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I. BACKGROUND

A. The purpose of the public art programs for the City of Santa Rosa is to enrich the community by integrating a wide range of art into public spaces, recognizing that art in a public setting is vital to a livable community and a wealth of public art projects and cultural programs in the public realm contributes to economic development.

II. GOALS/PURPOSE

A. A successful public art program, through diverse approaches to specific projects, may include any or all of the following and will strive to:

1. Humanize the urban environment through high quality artistic statements that enliven public spaces with public art and cultural programs;
2. Develop a public collection of artworks which are of the highest aesthetic quality, represent our diverse community and address a wide range of artistic expressions and venues, including both established and innovative art forms;
3. Encourage public dialogue about and understanding of works of art and the issues public art may raise;
4. Ensure that public agencies and community representatives play an active role in the selection of commissioned physical public art and cultural programming;
5. Encourage early collaboration among artists, architects, engineers and community so that art in a public place is thoroughly integrated and public art dollars are maximized;
6. Provide opportunities for artists to play active roles in the revitalization of neighborhoods and redevelopment areas;
7. Provide opportunities for artists to advance their art forms and contribute

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to economic development;

8. Provide a process for evaluating and accepting public art funded by sources other than those listed in this policy;
9. Encourage the preservation of cultural traditions;
10. Preserve art objects and artifacts displaced through improvement projects;
11. Provide for the appropriate maintenance of the Public Art Collection;
12. Ensure proper cataloging of the Public Art Collection;
13. Encourage private developments to include publicly accessible art; and
14. Encourage events and activities which bring the public together to celebrate traditions and human expression in dance, music, theater, performance and literary arts.

III. POLICY

A. ART IN PUBLIC PLACES COMMITTEE

The Art in Public Places Committee (APPC) oversees the Public Art Program, which is a program for delivery of a broad range of public art and cultural projects and activities throughout Santa Rosa and within the Santa Rosa Arts District. The APPC develops policies and goals for the selection, placement and maintenance of public artwork and implementation of cultural programs. The APPC strives to ensure excellence in the public collection by active participation in a sequence of selection stages of public art projects and cultural programs.

1. MEMBERSHIP. Membership includes one representative from the Cultural Arts Council of Sonoma County (CACSC); one member from each of the following City of Santa Rosa Boards or Commissions—Planning Commission, Design Review Board, Board of Community Services, Redevelopment Agency, Cultural Heritage Board; two members of the Santa Rosa City Council; and four members of the general public.

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2. MANNER OF APPOINTMENT. Each entity listed in III (A)(1) shall recommend its representative(s) for appointment. General Public Members will be appointed by application and recommendation by the Department of Recreation and Parks to the City Council. The City Council shall approve the final appointments to the Committee. General Public Committee members shall be appointed to serve a four-year term. When the General Public members' term expires, candidates desiring reappointment must submit an application at the end of their term. They can be reappointed for a second term at the Council's discretion. At the end of the second four year term, the position must be advertised and the incumbent interviewed along with other applicants. Committee Members representing a Board, Commission or the City Council shall hold office for a two year term to run concurrent with Council elections.

3. PURPOSE. It is the APPC's intention to recognize the complexities of balancing the needs of artists, and the public for an attractive, unique and humane urban environment. The program will strive for solutions that ensure that the art, whether public art or cultural programming, purchased or commissioned, is appropriate for the venue. In construction projects where art will be incorporated, the artist will be involved at the earliest stages of design, whenever possible, to ensure a totally integrated solution. Cultural programs will obtain any pertinent permits such as the City's special event permit and work with the surrounding community for appropriateness of the venue.

4. EDUCATION. The APPC recognizes the potentially controversial nature inherent in any good public art program. It is with this in mind that the APPC will encourage development of an education program for the commissioned artwork and the cultural enrichment programs. Projects might include an exhibition, artists' visits to schools, pamphlets describing the work, slide shows, television interviews, or artists' public appearances. All of these activities will attempt to bring the general public into closer contact with the work of art and/or the artist, and thereby assist in promoting an understanding of the art and the Art in Public Places Program.

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5. CONFLICT OF INTEREST. No artist sitting on the City Council or the APPC may submit for public art projects for which the APPC has approval authority or administrative responsibility during his/her tenure.

- a. No member of an architect’s firm which designed the public art project may apply for an art commission
- b. No artist sitting on a selection committee may submit for the project for which the committee was formed.

