

PUBLIC ART COMMITTEE AGENDA

Alexander Hughes Community Center
1700 Danbury Rd
Claremont, CA 91711



Monday
February 12, 2018
7:00 p.m.

COMMITTEE MEMBERS

KAREN NEIUBER
CHAIR

AMY CROUSHORE

ADRIANA TCHALIAN

GEORGETTE UNIS

CHRISTOPHER TOOVEY

JESSICA WIMBLEY

BRIAN WORLEY

CALL TO ORDER

ROLL CALL

CEREMONIAL MATTERS, PRESENTATIONS, AND ANNOUNCEMENTS

PUBLIC COMMENT

This time has been set aside for persons in the audience to make comments on items within the subject matter jurisdiction of the Committee that **are not listed on this agenda**. Members of the audience will have the opportunity to address the Committee about **all other items on this agenda** at the time those items are considered.

Under the provisions of the Brown Act, the Committee is prohibited from taking action on oral requests but may refer the matter to staff or to a subsequent meeting. The Committee will respond after public comment has been received. Please state your name and address. Each speaker will be limited to four (4) continuous minutes.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Most items have been previously considered by the committee. Only committee members may pull an item for discussion. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

Routine Administrative Item

1. Public Art Committee Minutes from the January 8, 2018 Regular Meeting

Recommendation: Receive and file.

ADMINISTRATIVE ITEMS

2. 2018 Work Plan Goals and Priorities

Recommendation: Staff recommends that the Public Art Committee review and approve the draft 2018 Work Plan and Priorities and forward it to the City Council as an update.

3. Deaccession of City Owned Artwork: Frederick Hammersley's *Quietly*

Recommendation: Staff recommends that the Public Art Committee review the offer made by the Hammersley Foundation to purchase the Frederick Hammersley piece entitled, *Quietly*, and recommend the deaccessioning of the artwork to the City Council per the Deaccession of Artwork Policy.

REPORTS

4. Committee Member/Ad Hoc Committee Reports

5. Architectural Commission Liaison Report

6. Human Services Department Update

ADJOURNMENT

I, NANCY KRAHN, HUMAN SERVICES ADMINISTRATIVE ASSISTANT OF THE CITY OF CLAREMONT, CALIFORNIA, HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING AGENDA WAS POSTED AT CLAREMONT CITY HALL, 207 HARVARD AVENUE, ON FEBRUARY 8, 2018, PURSUANT TO GOVERNMENT CODE SECTION 54954.2.

PLEASE NOTE: MATERIALS RELATED TO AN ITEM ON THIS AGENDA, AND SUBMITTED TO THE PUBLIC ART COMMITTEE AFTER PUBLICATION OF THE AGENDA, ARE AVAILABLE TO THE PUBLIC IN THE CITY CLERKS OFFICE AT 207 HARVARD AVENUE, CLAREMONT, MONDAY THROUGH THURSDAY, 7 AM – 6 PM. SUBJECT MATERIALS WILL BE MADE AVAILABLE ON THE CITY WEBSITE AS SOON AS POSSIBLE - www.ci.claremont.ca.us. For more information, please call Melissa Vollaro, Human Services Manager, (909)399-5358.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, THIS AGENDA WILL BE MADE AVAILABLE IN APPROPRIATE ALTERNATIVE FORMATS TO PERSONS WITH DISABILITIES. ANY PERSON WITH A DISABILITY WHO REQUIRES A MODIFICATION OR ACCOMMODATION IN ORDER TO PARTICIPATE IN A CITY MEETING SHOULD CONTACT THE CITY CLERK AT 909-399-5461 "VOICE" OR 1-800-735-2929 "TT/TTY" AT LEAST THREE (3) WORKING DAYS PRIOR TO THE MEETING, IF POSSIBLE.

THE NEXT MEETING OF THE PUBLIC ART COMMITTEE WILL BE ON MONDAY, MARCH 12, 2018 AT 7:00 P.M., IN THE SANTA FE ROOM AT THE HUGHES COMMUNITY CENTER.

POST THROUGH: FEBRUARY 13, 2018

Minutes of the Meeting of the
PUBLIC ART COMMITTEE
Monday, January 8, 2018 – 7:00 p.m.
Alexander Hughes Community Center
1700 Danbury Road, Claremont, California

CALL TO ORDER: Chair Karen Neuber called the meeting to order at 7:00 p.m.

