Application for public art.

If choosing to install and maintain public art, the property owner or developer shall submit an application to the Yountville Arts Commission which shall include:

A. Preliminary sketches, photographs, or other documentation of sufficient descriptive clarity to indicate the nature of the proposed public art, the résumé of the artist as well as evidence of previous work and efforts of the artist;

- B. An independent appraisal or other similar evidence of the value of the proposed artwork, including acquisition and installation costs;
- C. Preliminary plans containing such detailed information as may be required by the Yountville Arts Commission to adequately evaluate the location of the public art in relating to the proposed development, and its compatibility with the proposed development, including compatibility with the character of adjacent conforming developed parcels and existing neighborhood if necessary to evaluate the proposal; and
- D. A narrative statement and maps or diagrams demonstrating that the public art will be only exterior to all structures and accessible and visible to the public at all times. (Ord. 16-449; Ord. 18-473)

17.177.040 Approval for public art.

- A. The Yountville Arts Commission shall review the completed application submitted pursuant to Section 17.177.030, considering the aesthetic quality and harmony with the proposed project, and the public accessibility to the public art. In order to satisfy the requirements of this chapter, the public art must be approved by the Arts Commission.
- B. The applicant may appeal the Arts Commission's decision to the Town Council in writing within 30 days. If the applicant fails to submit a timely appeal, the decision of the Arts Commission shall become final. If the applicant submits a timely appeal of the Arts Commission's decision, the Town Council shall conduct a hearing on the appeal. The decision of the Town Council shall be final.
- C. If, during proceedings related to the overall project which occur subsequent to the Arts Commission's decision, significant revisions to the proposed public art or its physical location and context are proposed or required by the applicant, the Zoning and Design Review Board, or Town Council, the application shall be returned to Arts Commission for further review and recommendation concerning the revised proposal for review and approval prior to the final review of the project as a whole.
- D. The Arts Commission may recommend conditions of approval related to the Public Art to be included in any entitlements approved by the Town Council or ZDRB. (Ord. 16-449)

17.177.050 In-lieu art fee deposit and refund thereof for installation of public art.

A property owner or developer shall pay an in-lieu art fee deposit at the time of applying for a building permit for commercial development, in support of the requirement to provide public art in accordance with Sections 17.177.020 through 17.177.040. All fees paid pursuant to this chapter shall be deposited into an art program fee fund. If the applicant opts to install and maintain public art, the applicant is eligible for a refund of the in-lieu art fee deposit up to the maximum appraised value of the art upon completion of the art installation. If the applicant opts not to place public art, the in-lieu art fee deposit shall remain in the art program fee fund and shall be exclusively used for the acquisition, installation, improvement, and maintenance of physical artwork to be displayed in the Town for public view. The revenue deposited into this fund shall also be used for the administration of the public art program. This fund shall be maintained by the Town Treasurer. (Ord. 16-449; Ord. 18-473)

17.177.060 In-lieu fee determination.

The amount of the fee shall be a percentage of the project valuation as follows:

- A. The total project valuation shall be computed using the latest building valuation data as set forth by the International Conference of Building Officials (ICBO) unless, in the opinion of the Building Official, a different valuation measure should be used.
- B. Each commercial unit shall be assessed an amount equal to one percent of its valuation, excluding land acquisition and off-site improvement costs. (Ord. 16-449)

17.177.070 Timing of compliance.

- A. An in-lieu art fee deposit shall be paid when applying for a building permit for commercial development;
- B. Applications for installed public art must be submitted to the Yountville Arts Commission for consideration and approved prior to the project's completion and issuance of a certificate of occupancy (temporary or final) by the Planning and Building Department. Placement of approved public art must be within 90 days of approval unless an alternative date is approved by the Yountville Arts Commission at time of approval.
- C. All documentation required under Section 17.177.080 must be provided prior to installation of public art. (Ord. 16-449; Ord. 18-473)

17.177.080 Documentation for public art.

Prior to installing public art in accordance with this chapter, the applicant must provide to the Town:

- A. Financial security in an amount equal to the acquisition and installation costs of approved public art, in a form approved by the Town Attorney;
- B. Covenants, conditions, and restrictions (CC&Rs), in a form approved by the Town Manager and the Town Attorney, which require the property owner, successors in interest, and assigns to maintain the public art in good condition. CC&Rs shall be executed and recorded by the applicant with the County of Napa;
- A statement which indemnifies, defends, and holds the Town and related parties harmless from any and all claims or liabilities from the public art, in a form acceptable to the Town Attorney; and
- C. Certificate of insurance naming the Town as an additional insured, including such coverage and liability limits as may be specified by the Town Manager. (Ord. 16-449)

17.177.090 Ownership of public art.

A. All public art installed by an applicant pursuant to this chapter shall remain the property of the applicant; the obligation to provide all maintenance necessary to preserve the public art in good condition shall remain with the owner of the site.

B. Maintenance of public art shall include, without limitation, preservation of the public art in good condition to the satisfaction of the Town, protection of the public art against physical defacement, mutilation or alteration, and securing and maintaining insurance in an amount and form to be determined by the Town Manager. Prior to installation of an approved artwork, applicant and owner of the site shall execute and record a covenant in a form approved by the Town for maintenance of the public art. (Ord. 16-449)

17.177.100 Removal or alteration of public art.

A. Public art installed pursuant to the provisions of this chapter shall not be removed or altered without the approval of the Yountville Arts Commission.

B. If this requirement is not met, the occupancy and/or use permit for the project may be revoked by the Town Council. (Ord. 16-449)

17.177.110 Reserved.

17.177.120 Violations.

A. If the public art is not installed or maintained as required by this chapter, the Town Council may revoke the occupancy permit for the project upon recommendation by the Arts Commission. Prior to revoking an occupancy permit, the Council shall conduct a hearing, with no less than 15 days' notice to the property owner.

B. If any public art provided pursuant to the provisions of this chapter is knowingly removed by the property owner without the approval of the Yountville Arts Commission, the property owner shall contribute funds equal to the development project's original public art requirement to the Town's public art program fee fund, or replace the removed public art with one which is of comparable value and approved of by the Yountville Arts Commission.

C. In addition to all other remedies provided by law, in the event the owner fails to maintain the public art, upon reasonable notice, the Town may perform all necessary repairs, maintenance or secure insurance, and the costs therefor shall become a lien against the real property.

