

**CITY OF WOODLAND
300 FIRST STREET
WOODLAND, CALIFORNIA**

**CITY COUNCIL
CLOSED SESSION AGENDA**

NOVEMBER 8, 2011

5:00 P.M.

- A. CALL TO ORDER
- B. CLOSED SESSION
 - B.1 Conference with Legal Counsel - Anticipated Litigation,
Initiation of Litigation Pursuant to Section 54956.9(c)
Number of Cases: 1

SPECIAL MEETING/STUDY SESSION

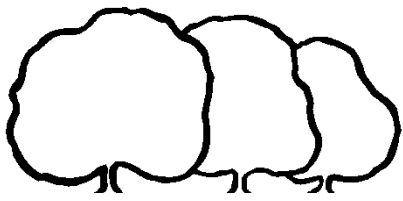
6:00 P.M.

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. COMMUNICATIONS - PUBLIC COMMENT (6:05)
- E. COMMUNICATIONS – COUNCIL/STAFF COMMENTS (6:10)
- F. REPORTS OF THE CITY MANAGER (6:15)
 - 1. Receive Report on Art in Public Places
- G. ADJOURN

I declare under penalty of perjury that the foregoing Agenda for the special meeting of the City Council of the City of Woodland scheduled for November 8, 2011 was posted on November 4, 2011 in the outside display case at City Hall, 300 First Street, Woodland, CA, and was available to the public during normal business hours.

Ana B. Gonzalez
City Clerk

Upon request, agendas and documents in the agenda packet will be made available in appropriate alternative formats to persons with a disability, as required by law. Any such request must be made in writing to the Office of the City Clerk of the City of Woodland. Requests will be valid for the calendar year in which the request is received, and must be renewed prior to January 1st. Persons needing disability-related modifications or accommodations in order to participate in public meetings, including persons requiring auxiliary aids or services, may request such modifications or accommodations by calling the Office of the City Clerk (530-661-5806) at least 48 hours prior to the meeting.



REPORT TO CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 8, 2011

SUBJECT: Art in Public Places

Report in Brief

The Redevelopment Agency staff was asked by the Redevelopment Agency Board (Board) at its June 7, 2011 meeting, to do further research on the possibility of establishing an “Art in Public Places” program for redevelopment-funded projects. In response, the staff has organized a Study Session for the Board and City Council to discuss and provide direction to staff on the various issues associated with the implementation of an “Art in Public Places” program on a citywide basis, as well as for redevelopment-funded projects.

The Executive Director of YoloArts will lead the Study Session as the elected officials consider various procedures and criteria for implementing a public art program. Staff hopes to get general direction on the following issues:

1. Do we want to have an “Art in Public Places” program in Woodland?
2. Shall we continue to work on the draft “Art in Public Places” ordinance that was been prepared over the last several years? If yes, can Council appoint members to a Subcommittee to work on it with staff?
3. Would the Council support implementing a Redevelopment-Funded Projects Pilot Program now while we are working on the “Art in Public Places” ordinance in order to apply “lessons learned” from the Pilot Program? If yes, could the Council direct staff to return to the Agency Board for consideration of a specific proposal.

Discussion at the study session will allow staff to return to Council with a possible draft citywide “Art in Public Places” (APP) ordinance and return to the Redevelopment Agency Board with a pilot program for redevelopment-funded projects.

Background

On April 5, 2011, Redevelopment Agency staff brought forward a strategy on how to encumber and spend the nearly \$5 million of Redevelopment Tax Increment Bond proceeds available. Staff presented the Board with a list of projects that could utilize the funding and received direction on

which projects to apply the funding. All of the projects being financing are required to contribute to public art. It would be beneficial to establish more formal procedures on how to conduct a public art program for these redevelopment projects. It was suggested that a pilot program be considered at a study session and that YoloArts present some options about how to establish procedures and criteria for actually selecting and installing some significantly –sized art pieces in the redevelopment project area.

All development projects in the City are required to install some kind of public art as a means of improving the lives of our residents. The City’s current design standards provide little guidance or assistance for businesses in determining and securing quality, place-making public art that benefit their properties and our community. Many communities have structured their public art process ensuring a formal framework for soliciting/selecting qualified artists, establishing criteria, engaging the public, and leveraging the arts to create livable, sustainable neighborhoods and downtown areas. Woodland has delayed the passage of an ordinance that would establish a more formal process leading to uncertainty, controversy and confusion for business owners looking to invest in our community. Therefore, staff is recommending the Board approve a pilot process and art project under the direction of an experienced arts organization such as YoloArts. A possible first project may include an artist led community built public art project at the newly designed Woodland Farmers Market structure/location.

History of APP Ordinance Discussions

The experience gained in the redevelopment Pilot Project could re-energize efforts to establish a citywide Art in Public Places program and adopt an ordinance. The City has undertaken consideration of an APP program many times and council members, residents and staff have spent a considerable number of hours working on the program.