ROLL CALL:

PRESENT: Karen Neuber, Chair; Georgette Unis, Vice Chair; Amy Croushore, Adriana Tchalian, Christopher Toovey, Jessica Wimbley, and Architectural Commission Liaison Brian Worley

ABSENT: None

ALSO PRESENT: Anne Turner, Human Services Director
Nancy Krahn, Administrative Assistant

CEREMONIAL MATTERS, ANNOUNCEMENTS, PRESENTATIONS - None

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PUBLIC COMMENT

Chair Neuber invited public comment. There were no requests to speak.

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CONSENT CALENDAR

Routine Administrative Items

1. APPROVAL OF THE PUBLIC ART COMMITTEE MINUTES FROM THE OCTOBER 9, 2017 REGULAR MEETING.

Chair Neuber invited public comment. There were no requests to speak.

Karen Neuber moved that the Public Art Committee approve the Consent Calendar, seconded by Jessica Wimbley, and unanimously carried on the following vote:

AYES: *Committee members - Karen Neuber, Georgette Unis, Adriana Tchalian, Christopher Toovey, and Jessica Wimbley*

NOES: *Committee member – None*

ABSTAIN: *Committee members - Amy Croushore and Brian Worley*

ABSENT: *Committee members - None*

◆◆◆END OF CONSENT CALENDAR◆◆◆

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ADMINISTRATIVE ITEMS

2. REGULAR PUBLIC ART COMMITTEE MEETING SCHEDULE

Human Services Director Anne Turner requested an amendment to the Public Art Committee's Policies and Procedures, establishing regular meetings on the second Monday of every month at 7:00 p.m. except for the month of August.

Committee member Amy Croushore moved to approve an amendment to the Public Art Committee's Policies and Procedures, establishing regular meetings on the second Monday of every month at 7:00 p.m. except for the month of August, seconded by Committee member Brian Worley, and unanimously carried on the following vote:

AYES: *Committee members - Karen Neuber, Georgette Unis, Amy Croushore, Adriana Tchalian, Christopher Toovey, Jessica Wimbley, and Brian Worley*

NOES: *Committee member - None*

ABSENT: *Committee member -None*

3. CITY HALL TEMPORARY ART INSTALLATION – ORAL UPDATE

Director Turner reported the City Hall Temporary Art Installation and the recommendation from the Committee made on October 9, 2017, will move forward to the City Council Meeting on January 9, 2018. Director Turner reported on several questions from the City Council about the recommended temporary art piece in front of City Hall.

- Would the temporary art piece the Committee is recommending, be the Committee's selection for a permanent art piece in front of City Hall?
 - If you had a budget of \$100,000 for a permanent piece in front of City Hall, would you expend most of the Public Art Fund for a permanent piece in front of City Hall?
- Would you be willing to expend the majority of the Public Art Fund for a permanent piece even though there is no prospect of getting significant funding back into the fund for at least the next two years?

Director Turner will provide the Committee's response to the City Council at tomorrow night's City Council Meeting.

The Public Art Committee provided recommendation to the City Council for a temporary piece as reflected in the staff report in front of them. After discussion at the Public Art Committee meeting last night and after discussion staff had with the artist identifying the cost of the piece permanently would be \$20,000, the Public Art Committee would support the decision if the City Council chose to make this a permanent piece. The Public Art Committee would not recommend any one-time large expenditure from the public art fund at this time because there are multiple projects upcoming that the Public Art Committee would like to address and does not want to deplete the fund for the purposes of any one project.

4. CURRENT PUBLIC ART TRENDS PRESENTATION BY COMMITTEE MEMBER JESSICA WIMBLEY – ORAL REPORT

Committee member Jessica Wimbley provided an oral report on the current public art trends, working with local and regional artists, integrating artists both national and international into the scope and the dialogue with the current art that's in the City, and pushing the boundaries on the type of art being brought into Claremont. The following interactive art trends:

- *James Turrell Sky Space* is located at Pomona College in Claremont.
- Daily Tous Les Jours is a design studio engaging technology, storytelling, and collaboration with creative place making. Best known for their work in public spaces, where passing crowds are invited to play.
 - *The Swing* is an interactive installation that uses motion that triggers different notes in the swing.
 - *Interactive Pavement* reacts with music to people's shadows, incorporating dance.
- *Blue Trees* - Konstantin Dimopoulos is an installation artist. Painting trees blue is interactive, creating something that is environmentally surreal.
- *Flower Interruption* - Megan Wilson – Flower Interruption was a strategy to breaking up the unexpected. Paper flowers are moveable, and some are painted on the ground placed around the city.

Committee member Adriana Tchalian left at 8:03 p.m.

