

AGENDA
REGULAR MEETING OF THE
SUISUN CITY RECREATION, PARKS, MARINA, & ARTS COMMISSION
701 CIVIC CENTER BOULEVARD
SUISUN CITY, CALIFORNIA
7:00 P.M., WEDNESDAY, AUGUST 7, 2019

A. ROLL CALL

B. PUBLIC COMMENT

C. PRESENTATIONS, ANNOUNCEMENTS, AND APPOINTMENTS

D. CORRESPONDENCE

E. CONSENT CALENDAR

Consent Calendar items requiring little or no discussion and acted upon with one motion.

1. a. Minutes of the July 17, 2019 RPMA Commission Meeting

F. GENERAL BUSINESS

1. Selection of 3 RPMA Commission Members to serve as Public Art Sub-Committee to determine possible public art locations and acceptable mediums
2. Discussion and Direction to recommend Public Art Policy to the City Council of Suisun City
3. Selection of no more than 3 members of the RPMA Commission to serve as volunteers to assist with the coordination of Celebrate Suisun City!

G. REPORTS

1. Staff
 - a. Director's Report
 1. City Council
 2. Park Development Fund - Provided
 3. Park Maintenance Report
 - b. Recreation
 - c. Marina
 - d. Senior Center
 - e. City Parks Inspection Reports
 - f. Other
2. Commission Members
3. Chairman

H. ADJOURNMENT

I, _____ of the City of Suisun do certify that this Agenda was posted by 12:00 noon, on Saturday, preceding this meeting at the following locations:

- a. Suisun City Hall, 701 Civic Center Blvd.
- b. Suisun City Fire Department, 621 Pintail Drive
- c. Suisun City Senior Center, 318 Merganser Drive
- d. Joseph Nelson Community Center, 611 Village Drive

**CITY OF SUISUN CITY
RECREATION, PARKS, MARINA & ARTS COMMISSION
MINUTES OF JUNE 19, 2019**

The meeting came to order at 7:00 p.m.

A. ROLL CALL

Present: Vice-chair Eddrick Osborne
Commissioner George Burket
Commissioner Purie Conley
Commissioner Loraine Meek
Commissioner Shawn Risko
Absent: Chairman Tristan Dubois
Commissioner Keith Hazell
Staff: Kris Lofthus: Recreation, Parks, & Marina Director
Cathy Rader: Administrative Assistant
Audience:

B. PUBLIC COMMENT

C. PRESENTATIONS, ANNOUNCEMENTS, AND APPOINTMENTS

Director Lofthus reminded the commissioners about email discussions and the Brown Act. Director Lofthus will invite Donna Pock to the next meeting to review the Brown Act.

D. CORRESPONDENCE

E. CONSENT CALENDAR

1. Approval of Minutes:
The minutes of the June 19, 2019 meeting were approved with a 5 – 0 vote. Motion to approve made by Commissioner Risko and seconded by Commissioner Meek.

F. GENERAL BUSINESS

1. Recommend Applying for Proposition 68 Grant Funds for Montebello Vista Park Improvements: Director Lofthus reviewed the information on the Agenda Transmittal and included a power point presentation and photos attached to the packet. Montebello Vista Park has limited amenities on the 5-acre parcel with a softball field and a rundown playground. If City Council approves going forward with the grant and the grant is approved, the plan would be to add the following to the park: Play space for all with wheel chair accessibility plus a tot lot for younger children; fitness equipment with fixed pieces so that nothing moves and requires no maintenance; baseball field with turf infield and outfield; plant more trees for shade; multi-sport court; restrooms for special events, amphitheater; and covered picnic area. Vice-chair Osborne asked if the turf would accommodate sliding (into the bases) and Director Lofthus stated that it would be similar to soccer field turf and would allow sliding.

Vice-chair Osborne also inquired about barbeque pits and Director Lofthus stated that they can be easily added for public use. Director Lofthus stated that the sports court will include designated open play and also reserved play and is looking at sports lockers to hold equipment that can be accessed with a credit card. Commissioner Risko asked who will maintain the garbage cans and Director Lofthus stated that staff will pick up after an event and Public Works will maintain them weekly. Commissioner Meek liked the idea of the playground incorporated on a hill where there will be no ladder for the slide and the hill will be utilized instead. Director Lofthus added that the amphitheater seating will be wide enough to accommodate table for weddings and other venues and maybe artificial turf. Commissioner Burket asked what the cost would be and will there be designated parking.

Director Lofthus stated \$2.5M - \$3M is the lower end guestimate and that there is street parking around the park. Commissioner Conley asked what the timeline looks like if the grant is approved and Director Lofthus stated that we should know by October 2019 if we will be funded and that the grant requires the projects to be completed in 2.5 years. Director Lofthus would like the park to be completed in 1 – 1.5 years. Commissioner Burkèt had some concerns with animal urine and feces and clean-up on the artificial turf. Director Lofthus stated that urine will seep through the turf and doggie bag stations will be added and hopefully be utilized by pet owners. Commissioner Meek asked about turf damage and Director Lofthus stated that Public Works can do spot repair if needed. With there being no further questions, motion to approve the grant and forward to the City Council was made by Commissioner Conley and seconded by Commissioner Burket, and approved with a 5 – 0 vote.

