

# SYNERGY

## PUBLIC ART FOR ALAMEDA

Public Art Program Assessment and Recommendations for the Growth and  
Development of Arts and Culture in Alameda

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March 5, 2012

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# Synergy:

## PUBLIC ART FOR ALAMEDA

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# Synergy:

## PUBLIC ART FOR ALAMEDA

### INTRODUCTION

The message is loud and clear: Alamedans are passionate about arts and culture and want to see it flourish in their city. Arts and culture are not a choice -- but a necessity -- for the many residents, workers, business owners, and artists who were interviewed individually and through community sessions conducted as part of the planning process for *Synergy: Public Art for Alameda*.

Public art can bring delight and a sense of discovery to a community. It can help citizens form connections with one another and to the place they live. It can engage diverse groups in thoughtful and inspiring experiences and bring people together to support a communal activity. It can contribute to making life more meaningful. It can instill a sense of belonging, expand understanding, bridge differences, and teach tolerance.

People move to and invest in cities that offer a strong link to arts and cultural activities. Creative cities provide humane environments for its residents and visitors, extend opportunities for life-long learning, and help preserve community history. Fundamental to the vision for public art in Alameda is the desire for an authentic, rich, and diverse culture that is seen and understood as uniquely Alameda and that benefits and enriches all those who are fortunate enough to live, work, and visit the city.

*Synergy: Public Art for Alameda* invites a commitment to a comprehensive vision under which there is a flexible strategy to support inclusive, transparent, and robust civic engagement and innovative, achievable public art in a constantly fluctuating economy.

## THE PLACE

Alameda, known as “The Island City” is proud of its small town atmosphere and distinct personality. The city occupies two islands as well as a small section of the mainland: Alameda Island defined by Alameda Point (the former Naval Air Station) along the west end, South Shore along the south end, and Bay Farm Island which is part of the mainland proper.

With a growing population of almost 74,000, the demographics are changing rapidly. According to the 2010 United States Census Report, 50.8% of the population is White, 31.2% is Asian, 11.0% Hispanic or Latino, 6.4% is African American, 0.6% is Native American, and 7.1% from two or more races. More than 35% of the population falls into the low income bracket, a significant shift from what once were predominantly military and affluent white residents.

Alameda’s celebrated architectural history continues to be preserved and promoted. The City Council adopted the Historical Preservation Ordinance and created the Historical Advisory Committee in 1975. The sentiment among those interviewed is for Alameda to be recognized beyond its notoriety as a historic town, as a place where arts and culture thrive.

Self-described as an “island with an island mentality”, Alameda is known as family-friendly, safe, and possessing an enviable sense of civic pride. Although residents enjoy the lifestyle that is unique to island living, there exists a strong desire to become more connected to and garner recognition from the greater Bay Area. That’s where arts and culture plays a significant role.

## EXECUTIVE SUMMARY

In April 2011, the City of Alameda embarked on an assessment and update of the Public Art Program. It had been more than five years since the adoption of the Public Art Ordinance and the City determined that a study of existing policies and administrative procedures was warranted. To accomplish this, the City selected Gail M. Goldman Associates as the consultant.

*Synergy: Public Art for Alameda* contains recommendations that were developed by the consultant following a thorough review of all relevant policies, plans, and procedures currently in place. In addition, information was gathered through individual and group

interviews with more than 50 people and through two public forums, one sponsored by the City and a follow-up initiated by the arts community.

The City's long-term interest in supporting arts and culture in Alameda is further evidenced in a Five Year Cultural Arts Plan that was completed in April 2006 by the non-profit Alameda City Arts Council, which was established in 2001 and has since disbanded. The primary objectives were to develop the following:

- Cultural Arts Department that would be staffed and governed by a Cultural Arts Advisory Committee;
- Arts Marketing Committee to promote the arts and to develop collaborations among businesses, arts organizations, and the City;
- Performing arts center and art museum;
- Portable collection of artwork; and
- Funds to support arts programs, events, artists, and arts organizations.

A great deal of sentiment was expressed in favor of the role of local government to foster the arts and the development of artists. The existing Public Art Ordinance makes reference to arts programming as an allowable expenditure from Public Art Fund resources. However, the absence of defined methods for implementation has inhibited efforts to realize much needed validation and support of local arts organizations.

There is a high degree of camaraderie and diversity in Alameda's creative community. They are eager to contribute to the identity of Alameda and to be recognized by the City as a significant and long term asset. Artists who see cities as their canvas -- whether for dance, theater, music, literature, or the visual arts - are drawn to places that offer recognition and opportunities for the presentation and exhibition of their work.

*Synergy: Public Art for Alameda* is inclusive of all art forms and is centered on the goal of creating and presenting work that inspires and communicates the City's commitment to the social, economic, and environmental well-being of Alameda and its citizens. With 17 completed artworks (Attachment A: Completed Artwork) and a renewed commitment to arts and culture in Alameda, the City is poised to engage in a process that enables the arts in Alameda to build on its significant past and chart a dynamic path for the future.

## PUBLIC ART ORDINANCE

### I. OVERVIEW OF RECOMMENDATIONS

The Alameda City Council showed great foresight with the adoption of Public Art Municipal Code No. 30–65 in July 2005 by establishing a policy for inclusion of public art in both private and municipal development. Also notable is the acknowledgement of the importance of arts and culture in all forms – visual, performing, media, and literary – and its value to the quality of life for people living in, working in, and visiting the city of Alameda.

Timing is of the essence for modifying the ordinance. There are a number of new private development projects anticipated in the near future including Alameda Point, Alameda Landing, Neptune Point, Shipways Project, Encinal Terminals, Boatworks, and projects in the North Park Street area.

The basic tenets of the Public Art Ordinance are sound, but require clarification for consistent implementation. To bring the ordinance to current national standards and best practices in the field of public art, and to provide adequate information on the purpose, requirements, and procedures necessary to implement it, the following key changes are recommended (Attachment B: Revised Alameda Municipal Code No. 30–65).

- Expand the definitions of public art to reflect the City’s commitment to artists and non–profit arts organizations engaged in the exhibition, presentation, and education of the visual, performing, media, and literary arts.
- Exempt City monuments, non–profit cultural facilities, and places of religious worship from the percent for art requirement.
- Remove historic restoration, rehabilitation, and preservation of exterior facades and decorative elements as allowable allocations for public art since these activities are supported through other sources such as the Alameda Architectural Preservation Society and Article XXVI of the City Charter.
- Raise the cap on funds allocated per project for public art from \$150,000 to \$500,000.

- Lower project eligibility based on building development costs from \$250,000 to \$100,000.
- Maintain the requirement that no less than 1% for public art be applied to development projects of \$250,000 and over. Require that 10% of the 1% for public art be deposited into the Alameda Public Art Fund for new arts and culture projects and programming.
- Require 0.5% for public art be applied to development projects of \$100,000 to \$249,999 be deposited into the Alameda Public Art Fund.
- Reduce the maximum allowance for City staff administration from 25% to 20%.
- Reinstate the Public Art Commission, refine criteria for appointments to include expertise in all art forms with at least two members as professional artists, and define the roles and responsibilities.
- Refine the application and approval procedures and increase the responsibility of the Public Art Commission to guide the artist and artwork review processes for private and municipal development projects.
- Articulate the use of the Alameda Public Art Fund for support of artistic and cultural initiatives throughout Alameda that includes site-specific artwork commissions, purchase of existing artwork, grants to non-profit arts organizations, arts festivals and other special initiatives led by the City of Alameda.
- Clarify maintenance requirements for private and municipal public art.
- Encourage use of green design principals in public art projects whenever possible.
- Adopt a Donation Policy for review and acceptance of gifts of public art and reference it in the Public Art Ordinance.
- Adopt a Deaccession Policy for the removal and disposition of permanently displayed artwork and reference it in the Public Art Ordinance.



## II. CONTEXT AND RATIONALE

### A. PURPOSE: CURRENT PRACTICE

The statement of purpose includes the following text:

- Cultural and artistic assets should be included in private development projects because those projects diminish the availability of the community's resources for those cultural and artistic features, and because it is important that those projects contribute to the urbanization of private property in a manner that benefits the public.
- The visual and aesthetic quality of development projects has a significant impact on property values, the economic well-being of the City and its orderly development.
- The public's understanding, enjoyment, and experience of cultural diversity will be increased by the variety of artistic projects provided in compliance with this section.
- The public art provided pursuant to this section shall include, without limitation, the preservation of Alameda's historic and maritime traditions.
- The incorporation of public art into private and public development will create a unique sense of community as well as public identity and enhance the visual and aesthetic quality of such developments.
- The incorporation of public art and cultural programs in private and public development is in the public interest and enhances the general welfare of those persons living and working in City of Alameda.

### **RECOMMENDATION**

To strengthen the understanding of the City's purpose in establishing a public art ordinance and to emphasize the City's commitment to arts and culture in Alameda, the following revisions are recommended:

- Cultural and artistic resources, including the visual, performing, media, and literary arts, enhance the quality of life for people living in, working in, and visiting the city of Alameda.
- The development of cultural and artistic resources preserves and improves the quality of the urban environment, and increases real property values.
- Cultural and artistic resources (herein after “Public Art”) foster economic development and tourism, revitalize urban areas, and improve the overall business climate by creating a more desirable community within which to live and work.
- Public Art helps to attract and anchor a large and diverse creative sector, enriching the city of Alameda’s cultural identity which is a key component of the City of Alameda’s economic vitality.
- The incorporation of Public Art into private and public development creates a unique sense of community and enhances the quality of such developments.
- The incorporation of Public Art in private and public development is in the public interest. Public Art makes a lasting contribution to the community and enhances the general welfare of those persons living and working in the city of Alameda.

#### RATIONALE

The purpose needs to address and reflect the vision, values, and strategies for public art while describing the broader ambitions of the City. The statement of purpose needs to guide the actions and decision-making ability of the City Council and Public Art Commission, explain in simple terms the overall goal of public art, and provide the framework within which each section of the ordinance is formulated.

B. DEFINITIONS: CURRENT PRACTICE

Only five definitions are listed in the current ordinance:

- "Building Development Costs" shall mean those construction costs as declared on all building permit applications for new construction, and as accepted by the Chief Building Official, but shall not apply to costs solely attributable to tenant improvements. Building permit applications shall include, but not be limited to, all building, plumbing, mechanical and electrical permit applications for the project.
- "Non-profit agency" shall mean a corporation organized under Internal Revenue Code Section 501(c)(3), in good standing with the California Department of Corporations and in compliance with any and all federal, state, and local licensing, reporting, and tax requirements.
- "Program Allocation" shall mean the amount required under subsection 30-65.3.
- "Public Art" shall mean the public art programs described in subsection 30-65.4.
- "Public Art In-Lieu Contribution" shall equal the percentage of building development costs required by this section.