5. BLANK WALL INVENTORY PRESENTATION BY ARCHITECTURAL COMMISSION LIAISON BRIAN WORLEY – ORAL REPORT

Committee member Brian Worley reported on creating a notebook to inventory walls and locations conducive to art installations in Claremont. Ideally, he sees this being computer based, creating a map of Claremont with pins on each identified location. By clicking on the pin, it provides an image of the wall, location, and dimensions of the space. Claremont Heritage has offered to provide an intern to digitalize the information. Committee member Worley will report back at the next meeting.

6. Committee Work Plan Goals and Priorities for 2018 – Oral Report/Discussion

Director Turner proposed that staff draft the 2018 work plan, by the Committee's direction, incorporating the information presented by Committee member Wimbley and to include other projects, and bring back a draft to the February meeting. Director Turner stated she will have a conversation about the blank wall inventory with Committee member Worley. She reported being approached by the Village Marketing Group (VMG) about incorporating selfie stations, and by Jerry Tessier incorporating a kinetic piece at the parking structure.

REPORTS

7. COMMITTEE MEMBER REPORTS

a. Public Art Banner Program Ad Hoc (Amy, Chris, Georgette)

Committee member Croushore and Committee member Tchalian are working on an event to display the Public Art Inventory. She requested the Committee to email her if they had any ideas.

b. Laser/Light Projection Ad Hoc (Adriana, Jessica, Karen)

No report.

c. Public Art Website & Registry Ad Hoc (Chris, Georgette)

No report.

d. Crosswalks, Light Poles, Man Hole Covers (Amy, Brian, Jessica)

Committee member Croushore requested the new City Engineer's name from Director Turner. Director Turner requested the Committee provide available dates and times and she will facilitate a meeting with City Engineer Frank Lopez.

8. ARCHITECTURAL COMMISSION LIAISON REPORT

No report.

9. HUMAN SERVICES DEPARTMENT UPDATE

Director Turner reported on the 2018 Winter Art Showcase featuring Contract Class Instructors with an Opening Reception on January 10, 2018 from 5:30 - 6:30 p.m. at the Alexander Hughes Community Center. The art will be on view from January 2 - March 3, 2018.

The Making Change Contest includes essays and art submissions from elementary, middle, and high school students inspired by people who make a change for social justice and inspired by social justice heroes. Volunteers are needed for a two-hour block for judging on January 29 and 30 from 9:00 a.m. – 4:00 p.m. Committee members interested in judging should contact Fred Cervantes at fcervantes@ci.claremont.ca.us.

ADJOURNMENT

The meeting adjourned at 8:29 p.m.

Karen Neiuber
Chair

ATTEST:

Nancy Krahn
Recording Secretary

**Claremont Public Art Committee
Agenda Report**

ITEM 2

TO: PUBLIC ART COMMITTEE
FROM: MELISSA VOLLARO, HUMAN SERVICES MANAGER
DATE: FEBRUARY 12, 2018

SUBJECT: PUBLIC ART COMMITTEE 2018 WORK PLAN AND PRIORITIES

SUMMARY

The Public Art Committee annually establishes its work plan and priorities and provides this information as an update to the City Council. The Committee met in January 2018 to discuss ideas and develop its 2018 draft work plan and priorities. Staff noted the feedback and ideas and has prepared the Draft Work Plan and Priorities (Attachment) for the Committee's consideration.

RECOMMENDATION

Staff recommends the Public Art Committee review and approve the draft 2018 Work Plan and Priorities and forward it to the City Council as an update.

ALTERNATIVES TO RECOMMENDATION

In addition to the recommendation, there is the following alternative:

- A. Request additional information from staff.

FINANCIAL REVIEW

There is no anticipated impact to the General Fund at this time; however, some items may require funding from the Public Art Fund and may require an allocation by the City Council.

The staff cost to prepare this report is estimated at \$1,116, and is included in the operating budget of the Human Services Department.

ANALYSIS

The Public Art Committee shall annually review and update its work plan and priorities and forward it to the City Council as an update. The creation of a work plan will help to ensure that staff understands the Committee's desires and that staff, and the Committee are on the same page, as well as keeping the City Council apprised of the various projects and initiatives that the Committee is considering. It is also important for staff to help with managing expectations and assessing the resources available. It will be important for the Committee to consider the resources that will be needed to implement these projects and to make sure to set forth realistic and achievable goals moving forward.

The draft Work Plan and Priorities have been developed out of the Committee discussion at its January 8 Committee meeting. The Committee should review this document, provide feedback, and forward the 2018 Work Plan and Priorities to the City Council as an update.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies are available at the City Hall public counter, the Youth Activity Center, the Alexander Hughes Community Center, the City website, and the Claremont Public Library.

