



CITY OF SACRAMENTO

DEPARTMENT OF COMMUNITY SERVICES
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ROBERT P. THOMAS
DIRECTOR

CITY MANAGER'S OFFICE
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NOV 8 1983

CROCKER ART MUSEUM DIVISION
GOLF DIVISION
METROPOLITAN ARTS DIVISION
MUSEUM AND HISTORY DIVISION
RECREATION DIVISION
PARKS DIVISION
ZOO DIVISION

November 7, 1983
APPROVED
BY THE CITY COUNCIL

City Council
Sacramento, California

NOV 15 1983

Honorable Members in Session:

OFFICE OF THE
CITY CLERK

SUBJECT: New Art in Public Places Policy Standard Operating Procedures

SUMMARY

A resolution establishing and approving new Art in Public Places Policy Standard Operating Procedures is presented for adoption by the Council.

BACKGROUND INFORMATION

On October 16, 1979, the Council adopted Resolution No. 79-729 establishing an Art in Public Places Policy Standard Operating Procedure.

At its July 1983 meeting, the Metropolitan Arts Commission recommended several changes in the Standard Operating Procedures. These changes are designed to bring the Standard Operating Procedures into line with a recently passed memorandum of understanding between the Metropolitan Arts Division and the Sacramento Housing and Redevelopment Agency; to reflect changes in the City's art maintenance policies, the definition of the Art in Public Places Committee, and procedures for payment to jurors.

The proposed changes incorporated into the Standard Operating Procedures (Exhibit A) are the following:

1. All references to the Housing and Redevelopment Agency are eliminated from the Standard Operating Procedures. The Memorandum of Understanding outlines the Art in Public Places program established by the Redevelopment Agency and the City of Sacramento, thereby eliminating the need for these references in the Standard Operating Procedures.
2. Section III, No. 2, DEFINITIONS: The definition of the Art in Public Places Committee has been expanded to specify that the minimum membership should include three visual arts professionals (with a majority of Commissioners preferred). This is to ensure the Committee is guided by a strong knowledge of and sensitivity to the visual arts when recommending to the Commission on matters enacting Art in Public Places Policy.

- 3. Section VI, No. 1, MAINTENANCE RESPONSIBILITIES: This section has been changed to state that the maintenance of art works will be the responsibility of the Arts Commission staff (subject to Commission approval) and not the department normally charged with City maintenance and upkeep. This section also specifies that the cost for repair and maintenance of art work shall be funded from the interest generated by the Art in Public Places Trust Fund.
- 4. Section VIII, No. 5, JURY SELECTION AND RESPONSIBILITIES: This section has been changed to stated that the Arts Commission shall determine the jury payment. This eliminates the fixed schedule of payment currently dictated by the Standard Operating Procedures. Instead, jury payments will be in keeping with standards in the field. As these standards change, the jury payment fees can be altered accordingly up to, but not exceeding, a maximum payment of \$150 per day.


FINANCIAL DATA

No additional costs are anticipated.

RECOMMENDATION

It is recommended that the Council adopt the attached resolution establishing and approving an amended Art in Public Places policy.

Respectfully submitted,


 ROBERT P. THOMAS, Director
 Parks and Community Services

Recommendation Approved:



WALTER J. SLIPE
City Manager

RPT:js

November 15, 1983
All Districts

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RESOLUTION NO. 83-893

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

RESOLUTION AMENDING THE ART IN PUBLIC PLACES POLICY STANDARD OPERATING PROCEDURES

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Resolution No. 79-729, establishing the Art in Public Places Policy Standard Operating Procedures, is hereby amended to reflect the changes in the report attached hereto.

MAYOR

ATTEST:

CITY CLERK

APPROVED
BY THE CITY COUNCIL

NOV 15 1983

OFFICE OF THE
CITY CLERK

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STANDARD OPERATING PROCEDURES

I. PURPOSE

1. The establishment and development of an Art in Public Places Policy and the allocation of funds in the implementation of the Art in Public Places (A.P.P.) City Code Section 2.59 (c)

II. REFERENCES

1. City Code Chapter 2, establishing the Sacramento Metropolitan Arts Commission and its responsibilities.
2. City Code Section 2.59 (c) generally referred to as Art in Public Places Policy.
3. Standard Operating Procedures, for allocation of funds.
4. ~~Redevelopment Agency of the City of Sacramento, Resolution # 2865 aesthetic improvement policy, dated OCT. 16, 1979~~
5. ~~Housing Authority of the City of Sacramento, Resolution # 1750 aesthetic improvement policy, dated OCT. 16, 1979~~

III. DEFINITIONS

1. The "Commission" is the Sacramento Metropolitan Arts Commission.
2. "Art in Public Places Committee" (APP Committee) is a standing committee of the Arts Commission responsible for recommending to the Commission on matters relating to the enactment of the Art in Public Places Policy.

The Committee shall be comprised of such Commissioners and others as the Commission may appoint, the minimum membership to include three visual arts professionals. A majority of Commissioners is preferred. All non-commissioner appointees shall be visual arts professionals.