**RECOMMENDATION**

The definitions need to be expanded, with greater inclusion of references to the performing, media, and literary arts as well as the visual arts. Additional terms include, among others, Alameda Public Art Fund, Cultural Facility, Developer, Eligible Construction Project, Guidelines, Maintenance, Public Art Commission, Public Place, and Public Art Plan. New definitions for art, artists, and public art are as follows:

- “Artwork” shall mean art, including but not limited to, sculpture, painting, graphic arts, mosaics, photography, crafts, mixed media, electronic arts and environmental works. Artwork as defined herein may be permanent, fixed, temporary or portable, may be an integral part of a building, facility, or structure, and may be integrated with the work of other design professionals.
- “Artist” shall mean an individual generally recognized by critics and peers as a professional practitioner of the visual, performing, media, or literary arts as judged by the quality of that professional practitioner's body of work, educational background, experience, public performances, past public commissions, sale of works, exhibition record, publications, and production of Artwork. The members of the architectural, engineering, design, or landscaping firms retained for the design and construction of a development project covered by Ordinance 30-65 shall not be considered Artists for the purposes of this Part.
- “Public Art” shall mean individual and group presentations, exhibitions, or performing arts involving music, dance, theatre, opera, literature, sculpture, murals, paintings, earthworks, mosaics, photographs, prints, calligraphy, or any combination of media currently known or which may come to be known, including audio, video, film, CD-ROM, DVD, holographic or computer generated technologies; education, including lectures, presentations and training in or about art and culture; special events such as festivals and cultural celebrations; and, similar resources and services as determined and approved by the Public Art Commission.

Public Art as defined herein shall be located in a public place on private property or on land or in a building owned by the City of Alameda and shall encompass all cultures through the broadest possible range of expression, media, and materials including:

The services of, or work by, an Artist who produces art in any medium or material, including, but not limited to, the visual, performing, literary and media arts;

- Artistic and cultural facilities such as exhibition space, performance or rehearsal space, Artist studio space and arts education facilities;
- The provision of artistic and cultural services, including the sponsorship of performing arts.

#### RATIONALE

If an ordinance is vague, it is open to interpretation which is likely to result in inconsistencies in implementation and misunderstanding about its purpose. Therefore, providing the broadest and clearest definitions to accurately represent the specific objectives inherent to the public art ordinance is critical to its success.

#### C. PROGRAM ALLOCATION: CURRENT PRACTICE

The current contribution requirements do not reflect best practices in the public art field. The valuation of Building Development Costs for eligibility is high and the threshold for the total program allocation is low:

- Private and municipal developments with Building Development Costs of two hundred fifty thousand (\$250,000) dollars or more shall devote an amount not less than one (1%) percent of such costs for acquisition and installation of Public Art on the development site, subject to a maximum of one hundred fifty thousand (\$150,000) dollars.
- Subject to the approval of the Public Art Commission, an owner or developer may incorporate into the development Public Art that has a value lower than the Program Allocation and pay a Public Art In-Lieu Contribution to the Public Art Fund for the balance of the Program Allocation.

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The only exemption to the percent for art requirement is “all non-profit and affordable housing developments.” This overlooks the fact that City Monuments and Cultural Facilities by definition serve as cultural and artistic resources, preserving and improving the quality of life in Alameda.

### RECOMMENDATION

Update and expand the contribution requirements as follows:

- Private and municipal developments with Building Development Costs of two-hundred fifty thousand dollars (\$250,000) or more shall devote an amount not less than one (1%) percent of such costs for acquisition and installation of Public Art on the development site, subject to a maximum of five hundred thousand (\$500,000) dollars.
- For large-scale redevelopment projects in excess of one hundred million dollars (\$100,000,000), the Program Allocation shall be negotiated on a case-by-case basis.
- Not less than 20% of the Program Allocation shall be deposited into the Alameda Public Art Fund and designated for all necessary and reasonable administrative costs incurred in connection with City staff supervision and control of the expenditure of all funds appropriated for public art.
- Not less than ten percent (10%) of the Program Allocation shall be deposited into the Alameda Public Art Fund and designated for use in Public Art project initiatives as defined under Alameda Public Art Fund on page 35.
- For private and municipal developments with Building Development Costs of one hundred thousand dollars (\$100,000) to two hundred and fifty thousand dollars (\$250,000), one-half of one percent (0.5%) shall be deposited into the Alameda Public Art Fund to be used to further the purposes of Public Art as defined in this Ordinance.

- All non-profit and affordable housing developments, City Monuments, structures that house a Cultural Facility, and structures with a primary purpose of religious worship shall be exempt from the requirements of this section.

#### RATIONALE

Broadening the contribution requirements will favourably impact the ability to sustain the Alameda Public Art Fund, which in turn increases the availability, accessibility, and growth of arts and culture throughout the city of Alameda.

#### D. PUBLIC ART COMMISSION: CURRENT PRACTICE

The Public Art Commission (PAC) was established in 2005 but has been dormant for the past two years due to a myriad of reasons including a reduction in private development, incomplete definition of PAC roles and responsibilities, lack of procedures and guidelines regarding expenditures from the Public Art Fund, and shifts in City Department oversight and staffing.

Currently, the composition is defined in the Alameda Municipal Code, Article II: Boards and Commissions, Section 2.18 as consisting of “five members appointed by the City Council, who are knowledgeable about contemporary visual public art” which misrepresents the City’s intent to support both visual and performing arts.

The language also states that the PAC shall “assist private property owners, as requested, regarding the selection and installation of Public Art who are knowledgeable about contemporary visual public art, and capable of engaging effectively in a jury process.” In addition to identifying visual art only, this assignment presents a conflict of interest for PAC members who are responsible for review and approval of the proposed public art.

#### RECOMMENDATIONS

- Establish a five-member Public Art Commission representative of the visual, performing, media, and literary arts as follows:

Public Art Commission members may include professional Artists in the visual, performing, media, and literary arts, contemporary art curators, theatre and museum directors, arts educators, design professionals such as architects, landscape architects, and urban planners with at least two of the seven voting members being practicing artists.

- Provide greater control over private and municipal public art projects and over the expenditure of reserve in the Public Art Fund by adding the following:

Make recommendations to the City Council regarding the Public Art Plan, Public Art policies, procedures, and Public Art Fund expenditures that further the purposes of Public Art as defined in this Ordinance.

- Reference the Public Art Commission’s responsibility to review requests for donations and deaccessions of artwork by adding the following:

Make recommendations to the City Council regarding donations and deaccessions of Artwork in accordance with City Council policies.

- Delete the stated duty of the Public Art Commission to assist private property owners regarding the selection and installation of Public Art.

#### RATIONALE

The credibility of a public art program is paramount to its success and reputation. Using professionals with broad arts expertise on the Public Art Commission reinforces the City’s commitment to artistic excellence and helps insulate it from public criticism. As a result, the City Council is protected from being perceived as judging public art on the basis of individual and personal aesthetics because the responsibility to make aesthetic decisions is assigned to the Public Art Commission.

#### E. **ALAMEDA PUBLIC ART FUND: CURRENT PRACTICE**

The description of the Alameda Public Art Fund does not comprehensively reflect the stated purpose and definitions of public art and, therefore, is



restrictive. Currently, revenue in the Public Art Fund can be used and distributed as follows:

- The revenues in such Fund shall be used solely for (i) the acquisition, commission, design, installation, improvement, maintenance and insurance of Public Art identified by subsection 30–65.4, (ii) the acquisition or improvement of real property for the purpose of displaying Public Art, which has been or may be subsequently approved by the City, or (iii) other expenses associated with implementation of Public Art and the Public Art Plan.
- No more than twenty five (25%) percent of the annual Alameda Public Art Fund shall be used as an administrative fee for processing the Public Art application, approving the Public Art, coordinating and developing cultural programs, monitoring, compliance, or any other administrative task.
- The balance of the Alameda Public Art Fund shall be distributed for Public Art with seventy–five (75%) percent designated for on–site art and twenty–five (25%) percent for on–site cultural programs and on–site art spaces or cultural facilities.

#### RECOMMENDATION

Refine the language to reflect the stated intent of the ordinance, including the following:

- The revenue in the Public Art Fund shall be used solely for the acquisition, commission, design, installation, production, presentation, performance, maintenance, and insurance of Public Art.
- The Alameda Public Art Fund shall be distributed annually as follows:
  - No more than twenty percent (20%) of the annual Alameda Public Art Fund shall be used for all necessary and reasonable

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administrative costs incurred in connection with City staff supervision and control of the expenditure of all funds appropriated for public art.

- The balance of the Alameda Public Art Fund shall be used to support Public Art and cultural initiatives throughout Alameda that may take the form of site-specific Artwork commissions, purchase of Artwork, grants to non-profit arts organizations, Public Art events and festivals, and other special Public Art initiatives.

#### RATIONALE

Including specific references to the production and presentation of performing, media, and literary arts in addition to the visual arts reinforces the City's intent to embrace all art forms. In addition, eliminating the distribution formula broadens the ability of the Public Art Commission to recommend funding in response to changing priorities within the arts and culture community.

#### F. INCLUDED AND EXCLUDED EXPENSES: CURRENT PRACTICE

Eligible and ineligible expenses are narrowly defined as follows:

- The following expenses may be included in the budget for the Program Allocation for Public Art:
  - The art itself including the artist's fee for design, structural engineering, insurance, and fabrication;
  - Transportation and installation of the work at the sites;
  - Identification signs Is this for identification of the artwork, including title and artist; and
  - Mountings, anchorages, containments, pedestals, bases, or materials necessary for installation of the art.
- The following expenses shall not be included in the budget for the Program Allocation for Public Art:
  - The cost of locating the artist(s);

- Architect and landscape architect fees;
- Land costs;
- Landscaping around Public Art not integral to its design;
- Publicity, public relations, photographs or dedication ceremonies;
- Utility fees associated with activating the public art; and
- Illuminating the art if not integral to the design.

**RECOMMENDATION**

Provide more comprehensive guidance by expanding the list of eligible and ineligible expenses as follows:

- The following expenses may be included in the budget for the Program Allocation for Public Art:
  - Acquisition of Public Art through direct purchase or through the design, fabrication, transportation, installation, and presentation;
  - Fees and travel expenses for Artist services subject to approval on a case by case basis;
  - Supplies and materials including equipment rental subject to approval on a case by case basis;
  - Frames, mattes, pedestals, anchorage, bases, containment and other devices necessary for the security, preservation, display, and presentation of Public Art.
  - Temporary stages, arenas, and other devices for performance; and
  - Costs for insurance, identification plaques, project management by an independent public art consultant, and other reasonable expenses associated with the planning, development and completion of Public Art.

- The following expenses shall not be included in the budget for the Program Allocation for Public Art:
  - Reproductions, by mechanical or other means of original Artwork, except in cases of film, video, photography, printmaking, theater, or other media arts;
  - Decorative, ornamental or functional elements that are designed by the architect or other design consultants engaged by the architect;
  - Those elements generally considered to be components of the landscape architectural design including but not limited to vegetative materials, pools, paths, benches, receptacles, fixtures, and planters that are designed by the architect, landscape architect or other design professional engaged by the primary designer;
  - Art objects that are mass produced, ordered from a catalog, or of a standard design, such as playground sculpture or fountains;
  - Directional or other functional elements such as signage, supergraphics, color coding, or maps that are designed by the architect, landscape architect or other design professional engaged by the primary designer;
  - Architectural elements on or in which the Artwork is placed, or sites where the Artwork is located;
  - Services, utilities, and other on-going operating expenses for maintenance of the Artwork.