Submitted by:

Melissa Vollaro
Human Services Manager

Attachment: Draft Public Art Committee 2018 Work Plan and Priorities



**Public Art Committee
2018 Work Plan
DRAFT**



	Action Plan Item	Assignments	Budget
1	<p>January-March 2018</p> <ul style="list-style-type: none"> • City Hall Art Project to the City Council • Presentation on Current Trends in Public Art • Blank Wall Inventory Presentation • 2018 Winter Showcase • Review Deaccession of Artwork • Research Viability of Crosswalk Art • Research Partnership Possibility with Regional Arts Groups • Potential Project Proposals <ul style="list-style-type: none"> • Old School House Public Art • VMG Selfie Stations • Jerry Tessier Village West Parking Structure 	<p>Public Art Website Ad Hoc Christopher Toovey Georgette Unis</p> <p>Laser/Light Projection Ad Hoc Adriana Tchalian Jessica Wimbley Karen Neiuber</p> <p>Crosswalk Art Ad Hoc Amy Croushore Brian Worley Jessica Wimbley</p> <p>Art in the Park Ad Hoc Georgette Unis Jessica Wimbley</p>	<p>TBD</p> <p>TBD</p> <p>TBD</p> <p>TBD</p>



**Public Art Committee
2018 Work Plan
DRAFT**



2	<p>April 2018-June 2018</p> <ul style="list-style-type: none"> • Fourth Annual Claremont Art Showcase • Art Exhibit at City Hall • Request Public Art Coordinator in the Budget • Installation of City Hall Public Art • Coordinate Unveiling Event for City Hall Public Art • Identify Intersections for Crosswalk Art • Research Ownership of Blank Walls • Research Website Options • Research Laser/Light Project Options • Potential Project Proposals <ul style="list-style-type: none"> • Old School House Public Art • VMG Selfie Stations • Jerry Tessier Village West Parking Structure 	<p>Public Art Website Ad Hoc Christopher Toovey Georgette Unis</p> <p>Laser/Light Projection Ad Hoc Adriana Tchaljian Jessica Wimbley Karen Neuber</p> <p>Crosswalk Art Ad Hoc Amy Croushore Brian Worley Jessica Wimbley</p> <p>Art in the Park Ad Hoc Georgette Unis Jessica Wimbley</p>	<p>TBD</p> <p>TBD</p> <p>TBD</p> <p>TBD</p>
3	<p>July 2018-September 2018</p> <ul style="list-style-type: none"> • Hire Public Art Coordinator (If Approved in 18-20 Budget) • Research the Next Art in the Park Project • Work with Claremont Heritage on Blank Wall Inventory • Presentation on Public Art Website • Presentation on Laser/Light Public Art Options • Prepare proposal for Council on RFP for Public Art in Indian Hill Medians (if project is funded) 	<p>Public Art Website Ad Hoc Christopher Toovey Georgette Unis</p> <p>Laser/Light Projection Ad Hoc Adriana Tchaljian Jessica Wimbley Karen Neuber</p> <p>Crosswalk Art Ad Hoc Amy Croushore</p>	<p>TBD</p> <p>TBD</p> <p>TBD</p>



Public Art Committee 2018 Work Plan **DRAFT**



	<ul style="list-style-type: none"> • Develop Proposal and Budget for Crosswalk Art • Begin work of Fall Exhibitions at City Hall and the Hughes Center with CGU • Working on the Potential Project Proposals <ul style="list-style-type: none"> • Old School House Public Art • VMG Selfie Stations • Jerry Tessier Village West Parking Structure 	Brian Worley Jessica Wimbley Art in the Park Ad Hoc Georgette Unis Jessica Wimbley	TBD
	October 2018-December 2018 <ul style="list-style-type: none"> • Fall Exhibitions City Hall and Hughes Center • Develop a List of Accomplishments for 2018 • Presentation on the Next Art in the Park Mural • Presentation on the Next Steps with Blank Wall Inventory • Proposal for Changes to the Public Art Website <ul style="list-style-type: none"> • Discussion of the Registry vs. Private List • Develop RFP for Laser/Light Public Art • Working on/Completion of the Potential Project Proposals <ul style="list-style-type: none"> • Old School House Public Art • VMG Selfie Stations • Jerry Tessier Village West Parking Structure 	Public Art Website Ad Hoc Christopher Toovey Georgette Unis Laser/Light Projection Ad Hoc Adriana Tchalian Jessica Wimbley Karen Neuber Crosswalk Art Ad Hoc Amy Croushore Brian Worley Jessica Wimbley Art in the Park Ad Hoc Georgette Unis Jessica Wimbley Georgette Unis	TBD TBD TBD TBD