In fact, the Woodland community’s interest in Art in Public Places (APP) dates back to at least the late 1980s. In 1988, a citizens committee started working on an APP discussion paper. After a number of revisions, the discussion paper became the basis of a City Council study session in March 1989. Subsequent discussions about APP and establishing a City policy on APP were held at the City Council level and later the Planning Commission took the lead on APP. At both levels, City Council and Planning Commission, there was recognition of the value of APP and how other communities had benefitted from APP.

However, there were a number of concerns, including whether government funds should be spent on art and whether to impose a fee on the development community to fund APP. The preparation of an APP policy did not occur until the Woodland Art Center presented a proposal to the Planning Commission in March 2004. The following month, the City Council adopted an update of the Community Design Standards to include a provision requiring public art:

Incorporate public art into the development of all commercial and industrial projects. Public art is subject to the review of the Planning Commission or other such body established by the City Council. (City Council to review Public Art policy from Woodland Art Center)

The City Council's approval of the public art requirement represented a significant step and has resulted in a number of public art projects that have enhanced the community. However, this did not address questions of whether the City should have a comprehensive APP policy, how the policy would be structured, and what governing or advisory body would be responsible for carrying out the policy on a long-term basis.

The Woodland Art Center's March 2004 proposal served as the starting point for an APP ordinance and was the first attempt to come up with a comprehensive policy for the City. It served as the foundation for the ordinance that was prepared for City Council consideration. Woodland Art Center members Dino Gay and George Streng who were instrumental in putting together the March 2004 proposal worked with the City Council and City staff over the years as an APP ordinance was drafted. They continued their advocacy for an APP policy and provided valuable input on key issues for the APP ordinance. In 2008, the City Council appointed a Art Subcommittee which reviewed drafts of the APP ordinance and resolved a number of issues allowing the ordinance to move forward for consideration and possible adoption by the City Council, though it did not decisively resolve how the policy would be structured, and what governing or advisory body would be responsible for carrying out the policy on a long-term basis. The subcommittee did agree the ordinance was ready for Council consideration (see Attachment I).

However, City Council consideration of the APP ordinance was delayed in late 2008 because of appropriate noticing issues and eventually put on indefinite hold. The nation had become mired in a deep recession and this impacted the City as it was forced to start reducing staffing levels and pursue other budgetary reductions. A reduction in staff, other budgetary cuts, and a significant drop in development activity made it difficult to move forward with an APP ordinance that contained provisions to establish a civic arts commission and impose an art fee on the development community.

Given the infusion of money to developers from the Redevelopment Agency has revived interest in the public art program and a desire to reignite discussion on a citywide ordinance and establish a pilot program for redevelopment-funded projects.

Discussion (the Study Session)

The Study Session will be led by the Executive Director of YoloArts. YoloArts is a non-profit organization supported by *the California Arts Council, a state agency, the National Endowment for the Arts, a federal agency, Metropolitan Arts Partnership, a regional agency, and by YoloArts' membership and partners.* Since 1981, the organization has overseen similar programs in many communities—Davis, West Sacramento, and the unincorporated areas of Yolo County.

The structure of the Study Session will generally follow this outline:

1. Woodland's interest in Public Art – Recognition of the past efforts invested in advancing an Art in Public Places Program in Woodland.

2. Presentation of examples of public art including the value to our community, definitions of public art, and examples of costs of the art.
3. Description of programs in different communities, focusing on:
 - a. Requirements for developers
 - b. Percent contribution required
 - c. Requirements for private development in comparison to public projects.
 - d. Other cities requirements of contributions on privately-funded projects
 - e. Consideration of rehabilitation projects as well as new construction projects
 - f. Calculation of project contributions, e.g. formulas based on the value of building permits, construction estimates, or other methods
 - g. Art solicitation processes (see Attachment II-example RFP)
 - h. Possible funding mechanisms for the art, including in-lieu contributions made to a “pool” reserve fund administered by YoloArts
4. Evaluation of different processes for selection and review of art pieces, and a presentation of a recommended process in a flow chart, which may include consideration of these elements discussed in previous staff meetings. Following are the proposed steps for selecting and installing public art in Woodland:
 - a. Appointment of a standing Council-appointed Subcommittee to finalize the APP guidelines, including an inventory of existing art and establishment of community criteria.
 - b. Establishment of an advisory committee comprised of council members and community members as desired, that meets on an “on-call” basis.
 - c. When a project is brought forward the advisory panel will assist in:
 - i. Reviewing funding (budget) for the project
 - ii. Reviewing and selecting the site for the art including specific considerations, safety and maintenance issues, the process to select and commission artists and including ways to involve the community and staff.
 - iii. Determining the timeline for the particular project, soliciting art, and then selecting a community panel to review and make recommendations. (Developer can submit an application to use privately chosen artist or art piece.)
 - iv. Submitting recommendation for the art project to the Planning Commission for review and approval.
 - d. City Council is notified of approved projects and when needed serves as the appeal body.
 - e. Installation of the art piece by the developer or a designated consultant or non-profit organization.