#### RATIONALE

Expanding the list of eligible and ineligible costs helps prevent the diversion of public art funds to cover expenses related to the design and construction of

non-art elements within the development project. It also reinforces the City's commitment to supporting the creation and presentation of original visual, performing, media, and literary art.

G. GREEN PRINCIPLES: CURRENT PRACTICE

Current language does not include reference to green practices in the development and presentation of public art.

**RECOMMENDATION**

Include the following:

Private and municipal Public Art shall utilize whenever possible:

- Green design principles including alternative energy sources, recycled materials, and renewable resources as well as low wattage lighting, Bay Friendly landscaping, and Dark-Sky compliant lighting fixtures.
- Public Art that incorporates sustainable strategies, demonstrates green processes, and which utilize green design, materials, theories, and techniques.

RATIONALE

It is important that all public art programming, projects, and artists are asked to support and reinforce the City's established commitment to environmental responsibility as defined in the Citywide Urban Greening Plan.

H. DONATION POLICY: CURRENT PRACTICE

None.

**RECOMMENDATION**

Establish a policy for review and acceptance of donations and loans of visual artwork to the City of Alameda (Attachment C: Proposed Donation Policy)

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## RATIONALE

When gifts and loans of visual artwork are proposed for placement on public land and in buildings owned by the City of Alameda, it is critical that the proposals are reviewed using the same criteria applied to the commissioning and exhibition of other artworks undertaken through the City. The primary objectives of a Donation Policy are:

- To provide deliberate, uniform procedures for the review and acceptance of gifts and loans of artwork to the City;
- To maintain high artistic standards in all artwork displayed by the City;
- To facilitate planning for the placement of artwork in the City; and
- To further the goals of the City's Public Art Ordinance.

### I. DEACCESSION POLICY: CURRENT PRACTICE

None.

## RECOMMENDATION

Establish a deaccession policy for the removal and disposition of a permanently displayed artwork (Attachment D: Proposed Deaccession Policy).

## RATIONALE

The City needs to retain the right to deaccession any artwork in the public art collection that, among other considerations, requires excessive maintenance, poses public safety risks, is damaged beyond repair, or is adversely affected by changes in the site. It is critical that considerations of removal and relocation of an artwork are governed by careful, standardized procedures that represent best professional practices in the field of public art and serve to insulate the deaccessioning process from fluctuations in personal taste.

## MENU OF OPTIONS

The ideas listed below are inclusive of the visual, performing, media, and literary arts and represent a range in scope and scale. These menus are offered to encourage the on-going acquisition and presentation of arts and culture in Alameda. Even when the economy slows, it is important to move forward and not lose sight of the overall goal of providing residents, workers, and visitors to Alameda with meaningful, uplifting, quality arts and cultural experiences.

Determining project priorities will evolve from discussions with the community over time and may change as new opportunities and resources become available. A proposed Public Art Action Plan appears on page 24. Options for City-initiated public art projects are listed below in alphabetical order:

### I. PROJECT INITIATIVES

#### A. ARTIST IN RESIDENCE

An Artist in Residence (AIR) program provides the opportunity for an artist to work in a specified environment for an extended period of time. Eligibility is open to artists working in diverse art forms including visual arts, theatre, dance, literature, film, and music. AIR encourages artists in all disciplines to explore new working methods, create arts-rich learning environments, and develop socially engaging, interactive art experiences in community and school settings. Key partners include the Alameda Education Foundation, Alameda Unified School District, and Peralta College District.

#### *Resources:*

- Seattle City Light Artist in Residence, City of Seattle Office of Arts & Cultural Affairs <http://www.seattle.gov/light/aboutus/Artist-In-Residence/>  
[https://www.callforentry.org/festivals\\_unique\\_info.php?ID=790](https://www.callforentry.org/festivals_unique_info.php?ID=790)
- Artists in Residence Program, City of Chapel Hill, Public and Cultural Arts Office <http://www.ci.chapel-hill.nc.us/index.aspx?page=322>
- Artists in Schools, California Arts Council <http://www.cac.ca.gov/programs/ais.php>

## B. FAÇADE IMPROVEMENT

The City of Alameda provides incentives to property and business owners interested in rehabilitating commercial facades to encourage storefront improvements consistent with design standards for their commercial areas. This stimulates private investment and customer patronage in the commercial districts by focusing on revitalizing building façades visible to customers, neighboring merchants, and residents. As an additional incentive, the City could offer property owners an above-standard rebate for commissioning an artist to create artwork for the façade, similar to the special interest in businesses situated within park and historic places.

### *Resources:*

- East 1<sup>st</sup> Street Façade Improvement Project, Arts Council of Long Beach  
[http://www.artslb.org/public\\_art/facade\\_improvement.shtml](http://www.artslb.org/public_art/facade_improvement.shtml)
- Façade Improvement Program, City of Wichita  
<http://www.wichita.gov/CityOffices/Urban/EconomicDevelopment/FIP/>
- Façade Improvement Program, West Broadway Business & Area Coalition (Minneapolis) <http://westbroadway.org/facade/>

## C. GATEWAYS & OTHER SITES FOR ARTWORK

More emphasis on a sense of arrival into Alameda warrants consideration. Creation of landmarks that serve as way-finding elements into the city also welcome people to the island, draw them to the business centers, and contribute to what is uniquely Alameda. With an estimated 50% of residents commuting off the island, a gateway monument would be viewed by locals and visitors alike. The primary entrances are:

- Park Street Bridge
- Webster Street Tube
- Alameda Harbor Bay Ferry Terminal



Because of the large budget necessary to design and create a large-scale gateway, it may be more practical to focus on places within the community that provide an opportunity for people to engage and interact with the artwork on a daily basis. The following sites are identified as potential venues for permanent or temporary visual art installations and performances (Attachment E: Map of Potential Public Art Sites):

- Alameda Point
- College of Alameda
- City Hall Front Entrance
- Fruitvale Draw Bridge
- High Street Bridge
- Lincoln Park
- Post Office Alleyway
- Redwood Square
- Washington Park
- Webster Street at Central Avenue
- Yacht Harbors

### D. PORTABLE WORKS COLLECTION

A Portable Works Collection involves the acquisition of existing two and three-dimensional visual artwork for placement throughout publicly-accessible City facilities for long-term or short-term periods of time. The purpose is to enhance the environment and enable the public to view quality artwork outside a museum setting. The artwork may include, but is not limited to, sculpture, painting, mixed media, prints, photography, video, folk art, and traditional and contemporary crafts by emerging and established artists. Artwork is selected by an independent panel of artists, curators, and qualified members of the Public Art Commission. Sites may include the Alameda Main Library, Mastic Senior Center, and hallways, conference rooms, and Council Chambers in City Hall.

#### *Resources:*

- Portable Works Collection, Regional Arts and Culture Council (Portland), <http://www.racc.org/public-art/racc-seeks-artist-submissions-portable-works-collection>

- Community Collections, Pierce County (Tacoma)  
<http://www.co.pierce.wa.us/pc/services/arts/artbank.htm>
- Portable Works, City of Santa Monica Cultural Affairs  
<http://www.smgov.net/portals/culture/publicArtCollection.aspx>

#### E. STREET FURNISHINGS

For an innovative, cost-effective approach to providing unique street furnishings throughout Alameda, a catalogue of prototypical artist-designed seating, transit shelters, bicycle racks, newspaper stands, litter and recycling receptacles, and other amenities could be created. As downtown revitalization occurs, items from the catalogue could be ordered, manufactured, and installed within the streetscapes to add character, identity, and definition to a neighborhood.

#### F. TEMPORARY ART

Temporary public art is a highly effective tool for developing socially engaging, interactive art experiences in community settings. Carefully planned and executed, temporary art generates substantial awareness, involvement, and appreciation for public art. Temporary projects can involve a wide range of artists and art forms including visual, culinary, literary, media, and performing arts. Temporary installations and performances also can be more experimental in nature, are not placed in perpetuity, and are more cost effective in general. By its fresh and timely nature, temporary art fosters artistic exploration far beyond the traditional boundaries of public art and draws residents and visitors to Alameda in anticipation of each new installation or activity.

##### SITE SPECIFIC PROJECTS

Artists would be invited to submit conceptual proposals for a temporary public art project for a maximum duration of one year with no minimum. A list of pre-approved sites on public and private property would be provided in the

application guidelines, as determined by the City and private property owners. In addition, artists could seek permission to use locations of their own choosing. Prior to review by the Public Art Commission and final approval by the City Council, semi-finalists' proposals would be reviewed by site owners for safety, environmental impact and right-of-way issues. Grants would be available for up to \$5,000.

*Resources:*

- Re-visioning the Corridor, City of San Jose Office of Cultural Affairs  
<http://www.sanjoseculture.org/?pid=99224>
- SITE-SPECIFIC, 4 Culture, King County Culural Services Agency  
<http://www.sitespecificarts.org/about>
- Avenue of the Arts, City of Kansas City Municipal Arts Commission  
<http://ereview.org/2009/05/21/avenue-of-the-arts-celebrates-10-years/>

### VACANT STOREFRONTS

An unfortunate consequence of the lackluster economy is the plethora of empty storefronts throughout Alameda's commercial districts. The City could partner with the business district leaders and private property owners to make vacant storefronts available to artists and arts organizations on a changing basis. Artists would enliven these spaces through an ongoing series of captivating and provocative temporary art installations and performances, helping to eliminate blight and increase the economic viability of the community. As with the review process above, a list of pre-approved storefronts would be provided in the application guidelines soliciting proposals from artists and arts organizations. Funding would be available for up to \$3,000.

*Resources:*

- Phantom Galleries (San Jose)  
<http://www.youtube.com/watch?v=RJTXsE0sgyQ>

- Pop Up Art in Retail Spaces, City of West Hollywood Arts & Culture  
<http://www.weho.org/index.aspx?page=957>
- Pop-Up Art Loop, Chicago Loop Alliance  
<http://www.popupartloop.com/artists.php>

### LIGHT FESTIVAL & SPECIAL EVENTS

The City would provide a platform for artists working in light, sound, performance, and projection art to transform Alameda into a dynamic nighttime environment of temporary, site-specific public art. The festival would include light art installations and sculptures as well as interactive and performance-based art. Bay Area artists would be invited to submit proposals for thoughtful and participatory temporary artworks at various locations in and around the island and waterfront.