2. Discussion and Direction to recommend Public Art Policy to the City Council of Suisun City for Adoption: Director Lofthus reviewed the Agenda Transmittal and asked if the Commissioners had any comments or questions with the Public Arts Policy draft. Commissioner Risko stated that he has worked with glass mosaic for the past 20 years and can volunteer his services if needed. Vice-chair Osborne asked about subcommittees as stated in the policy draft. Director Lofthus stated that the RPMA Commission can create subcommittees that can work directly with the community and will include up to 3 artists plus 1 or 2 RPMA Commissioners. Commissioner Meek stated that the subcommittee can work with a specific project until the project is complete and Vice-chair Osborne stated that there can be multiple subcommittees if there are multiple projects going on at the same time. Director Lofthus announced that the Solano Transportation Authority (STA) would like to place public art at their building on 1 Harbor Center but the RPMA Commission needs to create a Public Arts Policy in order to approve the public art.

Director Lofthus asked the commissioners to make a list of the locations where art work can be displayed and present at the next meeting. Commissioner Meek asked about changing the look of city signs and Director Lofthus stated that they can be changed through City Council and Vice-chair added through the Planning Commission too and Director Lofthus agreed. Commissioners Meek asked about vandalism and Commissioner Risko asked about insurance on the art work. Director Lofthus stated that the graffiti can be removed by the city and will contact the artist first to see what cleaner would be safe. Regarding insurance, Director Lofthus stated that the city is self-insured and would look at an umbrella policy to cover art pieces and the artist should insure him/herself also.

Director Conley asked if sponsors can be solicited to help with the art project funding and Director Lofthus stated that fundraisers and both sponsors and donors can be a part of the process. The selling of art pieces and rotating the art pieces were discussed and Vice-chair Osborne would like the art pieces to be displayed for a certain period of time for the public to enjoy before selling the piece. Commissioner Burket asked who are the different sponsors that have donated to the City and who would ask for sponsorships/donations. Director Lofthus said that the subcommittee members can reach out for sponsors and donors and that Fairfield-Suisun Rotary, Friends of Suisun non-profit, Fairfield-Suisun Chamber of Commerce, Republic Services, and Potrero Hills Land Fill have sponsored events with the City. Vice-chair Osborne would like to revisit the Public Arts Policy with a full commission and discuss subcommittees at the next RPMA Commission Meeting. Director Lofthus stated that August 7 will be the next meeting. Commissioner Risko also agreed with Vice-chair Osborne and to bring the Public Arts Policy to the August 7 meeting with a full commission.

G. REPORTS

1. Staff
 2. a. Director's Report
 1. City Council: Director Lofthus announced the next City Council meeting will be July 30 and will include the Proposition 68 Grant regarding Montebello Vista Park, Dredging, and 2nd Update on the Marina.
 2. The Park Development Fund: Director Lofthus discussed the Park Development Fund. An RFP will open in the fall to develop a Parks & Facility Master Plan. There are also a number of parcels to build more house and bring monies into the Park Development fund.
 3. Prop 68 Update: See General Business.
 4. Public Arts Policy: See General Business.
 5. July Parks and Recreation Month: Director Lofthus stated that the RPM Department celebrated Parks and Recreation Month with a barbeque for all employees, City Council members, and commission members. Thank you to Commissioners Meek and Risko for joining the celebration. Everyone should have also received an email for Six Flags discount coupon, courtesy of the California, Parks, and Recreation Society (CPRS). Please contact Cathy Rader if you need the email sent to you.
 6. Park Maintenance Report: Director Lofthus will invite Public Works Park staff to attend the next RPMA meetings for updates and reports.
 - b. Recreation: Ms. Rader reviewed the July Recreation report and highlighted the Summer Youth Camp revenue of \$21,482.00 for payments made in the month of June. Forecast for the entire Summer Youth Camp is estimated to be around \$70,000.00
 - c. Marina: Director Lofthus stated that the RPMA Commissioners were invited to the grand opening for the new fuel tank that was out of commission for the past 4.5 – 5 months. Thank you Commissioner Meek for attending the grand opening. The new fuel system can dispense fuel 24/7 and is estimated to bring in \$60,000.00 this year. Director Lofthus reviewed the Marina reports that were included in the packet.
 - d. Senior Center: Director Lofthus announced that bus trips to the casino are back and reviewed the Senior Center Newsletter and the new activities coming to the center.
 - e. City Parks Inspection Reports
 - f. Other
3. Commissioners: Commissioner Meek asked about the Ethics Training and Director Lofthus stated that Ms. Rader can forward the information to Donna Pock.
 4. Chairman: No comments

G. ADJOURNMENT

There being no further business the meeting was adjourned at 8:25pm. Motion to adjourn was made by Commissioner Meek and seconded by Commissioner Burket. The motion was approved on a 7 – 0 vote.

Chairman / Vice-chair

Recreation, Parks, & Marina Dept. Admin. Asst.

AGENDA TRANSMITTAL

MEETING DATE: August 7, 2019

COMMISSION AGENDA ITEM: Recreation, Parks, Marina, and Arts Commission (RPMA)
Creation of Sub-Committee to Determine Public Art Locations and Appropriate Mediums in Those Locations

FISCAL IMPACT: None as there is no compensation for sub-committee meetings per the Suisun City Code

BACKGROUND: With the addition of “Arts” as a responsibility of the RPMA Commission, There is a desire by the commission to determine possible locations for public art.