5. Proposal for a pilot project. To garner community input and support for the ordinance and the impact public art can have, it is suggested the Redevelopment Agency sponsor a Redevelopment Pilot Art Project to test out the process being considered. A Pilot Project will allow everyone to see how the process works. It may be easier for the community and the Council members to embrace public art if they can see how a project is put in place and they can observe the process.
6. Public Art Ordinance: The Subcommittee reviews and drafts an adoptable ordinance.

Staff Recommendation

Art in Public Places Pilot Project

At the end of the study session discussion it is hoped that the Council will provide support for staff to proceed with the Pilot Art project while allowing work to continue on an ordinance. It is expected that work on a public art ordinance can take considerable amount of time and that a new ordinance will not be ready for consideration for some months. But, the City has a unique opportunity at this time to proceed with such a pilot project. When the redevelopment investment strategy was brought forth for consideration in June 2011, it was recommended that 1.5% of each redevelopment loan be set aside for public art, about \$75,000 total. Each developer currently expects that those funds will be reserved out of the total loan amount and be dedicated to public art. Staff would return to the Agency Board for review and approval of the specific program details.

Aggregating a significant amount of money in the loan agreements allows the Agency to amass enough funds for a landmark type art project in the redevelopment area. Without the pilot project, each property owner would act independently, resulting in the installation of small art pieces. Pooling the funds for one art project relieves the individual property owner of the responsibility for independently installing public art and the related work of soliciting qualified artists, determining compatibility with community standards and meeting public governing bodies' expectations.

To make it as easy as possible for the developer, it is proposed to have those funds pooled with one entity, such as YoloArts, and then use the funds to install an art piece. Originally, it was suggested that the pooled funds be used for an art piece in Freeman Park at the Farmer's Market site. The experiences gained in the pilot project could contribute to the preparation of public art guidelines, policy or citywide ordinance. There is some urgency in this request because the current Agency loan agreements with developers state that there will be no obligation for them to contribute 1.5% of the loan amount to art if the Agency has not approved a reserve fund for that purpose by June 23, 2012.

In order to take the next step for this pilot project, staff suggests that the Council direct staff to return with an implementation proposal to be considered by the Redevelopment Agency Board. Such a project may require an agreement that would allow the Agency to enter into a pooled funds agreement with YoloArts so that that organization can manage the funds for a larger-sized art project

and install a demonstration piece in the redevelopment project area. Staff would like to receive direction to return to the Redevelopment Agency Board for review and approval of such an agreement.

Ordinance

To proceed in establishing an Art in Public Places Ordinance, staff would like the City Council to appoint a subcommittee to work with staff in refining the current draft Art in Public Places Ordinance after incorporating the lessons learned in the Pilot Project, and return to Council for review and approval of such an ordinance.

Public Contact

Posting of the Redevelopment Agency/City Council agenda.

Alternative Courses of Action

1. Direct staff to return to the Agency Board with a specific implementation proposal for a redevelopment-funded Pilot Project, and
2. Appoint a Council Subcommittee to revise the latest version of the Art in Public Places ordinance attached to this report, and incorporate the lessons learned from the Pilot Project.
3. Do not take action.

Recommendation for Action

Staff recommends that the City Council approve Courses of Action No. 1 and No. 2.

Prepared by: Cynthia Shallit
Redevelopment Manager

Kevin O'Rourke
Interim Executive Director

Attachments: Draft Art in Public Places Ordinance (December 2008)
Sample RFP for public art

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WOODLAND ADDING PART M TO ARTICLE 7
OF CHAPTER 2 AND ARTICLE X-XX TO CHAPTER X OF THE WOODLAND
MUNICIPAL CODE RELATING TO ART IN PUBLIC PLACES**

The City Council of the City of Woodland does hereby ordain as follows:

Section 1. Purpose. The purpose of this Ordinance is to add Part M to Article 7 of Chapter 2 and X-XX to Chapter X of the Woodland Municipal Code.

Section 2. Authority. The City Council enacts this Ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution.

Section 3. Addition. Part M is hereby added to Article 7 of Chapter 2 of the Woodland Municipal Code as follows:

PART M. CIVIC ARTS COMMISSION.

Section 2-7-90. Creation.

There is hereby created and established a Civic Arts Commission.

Section 2-7-91. Composition.

The Civic Arts Commission shall consist of five (5) members who shall be art and design professionals and/or have a demonstrated interest in public art.

Section 2-7-92. Appointment and removal.

Members of the Civic Arts Commission shall be appointed pursuant to Part B of Article 1 of Chapter 2 of this code.

Section 2-7-93. Terms of members.