D. A violation of this chapter shall be considered a public nuisance. (Ord. 16-449)

3.12.060 Duties and functions.

- A. Encourage programs for the cultural enrichment of the City and help make City resources available to cultural groups.
- B. Provide assistance to groups and individuals wishing to sponsor neighborhood events, such as block parties, small business celebrations, and community holidays.
- C. Provide support for art groups in their search for funding from county, state, federal and private sources and pursue projects which would provide funding for the arts.
- D. Coordinate and strengthen existing organizations in the arts and develop cooperation with regional organizations.
- E. Develop ongoing data on the economic impact of the arts on the community.
- F. Review and make recommendations upon all works of art to be acquired by the City, either by purchase, gift, or otherwise, and exterior works of art installed in the civic center district which are visible to the public.
- G. Encourage the beautification of the City.
- H. Advise the council on all matters affecting the beauty and culture of the City.
- I. Render advice and assistance in the fields of art, esthetics and beautification to other City boards and commissions.
- J. Develop guidelines and procedures to be submitted to the City Council for approval for a visual arts in public places program.
- K. Appoint a temporary subcommittee known as the visual arts panel, consisting of four commission members, to carry out the visual arts in public places programs.
- L. Report to the council the final action of each visual arts panel in selecting and installing each art in public places project.
- M. Provide recognition and increased opportunities for artists through art in public places projects and maintain an inventory of meritorious works of art in the public view.
- N. Provide assistance to local artists and private property owners on matters relating to installation of works of art on private property in the public view.
- O. Advise the council on all matters pertaining to the quality, quantity, scope, and style of art in public places.
- P. Develop recommendations for distribution of City arts funding in accordance with established criteria.
- Q. Promulgate curatorial standards for exhibits that change on a regular periodic basis.
- R. Appoint a permanent committee known as the Public Art Committee. (Ord. 7082-NS § 1, 2009: Ord. 5880-NS §§ 1, 2, 1988: Ord. 5631-NS § 1, 1985: Ord. 5253-NS § 1 (part), 1980)

Compile Chapter

The Berkeley Municipal Code is current through Ordinance 7669-NS, passed July 9, 2019.

Disclaimer: The City Clerk's Office has the official version of the Berkeley Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.cityofberkeley.info/Home.aspx>
(<http://www.cityofberkeley.info/Home.aspx>)
Telephone number: (510) 981-6900
Code Publishing Company
(<https://www.codepublishing.com/>)

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(<http://www.cityofberkeley.info/SiteMap.aspx>) | Contact Us (<http://www.cityofberkeley.info/contactus>)
City Clerk (<http://www.cityofberkeley.info/clerk>) , 2180 Milvia Street, Berkeley, CA 94704
Questions or comments? Email: clerk@cityofberkeley.info (<mailto:clerk@cityofberkeley.info>) Phone: (510) 981-6900

CULTURAL arts CHULA VISTA

MASTER PLAN



2016



Prepared by the
Cultural Arts Division



*Cover artwork and
chalk mural (left)
by Lidia F. Vasquez
High Tech High Chula Vista
Age 14*

Executive Summary






Cultural arts in Chula Vista is the culmination of local heritage, artistic talent, creative activities and opportunities that develop social cohesion and a positive creative environment for all Chula Vistans of all abilities. The City recognizes that innovation, exploration, and expression are all important ingredients of an attractive, vibrant, and prosperous community. The Cultural Arts Master Plan (CAMP) is intended to be a dynamic resource that celebrates and embraces Chula Vista's unique historical narrative and the renaissance of innovation, exploration, and, expression that is occurring in the community. The innovative strategies and initiatives of the CAMP will help Chula Vista to remain vital and responsive to the dynamic nature of Chula Vista's creative community, while at the same time transforming cultural arts in Chula Vista into a sustainable industry and a cultural arts destination.



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Objectives

The goals, strategies and initiatives of the CAMP align well with the objectives of the City's Economic Development Work Plan which includes, business support, project development, and regional collaboration. There is great economic value in building upon and expanding the arts in Chula Vista. A strong well defined cultural arts program will:

1. Improve Chula Vista's Competitive Edge

There are many economic benefits of supporting cultural arts, such as: increased sales tax, the development and retention of a skilled workforce and the creation of a vibrant community that will attract business and foster innovation. Each of these benefits are key ingredients of improving Chula Vista's competitive edge.

2. Promote a Connected Community

Cultural arts can help to demonstrate and enhance the unique character of a community. The City has a long history of cultural arts offerings and a variety of creative assets. The City's role is to encourage, endorse, facilitate, market and promote those cultural arts programs, activities and creative assets that express and celebrate diverse community narrative, encourage civic engagement and promote a connected community.

3. Attract new and visiting populations

Cultural arts activities draw crowds from within and around the community. Increasing the number of visitors as well as enhancing resident participation will assist in building Chula Vista's positive image, will help sustain a positive quality of life, and will assist in developing Chula Vista as a tourism destination.

The Role of Cultural Arts in Economic Development

Much has been written over the last decade about the growing role of cultural arts in the economic recovery of cities. Where industries have declined or have yet to be established the "creative industry" has emerged as a powerful and energizing economic driver. In cities where the creative industry and its activities are nurtured and supported, there is higher than average growth, increased job creation, community pride and cultural tourism, all of which are important factors of successful economic development.

The City plays an essential role in leveraging relationships and resources necessary to champion cultural arts in Chula Vista. Whether through the provision of resources, adoption of policies, or support of cultural arts programs, creative and diverse cultural arts strategies and initiatives will help to strengthen Chula Vista's economy.



Setting

Chula Vista is an exceptional city. It is the second largest City in San Diego County, with a population of more than 260,000, a rich and unique history, key geographic location, an attractive Bayfront landscape, environmentally rich canyons, scenic rolling hills, and quality public amenities. Chula Vista is a leader in conservation and renewable energy, has an outstanding public school system, and is one of the safest cities in the country. The City is also home to a diverse culture of creativity comprised of individual artists, local creative organizations, school districts with strong visual and performing arts programs, and various community events. Through wide-ranging innovative strategies and initiatives the City of Chula Vista will strengthen, support and leverage this culture of creativity. Chula Vista will develop a sustainable creative industry that will improve Chula Vista's competitive edge, enhance its remarkable assets, and the overall quality of life for all citizens.

Vision

As the City seeks to stimulate economic development, there is an increased awareness of the important role that cultural arts will play. Chula Vista's vision is that cultural arts will:

- Honor the past but guide the future
- Contribute to the quality of life for all residents
- Support and cultivate Chula Vista's creative culture
- Create an environment that encourages and supports Chula Vista's diverse population, the creative community, and the business community
- Expand a positive image of Chula Vista

"Art is not what you see but what you make others see."

– Edgar Degas

Mission

The mission of the CAMP is to acknowledge Chula Vista's leadership role, commitment to cultural arts, and to provide a road map for the development of a creative industry that will: celebrate and leverage Chula Vista's cultural arts resources and assets, grow public involvement in cultural arts, enhance the local economy, and encourage and support cultural tourism in Chula Vista.

This mission will be achieved through the City of Chula Vista's commitment, support, and endorsement of:

- Community engagement and networking opportunities
- Diverse cultural arts programming
- Endorsement and support of community events
- Key partnerships and collaborations
- Direct and in-kind funding and resources
- Cultural arts friendly policies and processes



"Vision is the art of seeing the invisible."

– Jonathan Swift

1 Communicate



Providing residents and visitors easy access to cultural arts offerings and understanding the needs of local creatives and audiences are important components of the CAMP, therefore, on-going outreach and marketing and promotion strategies and initiatives have

been developed. A multi-faceted approach to gather on-going input from the community and easier access to information on cultural arts offerings in Chula Vista are keys to the success of the CAMP.

Strategy 1: Public Outreach

A. Create and maintain a cultural arts master contact list of creative individuals, organizations, and agencies to be used for on-going outreach and collaboration.