#### *Resources:*

- Glow, City of Santa Monica Cultural Affairs  
<http://glowsantamonica.org/about/>
- The ARtery Project, San Francisco Arts Commission  
<http://sfartscommission.org/artery/tag/the-artery-project/>
- Sources & River of Light, City of Calgary Public Art Program  
[http://creatosphere-source.blogspot.com/p/home\\_09.html](http://creatosphere-source.blogspot.com/p/home_09.html)

## **II. ARTS ORGANIZATIONS**

Supporting Alameda's non-profit arts organizations is a logical and appropriate role for the City. Of the 47 cities researched in California, Oregon, and Washington with percent for art mandates, 72% provide grants to local arts organizations (Attachment F: Percent for Art Program Comparisons). Not only does grant support reflect favorably on the value the City places on arts and culture, but it also is significant in leveraging

other public and private donations. It is notable that the Public Art Commission began developing guidelines in January 2004 to launch an Alameda Cultural Arts Grant Program, an effort that was unable to be realized at the time.

#### SPECIAL PROJECT GRANTS

With the goal of fostering economic health and cultural vitality in Alameda, Special Project Grants would provide financial support on a competitive basis to Alameda non-profit 501(c)(3) arts organizations for project-based arts programming. Grants would be awarded up to \$5,000 to support cultural and arts programs and services that involve direct community participation. A special project would require a specific art presentation, exhibit or creation of work that is fully executed within a specified timeline and contains a public component that will benefit the maximum number of Alameda residents and have the potential to attract more visitors to the island (Attachment G: Cultural Arts Program Application Guidelines).

### **III. PARTNERSHIPS AND COLLABORATIONS**

As in most municipalities across the country, Alameda is experiencing a scarcity of funds and limited resources to support the arts. Although Alameda can boast a creative and talented artist population, the arts community does not consider itself to be cohesive. In fact, the majority of artists and arts organization staff members interviewed were unaware of the range of arts and cultural resources available on the island.

Collaborating with Alameda's community organizations and citizen groups on arts programs and other special initiatives will leverage financial and staff resources and reputations to deliver greater quality, value, and a broader range of arts experiences than would otherwise be possible. Partnerships engender cooperation while increasing public awareness, understanding, and appreciation for the arts. This is key to Alameda's evolution and success as an arts and culture community.

#### **A. CULTURAL TOURISM**

Cultural tourism is consistently ranked as one of the top three travel activities in the United States. Culture and creative industries are increasingly being used to promote destinations and enhance their competitiveness and attractiveness. Many locations are now actively highlighting their tangible and intangible cultural assets as a means of

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developing comparative advantages in an increasingly competitive tourism marketplace, and to create local distinctiveness in the face of globalization.

The arts and business communities could partner to create a series of pedestrian and vehicular itineraries and an interactive map that includes arts and culture events, public artwork, artist studios and performance spaces, and other attractions and activities. These itineraries could be promoted on the Alameda Chamber of Commerce and City of Alameda websites.

#### B. ARTS CALENDAR OF EVENTS

An online local arts and cultural events calendar would provide a centralized resource for residents and visitors to Alameda. A framework could be established where every arts organization and artist could input their own data and update it as needed. Once set up, the directory could operate with minimal administrative oversight with the understanding that the arts community -- which is eager to have the information centralized, accessible, and current -- would keep it updated. A potential partner is the Alameda Sun, a locally-owned and operated online newspaper.

#### C. TRAVELING EXHIBITIONS

With existing public venues throughout Alameda for the display and presentation of public art, a series of exhibitions and performances highlighting Alameda artists could be coordinated and travel from one location to another. Potential sites include the Alameda Main Library, Alameda College, Rhythmix Cultural Works, Frank Bette Arts Center, Alameda History Museum, Pacific Pinball Museum, and South Shore Center among others.

#### D. CORPORATE, FOUNDATION, AND GOVERNMENT SUPPORT

It is extremely important that expectations regarding the level of City support are commensurate with what resources are available at any given time. Establishing relationships with private corporations, foundations, and other government agencies is paramount to building and maintaining a thriving and credible arts and culture community in Alameda.

It is strongly recommended that the City invest in a consultant who specializes in grant writing to research, coordinate, prepare, and submit grant applications on behalf of the arts and culture community. The success of this effort is dependent on a high level of

cooperation and leadership within the arts community to develop ideas and respective roles and responsibilities relative to the proposed project.

### CORPORATIONS

Alameda is home to a range of high profile corporations. Companies headquartered in Alameda could partner with the City and the local arts community by providing professional expertise, materials donation, fiscal sponsorship, and venues for the exhibition and presentation of the arts. These include:

- Abbott Labs
- Chevron
- Del Monte
- Dunmore
- Harbor Bay Business Park
- Makani Power
- Perforce
- Pete's Coffee and Tea
- Rockwell Cellars
- St. George Spirits
- VF Outdoor (Jansport)
- Wind River

### ARTS GRANTS

There are literally hundreds of arts and culture grant opportunities available from foundations and government agencies throughout the United States. Comprehensive resource listings are readily available online through web sites such as Fundsnet Services.com and Top Arts Grants.

A prerequisite for many major funders is collaboration among municipal government, the arts community, and the business sector. Two exciting grant opportunities ideally suited to Alameda's expressed interests are the National Endowment for the Arts' *Our Town* and the Ford Foundation's *Space for Change* initiatives. Excerpts from the Application Guidelines of each follow:

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## OUR TOWN

Through *Our Town*, the National Endowment for the Arts provides a limited number of grants, ranging from \$25,000 to \$150,000, for creative placemaking projects that contribute toward the livability of communities and help transform them into lively, beautiful, and sustainable places with the arts at their core. *Our Town* invests in creative and innovative projects in which communities, together with their arts and design organizations and artists, seek to:

- Improve their quality of life.
- Encourage creative activity.
- Create community identity and a sense of place.
- Revitalize local economies.

A key to the success of creative placemaking involves the arts in partnership with a committed governmental leadership and the philanthropic sector. These partnerships must involve two primary partners: a nonprofit organization and a local government entity. One of the two primary partners must be a cultural (arts or design) organization.

## SPACE FOR CHANGE

Space for Change is a program that supports select arts organizations and community leaders to imagine and plan for a 21st century art space. The qualities of these spaces are both a reflection of the physical needs and opportunities within a neighborhood as well as a reflection of the commitment of each organization to artistic excellence, cultural equity, and sustainable community development.

Support is available for three categories of arts spaces:

- Emergent facilities. For their planning, pre-development and early operation phase
- Newly opened facilities. For finishing/enhancement, program launch and operation stabilization



- Established facilities. For renovation, expansion, program enhancement and operational sustainability

#### IV. BUILDING ARTIST CAPACITY

Alameda is home to a burgeoning artist community. As in many places, there are artists who complain that no one understands them, no one appreciates them, and no one supports them. To change this, Alameda's artists need to step up to the plate and assume responsibility as citizens and understand and participate in systems that drive the operation of their city. Artists must seek inclusion by looking for appointments to City-wide boards and committees; becoming more active in neighborhood planning initiatives; and using existing channels to voice concerns. Artists can become participants in their own democracy and play a role in Alameda's future by participating proactively, becoming educated about funding programs, City activities, and other promotional opportunities.

The following are ways to encourage the development of a cohesive arts community in Alameda. Leadership is critical to the successful realization of these options. It can come from the City, arts and culture organizations, and the business sector.

##### A. ARTS COALITION

One of the most recurring suggestions was the establishment of an arts coalition that could meet regularly for the exchange of ideas and discussion of current issues. A well-organized and facilitated coalition has the added ability to build constituencies, generate media attention, develop relationships with the business community, and advocate for arts and culture in Alameda.

##### B. ARTS CENTER

There is a strong desire for a dedicated civic art space in a neutral location where members of the arts community could meet, create, present, and perform. The venue would accommodate a range of work and presentation needs including photography and craft studios with equipment, a gallery with space to exhibit large-scale artwork, and a stage for theatre and dance practice and performances. In addition, a not-for-profit shop selling the work of local artists could be located on the premises.

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### C. PROFESSIONAL DEVELOPMENT

Workshops and lectures could be offered to artists of all creative disciplines to support or launch and sustain successful careers. Through workshops and lectures, artist can learn best practices in the business of being an artist including how-to sessions on developing grant proposals, understanding application processes and contract issues, forming collaborations, and other relevant issues. In addition, established artists and leaders in the arts could be brought to Alameda to conduct workshops and make presentations.

### D. ARTIST DIRECTORY

An Alameda Artist Directory would be an interactive data base and valuable resource for promoting visual, literary, performing and multi-disciplinary artists living in Alameda. It would provide a platform in which artists of all disciplines and at all career levels can expand their audience and publicize their work. It also would connect artists to opportunities by presenting their work in a searchable form for organizations, curators, architects, developers, community organizations, individuals and businesses. The registry is free to join and free to use.

## V. NEW FUNDING CONSIDERATIONS

As traditional arts funding sources come under pressure, local governments need to develop new mechanisms to maintain and increase arts and culture support. To build and sustain resources in the Public Art Fund for on-going support of the arts in Alameda, there are a number of funding initiatives worthy of consideration. In addition to the grant opportunities described above, the following are options for generating additional contributions to the Public Art Fund:

### A. ONE DOLLAR CHECK-OFF

Include a one dollar (\$1.00) for Alameda Arts initiative to encourage residents and business owners to voluntarily contribute one dollar per year to support arts and culture in Alameda through a check off box on each Alameda Municipal Power bill.

B. LOCAL OPTIONS TAX

Assess a one dollar (\$1.00) per capita tax on residents that can be collected by the City and distributed to the Public Art Fund. This is in practice in the City of Kent, Washington.

C. SALES TAX ON BOAT MOORINGS

Alameda has one of the highest numbers of boats per capita in the country. The majority of boat owners who moor vessels in marinas and yacht clubs along Alameda Island are from out-of-town. An innovative approach to generating revenue would be to levy a sales tax on boat slip and mooring sales and rentals at one cent per dollar (\$.01 per \$1.00).

D. FRIENDS OF ALAMEDA ARTS & CULTURE

Establish a non-profit organization for the purpose of raising funds for arts and culture in Alameda. This provides a mechanism for individuals and businesses to contribute funds or other property to the arts for specified purposes.

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## ADMINISTRATION

### I. PUBLIC ART PROGRAM ACTION PLAN

The following recommendations for priority spending over the next five years are based on input from Alameda's arts and business communities and City staff. This Action Plan takes into consideration the fluctuations in the economy and the feasibility of generating additional resources to support arts and culture beyond what currently is available in the Public Art Fund.

#### A. SHORT TERM: Within 1–2 Years

- Retain **grant-writing consultant** to research and pursue funding from public agencies, foundations, and corporations for collaborative projects that will contribute to the livability of the community, encourage creative activity, and revitalize the local economy.  
Budget: \$10,000
- Provide **Special Project Grants** to arts organizations for support of arts and culture programs and services that involve direct community participation.  
Budget: \$20,000
- Develop a **Portable Works Collection** by purchasing existing visual artwork from Alameda artists for placement in City facilities.  
Budget: \$6,000
- Support Public Art Program administration with the legislated 20% appropriation from the Public Art Fund.  
Budget: \$8,000

#### B. MID-TERM: Within 3–4 Years

- Continue Special Project Grants to arts organizations and the purchase of existing artwork for the Portable Works Collection.