The term of office of each member of the Civic Arts Commission shall be four years. All terms shall begin on January 1st and end on December 31st. If a vacancy should occur other than by expiration, it shall be filled by appointment for the unexpired portion of the term. In order to establish staggered terms of office of the members first appointed, two members shall be appointed for a one-year term, one member shall be appointed for a two-year term, one member shall be appointed for a three-year term, and one member shall be appointed for a four-year term. Upon the expiration of such designated terms, successors shall be appointed for full four-year terms. Each member, unless sooner terminated, shall serve until his or her successor is appointed and qualified.

Section 2-7-94. Jurisdiction.

Except as otherwise specified in this code, the Civic Arts Commission shall conduct hearings and make recommendations to the city council on all matters pertaining to the provision of art in public areas.

Section 2-7-95. Powers and duties.

The Civic Arts Commission shall have the following powers and duties:

1. To administer the Woodland Public Art Program as established in Article X-XX.
2. To recommend to the city council ways to improve the appearance of the City by providing or encouraging public art.
3. To act upon matters within the Civic Arts Commission's responsibilities as outlined in Article X-XX.
4. To have a representative report to the city council during April of each year on work accomplished in the past year and to outline work to be done in the coming year. The city council may, at its sole discretion, require the report to be in writing.
5. To exercise such powers and perform such duties as the city council may direct.

Section 2-7-96. Procedure.

The Civic Arts Commission shall hold regular meetings during each calendar year at such time and place in the city as the Civic Arts Commission may fix by resolution. The Civic Arts Commission shall adopt rules for the conduct of its meetings in accordance with law and prepare and maintain a public record of its transaction of business which shall include its findings and determinations on matters within its jurisdiction.

Section 4. Addition. Article X-XX is hereby added to Chapter X of the Woodland Municipal Code as follows:

**ARTICLE X-XX
ART IN PUBLIC PLACES**

Section X-XX-010. Policy.

The City Council hereby declares its desire to promote art in public places in the City through the adoption of a policy that:

- A. Provides the community with cultural and aesthetic assets in the form of public art and a public art program.
- B. Provides consistent, efficient, fair and cost-effective procedures for the regulation of public art in the City.

C. Authorizes the Civic Arts Commission to create and implement procedures for the recommendation of the selection, acquisition and administration of public art.

D. Provides funding sources for a public art program in the City.

Section X-XX-020. Definitions.

For the purposes of this Article, the following words and phrases shall have the meanings ascribed to them in this section:

A. *Building Official*. The Building Official of the City or his/her designee.

B. *Community Development Director*. The Community Development Director of the City or his/her designee.

C. *Civic Arts Commission*. The Civic Arts Commission as established in Part M of Chapter 2, Article 7 of this Code.

D. *Project*. Any private construction or improvement(s) to a building or structure that is or will be used in whole or in part for commercial or industrial activities that increases the square footage of the building or structure. Such construction or improvements shall include the construction of new buildings or structures. An addition to an existing building or structure shall only be considered a "Project" if the square footage of the addition is more than 50% of the square footage of the existing building or structure. The definition of a "Project" shall include also City of Woodland buildings or structures open to the general public. "Project" shall not include any landscaping or other public or private improvements to the property which do not alter the physical building or structure.

E. *Public Art Work*. An original visual creation conceived in any medium, material or combination thereof which is approved by the Civic Arts Commission and the city council pursuant to this Article and is placed in areas accessible or visible to the general public. Public Art Work may be permanent, temporary, or functional. "Public Art Work" shall not include any architectural or landscape design or any temporary displays created for the purpose of sale, except when commissioned and so designated by the Civic Arts Commission. This shall not preclude art work on a building façade from being approved by the Civic Arts Commission and the city council as Public Art Work.

Section X-XX-030. Woodland Public Art Program.

A. There is hereby created a Woodland Public Art Program, the goals of which are to:

1. Ensure Public Art Work meets excellent standards.
2. Ensure access to Public Art Work, information and programming for the community.

3. Ensure that Public Art Work is selected wisely and efficiently.
4. Ensure responsible guardianship and maintenance of Public Art Work.
5. Facilitate funding of Public Art Work.
6. Encourage the provision of Public Art Work at County, State and Federal government building projects.

B. The Woodland Public Art Program is not intended to interfere with or delay the planning and building process. Opportunities for placement of Public Art Work may occur during construction or following the completion of a Project based on the recommendation of the Project architect in conjunction with the Community Development Director. The Civic Arts Commission is dedicated to working with property owners of Projects with designated Public Art Work during the planning and construction process to plan, select, and install Public Art Work in a time frame compatible with Project construction. Unless waived by the Community Development Director, all Public Art Work must be fully installed prior to the issuance of a certificate of occupancy for the Project. Unless waived in writing by the Community Development Director, all art fees assessed pursuant to Section X-XX-060 must be paid in full prior to the issuance of a certificate of occupancy for the Project. A certificate of occupancy shall not be issued for the Project until the Public Art is installed, all art fees assessed pursuant to Section X-XX-060 are paid in full, or the Community Development Director has issued a written waiver to defer the installation of the Public Art or the payment of art fees. Each waiver shall not exceed a period of nine months and shall include the following:

1. Agreement between the Project applicant and City acknowledging the Project applicant's obligation to provide Public Art Work and/or pay an art fee.
2. A cash deposit in an amount determined by the Community Development Director. The cash deposit shall be refunded to the Project applicant after the installation of the Public Art Work and/or payment of an art fee.