B. Develop a process to obtain attendee feedback at cultural arts events, performances, and activities.

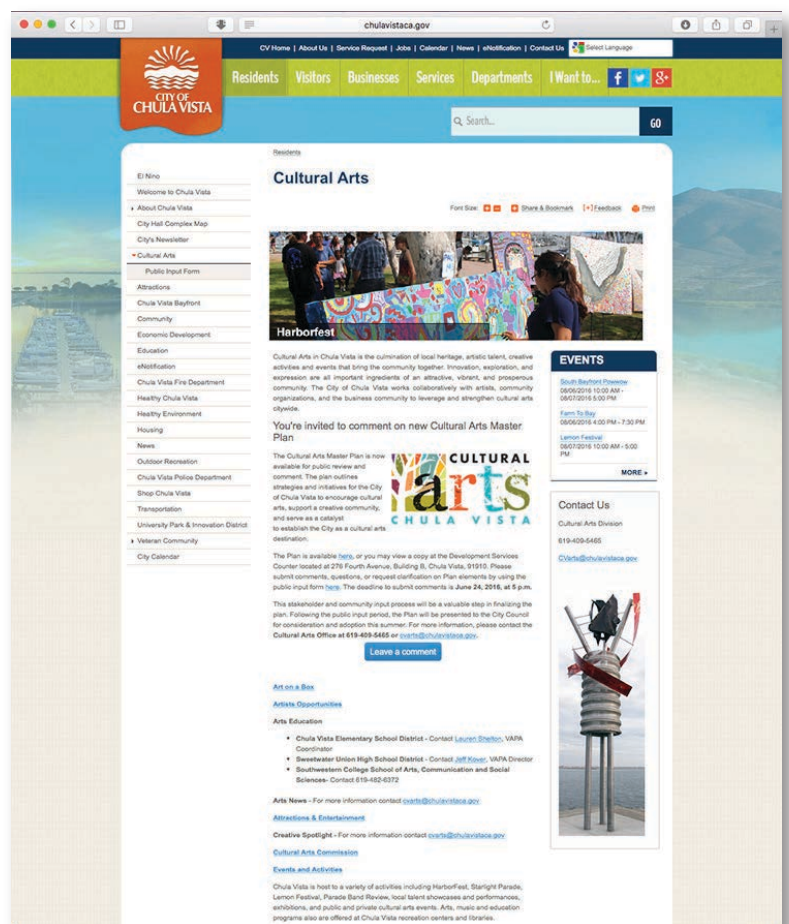
C. Create a cultural arts web page that will provide up to date information on cultural arts offerings and resources.

chulavistaca.gov/residents/cultural-arts

D. Create a process for on-going outreach and communication with community stakeholders (i.e social media surveys) to ensure that the City understands the cultural arts needs of the creative community and community at large.

*“The idea is not to live forever,
it is to create something that will.”*

— Andy Warhol





Strategy 2: Marketing and Promotion

A. Work with the Office of Communications to market and promote cultural arts events and activities.

B. Work cross departmentally, to create a bilingual cultural arts communications and marketing plan of City programs, activities, and events.

C. Use branding, such as a Chula Vista cultural arts logo and #CVArts, on cultural arts marketing and promotion materials and correspondence.

D. Create a cultural arts master calendar of both public and non-public events, programs and activities.

E. Create a means to spotlight and highlight the work of local creatives, including individual artists, businesses and organizations and coordinate the promotion of these creatives through the City website, social media and City Council recognition.

F. Support and endorse cultural arts activities that provide a positive economic or social benefit to the City.

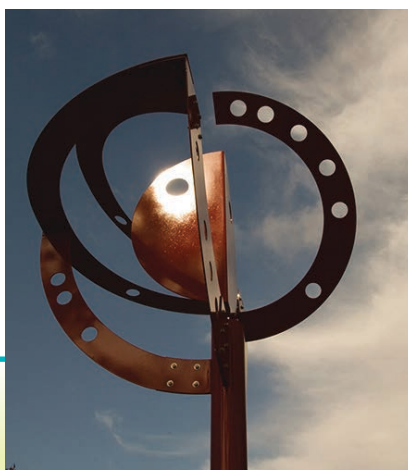
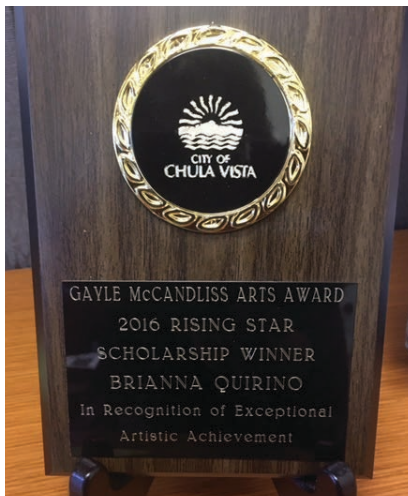
G. Coordinate marketing and promotion efforts between the City and the creative community city-wide

H. Market and promote cultural arts friendly City facilities, venues (including parks), events and activities.

I. Develop ways, such as a banner program, to market and promote the creative assets, local creatives, and art friendly businesses located within each council district and city-wide.

J. Collaborate with local agencies and organizations such as water authorities, schools and transit agencies for cultural arts marketing and promotional opportunities.

K. Collaborate with media outlets including Spanish media outlets (newspapers, radio...) on features, articles and marketing and promotion of cultural arts in Chula Vista.



2 Create Opportunities



The City is host to a variety of cultural arts events, performances, and activities including HarborFest, Starlight Parade, Parade Band Review, local talent showcases, performances, exhibitions, and a multitude of both public and private cultural arts programming. The City also collaborates with a variety of local cultural arts organizations and supports a nine (9) member Cultural Arts Commission (CAC) comprised of individuals with diverse backgrounds in cultural arts, related fields, or experience. Building public and private partnerships and professional networks are invaluable opportunities for the City of Chula Vista to support and leverage the skills and talents of the creative community.

To understand how to best leverage these opportunities and local creative capital (individual artists, organizations and businesses) an assets inventory needs to be conducted. This cultural arts asset mapping (Asset Mapping), would be an assessment of existing cultural arts infrastructure, programs and creative capital. This mapping will assist in identifying creative resources that can be built upon, further developed and supported. It will also identify gaps that might exist and provide Information on how these gaps may be filled. The information obtained through the CAMP stakeholder and community input process will be a valuable part of this assessment.

Some of the questions that the Asset Mapping will answer are:

- Who are the creative people, organizations, companies, and other resources in Chula Vista. Are these creatives connected and/or collaborating and if so how?
- What are the issues, challenges, and opportunities surrounding cultural arts in Chula Vista?
- What are the creative space issues, challenges and opportunities?
- What are the cultural tourism opportunities?
- How can we best engage, support, and promote the city's creative assets?
- What programs and activities are missing?

Assets mapping will also assist in connecting the creative community by providing information and resources that otherwise may not be known.