"Visual Arts Professional" shall mean any of the following who is respected in his/her field and knowledgeable about contemporary visual art: artist, curator, art critic, art historian, architect with a visual art background, or fine arts collector.

3. "Consultant" is any firm, individual, joint venture or team of firms or individuals with which the City contracts for design or other consulting services related to Capital Improvement Projects. 2
4. "Designer" is any consultant or City employee(s) providing design services for the execution of a Capital Improvement Project or subsequent renovation or additional development.
5. "Construction Project" means any capital improvement project paid wholly or in part by the City of Sacramento to construct or remodel any building, structure, park, or parking facility, or any portion thereof, within the limits of the City of Sacramento.
6. "Capital Improvement Program" (CIP) means the annual program for City financed public improvement projects.
7. "Eligible Project" is a construction project in which source of funds for such project is not restricted by law or regulation as to its use for artworks.
8. "Project Area Committee " (PAC) refers to a citizens advisory committee provided in the State of California Community Redevelopment Law, Article 6.5, #33383, where . . . "The project area committee shall include, when applicable, residential owner occupants, residential tenants, businessmen, and members of existing organizations within the project area. The members of the committee shall serve without compensation. . ."

IV. COMMISSION RESPONSIBILITIES

1. The Commission shall recommend to the City Council or City Manager, as the case may be, the purchase or commissioning of works of art.

V. COMMISSION STAFF RESPONSIBILITIES

1. The Arts Commission staff shall work with city departments in the development of annual capital improvement requests for proper allocation of funds for art.
2. In developing specific art projects, the Commission staff shall determine the following parameters:

2.1 Recommend medium (e.g., painting, sculpture, electronic, and projects capable of exhibiting the arts, etc.) and/or format for participation of the artist(s) in project design. 2

2.2 Recommend location(s) within the site.

In the case of sites under development, the department responsible for the construction project will keep the Commission staff apprised of progress in selection of an architect, and shall include the artwork project in the design program for the project. Upon selection of an architect, the artist selection process will be carried out, when appropriate, with the participation of the architect. The architect and artist would then coordinate the location of the artwork within the construction project. In the case of existing sites, where development is completed, the location shall be determined by agreement between the department involved and the Commission.

2.3 Information on artwork projects will be disseminated as broadly as possible through the media and mailings. Projects will be announced as much in advance before the selection committee is scheduled to meet, in order to provide adequate time for artists to make their proposals.

VI. MAINTENANCE RESPONSIBILITIES

1. ~~Unless otherwise agreed, ongoing upkeep and maintenance of artworks shall be the responsibility of the operating agency or department responsible for normal maintenance. Costs for the repair of artwork incurred through damages caused by vandalism, weathering problems, etc. shall be the responsibility of the operating agency or department.~~

VI. MAINTENANCE RESPONSIBILITIES

1. "Ongoing upkeep and maintenance of artworks shall be the responsibility of the Arts Commission staff, subject to Commission review and approval. Costs for repair of artwork damaged by vandalism, weathering problems, etc., shall be funded from the interest income accumulated by the Art in Public Places Trust Fund."

VII. CRITERIA AND SELECTION PROCESS

The Art in Public Places Committee shall maintain the following general guidelines relating to artist or project selection, and within each project designate the method of selection to be used.

1. Methods of Selection

- 1.1 Open entry: Any artist is eligible to enter (with recognition of possible requirements for local or regional residence).
- 1.2 Limited entry or invitational: Jury invites a limited number of artist(s) to enter. The names of the artists invited will be publicly announced upon receipt of written acceptance from the artist(s).
- 1.3 Direct selection of the artist(s) or completed work selected by the jury.

VIII. JURY SELECTION AND RESPONSIBILITIES

The following guidelines shall be used in the A.P.P. Committee's selection of a jury for each project and in determining the jury's responsibilities and jurisdiction.

1. Artwork shall be selected by a jury, named by the A.P.P. Committee with the format for jury selection to be approved by the Arts Commission. The A.P.P. Committee shall also have the option of constituting itself as a jury.
2. The number of jurors and makeup of the jury appointed for project will depend upon the size and complexity of each project. Generally the jury size will range from one to five jurors.

3. Juries of three or more shall include an artist. At least one person connected with those who will be in constant contact with the facility where the artwork will be placed shall advise the jury. This person may be a City employee such as an architect, or a community representative or other individual, and may be designated a voting member of five-member juries. Five-member juries shall include the project architect, if the Arts Commission finds it appropriate in design considerations.

4. Architects who are regular, full-time City employees shall be ex-officio members, acting in an advisory capacity unless designated a voting member of the jury. Any person receiving full-time compensation at professional rates in connection with a City project shall not receive additional compensation.

5. Jury payment will be broken down into categories in accordance to the size and complexity of projects undertaken as follows:

- 5.1 commissions of \$10,000 and under - Maximum of \$50 plus travel, if applicable, per juror.
- 5.2 commissions of \$10,000 to \$29,000 - Maximum of \$100 plus travel, applicable, per juror.
- 5.3 commissions of \$30,000 and over - Maximum of \$150 plus travel, applicable, per juror.