C. The daily administration of the Woodland Public Art Program shall be provided by the City, an experienced public art professional or public art agency. Any public art professional or public art agency selected to administer the day-to-day activities of the Woodland Public Art Program shall be identified by the Civic Arts Commission after a solicitation and selection process and recommended to the City Council for consideration.

Section X-XX-040. Woodland Public Art Fund.

A. There is hereby created a Woodland Public Art Fund, which funds shall be held in a separate account, a special purpose fund, and shall be used for the sole purpose of implementing the Woodland Public Art Program.

B. Monies appropriated for the Woodland Public Art Fund shall consist of the following:

1. Art fees collected pursuant to Section X-XX-060.
2. Gifts and donations from private donors.
3. Grants from Federal, State, County and City agencies, private groups and individuals.
4. If real property purchased with monies from the Woodland Public Art Funds is subsequently sold, the proceeds from the sale shall be returned to the Woodland Public Art Fund.

C. The Woodland Public Art Fund shall be administered by the city's finance department.

D. The Woodland Public Art Fund shall be used solely:

1. For the selection, design, acquisition, commission, installation, improvement, maintenance, utilities, and insurance of Public Art Work, as applicable;
2. For any improvement of real property necessary for the purpose of installing Public Art Work;
3. For costs associated with administering the Woodland Public Art Program including the reimbursement of City staff time and other City expenses incurred for staffing the Civic Arts Commissions and the Woodland Public Art Program;

Section X-XX-050. Civic Arts Commission Responsibilities.

A. The Civic Arts Commission shall be responsible for overseeing the administration of the Woodland Public Art Program, which shall include:

1. Recommending Public Art Work.
2. Recruiting, promoting and communicating with artists.
3. Performing public outreach, marketing and disseminating information regarding the Woodland Public Art Program.
4. Reviewing planning briefs and facilitating the process for installing Public Art Work.
5. Making recommendations regarding management of the Woodland Public Art Fund and fundraising activities.

B. The Civic Arts Commission shall provide the City Council with an annual Woodland Public Art Program plan and budget.

C. The Civic Arts Commission shall conduct hearings and make recommendations to the City Council regarding Public Art Work to be donated to the City.

D. The Civic Arts Commission shall conduct hearings and make recommendations to the City Council as to Public Art Work placed on private and public properties.

E. The Civic Arts Commission shall provide the City Council with reports on the concept, cost, and design of each Public Art Work to be installed in a Project for approval by the City Council.

F. City staff shall consult and advise the Civic Arts Commission on matters pertaining to the responsibilities set forth herein.

Section X-XX-060. Payment of Art Fee.

A. All Projects are subject to the payment of an art fee pursuant to this Section, with the exception of any Project that either: (i) installs Public Art Work on the Project site in accordance with this Article; or (ii) donates Public Art Work to the City pursuant to Section X-XX-070. The value of the installed or donated Public Art Work shall be equal to or greater than 0.75% of the Project construction costs, as determined by the Building Official. In the event that the installed or donated Public Art Work is valued at less than 0.75% of the Project construction costs, the Project shall pay an art fee up to the amount required to equal 0.75% of the Project construction costs, minus the value of the Public Art Work. The valuation of installed Public Art Work shall include the actual art work and the costs necessary for installation.

B. Any Project that does not install Public Art Work on the Project Site shall pay an art fee equal to 1% of the Project construction costs, as determined by the Building Official for the Woodland Public Art Fund.

Section X-XX-070. Privately Funded Public Art Work Placed on Private Property.

Nothing in this Article shall prohibit the placement of additional or other privately-funded art on private property.

Section X-XX-080. Procedure for Acceptance of Public Art Work Donated to the City.

A. *Application procedure.* An application for acceptance of Public Art Work to be donated to the City for placement on public property shall be submitted to the Civic Arts Commission, and shall include, without limitation, the following information:

1. Preliminary sketches, photographs, models, or other documentation of sufficient descriptive clarity to indicate the nature of the proposed Public Art Work;

2. A written agreement, in a form approved by the City Attorney, executed by or on behalf of the artist, which expressly waives his or her rights under the California Art Preservation Act or other applicable law; and
3. Other information as may be required by the Civic Arts Commission to adequately evaluate the proposed donation of Public Art Work.

B. *Review of Application.* Completed applications shall be submitted to the Civic Arts Commission for review and recommendation to the city council. The city council shall have the sole authority to accept, conditionally accept or reject the donation.