**Public Art Committee Meeting
Agenda Report**

ITEM 3

TO: PUBLIC ART COMMITTEE

FROM: MELISSA VOLLARO, HUMAN SERVICES MANAGER

DATE: FEBRUARY 12, 2018

SUBJECT: DEACCESSION OF CITY OWNED ARTWORK – FREDERICK HAMMERSLEY’S “QUIETLY”

SUMMARY

The City has received a proposal from the Hammersley Foundation to purchase the City owned artwork by Frederick Hammersley entitled *Quietly*, for a purchase price of \$100,000. The Public Art Master Plan, adopted by the City Council in 2014, provides a Deaccession of Artwork Policy (Attachment), that outlines the procedure in which the City can deaccession artwork. According to this policy, the Public Art Committee shall review the deaccession request and forward a recommendation to the City Council for further consideration.

RECOMMENDATION

Staff recommends the Public Art Committee review the offer made by the Hammersley Foundation to purchase the Frederick Hammersley piece entitled, *Quietly*, and recommend the deaccessioning of the artwork to the City Council per the Deaccession of Artwork Policy.

ALTERNATIVES TO RECOMMENDATION

- A. Request additional information from staff.
- B. Deny the proposal.

FINANCIAL REVIEW

The full purchase price of \$100,000 would be deposited into the City’s Public Art Fund, to be used for future public art projects. The current Public Art Fund Balance is \$113,622.

The staff cost to prepare this report and administer this project is estimated at \$1,073 and is included in the operating budget of the Human Services Department.

ANALYSIS

Background

The Frederick Hammersley piece entitled *Quietly* is a 36” x 48” oil painting on linen, created in 1959. The City purchased this piece in 1959 from the artist for \$350 as a part of the Claremont Art Faire program. The Art Faire program allowed artists to enter a contest and the piece that was selected as the First Prize Winner would be purchased at the artist’s asking price. City staff has been unable to locate the paperwork documenting the sale, but a plaque on the side of the frame states the piece was the First Place Winner of the 1959

Claremont Art Faire. *Quietly* has been hung in various City facilities over the years. Most recently, it has been on display in the administrative offices at the Alexander Hughes Community Center.

Appraisal and Purchase Offer

In August 2017, the City of Claremont received the completed appraisal of the entire collection of art owned by the City. From the appraisal, it was clear that several of the paintings that the City owns are valuable. The three most valuable paintings were hanging inside City administrative offices, which were not accessible to the public, nor did they provide for an appropriate environment to protect them from exposure and damage. After further review, Human Services Department staff reached out to Pomona College Museum of Art to see if the museum would be willing to store the three most valuable paintings in its museum vault to ensure that they are stored more appropriately and better preserved.

In October 2017, Pomona College agreed to store the three most valuable paintings of the City's art collection. These pieces included the Phil Dike painting entitled, *East of Claremont*, with an appraised replacement value of \$75,000, the Karl Benjamin painting entitled, *Form in Red and Orange* with an appraised replacement value of \$85,000, and the Frederick Hammersley painting entitled *Quietly* appraised replacement value of \$150,000. In November 2017, these three paintings were moved to the Pomona College Art Museum vault.

In December 2017, Kathleen Howe, Director of Pomona College Art Museum, contacted Anne Turner, Director of Human Services, to inform her that a representative from the Frederick Hammersley Foundation was interested in the painting *Quietly*. An introduction was made between Anne Turner and Kathleen Shields, the Hammersley Foundation's Executive Director. It was clear the Foundation wanted to acquire *Quietly* and restore the painting to museum quality, so it could be enjoyed by the public and continue the legacy of this important painter. There was a clear alignment of missions between the City and the Foundation. The Foundation wanted public access to *Quietly* by having it hang in a museum where patrons could enjoy it. The City of Claremont, through its public art program, wants to engage the community with art throughout the City. Both agencies want the public to engage and be exposed to art. The sale of *Quietly* to the Hammersley Foundation furthers that goal for both organizations.

Later in December 2017, at the request of the Hammersley Foundation, the City authorized the move of *Quietly* to the restoration studio of Tatyana M. Thompson and Associates, Inc. in Santa Monica. The Foundation requested to have the piece evaluated and assessed on its condition and needed treatment for restoration. After receiving the proposal for treatment from Tatyana M. Thompson and Associates, Inc., as well as consulting with museum and gallery professionals, the Foundation made a purchase offer to the City in the amount of \$100,000. This offer takes into consideration many factors including; the estimated cost to restore the painting to a condition acceptable to a museum, as well as the associated costs for packing, shipping, and insurance.