STAFF REPORT: The RPMA Commission may appoint no more than 3 members of the current RPMA Commission to accept the responsibilities of coordinating a sub-committee to discover locations in Suisun City that are suitable for public art displays. Each of the identified locations must also be assigned with the appropriate art medium for that location.

The RPMA Chair may seek volunteers, ask for nominations, or appoint RPMA Commissioners as needed. Each person selected to serve on the sub-committee should be ratified by vote of the Commission. One of the three positions will serve as the chairperson of the committee and that position should be selected by nomination and vote.

PREPARED BY:

Kris Lofthus, Recreation, Parks, and Marina Director

AGENDA TRANSMITTAL

MEETING DATE: August 7, 2019

COMMISSION AGENDA ITEM: Discussion and Direction to recommend Public Art Policy to the City Council of Suisun City for Adoption

FISCAL IMPACT: None

BACKGROUND: The newly formed Recreation, Parks, Marina, & Arts Commission (RPMA) has a vested interest in helping the art community grow and flourish in Suisun City. As part of its mission is to address public art and how to move forward with what, who, where, and how public art should be installed in Suisun City.

STAFF REPORT: Discuss the attached item listed as draft as a starting point for a comprehensive Public Art Policy. This is a living document that will over time and due to the changes in public art and possible ordinances, will need to be amended as needed. This policy will outline the process of accepting and installing public art as well as provide discussion on potential ordinances that would require developments to install public art as part of their scope of work or to provide money to a Public Art Fund that would be used as scholarships, to purchase public art pieces, or to maintain current public art.

ATTACHMENTS:

1. Draft Version of Public Art Policy for Suisun City

PREPARED BY:

Kris Lofthus, Recreation, Parks, and Marina Director

PUBLIC ARTS POLICY

City of Suisun City, Recreation, Parks, and Marina Department



RECREATION, PARKS, & MARINA DEPARTMENT
SUISUNCITY, CA



TABLE OF CONTENTS

CHAPTER 1 – INTRODUCTION

Purpose of Public Art Policy and Guidelines	3
City of Suisun City Public Art Ordinances	4
What is Public Art?	4
What is Public Space?	4

CHAPTER 2 – POLICY AND PROCEDURES

Policy Scope and Objectives	5
Selection of Artists – Commissioned Works	5
Criteria for the Selection of Artwork	6
Project Management	7
Artist Responsibilities	7
Insurance	8
Endorsements	8
Funding	9
Public Art Subcommittees of the Commission for the Arts	9
Conservation and Maintenance	9
Ownership	10
Documentation	10
Review and Deaccessioning of Artwork	10
Removal of an Artwork from Public Display	11

CHAPTER 3 – ARTS GIFT POLICY

Definition of Public Artwork	13
Gifts of Public Artwork Considered	14
Review Process for Proposed Gifts	14
Review Criteria	14
Standards for Acceptance of a Gift	14
Proposal for Artwork Gift Form	16

CHAPTER 4 – DEVELOPER GUIDELINES

Requirements and Procedures to install public art	17
Commission for the Arts Approval Guidelines	19
Contribution to the Public Art Fund	19
Definition of Public Space	19
Permitted Types of Artwork	19
Eligible Mediums	19
Ineligible Mediums	19
Submittal Requirements	20



CHAPTER 1 INTRODUCTION

Public art plays an important role in increasing the understanding and enjoyment of art by the community. Art is more accessible and visible to people when displayed in public areas. A key feature of public artwork is the importance of integrating art into the urban fabric of the city in order to enrich and enhance the physical attractiveness of the city. Public art transforms spaces and makes a valuable contribution to our appreciation of the city and the quality of public places.

In addition, public art located in public places reflects the unique environment and cultural identity of the city to visitors and to residents of Suisun City. It often provides a link with our history and can contribute to development of tourism.

The process of outlined in this policy will be managed by the staff of the Recreation, Parks, and Marina Department with the Recreation, Parks, Marina, and Arts (RPMA) Commission providing oversight and recommendations to the City Council of Suisun City.

Purpose of Public Art Policy and Guidelines

The Suisun City Public Art Policy is a key strategy in the management of the City's current collection of public artwork, the commissioning of new artwork, and inclusion of new public artwork in private development.

The strategy aims to provide a clear policy and guidelines for the commissioning, creation, placement, maintenance and promotion of the City's Public Art. The policy guides and informs the criteria for the assessment of all public art commissioned by or proposed to the Commission for the Arts, as well as management and promotion of the existing collection.

City of Suisun City Public Art Ordinances

The City of Suisun City will adopt ordinances to include public artwork in its public parks, streets, and plazas, and within City owned buildings, as well as policies that support the inclusion of public artwork in private development. In both commercial and residential developments, the builder would contribute a percentage to securing and the installation of public art as part of their project.

What is Public Art?

The term "Public Art" is defined as artistic works created by artists as unique and original works for, gifted to, or located in part of a public space or facility and/or accessible to members of the public. Public Art includes works of a permanent or temporary nature located in the public domain.

Public Artwork can include:

- Artwork created for specific locations.
- Temporary exhibits, exhibitions, events, performances, and/or artwork installations located in a public space.
- Artwork produced through involvement of the community.
- Integration of art and architecture to enhance the design of urban or public spaces.
- Collaboration of artists, architects or urban designers to create unique physical environments or features which integrates art into the urban fabric of the city.