6. FUNDING. The Art in Public Places Program shall be wholly self-supporting. The source of funding for the administration, public artwork, cultural programs and maintenance/conservation budgets shall come from the City’s Capital Improvement Projects, the Art in Private Development in-lieu fees, Program participation fees, Redevelopment projects and fundraising efforts. City of Santa Rosa Redevelopment Agency projects will be funded as provided by their Resolution No. 563. The Public Art in Private Development fees are calculated according to Ordinance 3805, development requirements per Section 21-08 ~~of~~ of the City Code (“Public Art Ordinance”). Also encouraged are private donations directed toward and in support of art in public places consistent with this policy. Funds derived from otherwise eligible projects, where it is determined by the APPC that art is not appropriate, may be pooled with other project funding to provide more appropriate art work elsewhere.

Annually a General Expenditure plan (“Expenditure Plan”) will be prepared and recommended by the Art in Public Places Committee for City Council consideration, through the City’s budget process. The Expenditure Plan will include recommendations for general allocations with the goal of achieving a balanced and sustainable program that meets the needs of the public and art community, towards a broad range of public art and administrative costs. Specific expenditures under the Expenditure Plan will be consistent with the Council’s award authority policy as may be amended from time to time.

Annual fund allocations will be at the discretion of the Art in public Places

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Committee, with consideration of a balanced and sustainable program and the needs of the public. A fiscal budget will be identified; public artworks, cultural programming, staffing costs and reserves for future needs will be allocated. The annual projects and programs will be selected according to the Program Implementation Guidelines which includes an annual Request for Proposal process for community collaborations.

B. DEFINITION OF ART IN A PUBLIC PLACE FOR THE ART IN PUBLIC PLACES PROGRAM

For these purposes, Art in a Public Place includes but is not limited to:

1. Physical Artwork Projects:
 - a. Sculpture; such as in the round, bas-relief, mobile, fountain, kinetic, electronic, or other, in any material or combination of materials;
 - b. Painting: all media, including but not limited to, murals;
 - c. Graphic and Multi-media: printmaking, drawing, calligraphy and photography including digital, any combination of forms of electronic media including sound, film, holographic, and video and other art forms but only when on a large public scale;
 - d. Mosaics;
 - e. Crafts: in clay, fiber and textiles, wood metal, plastics and other materials;
 - f. Mixed Media: any combination of forms or media, including collage;
 - g. Any other form determined by the Art in Public Places Committee, or City Council on appeal, to satisfy the intent of this section.

2. Cultural Programs:
 - a. Performance arts: theatre, dance, music;
 - b. Literary arts: poetry readings and story telling;

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- c. Media areas: film and video, screenings and installations;
- d. Education: art lectures and presentations;
- e. Special events: festivals and celebrations;
- f. Artist-in-residence programs in the arts;
- g. Any other form of cultural program determined by the Art in Public Places Committee to satisfy the intent of this section.

3. On-site Art Spaces or Cultural Facilities that include one or more of the following eligible components: gallery/exhibition spaces, resource libraries, visual arts slide registries, performance spaces, artist studio spaces and arts education facilities which are open and accessible to the public.

C. ARTIST SELECTION PROCESS

- 1. The APPC wishes to commission and encourage the best and most appropriate public artwork or cultural programming; consequently there is no overall policy about residency requirements for artists.
- 2. The APPC shall seek and encourage commissions and review offers of physical artwork or cultural program among a wide number of artists and shall strive for overall diversity in discipline, style, scale, and intent. Artists may be under contract for more than one limited competition contract, but for only one purchase contract. For commissions of \$15,000 or more, a period of three years must lapse between the signing of a subsequent purchase contract. For projects under \$15,000 a period of one year must lapse between the completion of one project and the signing of another purchase contract.
- 3. For any project less than \$6,000, the APPC will serve as the selection panel. If no project is done, the funds may be pooled and used toward APP related programs. For projects over \$6,000, the APPC may establish a separate selection panel.
- 4. The Selection Panel will be comprised of at least the following and comply with conflict of interest rules stated above.

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- a. At least three arts professionals, two of whom must be artists.
- b. In the case of Public artwork projects: the project’s architect, landscape architect, or engineer and the project manager will have one collective vote.
- c. A representative of the participating public agency or owner.
- d. A citizen who may be from the neighborhood involved.

Selection Panel members shall be appointed by the APPC and shall serve through the completion of one public art project.