If accepted, the proceeds of the sale would be deposited in the City's Public Art Fund. The City of Claremont and the Public Art Committee are both interested in expanding the offerings of public art in the City and could recommend this funding be used for bigger projects such as the medians on Indian Hill Boulevard.

Deaccession of Artwork Policy

The Deaccession of Artwork Policy (Attachment) that was included in the Public Art Master Plan *Momentum* in Appendix E, outlines how the Public Art Committee can recommend the City Council deaccession a piece of art owned by the City. Staff is recommending the Public Art Committee ask the City Council to accept the \$100,000 offer from the Hammersley Foundation for *Quietly* and deaccession the painting from the City's art collection. This transaction could further the City's commitment to bring art to public spaces throughout Claremont. The Foundation was inclined to make an offer on *Quietly* with the confidence that the painting would be accessible to the public and the proceeds of the sale would fund future public art projects in the City of Claremont. If the offer is accepted by the City Council and the piece is purchased, it will be the sole responsibility of the Foundation to transport the piece from its current location.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies are available at the City Hall public counter, the Youth Activity Center, the Alexander Hughes Community Center, the City website, and the Claremont Public Library.

Submitted by:

Melissa Vollaro
Human Services Manager

Attachment: Deaccession of Artwork Policy

Appendix E

DEACCESSION OF ARTWORK POLICY

POLICY AND GUIDELINES FOR DEACCESSION OF CITY-OWNED ARTWORK

I. POLICY

A. Any proposal for removal, destruction, or relocation of an Artwork shall be reviewed by the Public Art Committee according to the policies and procedures contained herein and shall be deliberate and independent of political pressures, fluctuations in artistic taste, popularity, and public opinion.

B. Deaccessioning shall be a seldom employed action that is taken only after issues such as Artists' rights, public trust, censorship, copyrights, and legal obligations have been carefully considered. The final decision with respect to deaccessioning Artworks owned by the City shall rest with the City Council.

II. DEFINITIONS

A. ARTWORK. Works in any style, expression, genre and media created by an Artist as defined herein that may be permanent, temporary, and functional, may be stand-alone and integrated into the architecture or landscaping if such are designed by an Artist as defined herein. For the purposes of this policy, the following are not considered Artwork:

1. Reproductions, by mechanical or other means of original Artwork, except in cases of film, video, photography, printmaking, theater, or other media arts;
2. Art objects that are mass produced, ordered from a catalog, or of a standard design, such as playground sculpture or fountains; and
3. Directional or other functional elements such as signage, supergraphics, color coding, or maps.

B. DEACCESSIONING. The procedure for the withdrawal of an Artwork owned by the City and the determination of its future disposition.

III. GUIDELINES

A. During the review process, the Artwork shall remain accessible to the public in its original location.

B. Artwork owned by the City is eligible for deaccessioning with the exception of an Artwork that is accompanied by verified legal stipulations that the Artwork may not be deaccessioned.

Appendix E

C. An Artwork may be considered for review toward deaccessioning if one or more of the following conditions apply:

1. The condition or security of the Artwork cannot be reasonably guaranteed;
2. The Artwork requires excessive maintenance or has faults of design or workmanship and repair or remedy is impractical or unfeasible;
3. The Artwork has been damaged or has deteriorated and repair or remedy is impractical or unfeasible;
4. The Artwork's physical or structural condition poses a threat to public safety;
5. The Artwork is proved to be inauthentic or in violation of existing copyright laws;
6. The Artwork is not, or is only rarely, on display because it lacks a suitable site;
7. No suitable site is available, or significant changes in the use, character or design of the site have occurred which affect the integrity of the Artwork;
8. Changes to the site have significantly minimized or eliminated the public's access to the Artwork;
9. The site where the work is located is undergoing privatization;
10. The Artwork has received documented and unabated adverse public reaction over an extended period of time (at least five years);
11. Deaccessioning is requested by the Artist;
12. The Public Art Committee wishes to replace the artwork with a more appropriate work by the same artist.

D. If the Artwork has been lost, stolen, or is missing, the Public Art Committee may approve formally deaccessioning it from the collection by removing it from the database of City-owned Artwork.

E. Artwork may be reviewed for deaccessioning at any time at the initiative of City staff, Public Art Committee members, or members of the public residing in the city of Claremont. Review also may be initiated by the Artist regarding the Artwork she/he created, that Artist's designated heir(s), or legally recognized representative(s).