C. All Public Art Work donated to the City shall become the sole property of the City, upon acceptance by the City Council.

Section X-XX-090. Ownership and Maintenance of Public Art Work.

A. All Public Art Work placed on private real property shall become the sole personal property of the real property owner. The real property owner shall be solely responsible for the provision of all maintenance necessary to preserve the Public Art Work in good condition.

B. Maintenance of Public Art Work shall include preservation of the Public Art Work in good condition to the satisfaction of the City, protection of the Public Art Work against physical defacement, mutilation or alteration, and securing and maintaining fire and extended coverage insurance and vandalism coverage in an amount to be determined by an insurance appraisal. Prior to placement of Public Art Work, the applicant and the owner of the site shall execute and record a covenant in a form approved by the City Attorney for maintenance of the Public Art Work. Failure to maintain the Public Art Work, as provided herein, is hereby declared to be a public nuisance. The City may pursue additional remedies to obtain compliance with the provisions of this Article, as appropriate.

Section X-XX-100. Removal of Public Art Work.

The Civic Arts Commission shall develop guidelines for the sale, removal and disposal of Public Art Work. These guidelines shall be adopted by resolution of the Civic Arts Commission and shall be submitted to the City Council for consideration and adoption.

Section X-XX-110. Appeal.

Any person may seek review of a decision or recommendation of the Civic Arts Commission by filing a written appeal with the City Clerk's Office within thirty (30) days of the decision by the Civic Arts Commission. The City Clerk's Office shall coordinate with the Community Development Director to schedule the appeal hearing before the City Council.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, clause or

phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 5. Effective Date and Notice. This ordinance shall take effect thirty (30) days after its adoption and, within fifteen (15) days after its passage, shall be published at least once in a newspaper of general circulation published and circulated within the City of Woodland.

PASSED AND ADOPTED this _____ day of _____, 2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marlin H. Davies
Mayor

ATTEST:

Sue Vannucci
City Clerk

APPROVED AS TO FORM:

Andrew J. Morris
City Attorney

Public Art
JP Morgan Chase Bank
December 2011 Installation



ART IN PUBLIC PLACES

REQUEST FOR
PROPOSALS

JP Morgan Chase Bank

APPLICATION CD DUE:

Wednesday, September 21, 2011 at 3:00pm

www.yoloarts.org

PROJECT BACKGROUND

JP Morgan Chase Bank is seeking artists to present artwork to enhance their new facility in Woodland, CA. YoloArts' Art in Public Places (APP) program is directed to solicit artists as applicants for the potential commissioning of the project. YoloArts' APP program is interested in the highest quality artwork that is site-specific and is aligned with the project criteria.

Project Description:

YoloArts on behalf of JP Morgan Chase Bank plans on commissioning or purchasing a unique, permanent work of art for their new financial facility located at 304 Main Street, Woodland, CA 9695. The business is situated on the corner of Main and Walnut Streets; the south east corner of the downtown area. The new building is sited in the downtown redevelopment area and is adjacent to a variety of mixed-use commercial spaces that serve the local community.

Project Criteria: This public art project presents an opportunity for a large non-figurative outdoor sculpture. The artist or artist team is free to choose the medium of their choice in addressing the site. The artwork selected for this project should address one or more of the following goals:

- Create an identity for the bank;
- Consider the building and its functions for all users of the site including visitors to downtown and the local community that patronize the businesses downtown, bank patrons and staff;
- Fit in scale to the identified project site and surrounding buildings;
- Be a non-figurative sculpture with an organic aesthetic;
- Kinetic in nature, free form, whimsical;
- Appeal to people of all ages;
- Aesthetically compatible with the buildings architecture;
- Safe and deter climbing;
- Quality work of art;
- The work must be able to hold up and be easily maintained in a public/outdoor setting.

Original Works: Artists submitting artwork for consideration will assure the following: The artwork is solely the result of the artistic effort of the artist. The artwork is unique and original and does not infringe upon any copyright or the rights of any person, literature, illustration of books or publications. The artwork (or duplicate thereof) has not been accepted for sales elsewhere. The artist has not sold, assigned, transferred, licensed, granted, encumbered or utilized the artwork. The artwork is free and clear of any liens from any source whatsoever.

Applicant Eligibility: All artists 18 years and older; all disciplines including but not limited to: painting, photography, ceramics, mosaics, fiber art, sculpture, poetry, mixed-media and metal. Special consideration to Yolo County artists.

Selection Process: A limited competition/invitation. Professional artists will be invited to present design concepts for this project. All submissions will be reviewed by the selection panel. The panel will review and recommend finalists for commissions. *YoloArts reserves the right to reject any and all applications and subsequent design proposals.* Panel will review all applications, determine and recommend finalists. Artist/Artistic teams will be chosen based on their ability to meet the following considerations:

Thematic: The overall quality and aesthetics of the artwork and its alignment with the project criteria in general.

Artistic Merit: Proposal demonstrates artistic excellence, conceptual ideas, expression, & execution.