Strategy 1: Support Cultural Arts Programs and Activities

- A.** Develop a cultural arts assets map that can be integrated into City software platforms such as GIS and Accela.
- B.** Create a master venue/ facilities list that identifies site amenities such as: capacity, type of stage, lighting, sound, parking, and associated fees.
- C.** Work across City departments to better understand programming trends and needs of the Community and build upon those programs that have shown to have the most success.
- D.** Explore opportunities to revive past cultural arts events and local traditions.
- E.** Align and support quality programming that is more high tech and responsive to trends and needs of the creative community.
- F.** Develop an exhibit policy for City facilities that will provide low or no cost opportunities for artists to exhibit and sell their work.
- G.** Support the development of programs and opportunities such as artist in residence, creative co-ops, and art incubators.
- H.** Explore and support new arts trends such as: maker faires, night markets, walk abouts, and digital cultural arts opportunities.



Strategy 2: Public Private Partnerships and Collaboration

- A.** Develop diverse and dynamic community partnerships that benefit and enhance the capacity of and opportunities for individual creatives, creative businesses and non-profits.
- B.** Collaborate with non-traditional venues and local businesses to provide more access to cultural arts.
- C.** Collaborate with stakeholders, arts groups, committees, and activities to support cultural arts in Chula Vista, the region, the state and at the national level.
- D.** Develop a collaborative relationship with the Chambers of Commerce, Visitor's Centers, and civic and business organizations to build public awareness of Chula Vista cultural arts offerings .
- E.** Assist in the development of beneficial relationships between the creative community, businesses, and the development community to create more cultural arts opportunities.
- F.** Facilitate a collaborative relationship between the Cultural Arts Commission, the Parks and Recreation Commission, the Commission on Aging, Friends of the Library, Healthy Chula Vista Advisory Commission and the Youth Action Council to provide relevant cultural arts programs and activities, including intergenerational opportunities and collaboration.
- G.** Identify opportunities for collaboration and partnerships with cultural arts groups and organizations that will strengthen and grow cultural arts in Chula Vista

Strategy 3: Connect the Creative Community

A. Support the creation of artist collaboratives and art hubs in locations that will bring creatives and the community together through cultural art exhibits, events, programs and activities.

B. Develop and support partnership opportunities for artists such as pop-up art installations, events and performances, cross marketing, and apprenticeship opportunities.

C. Create opportunities for creatives of all artistic mediums to exhibit and showcase their work and support entrepreneurial workshops for creatives using local, state and national resources and expertise.

D. Work with the creative community to establish a local network, such as North County Arts Network (NCAN), that will provide access to information, share resources, collaborate on projects, and develop opportunities for creatives.

*“Alone we can do so little;
together we can do so much.”*

– Helen Keller

Strategy 4: Establish a Qualified Cultural Arts Commission

A. Amend the Chula Vista Municipal Code to establish a qualified Cultural Arts Commission (CAC) where all members would be required to demonstrate experience and knowledge in cultural arts, with a majority of members appointed from among professionals in the disciplines of arts and culture.

B. Facilitate opportunities for CAC attendance and participation in community and cultural art activities city-wide.

C. Align the CAC appointment process in accordance with the provisions established by Chula Vista Municipal Code section 2.25.050 (E. and H.)

D. Establish specific program/activity sub-committees (e.g., promotions committee, events committee) and a policy wherein all commissioners are expected to volunteer as needed.

E. Work with the CAC to create a rotating schedule wherein a minimum of two (2) CAC Commissioners would volunteer to attend community cultural art events.



3 Build Community



Cultural arts assist in building strong, healthy, and connected communities.

Strengthening the community through cultural arts includes exposure to public art, learning through arts experiences, access to arts education, and making cultural arts accessible for all ages and all abilities.



Public art has the power to transform and strengthen a community. The City of Chula Vista currently has over 80 public arts pieces located throughout the City as well as an inventory of contemporary art pieces. The development of a formalized and funded public art program that builds upon the City's current inventory of public art will help ensure that the collection is available for the enjoyment of future generations.

The City of Chula Vista supports a variety of arts education programs through recreational and library programming and is home to a variety of non-profit youth arts organizations and programs such as: the Community Opus Project, Christian Youth Theater, various music ministries, and significant Visual and Performing Arts programs in both the Chula Vista Elementary School District and the Sweetwater Union High School district. The City is committed to supporting cultural arts programming, activities and events that embody the rich diversity of the community and that are accessible to all persons of all abilities.

Early exposure to cultural arts is essential to maximizing knowledge and a life-long involvement and appreciation in the arts. Studies show that students involved in the arts perform better in math, have greater reading fluency, a better working memory, and perform better on

standardized tests. Programs that incorporate the arts have proven to provide students with the skills they need to be productive participants in today's high-tech and innovative economy. The School of Arts and Communications at Southwestern College provides a robust arts curriculum including dance, journalism, music, recording arts and technology, telemedia and theater arts. The City also provides personal enrichment and development programs designed to engage youth and opportunities for youth civic activism and community service such as the Youth Action Council and Leaders in Training program.

In addition, the City of Chula Vista offers a range of services and activities for the senior community. These include educational courses, health and exercise programs, dancing, art, and senior focused events. The CAMP provides strategies and initiatives that further connect seniors to the arts and community wide events and activities. Exposure to the arts has positive implications for the health and well-being of our senior community. Supporting programs and activities that provide seniors creative expression and social engagement have proven to be beneficial to both the individual and the community at large. A community that provides for cultural art opportunities for all ages of all abilities provides a better quality of life for everyone. Support of cultural arts programming that creatively and socially engages senior adults is a vital ingredient to overall quality of life in Chula Vista.

Strategy 1: Public Art Program

A. Build a publicly available collection of artwork that celebrates Chula Vista’s history, diversity, and natural assets.

B. Adopt a public art policy that will:

- establish criteria that will ensure public art in Chula Vista expresses creativity, provides visual information about Chula Vista, and captures and highlights the essence of Chula Vista’s creative culture and community.
- establish guidelines, standards, and procedures for the acquisition, selection, installation, curation, and decommission of the City’s current and future public art collection.
- establish a public arts advisory committee that is comprised of members of the Cultural Arts Commission and professionals in the field of cultural arts.

C. Work collaboratively with the appropriate stakeholders to integrate and explore ways to include public art into private development.

D. Work with both the development and community stakeholders to develop a program for the installation of public art in private development.

E. Inventory, appraise, and map all public art and city owned art and properly label all City displayed art (i.e. artist, date, title of the work, and medium of the work).

F. Explore ways that public art may assist in developing community identity and opportunities for creative placemaking in areas throughout the City such as in public works projects, transit stops, neighborhood entrances and City gateways.

Strategy 2: Youth Engagement

A. Support programs that encourage and engage youth in cultural arts activities.

B. Actively participate in arts education committees, programs and initiatives such as: Chula Vista Elementary School District Visual and Performing Arts Steering Committee, Sweetwater Union High School District VAPA Strategic Plan Committee, the California Arts Project, and Arts in Education Week.

C. Build and strengthen the City’s partnership with educational community through collaboration and support of arts in education goals, events, and activities.

D. Work with city departments, school districts, Youth Action Council, the local creative community and arts organizations to support meaningful opportunities for youth involvement in cultural arts planning and to utilize the youth as resources, collaborators, and organizers in the development of cultural arts events, activities, and programs.

E. Facilitate collaboration between the Cultural Arts Commission and the Youth Action Council to develop cultural arts programs and activities that will engage and appeal to the youth demographic.