## Synergy

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- Commission **Site Specific Temporary Projects** from artists for pre-determined sites throughout Alameda including public right-of-ways, parks, and vacant storefronts.  
Budget: \$15,000
- Provide funding for **Artist in Residency** to place artists of all disciplines in a non-profit organization or public school environment for an extended period of time.  
Budget: \$15,000

### C. LONG-TERM: Within 5 Years

- Continue Special Project Grants, Portable Works Collection, Site Specific Temporary Projects, and Artist in Residency Program.
- Commission **large-scale gateway** artworks to emphasize the sense of arrival into Alameda.  
Budget: \$150,000
- Produce a **Light Festival** for artists working in light, sound, performance, and projection art to transform.  
Budget: \$300,000

## II. PROJECT MANAGEMENT

Centralized and consistent public art administration with professional staff is crucial to the long-term successful management, continuity, transparency, and accountability of Alameda's renewed Public Art Program. Recognizing City staff limitations necessitated by the changing economy, it is recommended that Public Art Fund resources be expended to contract with a professional public art project consultant. Providing centralized project coordination and contract management within the Public Art Program will result in greater efficiency, more flexibility, and streamlined processes that will benefit the City, the artists and arts organizations, and the public.

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### III. MAINTENANCE OF CITY-OWNED ARTWORK

#### A. OVERVIEW

A significant public investment is being made in the development of a public art collection for the City of Alameda. To protect the integrity of the Artwork, funding for ongoing maintenance and conservation is crucial.

To that end, it is important that the City:

- Provide for the regular inspection of the City's collection of Artwork.
- Establish a regular procedure for effecting necessary repairs to the Artwork.
- Ensure routine maintenance of the Artwork.
- Ensure that all extraordinary maintenance, repairs, and conservation of the Artwork are completed with the highest standards of professional conservation.

#### B. DEFINITIONS

- ROUTINE MAINTENANCE

Routine Maintenance is defined as the regularly scheduled basic level of service needed to keep an Artwork clean, presentable, and in working condition including but not limited to surface dusting, removal of trash and debris, cleaning of glass, oiling of moving parts, and landscape maintenance.

- EXTRAORDINARY MAINTENANCE

Extraordinary Maintenance is defined as the activities required to repair, restore, and conserve a damaged or malfunctioning Artwork, including treatment that returns the Artwork to its original condition.

#### C. MAINTENANCE FUND

Funding for maintenance and conservation will be provided through the establishment of a Maintenance Fund as follows:

- An amount equal to 10% of the public art allocation for each City project will be set aside in a separate account within the Public Art Fund for curatorial services and the preservation and maintenance of Artwork in the City's public art collection. This is in addition to the 20% set-aside for administration.
- Funds in the maintenance and conservation account not expended at the close of any fiscal year shall be carried forward into the next year.
- The City will have no obligation to provide for the preservation and maintenance of Artworks placed on private property. The private developer will hold title to the Artwork over its jurisdiction and will be responsible for ongoing maintenance and conservation.

#### **IV. MANAGEMENT OF ARTWORK COLLECTION**

##### **A. COMMUNITY DEVELOPMENT DEPARTMENT**

Management of the City's collection of Artwork, including coordination of regular maintenance and conservation, is the responsibility of the Community Development Department.

- Provide oversight for conducting a comprehensive maintenance survey of the public art collection at least once every five years. The survey will include a written report with photographic documentation on the location and condition of each Artwork, prioritized recommendations for the restoration, repair, or maintenance of Artwork, and estimated costs.
- Be responsible for routine and extraordinary maintenance of Artwork and use its best efforts to ensure that all maintenance of and repairs to Artwork are performed in accordance with instructions provided by the artist at the time of accession, and that all such maintenance and repairs adhere to the highest professional standards of Artwork conservation. On a case-by-case basis, staff has the option to negotiate for routine maintenance to be performed by the City Department under whose jurisdiction the Artwork is located.

- Communicate with the artist directly to report any necessary modifications to the artist's public Artwork. The City reserves the right to make emergency repairs without prior notification to the artist, if an immediate threat to property or public safety is present.
- As a component of the annual Public Art Report, present a maintenance report and request for expenditure from the Maintenance Fund, as appropriate.

## **B. PUBLIC ART COMMISSION**

The Public Art Commission is responsible to take action on Artwork in need of attention. Options are as follows:

- No action is taken.
- Community Development staff negotiate maintenance and repairs with the Department housing the Artwork and coordinate said maintenance and repair to ensure the Artwork is properly restored.
- Engage a professional conservator to effect repairs to the Artwork.
- Ask the artist to repair the Artwork for a fair market value fee.
- Relocate or remove the Artwork.

## **C. DEPARTMENT WITH JURISDICTION OVER ARTWORK**

The City Department under whose jurisdiction the Artwork is located is responsible for the following:

- Reporting to the Community Development Department any damage to an Artwork at a site over which it has jurisdiction;
- Not intentionally destroying, modifying, relocating or removing from display any Artwork without prior consultation with the Public Art Commission; and
- Not cause any extraordinary maintenance or repairs to an Artwork without prior consultation with the Public Art Commission.



## V. PROGRAM GUIDELINES

The Alameda Public Art Policy Guidelines were developed by the Public Art Commission in 2006 to describe the program policies, procedures, and application and approval process for implementation of the Public Art Ordinance which was adopted in March 2003 and amended in July 2005. The guidelines are well-considered and the intent remains valid and relevant.

Changes resulting from approval of recommendations in *Synergy: Public Art for Alameda* will require that the Public Art Guidelines be modified and updated to facilitate operations, reflect legal requirements, and meet current practices in the public art field. Further definition of the application and approval processes and the expanded roles and responsibilities of City staff, Public Arts Commission, and City Council will be included. In addition to guiding private developers, the document would include criteria for site selection and methods and criteria for artist and artwork selection for City-initiated projects which also will serve to inform the general public in understanding the goals, policies, and procedures of the Public Art Program.

### *Resources:*

- Public Art Toolkit, Forecast Public Art (Minneapolis)  
<http://forecastpublicart.org/toolkit/index.html>
- Public Art Handbook, City of Albuquerque Public Art Urban Enhancement Program <http://www.cabq.gov/publicart/public-art-handbook>
- Public Art Resource Tools, Public Art Network (Washington, DC)  
[http://www.artsusa.org/networks/public\\_art\\_network/default\\_004.asp](http://www.artsusa.org/networks/public_art_network/default_004.asp)

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## METHODOLOGY

Gail M. Goldman Associates developed *Synergy: Public Art for Alameda* over a period of eight months between April and December, 2011. The work included two community forums, one sponsored by the City of Alameda and a follow-up initiated by the arts community and hosted by Rhythmix Cultural Works. Multiple meetings with City officials and staff also took place. In addition, individual meetings in person or by phone were held with the following people who generously provided their time and expertise:

### COMMUNITY MEMBERS

Tina Blaine, Rhythmix Cultural Works  
Ruth Belikove, Library Committee for the Arts  
Judy Blank, Alameda Education Foundation Board  
Bonnie Boller, Artist, Alameda Women Artists  
D’Arci Bruno, Rhythmix Cultural Works  
David Burton, Architect, Planning Commissioner  
Pam Chang, Alameda Education Foundation Board  
Diane Coler-Dark, Alameda Museum  
Jeff Cambra, Alameda Currents  
Ginnie Chabre, Frank Bette Center for the Arts  
Jacqueline Cooper, Autobody Fine Art  
Robbie Dileo, Alameda Museum  
Alana Dill, Artist  
Margaret Fago, Artist  
Michelle Frederick, Artist  
Judi Friedman, West Alameda Business Association  
Gil Garitano, Alameda Art Association  
Nan Gray, Artist  
Melissa Harmon, Pacific Pinball Museum  
Nancy Hird, Alameda Architectural Preservation Society  
Jannett Jackson, College of Alameda  
Patty Jacobs, Greater Alameda Business Association  
Joanne Johnson, artist  
Jon Kerpel, Artist  
Eric Kos, Alameda Sun  
Andrea Leal, Former Public Art Advisory Commissioner  
Karen Lee, Public Art Advisory Commissioner

## Synergy

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Pat Payne, Artist  
Steven Huss, City of Oakland Cultural Arts  
Pamela McCleave, Architect and Artist  
Rebecca Payne, Artist  
Doug Perry, Frank Bette Center for the Arts  
Cherie Newell, Oakland Museum of California  
Rob Ratto, Park Street Business Association  
Monica Satterthwaite, Artist  
Michael Schiess, Pacific Pinball Museum  
Genie Scott, Artist, Frank Bette Center for the Arts  
Vicki Sedlack, Alameda Education Foundation  
Bradley Wick, Alameda South Shore Center  
Faye Wilson, Frank Bette Center for the Arts  
Peter Wolf, Former Public Arts Commissioner

## CITY STAFF

Laura Ajello, Planning  
Sherri Hong, Alameda Municipal Power  
Margaret Kavanaugh–Lynch, Planning  
Dale Lillard, Recreation and Park  
Matt Naclerio, Public Works  
Alex Nguyen, Deputy City Manager  
Jennifer Ott, Planning  
Sue Russell, Economic Development  
Lori Taylor, Community Development Director  
Andrew Thomas, Community Development

## PUBLIC MEETING / ALAMEDA MAIN LIBRARY

*Noticed and sponsored by City*

September 21, 2011

## FOLLOW-UP PUBLIC MEETING / RHYTHMIX CULTURAL WORKS

*Initiated and sponsored by arts community*

November 9, 2011

## ATTACHMENT A

### CITY OF ALAMEDA PERCENT FOR ART ORDINANCE COMPLETED PROJECTS

LOCATION	YEAR APPROVED	ARTIST	TITLE	DESCRIPTION
South Shore Center (formerly Alameda Towne Centre)	2006	John Lausen Brad Rule	<i>Looking Back</i> <i>Into the Calm II</i>	Sculpture
Bridgeside Shopping Center	2006	Project landscape architect	NA	Outdoor performance area
Rhythmix Cultural Works	2007	Project architect	NA	K Gallery: Fourteen months rent-free gallery space
Park Centre Animal Hospital	2008	Marsh Finelt-Brook	<i>Milestone</i>	Sculpture
Perforce Software	2008	Delaine Hackney	<i>Bright Ideas</i>	Mosaic
Grand Marina (aka Warmington Homes)	2011	Jill Turman	<i>Portal and Nautilus</i>	Sculptures

## ATTACHMENT B

### 30-65 - PUBLIC ART IN NEW COMMERCIAL, INDUSTRIAL, RESIDENTIAL AND MUNICIPAL CONSTRUCTION.

[30-65.1 - Purpose.](#)

[30-65.2 - Definitions.](#)

[30-65.3 - Contribution Requirements.](#)

[30-65.4 - Public Art Compliance.](#)

[30-65.5 - Alameda Public Art Fund.](#)

[30-65.6 - Included and Excluded Expenses.](#)

[30-65.7 – Public Art Commission.](#)

[30-65.8 - Application and Approval Procedures for Public Art .](#)

[30-65.9 - Compliance.](#)

[30-65.10 – Alameda Public Art Policy Guidelines](#)

[30-65.11 - Appeal to the City Council.](#)

#### **30-65.1 - Purpose.**

The City Council finds and declares:

- a. Cultural and artistic resources, including the visual, performing, media, and literary arts, enhance the quality of life for people living in, working in, and visiting the city of Alameda.
- b. The development of cultural and artistic resources preserves and improves the quality of the urban environment, and increases real property values.
- c. Cultural and artistic resources (herein after “Public Art”) foster economic development and tourism, revitalize urban areas, and improve the overall business climate by creating a more desirable community within which to live and work.
- d. The City of Alameda's General Plan establishes cultural and historical, recreational, park and open space land use policies. This section is consistent with Chapter 6, Park and Recreation Shoreline Access, Schools And Cultural Facilities Element of the City's General Plan by providing an opportunity for the design of new projects to incorporate Public Art.
- e. Public Art helps to attract and anchor a large and diverse creative sector, enriching the city of Alameda’s cultural identity which is a key component of the City of Alameda’s economic vitality.
- f. The incorporation of Public Art into private and public development creates a unique sense of community and enhances the quality of such developments.
- g. The incorporation of Public Art in private and public development is in the public interest. Public Art makes a lasting contribution to the community and enhances the general welfare of those persons living and working in the city of Alameda.