Original Work: Original designs that compliment the vision and goals of the project, underscoring the value and beauty of the community.

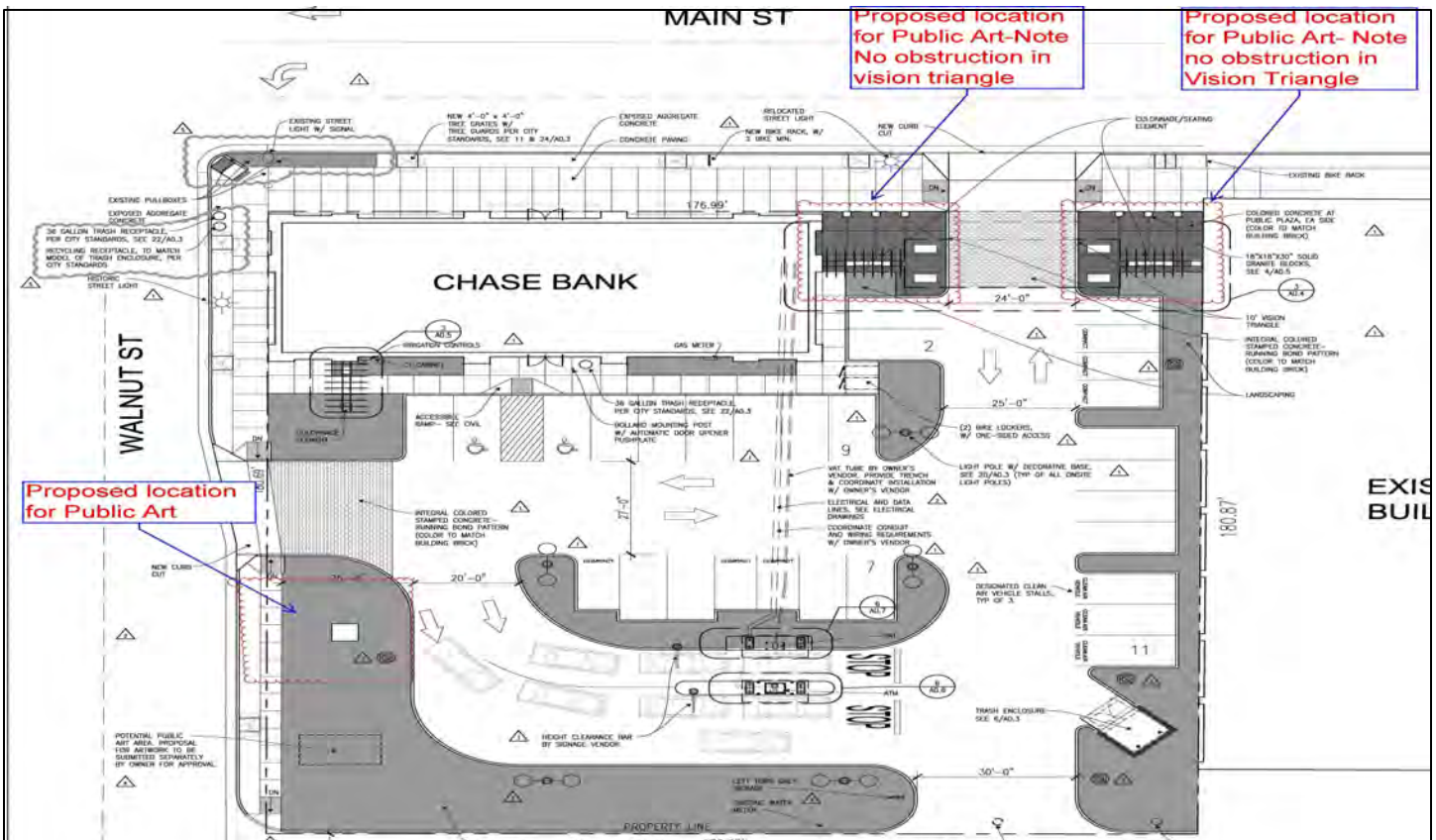
Professional Ability: Artist's professional philosophy, understanding of public art, artistic background, education, experience, exhibitions, etc.

Timeline: Artist or Artistic Teams that can create and install by the client requested timeline (December, 2011)

(Artwork that is inherently political, religious or otherwise exclusive of any factor of the social stratum shall be deemed inappropriate for this project).

Non-discrimination:

The selection process for artwork(s) and the award of any contract shall not be based on, or give consideration to discrimination of any kind based upon race, religion, national origin, ancestry, color, sex, age, disability or handicap, marital status, sexual orientation or any other characteristic protected by federal, state, or local law.



LOCATION: *Projects that include the Chase logo or the color associated with the JP Chase Morgan brand will not be considered.*

Certain areas of the site have been identified to include a public art enhancement within the guidelines of the project. The locations listed below are considered the most suitable to aesthetically enhance the facility for users and employees. Suggested artwork should be designed for these areas and include concepts that reflect the Project criteria (thematic and artistic inside left page of RFP). You may submit concepts or artwork for one or both of the areas.