- F. Advocate for the inclusion of the arts in educational curriculum
- G. Support community cultural arts education and enrichment activities.
- H. Strengthen and grow affordable cultural arts youth programming.
- I. Support cultural arts outreach programs such as: The Old Globe's Globe for All Program, San Diego Youth Symphony Community Opus Project, and the La Jolla Playhouse Performance Outreach Program.

Strategy 3: Senior Engagement

- A. Work collaboratively across city departments, to coordinate and support senior cultural arts programming.
- B. Advocate for transportation opportunities for seniors to community events such as: Lemon Festival, HarborFest, and the Starlight Parade.



- C. Encourage participation of the senior community in planning of and participation in community events and activities.
- D. Develop cultural art programs that will provide seniors exposure to a variety of art disciplines.
- E. Provide opportunities for members of the senior community to be active participants in cultural arts planning.
- F. Facilitate collaboration between the Cultural Arts Commission and the Commission on Aging to identify senior cultural arts needs and opportunities.
- G. Create opportunities for cultural arts intergenerational collaborations.
- H. Develop ways to communicate with the senior community about cultural arts opportunities that takes into consideration seniors that may not have access to technology and social media.

Strategy 4: Cultural Equity

- A. Support artists and develop programs and events that are representative of Chula Vista's culturally diverse community.
- B. Create metrics to measure diversity in cultural arts participation and develop ways to address needs and gaps in participation and access of underserved populations.
- C. Collaborate with cultural arts institutions and organizations (e.g. La Jolla Playhouse, the Old Globe, Balboa Park museums) to provide cultural arts access to those that otherwise may not have access.

“The best classroom in the world is at the feet of an elderly person.”

— Andy Rooney

4 Stimulate Economic Vitality



To leverage cultural arts as a tool of economic vitality and economic development, it is imperative that the value of Chula Vista's cultural arts assets be understood and communicated. Developing metrics to measure the value of cultural arts assets in Chula Vista, pursuing diverse public and private funding streams to support and leverage those assets, and building Chula Vista's identity as a cultural arts destination will create a healthier and stronger community, will assist in attracting new and visiting populations, and will advance Chula Vista's competitive edge.

Chula Vista has the distinct advantage of proximity to Baja California, a regional epicenter of cultural arts. To date, Chula Vista has hosted several Mexican exhibits including a binational exhibit of Gustavo Mayoral & Friends and a culmination of Mexican artwork from the Centro Cultural Tijuana (CECUT) at Southwestern College. Continued cross border cultural arts collaboration and collaboration with stakeholders such as the South County Economic Development Council, the Smart Border Coalition and the Tijuana Tourism Board, will not only help strengthen cultural arts in Chula Vista but will strengthen the binational region at large.

Strategy 1: Develop Cultural Arts Metrics

A. Leverage the existing Performing and Visual Arts Grant (PVAG) program by establishing grantee accounting and reporting criteria to better understand and measure both direct and indirect economic value of projects and programs funded through the PVAG program.

B. Develop a database of Chula Vista's creative industry including cultural tourism activity and establish criteria for measuring and reporting its economic value.

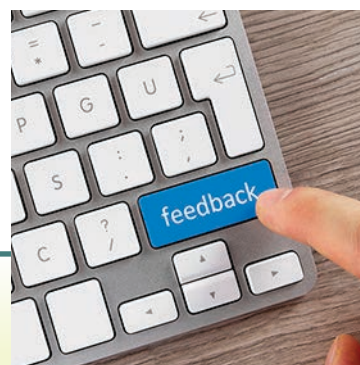
C. Develop tools to understand the trends and needs of both the creative community and audiences.

D. Establish a means to report out to national and state agencies and organizations the scope and economic importance of cultural arts in Chula Vista for inclusion in national and state reports such as the AMERICANS for the ARTS; Creative Industries: Business & Employment in the Arts Report.

E. Conduct surveys to understand the Chula Vista Cultural Arts Audience (including)

- Age demographic
- Size of household
- Education level
- Income
- Ethnic background

F. Implement ways to regularly measure and report the economic impact of cultural arts events and activities.





“The object of art is to give life shape.”

– William Shakespeare



Strategy 2: Support both Traditional and Non-traditional Funding Sources

A. Work collaboratively to develop cultural arts programs, activities and events with multiple benefits and to cooperatively pursue grants and funding opportunities that would support those programs.

B. Support cultural arts fundraising activities and

establish the appropriate process to accept monies raised through fundraising.

C. Support and grow revenue generating opportunities from visitors, community events, and cultural arts activities.

D. Transfer administration of the City's Performing and Visual Arts Grant (PVAG) and the Gayle McCandliss Arts Awards to the Economic Development Department.

E. Assist non-profit, private and community organizations to apply for grants for projects that have a public benefit.

F. Establish a mechanism to accept donations that support cultural arts activities, projects and programs (i.e. establishing a non-profit group such as Friends of Chula Vista Cultural Arts).

G. Apply for grants from foundations with a wide range of missions such as education, community development, health and social justice to create cultural arts programs that meet those missions.

H. Pursue opportunities to use leverage City funds to strengthen and grow cultural arts and cultural tourism in Chula Vista.

I. Pursue grants, such as the National Endowment for the Arts Our Town grant program, for creative place-making projects that support such things as arts engagement, civic participation and community engagement.

Strategy 3: Strengthen International Connections

A. Collaborate with local and regional stakeholders to develop partnerships with the Baja region.

B. Support programs and initiatives to plan, develop, and carry out cross border cultural art activities

C. Work with other government entities to assist in the interchange of art exhibits and other cultural art activities.

D. Facilitate and support collaboration between the Cultural Arts Commission, the International Friendship Commission, and the Youth Action Council to develop and implement cultural art interchange between Chula Vista and Mexico, Japan, and the Philippines.

E. Collaborate with local and regional agencies (e.g. South County Economic Development Council and the San Diego Tourism Authority) to strengthen cultural tourism within the binational region.

F. Partner with local, binational and international organizations to host artist exhibits and other cultural art activities from Mexico.

G. Pursue programs and policies that will showcase binational cultural arts on both sides of the border.

Strategy 4: Cultural Tourism

A. Work with local and regional organizations to track the characteristics of the Chula Vista tourism market and visitor.

B. Work with the Chamber of Commerce and Visitor's Center to Collaborate with the local and regional hotel and motel industry to market and promote cultural arts events, activities and programs in Chula Vista.

C. Participate in local and regional marketing tourism committees.

D. Explore ways that cultural arts events, programs, and activities in Chula Vista can attract tourism.

E. Coordinate listing of Chula Vista cultural arts events in local, regional, and state arts and culture and tourism publications.

F. Work with state agencies such as the California Arts Council and art organizations such as Americans for the Arts for inclusion of Chula Vista's creative industry in Cultural Arts economic impact reports and creative industry studies.

G. Use market research to understand tourist activities (spending, demographic profiles, travel trends...) and collaborate with local and regional organizations to develop and market cultural art experiences that individual tourist and groups are seeking out.

H. Utilize technology, wayfinding tools, and travel sites to support, market and promote cultural arts events, activities, programs and tourism amenities such as the City's historical resources, public artwork inventory, amphitheater, and water park.