Eligible mediums include but are not limited to:

- Sculpture, painting, drawing, printmaking, photography, calligraphy, ceramic, murals, glass or water features, landscaping, literary arts, spoken word, uniquely designed or site specific paving, furniture and parts of buildings, sound and light works, organic form, works that are designed to be temporary in nature, memorabilia or ceremonial objects related to civic activities.

Ineligible mediums include but are not limited to:

- Mass produced or standardized art objects, unless incorporated into an artwork by the project artist.
- Mechanical reproductions of original works of art.
- Directional elements and signage unless where integral to an overall concept created by a professional artist.

What is a Public Space?

A Public Space is defined as a space, which is easily accessible and clearly visible for public view; this includes, but is not limited to parks, streets, squares, promenades, public plazas and foyers. If located on private property, the area must be open to the general public and clearly visible from adjacent public property such as a street or other public thoroughfare or sidewalk.



CHAPTER 2 POLICY AND PROCEDURES

Policy Scope and Objectives:

- Increase the awareness of public art and promote opportunities to further advance public art.
- Contribute to the unique identity of the City of Suisun City including the Historic Waterfront District and throughout the City.
- Encourage the involvement of artists in the design and development of public spaces by facilitating collaboration between artists, planners, architects, landscape architects, and urban designers whenever possible in the total design process.
- Develop a public art strategy that integrates art into the urban design fabric of the city in order to create high quality public spaces through the integration of art, urban design and architecture.
- Encourage artworks, which are accessible to the public either visually or physically.
- Involve the community.
- Excite the imagination of the public and increase the understanding and enjoyment of public art.
- Encourage artworks which have relevance to their site.
- Enhance the economic and cultural vitality of the City.
- Ensure recognition that Suisun City's art activities are valuable and a significant component of the City's culture, heritage and economic vitality.
- Recognize the diversity of the City and support this diversity through a range of publicly accessible opportunities for all residents, businesses and visitors.

Selection of Artists – Commissioned Works

The policy encourages the commission of works by artists from the Suisun City community but also greater Solano County. The encouragement of Suisun City residents to participate is an integral part of the policy, and will contribute to the unique identity of the City of Suisun City as an outstanding city in Solano County. However, this policy does not preclude consideration given to commissioning of Bay Area, regional and international artists where appropriate.

The selected artist(s) will be commissioned to carry concepts proposed by the Commission and through completion of the work. The contractual arrangements between the City of Suisun City and the artist will define certain agreed parameters for the work and the process will be monitored by Staff to the RPMA Commission, with any major changes to concept, scale and materials being negotiated prior to contract signing.

Requests for Proposals from the RPMA Commission will define:

- The audience and/or community the artwork will engage
- Concept development
- The process by which the contract design will be monitored
- Responsibilities of contractual parties
- Technical requirements
- Site information (including plans)
- Budget

Artists' proposals will be presented to the Commission prior to contracting with the artist. The Commission has the option to display the proposal in a public location for public comment.

Artists considered should have the credentials and/or track record and the ability to execute works of the scale envisaged, but this does not exclude opportunities for other artists of merit. The Commission or its representatives may choose to visit the artist's workspace or request that the artist present their portfolio of commissioned works prior to contract with the City.

Methods of selecting artists for public artwork may be based on the following:

- Open Competition - Publicly advertised calls for entries; any artist may submit proposals and/or qualifications.
- Limited Competition - between invited parties.
- Specific commission or acquisition by Commission for the Arts - This method would apply where limited or open competition would be impractical or inappropriate.

In many cases, a short list of applicants will be briefed on the project, and will be required to make initial design proposals for the site. A stipend may be given to each submitting artist for this stage of the process as funds are available.

From the submissions and this process an artist will be selected by the Commission.

Criteria for the Selection of Artwork

Criteria for the selection of public works of art may include, but will not be limited to artwork that:

- Is specifically designed for its site and is commensurate in scale with its surroundings;
- Adds to the local identity and profile in the context of the City of Suisun City;
- Is durable (where applicable) and reasonable to maintain in terms of time and expense;
- Is a permanent fixed asset to the property;
- Is designed and constructed by persons experienced in the production of such artwork and recognized by critics and by his or her peers as one who produces works of art;
- Aesthetically enhances the public space or built environment to which it relates or otherwise interacts with its surrounding environment;
- Is suitable by way of form and quality for public viewing and accessibility taking into consideration the possibility of an unsecured public space;

- Is free of unsafe conditions or factors;
- Is a suitable addition to the public space proposed;
- Contributes to a sense of civic pride;
- Involves the local community;
- Addresses, but is not limited to, aspects of the city's history and/or culture; and/or
- Recognizes the broad intent and objectives of the Cultural Arts Master Plan and Suisun City Public Art Policy.

Specific criteria will be determined on an individual project basis and detailed in the RFP.

Project Management

Once a public art project has been funded, staff, along with representatives of the Commission for the Arts, will coordinate each project considering the following tasks:

- Develop project descriptions and contract;
- Receive necessary approvals as required;
- Describe and mitigate any public safety requirements;
- Work with the artist to develop a timeframe;
- Seek relevant project consultation as needed;
- Work with the artist and Staff to define long term maintenance;
- Establish ownership; and
- Define any other relevant factors and tasks associated with a project.

In developing strategies for each project the following will be considered:

- Whether the artwork is to be permanent or temporal work;
- The materials to be used must be durable and vandal resistant as the public will have access to the works at all times; and
- The proposed site, including usage and scale of the work.