Only one project/site will be selected — Installation by December, 2011

Due to the short timeline artists may submit current/ existing art work that meets the Project Criteria for consideration (minimum one (1) year old)

Area #1) Pergola /Main Street : Outside main entrance area on the north side of building (main street) integrated with or complementing the proposed pergola.

Concept: Visual element that meets one ore more of the Project Criteria; identifies the building and encourages the public to investigate.

Function: Weather and Vandal-proof. Tolerates direct sunlight & heat.

Area #2) Parking Lot/ Walnut Street : the west side of the building, in a small area adjacent to the parking lot; and drive through.

Concept: Provide art element that relates to the Project Criteria, is free standing;

Function: Visual orientation compatible with building. Weather and Vandal-proof. Tolerates direct sunlight and heat. Relatively maintenance-free.

Total Budget: \$16,000

Choose one or more of the two designated locations for your proposal —total for all areas should not exceed budget.

Cost for a pedestal or lighting for the art will be the responsibility of the client.

If schedule allows— Artist whose work is selected will be asked to accompany YoloArts to city review meeting .

SUBMISSIONS

APPLICATIONS DUE:

Wednesday,
September 21,
2011
3pm

Deliver to:

YoloArts Office
120 W. Main St.
Suite B
Woodland, CA
95695
OR

Mail to:

YoloArts
P.O. Box 8250
Woodland, CA
95776

YoloArts:

530.406.4844



SUBMISSION GUIDELINES:

Please prepare the following materials for consideration on a virus free PC compatible CD ROM. All written materials should be converted to PDF to assure proper alignment.

(Hard copies will be accepted if digital applications creates a hardship for the submitting artists. In the event a hard copy format is required please do not submit original artwork, or other reference materials larger than 8.5" x 11")

- Put your name(s), address, phone number and email address on the CD containing all materials and **on each page of application materials.**
- If submitting hard copy-order all requested documents together to make 1 packet of materials.
- Submissions sent by fax or email will NOT be accepted.

Provide the following:

1. **Digital Images:** Submit up to 3 digital images of recent work. No more than 5 digital images will be accepted. Images should be no larger than 72dpi (maximum 360x243 pixels or 5" x 3" or 257K). When opened, each image file should appear in the proper orientation (portrait or landscape). Please note: YoloArts staff will not adjust or alter digital images. Each image should be labeled with Artist's last name and image number ("Rembrandt_1").
2. **Image List:** Submit an image sheet indicating information about each artwork including title, media, size, and location. If commissioned, include the budget and commissioning agency.
3. **Resume:** Submit a current resume, no more than 2 pages with your name, current address, phone number and email address at the top of each page. Do not submit articles or press releases.
4. **Budget** Estimate must include all materials artist fees, labor costs, transportation and storage, installation, site preparation and insurance including workers comp, liability, fire and theft. Budget submitted will be the amount considered for funding. No exceptions. Suggested sample budget online at www.yoloarts.org/public.php under "Artist Tool Box" Budget Template.
5. **A Narrative & Visual Description of your Proposed project:** Summarization of the proposed art work including any sketches, design concepts or other clear visual representation of the proposed project and a description of the materials to be used. Please include how the work is to be integrated into the area. Keep this to one page maximum.

REMINDERS:

- Do not use folders, file folders, or other binding materials
- **All questions should be directed to YoloArts staff •**

Please refrain from calling JP Morgan Chase Bank its employees or staff.

Security & Safety Considerations:

The area that has been identified for placement of artwork in this project include locations where clients, their children, or members of the general public will have unfettered access. Attention will be given to the safety and security of clients, employees and the general public in the choice of materials and placement of artwork. Sculptures are to be anchor bolted to concrete pads Appropriate safety glass used to enclose 2D work (if applicable)

The art work and installation must meet the stated security requirements and must meet all safety guidelines as outlined by OSHA, local fire & building codes.

Reservation of Rights:

YoloArts and its client reserves the right at any time to supplement, amend, or otherwise modify the call for art and to request additional or supplemental information or proposals from any or all participating artists. In addition, YoloArts and its client may choose to modify any or all proposals or part thereof submitted in connection with this call; waive any defect or technicality; and request new proposals where the acceptance, rejection, waiver or advertisement would be in their best interest.

If, regardless of the reason, the contract for purchase and installation of the artwork is not executed within 30 days of notification to the selected artist(s), the rights are reserved to terminate the offer to the artist(s) and move to another finalist.

TENTATIVE SCHEDULE

September, 2011:
Invitation and
Call for Proposals
Panel Review

October, 2011 :
Artist/Artist Team
Selected
Contract with Artist

November, 2011 :
Art creation and
fabrication

December 4, 2011:
Final commission due
Art Installed