Jury payment shall be determined by the Arts Commission. in keeping with standings in the field, but not exceeding a maximum payment of \$150 per day.

Members of the Sacramento Metropolitan Arts Commission, as well as anyone receiving compensation by the City, will not receive compensation as a juror.

6. Jury review will be organized and staffed by the Arts Commission staff

7. The A.P.P. Committee shall issue written instructions to jurors detailing the duties and responsibilities relating to the project before the first jury meeting.

8. If a consensus cannot be reached on selection of an artist or artwork, then a vote shall be taken with the majority, the total of the voting jury, carrying the decision. Jurors shall each have one vote. 2
9. The jury shall have the option of making no selection. In the event that no selection is made, Commission will refer the matter to the A.P.P. Committee to recommend resolution, not limited to new selection process or the project's abandonment.
10. The jury's decision will be recorded by the Commission staff in the form of a written report to the A.P.P. Committee, and if approved, it will be recommended to the Commission for formal vote.
11. Prior to formal vote of the Commission, the participating department shall be requested to view the work. In cases where legitimate problems are demonstrated to the satisfaction of the A.P.P. Committee, the jury shall be reconvened to select an alternative work.

IX. FILE OF POTENTIAL JURORS

Commission will establish and commission staff will maintain a file of potential jurors containing information on the experience of individuals wishing to serve in this capacity.

X. DESIGN, EXECUTION, AND INSTALLATION OF THE ARTWORK

1. The City will contract with the artist(s) and with consultants as necessary for the purchase or commissioning as well as the execution and installation of the artwork. Contracts will be approved in compliance with City Code Section 2.59(c).
2. On-site activity in connection with the artwork installation will be coordinated by Commission staff and the department having jurisdiction over the site and/or construction.

3. So far as practical, in the event repair of the work is required, City shall give the artist the opportunity to do that work for a reasonable fee. In the case of disagreement between the Commission and the artist as to what constitutes a reasonable fee, the fee determined by the Director of the E.B. Crocker Art Museum shall be considered reasonable fee. In the event the artist refuses to make the repair for such fee, the city may proceed to solicit bids from conservators and the low bid submitted by a responsible bidder shall be awarded contract for such repair.
4. When emergency repairs are necessary in order to prevent the loss of or further damage to the work, such repairs shall be approved by Commission staff. Every effort will be made to contact the artist as described in X.3. Such repairs shall not be deemed to constitute an artistic alteration.

IX. SACRAMENTO HOUSING AND REDEVELOPMENT AND THE PRIVATE SECTOR

1. REFERENCES

- 1.1 Redevelopment Agency of the City of Sacramento, Resolution # _____
aesthetic improvement policy, dated _____
- 1.2 Housing Authority of the City of Sacramento, Resolution # _____
aesthetic improvement policy, dated _____

2. OPTIONS FOR THE PRIVATE SECTOR

In the case of a privately funded project within a redevelopment area, the developer would be given three options in implementing the Art in Public Places Policy.

OPTION 1:

- The Commission would conduct the competition or selection of artwork similar to the City's competition and selection processes for its A.P.P. Program.
- The developer would take part and have input into the decision making process, as advisor or jury member.
- The developer would approve selection of artwork

The Commission would recommend selection of artwork to the appropriate authority for final approval. 2

OPTION 2:

- The Commission would serve in an advisory capacity, provide information resources, contacts and publicity.
- Developer would conduct his own selection process.
- The Commission would recommend selection of artwork to the appropriate authority for final approval.

OPTION 3:

- The Commission would play no role in the developer's process.
- Developer would conduct his own selection process.
- The Commission would recommend selection of artwork to the appropriate authority for final approval.

XII. PROJECT AREA COMMITTEE PARTICIPATION POLICY

In the acquisition or commissioning of artwork in a redevelopment area for which there is a Project Area Committee (PAC), juries for artwork projects will have from three (3) to five (5) members. A majority of jury members will be drawn from the project area. One member effected with one of those members designated by the PAC. Commission staff will work with the appropriate PAC and staff in developing recommendations for the medium, location, and artists(s) participation in project design and format for jury selection for each project in a PAC area.

The commission staff and PAC recommendations will go to the A.P.P. Committee and the commission.

In the event of an impasse between the Arts Commission and the PAC, resolution will be determined by the City Council.

OPTION 1:

- Three or four member jury would select artwork.
- Would require one PAC representative to serve as a juror.

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- Would require one artist to serve as a juror.
- Art selection sent to PAC for review and comment.
- Art selection and PAC comments sent to full commission for recommendation to the appropriate authority for final approval.

OPTION 2:

- Five member jury would select artwork.
- Would require one PAC representative to serve as a juror.
- Would require one artist to serve as a juror.
- Would include project architect to serve as a juror, if appropriate
- Art selection sent to PAC for review and comment.
- Art selection and PAC comments sent to full commission for recommendation to the appropriate authority for final approval.