Artist Responsibilities will include:

- The artist commissioned to carry out a public work will creatively interpret the proposal given in terms of his/her craft, skills, and vision.
- The artist must ensure the artwork is unique as a result of the artist's personal creative efforts except in the case of a design collaborative.
- The artist must ensure the art does not infringe upon any copyright, and agrees to hold the City harmless for any copyright infringement.
- The artist must comply with all City procedures, including but not limited to, artist signature, sponsor acknowledgements, and finishes, which will be provided to artist along with the City's agreement for services.
- The artist shall, without additional compensation, correct or revise any errors, omissions or deficiencies in his/her work.
- The artist agrees to release ownership of the artwork to the City unless otherwise called for in the City's Agreement for Commissioned artwork. Any marketing of reproductions shall only be permitted with the prior written approval of the artist and the City.

- The artist will provide a general maintenance plan for the artwork. The City reserves the right to have this plan reviewed by a certified conservator or require technical documents or warranties on the product.
- Artist agrees to maintain minimum insurance levels acceptable by the City as follows:

Insurance

Artist shall, during times in which the artist is working on City property, and until the artwork is accepted by the City, maintain the following insurance to cover Artist in connection with the performance of Work under this Agreement. This Agreement identifies the minimum insurance levels with which Artist shall comply; however, the minimum insurance levels shall not relieve Artist of any other performance responsibilities under this Agreement (including the indemnity requirements), and Artist may carry, at its own expense, any additional insurance it deems necessary or prudent. Concurrently with the execution of this Agreement by the Artist, and prior to the commencement of any Work, the Artist shall furnish written proof of insurance (certificates and endorsements), in a form acceptable to the City. Artist shall provide substitute written proof of insurance no later than 30 days prior to the expiration date of any insurance policy required by this Agreement.

- Commercial General Liability (with coverage at least as broad as ISO form CG 20 01 04 13) coverage in an amount not less than \$1,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.
- If Artist will be driving while conducting business on behalf of the City, Automobile Liability with \$1,000,000 per accident for bodily injury and property damage.
- If Artist has employees, Workers' Compensation/Employer's Liability as required by State of California statutes. A waiver of subrogation is required for Workers' Compensation insurance.
- Fine Arts Insurance or other insurance against loss in an amount sufficient to cover the contract value of the Artwork.

Endorsements - The insurance policies shall be endorsed as follows:

- For the commercial general liability insurance, the City (including its elected officials, employees, and agents) shall be named as additional "insured."
- For the fine arts or property insurance, the City shall be named as loss payee.
- Artist's insurance is primary to any other insurance available to the City with respect to any claim arising out of this Agreement. Any insurance maintained by the City shall be excess of the Artist's insurance and shall not contribute with it.

Additional responsibilities will be listed in the solicitation of proposals by the City and the Contract for Commissioned Artwork.

Upon reasonable written notice, the artist shall comply with any changes in the amounts and terms of insurance as may be required from time-to-time by the City's Risk Manager.

Public Art Asset Management Plan

The development of a Public Art Register shall be completed to establish the extent and condition of the City's existing artwork collection.

Once this work has been undertaken the next step is to develop a plan for the maintenance of existing and new works once commissioned.

Funding

Funding for activities proposed in the Public Art Policy is anticipated to come from a variety of sources:

- Sponsorship
- Private funding
- Budgeted funds
- In-Lieu Public Art Fund
- Grants

Public Art Subcommittees of the RPMA Commission

A Subcommittee may be responsible for:

- Coordinating public art activity within public spaces, including making recommendations to the Commission for the Arts on the commissioning of public art projects, and recommending to the Commission for the Arts approval of works of art obtained through development agreements.
- Reviewing and making recommendations regarding gifts and loans of art following the guidelines outlined in the public arts policy.
- Reviewing and making recommendations regarding the de-accessioning of artworks following the guidelines outlined in this policy.
- Reviewing proposals for projects.
- Determining selection process (as described above in Selection of Artists).

Composition and Term of subcommittees:

- A subcommittee consists of no more than three (3) voting members of the Commission for the Arts. Members will be appointed by the RPMA Commission on a project-by-project basis and will remain on the subcommittee until the project is completed.

Conservation and Maintenance

An important part of the management of the city's public art collection is the recognition of the conservation and maintenance required for both the existing and new artworks. When new works are commissioned or the Commission accepts gifts of art works the Commission must consider not only the capital costs of acquisition but also the ongoing commitment for maintenance and repairs. All items recorded in the Public Art Register shall be assessed as part of the condition report and an ongoing maintenance plan formed.

Donors of items may be required to provide funds or be responsible for the maintenance and upkeep of the donated work for a designated period of time.

Where new works are commissioned or accepted, written details of warranties (where these apply) detailing service should be provided with the completed work. This may cover details such as cleaning, lighting, servicing, circuit diagrams, manufacturer, and/or agents. This information will be entered into the Public Art Register as well. Allowance for the cost of

ongoing maintenance of new works will need to be planned for and may need to be reviewed by a certified conservator for care and maintenance plan. Artwork shall be maintained by the property owner in a neat and orderly manner acceptable to the City, unless the artwork is installed on property owned by the City, in which case the City shall maintain the artwork.

Ownership

In most cases the artwork will become the property of the City of Suisun City. Public art may be placed on land owned by the City provided that ownership of the work is vested in the City. The ownership of artwork on privately owned sites may also be transferred to the City. If the City accepts ownership it may be responsible for maintenance, insurance and any contractual agreement related to the art as outlined by this policy or City Council may require the site owner to be responsible for those items.