D. SELECTION PANEL PROCEDURES, RESPONSIBILITIES

- 1. The APPC shall hold an orientation for each selection panel which may include a public art slide show, review of program guidelines, an introduction to the specific project and a review of any goals and criteria already established by the participating department and the APPC.
- 2. The Selection Panel shall:
 - a. Develop goals, locations and suitable forms for the project, taking into account those goals already established by the participating department and the APPC where applicable.
 - b. Decide to commission site specific work, to purchase works of art for the City’s portable, rotating art collection, or commission works of specific duration which would be documented for future reference after the life of the piece, or accept donations of art consistent with this policy.
 - c. Choose a method of selecting an artist or art organization for public art or cultural program from one of the following or describe in detail an alternate process consistent with the APPC goals and the Public Art Policy:

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- i.. Open Competition: Any artist or art organization applies, subject to limitations established by the selection committee or APPC;
 - ii. Invitation: One or more artists are invited by the selection committee to submit proposals;
 - iii. Direct Purchase or Commission: An existing work of art or cultural program is selected;
 - iv. Acceptance of Gifts of Public Art: An artist proposing a gift of art or cultural program for a public place shall have their proposal evaluated by the APPC, consistent with this policy and selection criteria.
- d. Reserve the option of making no selection. If no proposal is accepted, the Selection Committee has the right to reopen the competition or to propose other methods of selection.
 - e. Approve all selections by a majority vote.
 - f. Present the project direction, semi-finalists and final artist recommendation to the APPC for approval.
 - g. The selection Panel shall reserve the right to call upon technical expertise as needed.
3. In the case of a Public Artwork Project, the following is the proposal fee schedule to be used for paying artists who are selected by invitation to develop a proposal:

Commission

\$ 1,000 - \$ 5,000
 \$ 5,000 - \$ 25,000
 \$ 25,000 - \$ 50,000
 \$ 50,000 - \$100,000
 \$100,000 - \$300,000

Proposal Fee

\$ 250
 \$ 250 - \$ 500
 \$ 500 - \$1,000
 \$1,000 - \$3,000
 \$1,000 - \$5,000

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\$300,000 - up

maximum of 1% of Commission

These proposal fees are inclusive of any travel expenses unless otherwise agreed to in writing.

E. SELECTION CRITERIA

Criteria to be used when considering acquisition of public artwork by purchase, commission, or gift shall include, but not be limited to the following:

1. INHERENT ARTISTIC QUALITY. The artistic or conceptual merit of the public art proposal, independent of other considerations.
2. CONTEXT. A site specific work should be engaged with its surroundings. consideration should be given to the architectural, historical, geographical and socio-cultural context of the site.
3. MEDIA. All forms of visual art conceived in any medium, material or combination thereof including disciplines and media which are of specific duration and which are documented for public accessibility after the life of the piece has ended;
4. PERMANENCE. Due consideration shall be given to the structural and surface soundness, and to inherent resistance to theft, vandalism, weathering, and excessive maintenance or repair costs;
5. PUBLIC SAFETY/ACCESS. Each work shall be evaluated evaluated to ensure that it does not present a hazard to public safety and is accessible;
6. DIVERSITY. APPC is committed to acquiring a collection of artworks that reflect diverse cultural communities and perspectives. The program shall also strive for diversity in style, scale, media and numbers of artists represented. There shall be encouragement of exploratory types of work as well as established art forms.

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7. FEASIBILITY. Proposed projects shall be evaluated relative to the artist's or art organization's ability to successfully complete the work as proposed. Factors to be considered include: budget, time line, artist's experience, soundness of materials, city/county approval requirements, etc;
8. DUPLICATION. To assure that the artwork will not be duplicated, the artists will be asked to warrant that the work is unique and an edition of one, unless stated to the contrary in the contract;
9. COLLABORATION. For integration into complex projects, the artist shall meet the following.
 - a. Understanding of a public project from the various perspectives of other design team members;
 - b. Experience in collaborative situations;
 - c. Effective communication and flexibility; and
 - d. General understanding of architectural, engineering and landscape drawings.

Criteria to be used when considering the commission of Cultural Programming shall include, but not be limited to the following:

1. INHERENT ARTISTIC QUALITY. The artistic or conceptual merit of the cultural programming, independent of other considerations.
2. CONTEXT. Cultural Programming should engage with its surroundings. Consideration should be given to socio-cultural context of the site and contemporary issues.
3. DISCIPLINE: All forms of art should be considered which provide opportunity for human expression and representation of the socio-cultural context.
4. PUBLIC SAFETY/ACCESS. APPC is committed to Cultural Programming that reflects diverse cultural communities and perspectives.

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The program shall also strive for diversity in style, scale, media and numbers of artists represented. There shall be encouragement of exploratory types of work as well as established art forms.

5. FEASIBILITY. Proposed programs shall be evaluated relative to the artist's or art organization's ability to successfully complete the work as proposed. Factors to be considered include: budget, time line, artist's experience, soundness of materials, city/county approval requirements, etc.
6. COLLABORATION. For programs with multiple community partners, the partners shall meet the following:
 - a. Understanding of programming with various perspectives of other members in the community;
 - b. Experience in collaborative situations;
 - c. Effective communication and flexibility; and
 - d. General understanding of event planning, partnerships and community building.