#### **30-65.2 - Definitions.**

For purposes of this section, the following terms shall have the following meanings:

- 
- a. "Alameda Public Art Fund" means a separate account into which all monies generated under this policy or derived from gifts or donations for Public Art shall be deposited"
- b. "Artwork" shall mean art, including but not limited to, sculpture, painting, mosaics, photography, crafts, mixed media, electronic arts and environmental works. Artwork as defined herein may be permanent, fixed, temporary or portable, may be an integral part of a building, facility, or structure, and may be integrated with the work of other design professionals.
- c. "Artist" shall mean an individual generally recognized by critics and peers as a professional practitioner of the visual, performing, media, or literary arts as judged by the quality of that professional practitioner's body of work, educational background, experience, public performances, past public commissions, sale of works, exhibition record, publications, and production of Artwork. The members of the architectural, engineering, design, or landscaping firms retained for the design and construction of a development project covered by Ordinance 30-65 shall not be considered Artists for the purposes of this Part.
- d. "Building Development Costs" shall mean those construction costs as declared on all building permit applications for new construction, and as accepted by the Chief Building Official, but shall not apply to costs solely attributable to tenant improvements. Building permit applications shall include, but not be limited to, all building, plumbing, mechanical and electrical permit applications for the project.
- e. "Cultural Facility" shall mean a structure that houses, and has as its primary purpose the presentation of one or more Public Art forms and that is operated by public entities or non-profit organizations dedicated to cultural activities available to a broad public. Examples of acceptable facilities are museums, theatres, and performing arts centers, and other similar facilities as determined appropriate by the Public Art Commission. Facilities that do not meet this definition are churches, schools, commercial movie theatres, gymnasiums or other sports facilities, bookstores, buildings dedicated primarily to housing or administrative activities, and for-profit facilities used for profit activities.
- f. "Developer" shall mean the person or entity that is financially and legally responsible for the planning, development, and construction of any development project covered by Ordinance 30-65 who may, or may not, be the owner of the subject property.
- g. "Development Project" shall mean any commercial and residential development which requires the issuance of a building permit by the City of Alameda.
- h. "Guidelines" shall mean the document adopted by the City Council that includes standards and procedures for the implementation and administration of Public Art in accordance with this Ordinance.
- i. "Maintenance" shall mean those activities required to conserve, repair, or preserve the integrity of the artwork and setting within which the art work is located. Routine maintenance means the basic day-to-day care of the Artwork.
- j. "Non-profit agency" shall mean a corporation organized under Internal Revenue Code Section 501(c)(3), in good standing with the California Department of Corporations and in compliance with any and all federal, state, and local licensing, reporting, and tax requirements.
- k. "Program Allocation" shall mean the amount required under subsection 30-65.3
- l. "Public Art" shall mean individual and group presentations, exhibitions, or performing arts

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involving music, dance, theatre, opera, literature, sculpture, murals, paintings, earthworks, mosaics, photographs, prints, calligraphy, or any combination of media currently known or which may come to be known, including audio, video, film, CD-ROM, DVD, holographic or computer generated technologies; education, including lectures, presentations and training in or about art and culture; special events such as festivals and cultural celebrations; and, similar resources and services as determined and approved by the Public Art Commission.

Public Art as defined herein shall be located in a public place on private property or on land or in a building owned by the City of Alameda and encompass all cultures through the broadest possible range of expression, media, and materials including:

1. The services of, or work by, an Artist who produces art in any medium or material, including, but not limited to, the visual, performing, literary and media arts;
  2. Artistic and cultural facilities such as exhibition space, performance or rehearsal space, Artist studio space and arts education facilities;
  3. The provision of artistic and cultural services, including the sponsorship of performing arts.
- m. "Public Art Commission" shall mean the City of Alameda commission which advises the City Council on Public Art policies, procedures, and expenditures from the Alameda Public Art Fund.
- n. "Public Art In-Lieu Contribution" shall equal the percentage of building development costs required by this section.
- o. "Public Art Project Plan" shall mean a narrative statement submitted to the Community Development Department by the private developer or City department under whose jurisdiction the Public Art project is located indicating how the development will meet the requirements of this Ordinance for on-site artwork, cultural programs, arts spaces, or cultural facilities. A Public Art Project Plan shall be submitted at the concept and final design stages of the Public Art project.
- p. "Public Place" shall mean an area on public or private property that is freely accessible to and available for use by the general public during normal hours of business operation consistent with the operation and use of the premises including lobbies, meeting spaces, and rooftop gardens.
- q. "Public Art Plan" shall mean a document prepared annually by the Public Art Commission with Public Art project and funding recommendations that shall be presented to the City Council for approval

### **30-65.3 - Contribution Requirements.**

- a. Private and municipal developments with Building Development Costs of two-hundred fifty thousand dollars (\$250,000) or more shall devote an amount not less than one (1%) percent of such costs for acquisition and installation of Public Art on the development site, subject to a maximum of five hundred thousand (\$500,000) dollars. The Public Art shall be installed on the development site in a public place that allows the Public Art to be visible from a public right-of-way or from other public property. This amount shall be the Program Allocation.
- b. Private and municipal developments with Building Development Costs of one-hundred thousand dollars (\$100,000) to two-hundred forty-nine thousand dollars (\$249,000) shall deposit one-half of one percent (0.5%) of such costs to the Alameda Public Art Fund established by

subsection 30-65.5 to support Public Art in Alameda.

- c. For large development projects in excess of one hundred million dollars (\$100,000,000), the Program Allocation shall be negotiated with the Public Art Commission on a case-by-case basis.
- d. Not less than 20% of the Program Allocation shall be deposited into the Alameda Public Art Fund and designated for all necessary and reasonable administrative costs incurred in connection with City staff supervision and control of the expenditure of all funds appropriated for public art.
- e. Not less than ten percent (10%) of the Program Allocation shall be deposited into the Alameda Public Art Fund and designated for Public Art project initiatives as defined in Section 30-65.5.
- f. The contribution requirement of this section shall apply to commercial, industrial and municipal projects, and residential projects that create three (3) or more residential units.
- g. All non-profit and affordable housing developments, City Monuments, structures that house a Cultural Facility, and structures with a primary purpose of religious worship shall be exempt from the requirements of this section.
- h. In Lieu Contributions. In lieu of Public Art on the private or municipal development site with Building Development Costs of two-hundred fifty thousand dollars (\$250,000) or more, an owner or developer, at its discretion, may place a Public Art In-Lieu Contribution in an amount equal to the Program Allocation into the Alameda Public Art Fund, established by subsection 30-65.5 to support Public Art in Alameda. The Public Art In-Lieu Contribution shall be paid prior to the issuance of a building permit for the project on the development site.
- i. Subject to the approval of the Public Art Commission, an owner or developer may incorporate Public Art into the development that has a value lower than the Program Allocation and pay a Public Art In-Lieu Contribution to the Public Art Fund for the balance of the Program Allocation.

#### **30-65.4 - Public Art Compliance.**

The following Public Art may be used to satisfy the requirements of subsection 30-65 .3:

- a. On-site Artwork: On-site installation of Artwork that is created uniquely by an Artist as defined in Section 30-65.2.
  - 1. Sculpture: Free standing, wall supported or suspended, kinetic, electronic or mechanical in material or combination of materials;
  - 2. Murals or portable paintings: In any materials or variety of materials, with or without collage or the addition of nontraditional materials and means;
  - 3. Earthworks, neon, glass, mosaics, photographs, prints, calligraphy, any combination of forms of media, including sound, film, holographic, and video systems, hybrids of any media and new genres;
  - 4. Standardized fixtures such as grates, street lights, signage, and other design enhancements, as are rendered by an Artist for unique or limited editions;
  - 5. Exhibit and Performance Space: Public gallery/exhibition space, public performance spaces, Artist studio spaces, and Public Art education facilities; and
  - 6. Any other form determined by the Public Art Commission or City Council on appeal, to



satisfy the intent of this section.

- b. On-site Cultural Programs:
  - 1. Performing arts: Theatre, dance, music, and performance art;
  - 2. Literary arts: Poetry readings and storytelling;
  - 3. Media Arts: Film and video, screenings and installations;
  - 4. Education: Public Art lectures, presentations, and training;
  - 5. Special events: Festivals and celebrations;
  - 6. Artist-in-residence and Artist-in-schools programs in Public Art; and
  - 7. Any other form of Public Art determined by the Public Art Commission to satisfy the intent of this section.
- c. On-site Art Spaces or Cultural Facilities that include one or more of the following eligible components:
  - 1. Gallery/exhibition spaces;
  - 2. Resource libraries and artist registries;
  - 3. Performance and rehearsal spaces, Artist studio space, and Public Art education facilities that are open and accessible to the public; and
  - 4. Any other form of Art Spaces or Cultural Facilities determined by the Public Art Commission to satisfy the intent of this section.
- d. Green Principles: Private and municipal Public Art shall utilize whenever possible:
  - 1. Green design principles including alternative energy sources, recycled materials, and renewable resources.
  - 2. Public Art that incorporates sustainable strategies demonstrates green processes, and which utilize green design, materials, theories, and techniques.
- e. The developer may be required by staff to contract the services of a professional arts consultant to oversee the Public Art project particularly if valued at fifty thousand dollars (\$50,000) or more. Arts consultant fees are an allowable Program Allocation budget expense.