Documentation

All new works will be documented and this information will form part of the Public Art Registry database.

The information should include:

- Artists name, curriculum vitae, artistic statement
- Any warranties, maintenance details including name of agent and manufacturer (if applicable)
- Construction/maintenance details
- Relevant dates
- Site/display information
- Any other relevant details
- Photographic Record

Review and Deaccessioning of Artwork

The RPM Department staff shall review the entire public art collection at least once every five-years to assess condition and shall make appropriate recommendations to the RPMA Commission. The City shall dispose of works of art in its collection only in the public interest and as a means of improving the overall quality of the collection after approval of the City Council is given. Since artworks are acquired by the City through a thorough review process by City staff and the Commission for the Arts, based on the quality of the artwork and the value of the work to the collection as a whole, deaccessioning should be considered only after five years following acceptance. The need for relocation or the temporary removal from public display does not automatically necessitate deaccession.

Deaccessioning should be cautiously applied only after careful and impartial evaluation of the artwork to avoid the influence of fluctuations of taste and the premature removal of artwork from the collection. Prior to the deaccession of any work, the Commission for the Arts must weigh carefully the interests of the public, the intent in the broadest sense of the donor (if any), and the interests of the cultural community.

All proceeds from any sale or auction of a work of art will be used for the purpose of acquiring or maintaining one or more other works of art for the same public art program or purpose for which the original work of art was acquired. If that is not possible, then the

proceeds shall be used to acquire or maintain a work of public art, or support another City Public Art program.

Removal of an Artwork from Public Display

1. Cause for Review

While the intent of acquisition of artwork is for permanent public display, circumstances and/or conditions may arise that make it prudent for the Commission, on behalf of the public interest, to remove an artwork from public display. One or more of the following conditions must apply in order for an artwork to be considered for permanent removal or deaccession:

- a) The work presents a threat to public safety.
- b) The condition or security of the work cannot be guaranteed, or the City cannot properly care for or store the work.
- c) The work requires excessive or unreasonable maintenance.
- d) The work has serious or dangerous faults in design or workmanship.
- e) The condition of the work requires restoration in gross excess of its monetary value, or is in such a deteriorated state that restoration would prove either unfeasible, impractical or would render the work essentially false.
- f) The work is of poor quality.
- g) A similar but superior example exists in the collection.
- h) The work is a forgery.
- i) No suitable site for the work is available.
- j) Significant adverse public reaction is documented over an extended period of time (5 years or more).
- k) The work is judged to have little or no aesthetic and/or historical or cultural value.
- l) The Arts Commission wishes to replace a work with a more appropriate work by the same artist.
- m) The work can be sold to finance, or can be traded for, a work of greater importance.
- n) A written request from the artist has been received to remove the work from public display.
- o) The work is not, or is rarely displayed.
- p) The artwork has been determined to be incompatible with the rest of the County's collection.

2. Review Process

Prior to deaccession, RPM staff must observe the following procedures.

- a) Prepare a report which indicates:
 - i. Acquisition method and purchase price.
 - ii. Any restrictions that may apply to the specific work based on contract review.
 - iii. An analysis of the reasons for deaccessioning.
 - iv. Alternatives to deaccessioning.
 - v. Suggested methods of deaccession.
 - vi. Appraised value of the work by two independent consultants, if obtainable.
 - vii. Documentation of correspondence, press or other evidence of public debate documenting extended adverse public reaction.
- b) Discuss with the artist or donor the circumstances prompting the review.
- c) Discuss the circumstances with the affected City department and document input.
- d) Make all reasonable efforts to ascertain that the City is legally free to dispose of the work in question.
- e) RPM Department staff may seek additional information regarding the work from the

- artist, art galleries, curators, appraisers or other professionals.
- f) The report shall then be presented to the RPMA Commission for recommendation at a regular public meeting.
 - g) Receive approval for deaccessioning from City Council.

3. Deaccession Process

- a) Upon a recommendation of deaccession, staff will work with the Commission for the Arts to determine the manner of disposition. Every effort will be made to ensure that this process is fair and open. Sale at public auction is strongly encouraged. Whenever works are deaccessioned by means other than public auction, staff will secure no fewer than two independent estimates of fair market value.
- b) Artwork may not be given or sold privately to City employees, officers, volunteers or members of City commissions, committees, boards, affiliate groups or their representatives unless they are sold at public auction and with appropriate disclosures.
- c) Consideration should be given to placing the artwork, through gift, exchange or sale, in another tax-exempt public institution wherein it may serve the purpose for which it was acquired initially by the City. RPM staff may exchange a work of art on such terms as the Commission determines appropriate.
- d) A work of art may be sold privately under the following circumstances:
 - i. If the work is offered at public auction and no bids are received, or if the bids are rejected. A work of art on which bids have been rejected shall not thereafter be sold through private sale for less than the amount of the highest bid received.
 - ii. If the Commission determines that the work may be sold on terms more advantageous to the City if sold through private sale.
 - iii. If the artist of the work chooses to purchase it at the original purchase price.
- e) An adequate record of the conditions and circumstances under which objects are deaccessioned and disposed of should be made and retained as part of the records of the RPM Department.
- f) All recommendations for deaccession are subject to appeal to the City Council. All appeals must be made in writing to the City Clerk within ten days of the decision by the RPMA Commission.