5 Infuse Arts into City Processes



Chula Vista has a diverse array of artistic talent and creative assets. To assist in supporting and leveraging Chula Vista's existing assets and to develop a more robust creative industry, The arts should be considered as part of development projects and City processes should be adjusted and policies developed to accommodate and strengthen cultural arts in Chula Vista.

There are several venues and facilities in Chula Vista such as Mayan Hall at Southwestern College, the recently remodeled Civic Center Library auditorium, Memorial Park Amphitheater, and the Rosemary Lane Galeria at the South Library Branch. However, studies show that, on the whole, Cultural Arts spaces that are becoming smaller, less permanent, and less formal. These new space trends are taking the place of large formal brick and mortar venues and facilities. To respond to such changes, including changes in audience behavior (younger, diverse, and transitory) Cultural Arts spaces should be more flexible, high-tech and able to respond to changes in programming trends and needs.

*"I dream of painting
and then I paint my dream."*

— Vincent Van Gogh

There is a growing realization of how important lively and appealing gathering places are to every aspect of our lives. Creating public spaces where all segments of a community are able to meet, interact, celebrate, and enjoy, can activate areas that otherwise would sit empty or avoided. Quality public space opportunities include historically significant or important places, parks, streets, community gardens, pocket parks, sidewalks, parklets, trails, promenades, public space within development, and public buildings. Chula Vista has various quality public spaces including approximately 57 parks and 9 recreation centers, a variety of pocket parks, and zoning regulations that support community gardens, and design requirements for functional common areas in both private and public development projects. In addition, the City of Chula Vista recently adopted Healthy Chula Vista General Plan policies that support quality of life wellness principles that support a connected community through social gatherings, civic engagement and access to arts and culture.

Cultural Arts are not only a means to create an appealing community but are also an important element of creating a competitive tourist destination. It is important that Chula Vista nurture and support a robust cultural arts scene to create a more vibrant city and to promote a more positive image of Chula Vista.



Strategy 1: Arts Friendly Policies

- A.** Support activities, policies and regulations that would assist in the development of a City cultural arts hub and/or district.
- B.** Offer favorable City fees (possibly on a sliding scale) for artist and non-profits that offer cultural arts programs.
- C.** Work with the appropriate City departments to assist in streamlining facility use and events permit processes for cultural arts events that have a positive economic impact.
- D.** Allow the use of non-traditional spaces for cultural art activities and opportunities for pop-up, mobile exhibits and performances.
- E.** Explore and support policies and regulations that will benefit potential live/work spaces and creative incubators.
- F.** Identify and establish appropriate means to ensure that arts are integrated at the earliest possible stage of public facilities projects, public works projects and both large and small private development projects.

Strategy 2: Support the Development and Use of Creative Spaces

- A.** Develop non-traditional gathering spaces where artists can showcase work, perform, and where there are opportunities to experience arts and culture.
- B.** Pursue opportunities for cultural arts opportunities within new large scale developments.
- C.** Work with the creative community to identify non-traditional venues and local businesses (such as bookstores, religious facilities, cafes, and, private event halls) that may be appropriate venue for cultural arts opportunities
- D.** Develop a policy (such as an Open Streets policy) that utilize streets for cultural arts events.
- E.** Ensure that an appropriate amount of cultural arts space is provided for as part of the Bayfront development.

“Coming together is a beginning, keeping together is progress, working together is success.”

— Henry Ford

Strategy 3: Create Quality Public Spaces

A. Adopt regulations and policies that would allow for creative uses within public spaces that would otherwise remain empty or avoided that would encourage and allow for the clustering of cultural art uses and the use of art to activate underutilized areas or vacant spaces.

B. Support policies that would allow for community gathering and use of outdoor areas for cultural arts events and activities.

C. Ensure that policies are included in other City plans (i.e. Parks and Recreation Master Plan), that support the use of public spaces as places to make art, exhibit artwork, and as venues of cultural arts performances and activities.

D. Adopt policies and guidelines that would allow for the use of street furniture, functional landscaping, artistic wayfinding signage, and public art, within public spaces.



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Appendix 1

Discussion Group 2 SWOT Analysis

Cultural Arts in Chula Vista

SWOT Analysis | September 28, 2015

Strengths:

- Location, weather, access to trolley (all allow year around participation)
- Dedicated staff and elected officials
- Strong committed Cultural Arts Commission, and art professionals and educators
- Art schools, Southwestern College, SDYS Opus program, CYT, CVESD VAPA
- OnStage Playhouse
- Positive Growth
- Businesses that support the arts through fundraisers
- Guaranteed grant funds through the City's VPAG program
- Local artists and creatives
- Existing Public Art
- Parades, school bands, local talent showcases
- Outdoor gathering spaces and places where art can be made – We use our parks
- Olympic Training Center
- Agency Partnerships (MTS, Port)
- Existing Cultural Art programs and activities (Libraries and Recreation)

Weaknesses:

- No centralized Cultural Arts information hub
- Small Cultural Arts Commission staff
- No public transit to amphitheater
- Border Image of South Bay
- No image as a destination location
- No or very little live work opportunities
- Migration outward for cultural arts
- Very low Transient Occupancy Tax
- Transitory population (i.e. military families)
- Gaps in knowledge of the work of the Cultural Arts Commission
- Turnover in Cultural Arts Commission leads to loss of Institutional knowledge
- Lack of an arts center (i.e. Liberty Station or the Jacobs Center)
- Lack of a distinctive visual City Cultural Arts landmark
- Stagnate downtown
- No meeting space or venues
- Slower economic recovery here in Chula Vista

Opportunities

- Potential cultural arts venues/facilities (i.e. vogue, coffee shops etc..)
- Regional Resources (Arts networks, SDVAN, SWC)
- Chula Vista is on the radar of regional players
- Revival of past events and traditions
- Potential revenue generator
- Grants
- Village downtown and a unique history
- Bring Younger generation into the Cultural Arts conversation through technology
- Relationships with educational organizations (internships)
- Connecting to arts based businesses
- Gaming (electronic) – opportunity for entrepreneurship and start ups
- Binational relationship
- Increase the number of families to that participate and attend
- Revive downtown Chula Vista
- Storefront displays (both public and private buildings, storefronts along Third Ave)
- Farmer's markets
- Creation of a national event that culminates in Chula Vista
- Social Media Campaigns
- Octoberfest
- Diverse and unique community
- Intergenerational events, all ages
- Opportunity to educate on social issues through art(i.e. homelessness)
- Creating events such as Stem to Steam workshops
- % received from ticket sales at amphitheater
- Partnerships with high-tech industry
- Learn from other community successes and implement in Chula Vista (i.e. Design Thinking "D School", Night Market along Convoy, Walk About in South park, NTC First Friday
- Collective power (i.e. Maker Quarters in East Village) Public/private partnerships

Threats

- Image of some public spaces being unsafe
- Perception of Chula Vista instability both politically and economically leads to lack of business development
- East-West divide (physical 805 boundary)
- Education curriculum (Common Core and budget cuts)
- Behind the curve- lack of program for years and no master plan
- Chula Vista is not fun and funky



Appendix 2

Cultural Arts Master Plan Discussion Group #1

Cultural Arts Master Plan Discussion Group #1

“South Bay Culture Think Tank” | Wednesday, September 2, 2015

1. What cultural events/places/artworks have worked in the past in the South Bay? Why have these events/institutions been successful?