F. APPROVAL PROCESS

All decisions made by the APPC which involve spending public funds must be approved by the City Council.

The Public Art Fund allocation will be at the discretion of the Art in Public Places Committee, with the goal of achieving a balanced and sustainable program that meets the needs of the public. Annually a general expenditure plan will be recommended by the Art in Public Places Committee for City Council consideration, through the City's budget process. The Expenditure Plan will include recommendations for general allocations towards a broad range of public art and administrative costs, consistent with the Council's schedules and award authority policy for expenditures that are subject to award by the Council.

Staff will work with the Art in Public Places Committee to develop the

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Expenditure Plan. Implementation guidelines will also be developed with a priority evaluation process, an appropriation process, and reserve policies. Specific expenditures will be made in accordance with the City's current award authority policy, and may be amended from time to time.

1. The APPC approves budget, selection process, project direction, and any significant changes from original approved direction, recommended by each project's selection panel.
2. Where applicable, the APPC approves the finalist and recommends to the City Council for approval.
3. Where applicable the City Council accepts the completed project and accessions the work into the public art collection.
4. At any stage, the artist selection process may be interrupted by a majority vote of the appropriate body. At that point, the following options are available:

RECOURSE

- | | | | |
|----|--------------------------|----|---|
| a. | Panel/Advisory Committee | 1) | Ask artist for clarification or redesign of proposal. |
| | | 2) | Select another artist. |
| | | 3) | Make no selection. |
| b. | APP Committee | 1) | Ask panel for clarification. |
| | | 2) | Ask panel for new artist. |
| | | 3) | Develop new program. |
| | | 4) | Convene new panel. |
| | | 5) | Abandon project entirely. |

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G. APPLICATION OF PERCENT FUNDS: INCLUSIONS

The physical art funds may be spent for:

1. A work of art, including:
 - a. artist's design fee;
 - b. city required permits, special reports and studies;
 - c. labor and materials;
 - d. overhead costs;
 - e. project related travel;
 - f. transportation of the work to the site;
 - g. installation;
 - h. frames, mats, mounting, anchorages, containments, pedestals, or other materials necessary for the site preparation, installation, plaque/copyright, and/or security of the work;
 - i. slides and other documentation;
 - j. insurance;
 - k. fees for consultants to a selection committee or the APPC;
 - l. five-ten percent contingency set aside at the beginning of a project will be returned to the Public Art Trust Fund if unused and may be used as a maintenance fund;
 - m. five percent maintenance fund for each new project;

2. Cultural Programming including:
 - a. administrative costs
 - b. marketing and promotions
 - c. equipment and logistical needs
 - d. artists fees

3. The following items are not eligible costs for the APP Program:

Directional elements such as supergraphics, signage, or color coding except where these elements are integral parts of the original work of art - "Art

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objects” which are mass produced of standard design such as playground equipment, fountains, etc.- Reproductions, by mechanical or other means, or original works of art, except in cases of film, video, photography, printmaking or other media arts - Decorative, ornamental, or functional elements which are designed by the building architect as opposed to an artist commissioned for this purpose - Landscape architecture and landscape gardening except where these elements are designed by the artist and are an integral part of the work of art by the artist - Services or utilities necessary to operate or maintain the artwork over time - Professional Services fees.

H. TITLE/OWNERSHIP OF ARTWORK

1. The City shall own the maquette (model) or mutually agreed upon portion of the commissioned proposals.
2. City artwork shall be owned by the City. Redevelopment Agency mandated artwork shall be owned by the project. Private Development Art which is placed on site shall be owned as directed by the property owner as consistent with the Public Art Ordinance.

I. MAINTENANCE

Ongoing upkeep and maintenance of artwork shall be the responsibility of the owner or as otherwise specified by agreement with the City.

J. DEACCESSIONING

All requests for deaccessioning of physical artworks shall be referred to the APPC for consideration.

K. RE-SITING OF SITE SPECIFIC WORKS OF ART

1. The APPC may consider resiting a site specific artwork for one or more of the following reasons:

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- a. The condition or security of the artwork can no longer be reasonably guaranteed at its current site;
 - b. The artwork has become a danger to public safety in its current site; and
 - c. The artwork has become incompatible in scale, material, form, and content with its surroundings.
2. Once the APPC has determined that an artwork meets one or more of the above criteria for resiting, staff shall make a diligent, good faith attempt to notify/meet with the artist to discuss the proposed resiting.
 3. The City Council shall have final authority in the resiting of public art.

Amended by Resolution No. 27397
Amended by Resolution No. 25269
Amended by Resolution No. 24924
Amended by Resolution No. 24278
Amended by Resolution No. 23756
Adopted by Resolution No. 22931

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