CHAPTER 3

ARTS GIFT POLICY

The City of Suisun City is committed to enhancing Suisun City's art and cultural activities for all residents and to establish Suisun City as the premier destination in the Tri-Valley region.

Definition of Public Artwork

The term **art** is used to describe a particular type of [creative](#) production generated by human beings, and the term usually implies some degree of [aesthetic](#) value. An artist makes a work of art for various purposes, such as creating an experience for others. There is no general agreed-upon definition of art, since defining the boundaries of "art" is subjective, but the [impetus](#) for art is often called human [creativity](#). Some examples as described in the Public Art Ordinance include:

- Artwork created for specific locations;
- Exhibitions, events, performances, temporary exhibits, and/or artwork installations located in a public space;
- Artwork produced through involvement of the community;
- Integration of art and architecture to enhance the design of urban or public spaces; and
- Collaboration of artists, architects or urban designers to create unique physical environments or features which integrates art into the urban fabric of the city.

Mediums include (but are not limited to) sculpture, murals, glass or water features, landscaping, uniquely designed or site specific paving, furniture and parts of buildings, sound and light works, organic form, spoken or written words, works that may decompose or melt, memorabilia, or ceremonial objects related to civic activities.

The following items will not be considered as public artworks:

- Art objects which are mass-produced as public artwork,
- Reproduction of original artwork,
- 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.

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. Alternately, the City will consider a gift that is monetary for the purpose of acquiring public art for the community.

Review Process for Proposed Gifts

All proposed gifts will be referred to the City of Suisun City RPMA Commission. The Commission'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 costs, responsibilities, and schedule of all aspects of the project, including project funding, fabrication, installation, maintenance and budget requirements, transfer of title, donor's and/or artist's rights, project supervision, documentation, an identification plaque, City's rights of ownership (including deaccessioning), and other requirements established by the City.

Review Criteria

The proposed artwork will be reviewed based a variety of factors, including, but not limited to the following:

- Aesthetic quality. Consideration will be given to the inherent quality of the proposed artwork as assessed by the criteria review of the RPMA Commission.
- Relationship to the collection and 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 or consideration, and will include scale, form, content, and design.
- Materials, fabrication, and installation. The Commission will evaluate the existing artwork's material or the artist's proposed materials and their appropriateness as regards to structural and surface integrity, protection against theft, vandalism, public safety, and weathering, and an analysis of long-term maintenance needs. The Commission 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 addresses all the costs of the proposal.

- Unrestricted gifts. Proposed gifts to the City will be clear and unrestricted unless otherwise agreed to in writing by the City.
- 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, installation and maintenance, unless otherwise agreed to in writing by the City.
- Alterations to proposed artwork design. Any change to the design or concept made by the artist or donor of the gift must be reviewed by the RPMA Commission and approved by the City Council.
- Review of fabrication and installation. Artworks accepted from a maquette or drawings will be subject to City review throughout fabrication and installation. Specific plans for the 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 RPMA Commission will 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 Artist's Act of 1990 (17 U.S.C. 1064 and 113(d)).

PROPOSAL FOR A GIFT OF ARTWORK TO THE CITY OF SUISUN CITY

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

Recreation, Parks, & Marina Director
City of Suisun City
701 Civic Center Blvd. Suisun City, CA 94585
Email: screc@suisun.com
Questions: (707) 421-7200

Donor Information

Name: _____ Phone: _____
Address: _____ Email: _____

If the Artwork is existing:

Title of artwork:
Artist:
Artwork medium/materials:
Maintenance procedure/schedule:
Current owner of artwork:
Date of artwork:
Current location of artwork:
Value of artwork: \$

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

If the artwork will be commissioned:

- Provide a written 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; and
 - sketch or maquette of the artwork.

I have read the City of Suisun City Artwork Gift Policy.

Signature: _____ Date: _____



CHAPTER 4 DEVELOPER GUIDELINES

All new construction of residential, industrial, and commercial private developments shall be required to allocate one third of one percent (0.33%) of the construction costs of a development project (the amount to be determined by the Development Services Department) for acquisition and installation of Public Art in the development project. This ordinance also applies to substantial rehabilitation of a structure, which adds 25% or more square footage. In lieu of providing Public Art at the site, the developer, at its discretion, may contribute the amount to the Suisun City Public Art Fund.

Requirements and Procedures to Install Public Art

The requirements and procedures for processing a request to install public art shall be as follows:

- a. If the developer chooses to provide artwork, an Application including a site plan showing the location of the artwork, complete with landscaping, lighting and other appropriate accessories to complement and protect the artwork, the artist's concept and representation, such as a drawing, photograph, or maquette of the artwork, must be submitted. Developers should indicate what medium or materials will be used and should also include maintenance plans for the artwork. Information on the artist chosen to create the art may also be attached.
- b. The Planning Division staff and the RPM staff will review the proposal to ensure that the artwork is generally compliant with these Guidelines and other applicable city ordinances, e.g., a mural proposal will be reviewed to ensure that it does not infringe on the signage ordinance.
- c. To the maximum extent possible, processing the request to install public art shall be concurrent and coordinated with the project application.
- d. Proposals will be forwarded to the RPMA Commission.

RPMA Commission Recommendation Guidelines

The RPMA Commission will review the proposed project to ensure that the project does not include subject matter such as the apparent representation of violence, inappropriate nudity, denigration of individuals or cultures, or desecration of significant cultural symbols.