Synthesis: South Bay successes are about family, inclusive events and venues.

- Festivals such as Bonita Fest
- Parades
- Inclusive, all ages venues
- Creative outlets for teens
- Public library: has displayed local talent
- Public art: promotes sense of pride and identity
- Taste of Third, Lemon Festival, public art pieces: have been successful because of the sense of community and cultural tradition.
- Art Walk
- Taste of the Arts
- Music in the park
- Southwestern College Art Gallery and events
- Lemon Festival: SWC Ballet Folklorico Club very successful, community-based and family friendly
- Performing Arts Grant (benefit schools), CV Public Library
- ARTS (A Reason to Survive)
- Trolley Dances Kids on Board
- Surfboards and public art in IB
- Sand Castle competition, IB
- Murals on Third Ave in CV
- South Bay Pride Art and Music Festival
- High school marching band pageants

2. What are we missing in the South Bay in terms of culture? What are the problems that stand in the way of the visual and performing arts, arts institutions and arts education?

Synthesis: We don't have a physical space to showcase local artists. We need better communication about the arts. We have no aesthetic identity. We would like businesses to support the arts.

- No major investment in the arts
- Social misconception that South Bay is not a cultural/artistic center
- A physical place for artists to develop and present work
- Communication within the artistic community (online, print, etc)
- A visually appealing environment
- A museum
- Bonita Museum has no PR, so no one knows what's happening
- After-school program that helps students prepare for college (see “The Wooden Floor” in Santa Ana)
- A collector base
- Multiple venues for art
- Media on the arts in South Bay
- Children's art programming
- Complacency, disorganization
- High end events
- Visual approach to CV is unpleasant

3. If money were no issue, what would we want in the South Bay? Think BIG!

Synthesis: If funded, we would like a well staffed arts complex. We would like artists involved in planning at all levels and subsidized arts education for all residents.

- A museum for local artists, with a collection
- Performing arts center that is visible and accessible, politically and physically
- Artistic presence in the malls, i.e. Otay Ranch, Millenium Shopping Center
- Arts connection with the Olympic Training Center
- A “South Bay Arts Network”
- Multicultural and International Center for the Arts, emphasis on exchange and cross cultural experiences, fully programmed and staffed, experienced director
- Art as Infrastructure, utilitarian and multi-use
- Art that acts as a gathering place, plus aquaponic system, plus renewable energy

- Temporary panels for installations, murals (source: Land Art Generator Initiative)
- Studio spaces for visual and performing artists (cheap rent!)
- Include artists on all CIP City projects as collaborators on design teams
- City subsidized house and studio space for artists and galleries
- A community stage, state of art theater
- Center for digital media where students and adults get training from instructors on latest software and technology
- Transportation and funding for students to attend performance events (opera, theater, dance, etc)
- Free bus trips for children and parents to all art museums in the county
- 2% for the arts (or 10%)
- Architectural focal point in the city
- Money for high school music, theater, dance and art departments
- South Bay YouTube channel that promotes the arts
- Banners, bus ads and billboards promoting arts events on major arteries of the city

Other Ideas or Comments to help the Arts grow in the South Bay:

- CV Library has auditorium to show movies/film festival, but no one knows this
- Vogue Theater—could show art
- Use open space for performance and site specific and/or temporary art projects
- Connect with residents to create a mural
- Shine light on South Bay talent
- Case Study: City Heights Fairmount Arts Corridor Project
- Combining collaborations with local cdc's/non-profits, and business, university research
- Studies/research that link economic development with art—to give residents a reason to value art
- Increase walkability through art
- Pay attention to the Promise Neighborhood Programming at many levels
- Use the natural environment and farms as partners
- Living murals
- Jump on the bandwagon of other civic-related plans to incorporate art: master bike plan (paint on asphalt), master tree plan (tree cages), etc.

- Encourage public/private and profit/non-profit partnerships to create synergy and collaboration
- Allow working artists to teach in the schools
- Give schools more budget for VAPA (visual and performing after school) programs
- Collaborate: Comic Con, Colleges to mentor students, cultural collaboration with other countries
- There is so much culture in South Bay that could be brought out. We are amazing people!

Additional Ideas from San Diego City College students:

What do you know of Culture in the South Bay?

- Chula Vista seems driven toward consumer growth rather than any aesthetic considerations.
 - “Growing up the the South Bay, Eastlake area, I’ve never see any culture and wish there would have been some, because my childhood would have been expanded...”
- Suggestions for how to proceed...
- Get businesses on board with promoting the arts (murals) as happened in North Park.
 - Give us a reason to go to the South Bay.



Appendix 3

Chula Vista Cultural Arts Master Plan Public Discussion Group #2

Chula Vista Cultural Arts Master Plan

Public Discussion Group #2 | October 21, 2015

Strengths

- Unique history
- Diverse community
- Large population and land area
- Lots of Talent
- Proximity to the border
- Coastal
- Strong military presence and history
- Strong youth potential
- No precedent/new ideas and creativity to be bleeding edge
- Established venues (Bonita Museum, SWC, Chula Vista Art Guild)
- Strong performing arts presence in the High Schools (CV High, Bonita Vista)
- Chula Vista Elementary School District commitment of 15million in Visual and Performing Arts teacher salaries over 3 years
- Eastern growth (infuse Cultural Arts early into the process)
- City's Commitment to developing a Cultural Arts Master Plan
- Olympic Training Center
- City of Chula Vista Visual and Performing Arts Grants (proceeds from Sleep Train ticket sales)
- Broadway Corridor, 3rd Avenue
- Established community events (Bonita Fest, Harbor Fest, Lemon Fest)
- Strong Parks and Recreation Programs
- Southwestern College Program and facilities
- New Cultural and Performing Arts Facility at SWC – 2018
- Business support of the arts and fundraising
- Research/ UCSD Case Study of the power of the arts in Chula Vista Elementary School District – published 2017??
- Community based funding in neighborhoods
- Bayfront
- Planned Innovation District

Weaknesses

- Lack of artist housing
- Affordable studio spaces (ordinance needed, potential for gentrification)
- No art supply stores in Chula Vista
- No Friend of the Arts (non-profit to donate to City projects)
- Lack of emphasis on other art forms other than performing arts (i.e. visual arts, culinary arts..)
- East/West Divide (lack of visual identity, class disparity, lack of connection)
- No cross promotion, lack of collaboration between different groups and different groups and the City of Chula Vista (no one stop shop of information)
- Expensive to rent venues/facilities
- No mentorship/internship opportunities for the arts
- Lack of support outside of schools for further education in the arts (i.e. no support at home)
- Lack of educating families on the power of the arts
- Common Core versus the arts
- Lack of City commitment until recently

Opportunities

- COTA program – Collaborations of Teachers and Artists (teachers learn to teach through art)
- Old Globe Shakespeare for parents program (Castle Park)
- Non-profit support as a source to tap into
- Scholarships for the arts (i.e. CVAG, CVVPAG) – need to market these opportunities
- Program models of other jurisdictions (i.e. National City's BOCON and ARTS programs)
- Religious institutions as a venue, source of talent etc..
- Connection to Comic Con
- 72 new VAPA teachers in the CVESD (showcase opportunities of talent & support of the arts)
- Availability of research and data on the value of the arts (NEA, NEH, UCSD research)
- Creation of a data base of local artist and creatives (collaboration, support...)