(Ord. No. 2892 N.S. § 1; Ord. No. 2942 N.S. § 2)

**30-65.5 - Alameda Public Art Fund.**

- a. There is hereby created the Alameda Public Art Fund to account for the Public Art In-Lieu Contributions made pursuant to subsection 30-65.3(e) and (f) and any and all other revenues appropriated or received for Public Art. The revenues in such Fund shall be used solely for:
  - 1. The acquisition, commission, design, installation, production, presentation,

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- performance, maintenance, and insurance of Public Art identified by subsection 30-65.4.
2. The acquisition or improvement of real property for the purpose of displaying Public Art.
  3. Other expenses associated with implementation of Public Art and the Public Art Plan.
  4. Further the purposes of Public Art as defined in Section 30-65.2
- b. The Alameda Public Art Fund shall be distributed annually as follows:
1. No more than twenty percent (20%) of the annual Alameda Public Art Fund shall be used for all necessary and reasonable administrative costs incurred in connection with City staff supervision and control of the expenditure of all funds appropriated for public art.
  2. The balance of the Alameda Public Art Fund shall be used to support Public Art and cultural initiatives throughout Alameda that may take the form of site-specific Artwork commissions, purchase of Artwork, grants to non-profit arts organizations, Public Art events and festivals, and other special Public Art initiatives.
  3. The Fund shall be authorized to accept gifts, grants and donations made to the City of Alameda, as well as any in-lieu contributions from private development projects. The Fund shall be self-perpetuating from year to year.
- c. If real property purchased with monies from the Alameda Public Art Fund is subsequently sold, the proceeds from the sale shall be returned to the Alameda Public Art Fund.
- d. The Public Art Commission shall present annually to the City Council for approval a Public Art Plan that recommends the use of Alameda Public Art Fund monies consistent with the purpose of this section. The Public Art Plan shall be administered by the City Manager or designee.

### **30-65.6 - Included and Excluded Expenses.**

- a. The following expenses may be included in the budget for the Program Allocation for Public Art:
1. Acquisition of Public Art through direct purchase or through the design, fabrication, transportation, installation, and presentation of Public Art;
  2. Artist fees and expenses;
  3. Supplies and materials;
  4. Temporary stages, arenas, and other devices for performance;
  5. Costs for insurance, identification plaques, project management by an independent public art consultant, and other reasonable expenses associated with the planning, development and completion of Public Art; and
  7. Other related expenses approved by the Public Art Commission.
- b. The following expenses shall not be included in the budget for the Program Allocation for Public Art:

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1. Reproductions, by mechanical or other means of original Artwork, except in cases of film, video, photography, printmaking, theater, or other media arts;
2. Decorative, ornamental, architectural, or functional elements that are designed by the project architect or other design consultants engaged by the architect as opposed to an artist commissioned for this purpose;
3. Landscape architecture, gardening, or materials generally considered to be components of the landscape designed by the project architect, landscape architect or other design professional engaged by the architect as opposed to an artist commissioned for this purpose;
4. Art objects that are mass produced, ordered from a catalog, or of a standard design, such as playground sculpture or fountains;
5. Directional or other functional elements such as signage, supergraphics, color coding, or maps that are designed by the architect, landscape architect or other design professional engaged by the primary designer;
6. Utility costs and expenses related to the ongoing operation of the Artwork such as electrical, water, or mechanical service required to activate the work; and
7. Services, utilities, and other on-going operating expenses for maintenance of the Artwork.

### **30-65.7 Public Art Commission**

- a. There hereby is established a Public Art Commission that shall consist of seven (7) members appointed by the City Council each of who has considerable knowledge and experience in the visual arts, performing arts, media arts, literary arts, arts production, and/or arts presentation.
- b. Public Art Commission members may include professional artists in the visual, performing, media, and literary arts, contemporary art curators, theatre and museum directors, arts educators, design professionals such as architects, landscape architects, and urban planners.
  1. At least two (2) of the seven voting members shall be professional artists.
  2. No more than three (3) of the seven voting members may reside outside the City of Alameda.
  3. The members of the Public Art Commission shall elect a Chairperson at its first meeting of each calendar year. The Chairperson shall be a resident of Alameda.
- c. Membership, term of office, and removal of the members of the Public Art Commission shall be set by City Council Resolution.
- d. The Commission shall advise and provide recommendations to the City Council on:
  1. Artist and artwork selection for private and municipal development projects;
  2. Public Art policies, procedures, and Public Art Fund expenditures that further the purposes of Public Art as defined in this Ordinance, including submittal of an annual Public Art Plan to the City Council for approval; and
  3. Donations and deaccessions of Artwork in accordance with City Council policies;

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4. Promoting Public Art and its benefits.

### **30-65.8 - Application and Approval Procedures for Public Art**

- a. Private Property

1. The developer has the option of proposing a Public Art Project incorporating on-site artwork, cultural programs, art spaces, or cultural facilities into the development or may elect to deposit the full amount into the Alameda Public Art Fund.
2. In conjunction with an application for a Building Permit, the developer shall submit to the Community Development Department a Concept Public Art Project Plan for an on-site artwork, cultural programs, art spaces, or cultural facilities.
3. Following approval of the Concept Public Art Project Plan, the developer shall refine the design and submit a Final Public Art Project Plan.
  - (i) An application for the installation of Public Art on private property on forms furnished by the Community Development Department for that purpose;
  - (ii) The developer shall refer to the Alameda Public Art Policy Guidelines referenced in section 30-65.10 Art Plan submittal requirements
4. The Art Plans submitted pursuant to subsection (a) of this section shall be referred to the Community Development Director or his/her designee for preliminary review to determine whether the Art Plan is complete. The completed Art Plan along with the recommendation of staff and/or consultants shall be forwarded to the Public Art Commission for review and decision.
4. The Public Art Commission shall review the permit application within sixty (60) days of receipt of a complete Concept Public Art Plan and Final Art Plan. The Public Art Commission may make recommendations regarding possible changes, modifications or additions to the Concept Public Art Plan.
5. The Public Art Commission shall approve or deny the Concept Public Art Plan and Final Art Plan in accordance with the Alameda Public Art Policy Guidelines referenced in Section 30-65.10. The Public Art Commission may conditionally approve a Concept Public Art Plan and Final Art Plan subject to such conditions that the Public Art Commission deems reasonably necessary to conform the Public Art Guidelines for Approval.
6. The Public Art Project Plans required by this section shall be made, approval obtained, and the Public Art installed prior to final building inspection or issuance of approval of a certificate of occupancy for the new construction. If installation prior to the date of occupancy is impracticable, as determined by the Community Development Director or his/her designee, a certificate of occupancy may be approved for the building or portion thereof if the Concept Public Art Plan and Final Art Plan submitted pursuant to this section has been approved, the applicant has executed a written agreement with the City to install the Public Art, and the applicant has filed security in an amount and form acceptable to the City Attorney to guarantee installation of the Public Art.
7. The property owner shall maintain, or cause to be maintained, in good condition the Public Art continuously after its installation and shall perform necessary repairs and maintenance to the satisfaction of the City. The maintenance obligations of the property

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owner shall be contained in the covenant and recorded against the property by the applicant. Should the property owner wish to remove the Public Art, the City must be notified in advance. The property owner shall replace the Public Art with Public Art of equal or greater value, and consistent with the California Preservation of Works of Art Act and the Federal Visual Artists' Rights Act and any other relevant law.

### b. Public Property

1. Each year in adopting the City's annual Capital Improvement Program budget, the City Council shall consider the appropriation of 1% of the total amount budgeted for each Eligible Construction Project to be set aside and identified as funds to be appropriated and expended for acquisition or commissioning of Public Art in accordance with the provisions of this Ordinance. Appropriations for purposes of acquiring Public Art in order to carry out the provisions of this Ordinance shall be made in accordance with law and the budgeting procedures of the City.
2. If the source of funding or other applicable law or regulation with respect to any particular project prohibits or restricts the use of funds for Public Art, the amount of funds so prohibited or restricted shall be excluded in determining the 1%.
3. The Public Art Commission shall be responsible for the selection of artists, the commissioning of Public Art, and/or the purchase of Artwork in compliance with the Alameda Public Art Policy Guidelines as defined in section 30-65.10.
4. The Public Art Commission shall make recommendations to the City Council for approval of Public Art to be located in public places.
5. Routine maintenance of Public Art shall be performed by the City Department ("Department") under whose jurisdiction the Artwork is located, consistent with the specifications of the Artist. Minor routine costs shall be borne by that Department's budget. When routine maintenance costs exceed the resources of the Department, the Public Art Commission may recommend the expenditure of Public Art Fund reserves to support the cost of supplies and labor to perform routine maintenance.
6. Management of Public Art in municipal development shall be provided by the City Manager or designee or by contracting the services of a professional arts consultant. Costs for administration of Public Art are allowable Alameda Public Art Fund expenditures.

### **30-65.9 - Compliance.**

Compliance with the provisions of this section shall be demonstrated by the owner or developer prior to the issuance of a certificate of occupancy as follows:

- a. Payment of the Public Art In-Lieu Contribution; or
- b. Installation of the Public Art in accordance with approval of the Concept Public Art Plan submitted pursuant to section 30-65.8; or
- c. Execution of an installation agreement and evidence that a maintenance covenant has been recorded against the property.

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**30-65.10 – Alameda Public Art Policy Guidelines.**

- a. Guidelines for the implementation and administration of Public Art ("Alameda Public Art Policy Guidelines") shall be adopted by the City Council, upon recommendation from the Public Art Commission. Any major changes to the Alameda Public Art Policy Guidelines after adoption shall be submitted by the Public Art Commission to the City Council for review.
  
- b. The Guidelines for Approval shall include standards for reviewing a Concept Public Art Plan and Final Public Art Plan and shall provide guidance in the appropriation for and maintenance of Public Art.

**30-65.11 - Appeal to the City Council.**

Any final decision of the Public Art Commission may be appealed to the City Council within ten (10) calendar days following the decision of the Public Art Commission. Said appeal shall explain the grounds for the appeal in writing and be filed with the Community Development Department. Appeals shall be heard pursuant to AMC section 30-25. Appeals or Calls for Review.

## ATTACHMENT C

### CITY OF ALAMEDA POLICY AND GUIDELINES FOR THE DONATION OF ARTWORK

From time to time, private individuals, organizations and agencies make donations of Artwork or funding to acquire or commission Artwork to the City of Alameda (City) for general or specific purposes. This policy outlines the procedures that the City shall follow in accepting donations of Artwork. This policy also shall apply to Artwork proposed for long-term loan to the City.

Acceptance of an Artwork into the City's collection shall imply a commitment to its long-term care and preservation. Therefore, the acceptance of such donations must be deliberate, must maintain high aesthetic standards, and must further the goals of the Public Art Program. Recognizing that Alameda's public spaces are a valuable and limited public resource, each proposed Artwork must add significant and long-term value to the space in which it is proposed to occupy.