The Commission will approve the proposed art, conditionally approve, or deny the request to install public art based upon these guidelines including the following criteria:

- a. The artwork shall be placed on public or private property which is easily accessible and clearly visible to the general public. If located on private property, the area must be open to the public and clearly visible from adjacent public property, such as a street or other public thoroughfare or sidewalk.
- b. The application shall include a site plan showing the location of the artwork, complete with landscaping, lighting and other appropriate accessories to complement and protect the artwork.
- c. The composition of the artwork shall be of permanent-type of materials in order to be durable against vandalism, theft, and weather, and in order to require a low level of maintenance.
- d. The artwork shall be related in terms of scale, material, form and content to immediate and adjacent buildings and landscaping so that it complements the site and surrounding environment.
- e. The artwork shall be designed and constructed by persons experienced in the production of such artwork and recognized by critics and by his or her peers as one who produces works of art.
- f. The artwork shall be a permanent, fixed asset to the property and be maintained for not less than 30 years.
- g. The artwork shall be maintained by the property owner in a neat and orderly manner acceptable to the City, unless the artwork is installed on property owned by the City, in which case the City shall maintain the artwork.

The Commission may make recommendations to the developer for changes to the project proposal in order to maintain the City's artistic vision.

When the project applicant has elected to acquire and install artwork, the building permit for the development project shall not be issued until the Commission has approved the request to install public art, and the certificate of occupancy shall not be issued until the approved work of art has been installed. The developer shall enter into an agreement with the city, which shall be recorded against the property, to ensure that the public art is maintained for a minimum period of 30 years.

A developer may choose to include artwork that costs less than what is required for their project but must pay the remainder of the fee to the public art fund.

The project applicant may appeal any decision rendered hereunder by the Commission to the City Council for final decision.

Contribution to the Public Art Fund

If a developer chooses to contribute to the Suisun City Public Art Fund, the Community Development Department staff will calculate the public art fees and notify the RPMA Commission staff liaison with this information.

Definition of Public Space

A Public Space is defined as a space, which is easily accessible and clearly visible for public view. The area must be open to the general public and clearly visible from adjacent public property such as a street or other public thoroughfare or sidewalk.

Permitted Types of Artwork

Types of artwork permitted as public art in Suisun City include:

- Paintings-all media including both portable and permanently affixed works, such as murals.
- Sculpture-in the round, bas-relief, mobiles, fountains, kinetic or other, in any materials or combination of materials
- Other visual media-including but not limited to prints, drawings, stained glass, calligraphy, mosaics, photography, video, ceramics, fiber and textiles.
- Mixed media combination of forms and media such as collage, etc, other works of materials, disciplines and media which are of temporary duration, including installation of performance arts that are documented and archived.

Eligible Mediums

Eligible mediums include but are not limited to:

- Sculpture, painting, drawing, printmaking, photography, calligraphy, ceramics or clay, murals, stained glass, wood, metal
- Glass or water features
- Landscaping
- Uniquely designed or site specific paving
- Furniture and parts of buildings
- Sound and light works

Ineligible Mediums

Ineligible mediums include:

- Mass produced or standardized art objects, unless incorporated into an artwork by the project artist.
- Mechanical reproductions of original works of art

Proposed Mural Locations

- Landscape and ornamental features designed by the architect builder without the commission of a professional visual artist.
- Organic form
- Works that may decompose or melt
- Memorabilia or ceremonial objects related to civic activities
- Directional elements and signage unless where integral to an overall concept created by a professional artist.

Submittal Requirements

The following documents must be submitted to the Commission as part of consideration of the proposal for artwork:

- Landscape and site plans showing the proposed location and orientation of the artwork, its integration into the overall design of the project, and accessibility to the public.
- A statement of the in-place value of the proposed artwork.
- A sample, model, photograph, drawing, or other exemplar of the proposed artwork.
- A resume of the artist including slides or photographs of the artists previous work

AGENDA TRANSMITTAL

MEETING DATE: August 7, 2019

COMMISSION AGENDA ITEM: Recreation, Parks, Marina, and Arts Commission (RPMA)
Creation of Sub-Committee to Assist with the Coordination of Celebrate Suisun City!

FISCAL IMPACT: None

BACKGROUND: After the Sesquicentennial Celebration in 2018, City Council felt it appropriate to celebrate the diversity of Suisun City with an annual event.

STAFF REPORT: The Celebrate Suisun City! event is slated to be an annual event celebrating the cultural diversity of Suisun City. There has been initial planning completed, but at this time it would be appropriate to include members of the RPMA Commission as volunteer coordinators of the event. These are working positions with defined responsibilities;

- 1) **Entertainment-** Outreach and selection of talent to provide a walking entertainment parade down the promenade, ending at the Harbor Plaza Stage for a 5 minute performance. Headlining band has been contracted.
- 2) **Marketing & Volunteer Recruitment** – Assist the RPM Department staff with marketing of the event through social media, dispersing handbills and posters. Help broadcast the need for volunteers to assist with set up, garbage collection, and take down at the end of the event.
- 3) **Finance** – Seek funds from local businesses to offset the cost of the event – goal of \$10,000

The RPMA Chair should seek volunteers, and if more than 3 people are interested in volunteering, the chairperson should appoint a maximum of 3 of the volunteers to participate.

PREPARED BY:

Kris Lofthus, Recreation, Parks, and Marina Director