F. A written letter referencing the applicable condition(s) outlined in the above Section 2 and describing reasons why the deaccessioning review needs to be undertaken (Deaccession Request) is submitted to the Public Art Program. A Deaccession Request must also contain information about the requestor's relationship to the Artwork and stake in deaccessioning the Artwork.

G. Deaccession Requests shall be reviewed by Public Art Program staff, and then presented to the Public Art Committee at a regularly scheduled and noticed public meeting. The Public Art Committee may appoint an ad hoc committee comprised of practicing conservators, art appraisers, registrars, and/or other visual arts professionals to review and advise the Public Art Committee on the Deaccession Request. Every reasonable effort to contact the Artist who created the Artwork named in the Deaccession Request and any other known parties with a vested interest in the artwork shall be made in advance of the presentation to the Public Art Committee or ad hoc committee.

Appendix E

H. In addition to the Deaccession Request, Public Art Program staff may provide relevant corresponding materials including, but not limited to:

1. Artist's name, biographical information, samples of past artwork, and resume.
2. A written description and images of the Artwork.
3. Artist's statement about the Artwork named in the Deaccession Request.
4. A description of the selection process that was implemented at the time the Artwork was selected.
5. A formal appraisal of the Artwork provided by a qualified art appraiser.
6. Information about the origin, derivation, history, and past ownership of the Artwork.
7. A warranty of originality of the Artwork.
8. Information about the condition of the Artwork provided by a qualified visual arts conservator.
9. Information about and images of the Artwork's site.
10. Information about the methods used for collecting community feedback about the Artwork and the outcome.
11. Feedback from the Director of the City department responsible for operating and maintaining the Artwork's site.
12. A detailed budget for all aspects of conservation, maintenance, repair, installation, operation, insurance, storage, and City staff support.
13. The Artist's contract or comparable legally binding document.
14. An opinion from the City Attorney or the City's Risk Management.

I. The review criteria for Deaccession Requests include, but are not limited to:

1. **ARTISTIC EXCELLENCE.** Qualifications and professional reputation of the Artist; craftsmanship, conceptual content, style, form, condition, and value of the Artwork.
2. **RELATIONSHIP TO EXISTING COLLECTION OF ARTWORK.** Style, form, scale, condition, diversity, quantity, quality, longevity, and compatibility with the existing collection of Artwork and goals of the Public Art Program.
3. **AVAILABILITY OF CITY SUPPORT.** The availability of necessary funding for conservation, maintenance, and/or repair; exhibition and storage space; real property for siting Artwork; and staff support.
4. **RELATIONSHIP TO SITE.** Accessibility, public safety, and social, cultural, historical, ecological, physical, and functional context of the Artwork in relation to the site, both existing and planned.
5. **LEGAL CONSIDERATIONS.** Issues related to liability, insurance, copyright, warranties, ownership, theft, vandalism, loss, indemnification, and public safety.
6. **TIMING.** Safety or hazard emergencies, relevant construction schedules, and the allowance of sufficient time for a normal review process.

Appendix E

7. ACQUISITION PROCESS. Method by which the Artwork was acquired and accessioned into the collection of City-owned artwork (i.e. donation, loan, commission).
8. COMMUNITY FEEDBACK. Community feedback about the Artwork, its site, and its condition.
9. RESTRICTIONS. Any recognized restrictions associated with the Artwork.

J. Members of the Public Art Committee may request to view the actual Artwork during the Deaccession Review process.

K. The Public Art Committee shall make a recommendation to the City Council to approve, with or without conditions, or reject the Deaccession Request based on the review criteria in the above Section 8.

L. Deaccession Requests, along with the Public Art Committee's recommendation, shall be reviewed by the City Council who shall approve, with or without conditions, or reject the Deaccession Request. Every reasonable effort to contact the Artist who created the Artwork named in the Deaccession Request and any other known parties with a vested interest shall be made in advance of the presentation to the City Council.

M. When a Deaccession Request is rejected, the Artwork shall remain in the collection of City-owned Artwork.

N. The deaccessioned Artwork shall be removed from the collection of City-owned Artwork through methods administered by the Public Art Program. In all cases, the Artist or the Artist's designated heir(s), or legally recognized representative(s) shall be given, when possible and within a reasonable time frame, the opportunity to purchase the Artwork for the fair market value (as determined by a qualified art appraiser), or, if the Artwork is determined to be of negligible value, the Artist shall be given the opportunity to claim the Artwork at the Artist's own cost. When the Artist does not purchase or claim the deaccessioned Artwork, the methods which may be utilized to remove Artwork include, but are not limited to:

1. Sale, including auction or sealed bid.
2. Trade.
3. Donation.
4. Destruction. This method shall only be used in the following instances:
 - a. The entire Artwork has been damaged or has deteriorated and repair or remedy is impractical or unfeasible.
 - b. Most of the Artwork has been damaged or has deteriorated and repair or remedy is impractical or unfeasible, and any remaining intact parts of the Artwork are deemed to have negligible value, and the Artist is not willing to claim the remaining parts at the Artist's own cost.
 - c. Public safety can be protected only by destroying the Artwork.