- Collaboration with local business community and organizations (Romescos, wine club)
- Established artist groups (CV Ballet/Neisha's)
- Collaboration with other agencies (Courthouse)

Threats

- Lack of business investment in Chula Vista
- Inferiority complex – lack of positivity
- Gentrification of local artists/creatives
- Community character perception
- Fear of Change
- Lack of full leadership support
- Cultural Arts can be a political topic

Other Comments

- Chula Vista is not boring!
- Tools for entrepreneurship exist and need to be utilized
- There needs to be sweat equity of the artist/creative community (contributions to rehabilitating spaces, be advocates for themselves)



Appendix 4

Cultural Arts Survey 1

Cultural Arts Master Plan Survey 1: 102 People Surveyed



Cultural Arts Survey

We want to hear from you!

What Cultural Arts activities do you attend/participate in? (Check all that apply)

- ☐ Performance (dance, music, theater)
- ☐ Visual Arts (arts walk, museum, exhibition)
- ☐ Community Event (HarborFest, Farmer's Market, etc.)
- ☐ Other Creative Activity _____

How often do you attend/participate in Cultural Arts activities?

- ☐ Every month
- ☐ 4 or 5 times a year
- ☐ 3 or fewer times a year
- ☐ Rarely
- ☐ Never

Where are the majority of Cultural Arts activities that you attend/participate in?

- ☐ City of Chula Vista
- ☐ City of San Diego
- ☐ Other Areas of San Diego County
- ☐ Outside of San Diego County
- ☐ Outside of California
- ☐ Outside of the U.S.

In what ways do you hear about Cultural Arts activities? (Check all that apply)

- ☐ Word of Mouth
- ☐ Newspaper
- ☐ Social Media/Internet
- ☐ Mailers
- ☐ Posted Advertisements
- ☐ Other _____

Would you be interested in participating in a Cultural Arts Master Plan process for Chula Vista? (If yes, or for info only, please provide your contact information below.)

- ☐ Yes
- ☐ No
- ☐ Information only

Which best describes you?

- ☐ I am an Artist/Creative by trade
- ☐ I work/have worked in the creative field
- ☐ Cultural Arts is a hobby/area of interest
- ☐ Never affiliated with Cultural Arts by career or hobby
- ☐ Other _____

What other Cultural Arts (including events/activities/programs) would you like to see in Chula Vista?

What, if anything, could be done for you to attend or participate more in Cultural Arts in Chula Vista?

About You (optional)

Name: _____

Email: _____

Phone: _____

Cultural Arts Master Plan Survey 1: *Results*

What Cultural Arts events/activities/programs would they like to see in Chula Vista?



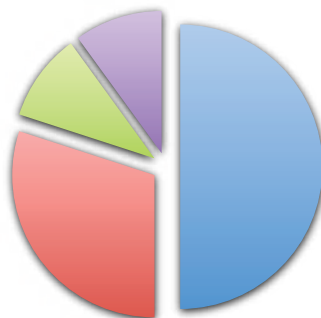
- 15% Film Fests
- 5% Speaking Art
- 30% Exhibitions/Art Walks
- 20% Artists Opportunities
- 5% More Community Events (i.e. Holiday)

What do they attend or participate in 3 or more times per year?



- 75% Community and Performance Arts Events
- 15% Visual Arts Events
- 10% Other Creative Activity

Person Surveyed



- 50% Cultural Arts is an interest/hobby
- 30% Artist or Creative by trade
- 10% Work/Have worked in the creative field
- 10% Not affiliated with Cultural Arts

Where did they attend/participate in Cultural Arts?



- 65% Outside of Chula Vista
- 30% In Chula Vista
- 5% Outside US

How did they hear about Cultural Arts?



- 70% Social Media
- 20% Word of Mouth
- 10% Posted Advertisements or Other



Appendix 5

Cultural Arts Survey 2

Cultural Arts Master Plan Survey 2: 189 People Surveyed



Cultural Arts Survey

We want to hear from you!

1. Are you a Chula Vista Resident?
 - ☐ Yes
 - ☐ No
 - ☐ Other _____
2. What Chula Vista Cultural Arts activities do you attend/participate in?
 - ☐ Performance (dance, music, theater)
 - ☐ Visual Arts (art walk, museum, exhibition)
 - ☐ Community Event (HarborFest, Farmer's Markets, etc..)
 - ☐ Other Creative Activity _____
3. What comes to mind when you think of Cultural Arts in Chula Vista?

4. What do you feel are some of Chula Vista's Cultural Arts

Strengths: _____

Weaknesses: _____

Opportunities: _____
5. Is there anything else that you would like to add regarding Cultural Arts in Chula Vista?

6. Would you be interested in participating in the City of Chula Vista Cultural Arts Master Plan process? (If yes, or for information only, please provide your contact information below)
 - ☐ Yes
 - ☐ No
 - ☐ Information only

About you (optional) Name: _____

Email: _____

Phone: _____

Are you an Artist/Creative?

- ☐ Yes Please Describe: _____
- ☐ No

Cultural Arts Master Plan Survey 2: *Results*

Chula Vista Resident?

- 59% Chula Vista Resident
- 41% Non-Resident



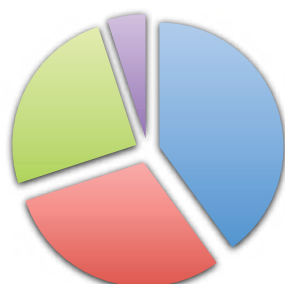
Who were the survey takers?

- 35% Professional (non-artist)
- 25% Artist/Creative
- 20% Student
- 15% Other
- 5% Educator



What type of Cultural Arts activities do you attend/participate in?

- 40% Visual Arts
- 30% Community Events
- 25% Performances
- 5% Other



Strengths

- 30% Large Population
- 25% Talented Artists
- 20% Community and artists want to participate or be involved
- 15% Good school programs
- 5% Diverse Community
- 5% None



Weaknesses

- 40% Not enough promotion or advertisement
- 25% Lack of venues/space
- 20% Too much bureaucracy/lack of support for individual artists
- 15% Not enough money/resources



Opportunities

- 25% Third Avenue and Broadway (artist space opportunities)
- 20% Proximity to San Diego/ Mexico cultural arts hubs
- 15% Vacant Buildings/Vogue
- 20% Talented Youth
- 10% Talented Artists
- 10% Bayfront/Olympic Training Center





CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

File #: 19-536

Meeting Date: 10/17/2019

SUBJECT: Request to Add Item to Future Agenda

REPORT IN BRIEF

Provides members of the Boards and Commission the opportunity to request that an item be placed on a future Commission agenda for initial consideration by the Commission.



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

File #: 19-537

Meeting Date: 10/17/2019

SUBJECT: Commission Comments

REPORT IN BRIEF

Provides an opportunity for the Chair and/or Member(s) to make a brief announcement on any activity(ies) she/he has attended on behalf of the Commssion and to make a brief announcement on future community events and/or activities. The Brown Act does not allow discussion or action by the legislative body under this section.