O. When possible, the method for removing the Artwork from the collection of City-owned Artwork shall be selected to ensure that the highest reasonable price is received. Any profits

Appendix E

received by the City through the sale, trade, or auction of a deaccessioned Artwork shall be deposited into the Public Art Fund administered by the Public Art Program.

P. In accordance with the California Resale Royalties Act, the Artist whose Artwork has been deaccessioned and sold or auctioned for a price greater than its purchase price shall receive five percent (5%) of the sale price if the Artwork is valued at over \$1,000 (one thousand dollars), provided the Artist can be contacted by reasonable means. If the Artist cannot be contacted, the royalty will be deposited into the Public Art Fund.

Q. Artworks may not be sold, traded, or donated to current employees of the City of Claremont, their business partners, or their immediate family members. Current elected officials, Public Art Committee members, their business partners, and their immediate family members may not buy, receive or own any Artwork which has been deaccessioned from the collection of City-owned Artwork.

R. Nothing in these guidelines shall limit the City's ability to take appropriate action to protect public health and safety in the event of an emergency.

IV. POLICY AND GUIDELINES FOR DEACCESSION OF PRIVATELY-OWNED ARTWORK

ACQUIRED THROUGH THE PUBLIC ART PROGRAM (MUNICIPAL CODE 16.148.000)

A. Disposition and removal of Artwork acquired through the Public Art Program (Municipal Code 16.148.000) is the responsibility of the property Owner and must be approved by the City in accordance with the above procedures.

B. Artwork deaccessioned for any reason other than expiration of the lifetime of the artwork, as defined in the contract agreement between the original Owner and Artist, shall require the current Owner to contribute the amount equivalent to the original percent for art, as defined in the Public Art Program Ordinance, into the Public Art Fund or replace the original Artwork with another Artwork in addition to bearing the costs of disposition for the original Artwork.

C. If the Owner chooses to replace the original Artwork with another work, the Owner must follow the City of Claremont Public Art Program Ordinance 16.148.000. The cost of the new Artwork shall be the cost of the original Artwork adjusted for the average annual rate of inflation in accordance with the U.S. Bureau of Labor Statistics' Consumer Price Index for each year since the date of installation of the original Artwork.

D. Owners may apply to the City of Claremont to be exempted from replacing the Artwork or contributing to the Public Art Fund if one or more of the following reasons apply:

1. The artwork has inherent faults of design or workmanship and although maintained properly, the condition has deteriorated.
2. A previous property Owner is responsible for damage beyond repair.
3. The artwork is missing due to neglect by the previous property Owner.

Appendix F

ARTIST ELIGIBILITY & ARTIST SELECTION POLICY

I. ARTIST SELECTION PROCESS: GOALS

The overarching goal of the artist selection process is to acquire artwork of the highest quality. Selecting an artist whose skill, experience, style, commitment to collaboration, and community facilitation skills match the needs of the project is critical to the success of any project. Specifically, the goals of the selection process are to:

- A. Encourage the highest level of creative engagement and vibrant thinking with regard to individual works or those in tandem with public or private architectural projects;
- B. Select an artist or artists whose existing public Artworks or past collaborative efforts have maintained a level of quality and integrity;
- C. Implement the goals of the overall Capital Improvement Program or private development project through an appropriate artist selection;
- D. Further the mission and goals of the Public Art Program and the City;
- E. Identify the optimal approach to public art that is suitable to the demands of the particular Capital Improvement Project;
- F. Select an artist or artists who will best respond to the distinctive characteristics of the site and the community it serves;
- G. Select an artist or artists who can work successfully as members of an overall project design team; and
- H. Ensure that the selection process represents and considers the interests of all parties concerned, including the public, the arts community and the City.

II. METHODS OF ARTIST SELECTION: OPTIONS

The Public Art Committee recommends the method for identifying artists that best reflects the project goals and offers the best chance of finding the best artist for the project.

The Public Art Committee defines the method for artist selection for each project, taking into account the nature and needs of the specific project, including:

- Size of the budget available for artwork.