The purposes of this policy are to:

- Provide uniform procedures for the review and acceptance of donations or loans of Artwork to the City;
- Vest in a single agency the responsibility of insuring the management and long-term care of donated Artwork;
- Facilitate planning for the placement of Artwork on City-owned property;
- Preserve the City's public spaces for the greatest enjoyment of the citizens and visitors;
- Maintain high aesthetic standards for Artwork displayed or installed in City facilities; and
- Provide for appropriate recognition for donors of Artwork to the City.

#### DEFINITIONS

1. Artist. A person who is generally recognized by critics and peers as a professional visual artist, as judged by the quality of the artist's body of work, educational background, experience, exhibition record, and other appropriate criteria.
2. Artwork. Includes, but is not limited to, physical art that may be free-standing or integrated into a public site, infrastructure or building, or that may be integrated with the work of other design professionals. A public Artwork may be permanent or temporary, fixed or portable. A public Artwork may be in any style, expression, genre or media, provided that the Artwork is designed by an artist as defined herein.

For the purposes of this policy, the following are not considered Artwork:

- Reproductions, by mechanical or other means of original Artwork, except in cases of film, video, photography, printmaking, theater, or other media arts;
- Decorative, ornamental or functional elements that are designed by the architect or other design consultants engaged by the architect;
- Those elements generally considered to be components of the landscape architectural design including but not limited to vegetative materials, pools, paths, benches, receptacles,

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fixtures, and planters that are designed by the architect, landscape architect or other design professional engaged by the primary designer;

- Art objects that are mass produced, ordered from a catalog, or of a standard design, such as playground sculpture or fountains; and
  - Directional or other functional elements such as signage, supergraphics, color coding, or maps that are designed by the architect, landscape architect or other design professional engaged by the primary designer.
3. Donation. A gift of an Artwork, or funding to acquire or commission an Artwork for placement on City-owned property.
  4. Long-term Loan. Any loan or display of an Artwork that is proposed to be on City-owned property for a period in excess of one year.
  5. Restricted Donation. A donation to the City for a specified purpose, or for which there are conditions or limitations by the donor as to the current or future use.
  6. Unrestricted Donation: A donation to the City without any restrictions or limitations being placed by the donor as to its current or future use.

## POLICY

Any time a donation or long-term loan of an Artwork is proposed for placement on City-owned property, the City department that operates or maintains the site of the proposed Artwork (City department) shall consult with the Community Development Department. The Public Art Commission shall review and recommend acceptance or rejection of the donation or long-term loan. The Planning Board shall have final responsibility of reviewing and approving such proposed donation or long-term loan.

## GUIDELINES

1. When a donation or long-term loan of an Artwork has been proposed, the City department receiving the proposal shall notify the Community Development Department whose staff shall contact the prospective donor to inform the donor of the City's donation policy and gather information about the proposal.
2. Prior to consideration of a donation or long-term loan of Artwork to the City, the following criteria must be met by the donor or lender:
  - a. Ownership. Any site recommended for the placement of Artwork must be owned by the City of Alameda. Ownership must be confirmed by the Real Estate Assets Department.
  - b. Visibility. Any site recommended for the placement of Artwork must be visible to a broad, public audience.
  - c. Safety. Any site recommended for the placement of Artwork must not pose any hazard or threat to public safety and must meet the safety standards of the City's Risk Management Department and the Office of the City Attorney.



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- d. Maintenance. Any site recommended for the placement of Artwork must be easily maintained by City staff in a routine manner and with standardized equipment.
  - e. Accessibility. Any site recommended for the placement of Artwork must comply with the *American with Disabilities Act*.
  - f. Context. Any site recommended for the placement of Artwork must be socially, culturally, historically, ecologically, physically, and/or functionally appropriate.
  - g. Departmental Support. Any site recommended for the placement of Artwork must have the support of the City department that is responsible for operating and maintaining the site, as well as any advisory bodies that are responsible for making recommendations concerning the use of City-owned property.
  - h. Community Support. No less than two public forums must be held to inform the community and receive feedback about the recommended site for a donation or loan of Artwork. The outcome of each public forum must be documented and communicated to the bodies responsible for reviewing recommended donations and loans of Artwork.
3. The prospective donor shall meet with Community Development Department staff and prepare written and visual documentation on the proposed donation (Donation Request). The Donation Request shall include, at a minimum, the following:
- a. Contact information for the donor and the artist
  - b. Artist's name, biographical information, samples of past artwork, and resume.
  - c. A written description and images of the Artwork.
  - d. Artist's statement about the Artwork.
  - e. A description of the selection process that was implemented at the time the Artwork was selected.
  - f. A formal appraisal of the Artwork provided by a qualified art appraiser.
  - g. Information about the origin, derivation, history, and past ownership of the Artwork.
  - h. A warranty of originality of the Artwork.
  - i. Information about the condition of the Artwork provided by a qualified visual arts conservator.
  - j. Information about and images of the proposed Artwork site.
  - k. Information about the methods used for collecting community feedback about the Artwork and the outcome.
  - l. A written recommendation from the Director of the City department and relevant advisory board(s) responsible for operating and maintaining the Artwork's site.

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- m. A detailed budget for all aspects of design, fabrication, installation, operation, conservation, maintenance, insurance, and staff support.
    - The funding for maintenance shall equal at least 10% of the total appraised or estimated value of the Artwork. In some cases, the donor or lender may be asked to provide an endowment for the maintenance of the Donation or Loan for the duration that the donation or loan is included is owned by the City.
    - The funding for conservation, if necessary, shall equal at least 20% of the total appraised or estimated value of the Artwork.
    - The funding for administration services to be provided by the Community Development Department, if necessary, shall equal at least 20% of the total appraised or estimated value of the Artwork.
  - n. Detailed plans for the design, fabrication, installation, operation, maintenance, conservation, insurance, display, and storage of the Artwork.
  - o. Conditions or limitations on the donation proposed by the donor.
4. Donation Requests shall be reviewed by Community Development Department staff, and then presented to the Public Art Commission at a regularly scheduled and noticed public meeting.
  5. The Public Art Commission shall review the donation proposal and determine whether to accept or reject the donation or loan. The Public Art Commission shall consider the following criteria in making their decision:
    - a. Artistic Excellence. Qualifications and professional reputation of the Artist; craftsmanship, conceptual content, style, form, condition, and value of the Artwork.
    - b. 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.
    - c. 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.
    - d. 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.
    - e. Legal Considerations. Issues related to liability, insurance, copyright, warranties, ownership, theft, vandalism, loss, indemnification, and public safety.
    - f. Timing. Safety or hazard emergencies, relevant construction schedules, and the allowance of sufficient time for a normal review process.
    - g. Acquisition Process. Method by which the Artwork was acquired and accessioned into the collection of City-owned artwork (i.e. donation, loan, commission).
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- h. Community Feedback. The donor's or lender's method for gathering community feedback about the Artwork and its outcome.
    - i. Restrictions. Any restrictions specified by the donor or lender.
6. Members of the Public Art Commission and Planning Board may request to view the actual Artwork during the Donation Review process.
7. The Public Art Commission shall make a recommendation to the Planning Board to approve, with or without conditions, or reject the Donation Request based on the review criteria in the above Section 5.
8. Upon reviewing the proposed Donation Request, the Public Art Commission shall decide to accept the donation, reject the donation, or accept the donation with conditions. To the extent possible, the Public Art Commission shall accept donations without contractual limitations on the future use, display, or disposal of the Artwork. Preference shall always be given to unrestricted donations as opposed to restricted donations. When appropriate, the Public Art Commission shall ask the donor to provide funds to permanently endow the maintenance of the Artwork.
9. Donation Requests, along with the Public Art Commission's recommendation, shall be reviewed by the Planning Board at a regularly scheduled and noticed public meeting. The Planning Board shall approve, with or without conditions, or reject the Donation Request. The decision of the Planning Board is final.
10. If the Planning Board chooses to accept the Artwork as a donation or a loan, with or without conditions, the Community Development Department shall obtain either a legal instrument of conveyance of title or an executed loan agreement, as appropriate. Any conditions the City or donor places on a donation shall be stated in writing and attached to the instrument of conveyance.
11. Once the Artwork has been accepted and the City becomes the legal owner, the Community Development Department shall coordinate all processes relating to the installation, maintenance, removal or relocation of the Artwork on City-owned property. If a specific City department operates and maintains the site of the Artwork, the Community Development Department shall consult with the City department to discuss the financial and practical responsibilities of maintaining or operating the Artwork.
12. Proposed donations with a value in excess of \$100,000 or which create an ongoing budgetary impact of more than \$10,000 annually shall be submitted to the City Council for final acceptance.
13. The Community Development Department, working with the department head and the donor, shall provide for appropriate recognition of the donor's contribution to the City.
14. City departments shall:
  - a. Direct all parties wishing to donate or lend Artworks to the City to the Community Development Department.

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- b. Inform the Community Development Department of the relationship of any advisory board(s) to the department.
  - c. Refer Donation Requests to the advisory board(s) which shall in turn make a recommendation to the City department and the Community Development Department.
  - d. Convey the department's and advisory board(s)' recommendation to the Community Development Department in writing.
  - e. Provide routine maintenance of the donated or loaned Artwork, upon advice from the Community Development Department, and perform maintenance work in a manner that is consistent with requirements supplied by the donor or lender.
  - f. Be responsible for reporting to Commission staff any damage to a donated or loaned Artwork.
  - g. Not intentionally destroy, modify, relocate or remove from display any donated or loaned Artwork without prior consent from the Public Art Commission and Planning Board in accordance with the Policy for Deaccessioning City-Owned Artwork.
15. Not cause any non-routine maintenance or repairs to donated or loaned Artworks without prior consent from the Public Art Commission and Planning Board.

#### **EXCEPTION**

Gifts of state presented to the City by foreign governments or by other political jurisdictions of the United States – municipal, state or national – which may be accepted by the Mayor, City Council, or City Manager shall be reviewed as follows:

- Permanent placement of Artwork suitable and accessible for public display shall be determined jointly by the appropriate City department and the Community Development Department.
- Appropriate recognition and publicity shall be the responsibility of the City department with jurisdiction over the site of permanent placement, in consultation with the Community Development Department.
- If not provided for by the donor, maintenance of the Artwork shall be the responsibility of the department with jurisdiction over the site, in consultation with the Community Development Department.

## ATTACHMENT D

### CITY OF ALAMEDA

#### POLICY FOR DEACCESSION OF CITY-OWNED ARTWORK

Any proposal for Deaccessioning – the destruction or removal of an Artwork owned by the City of Alameda (City) -- or relocation of an Artwork shall be reviewed by the Public Art Commission 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.

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 Planning Board.

1. During the review process, the Artwork shall remain accessible to the public in its original location.
2. 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.
3. An Artwork may be considered for review toward deaccessioning if one or more of the following conditions apply:
  - a. The condition or security of the Artwork cannot be reasonably guaranteed;
  - b. The Artwork requires excessive maintenance or has faults of design or workmanship and repair or remedy is impractical or unfeasible;
  - c. The Artwork has been damaged or has deteriorated and repair or remedy is impractical or unfeasible;
  - d. The Artwork's physical or structural condition poses a threat to public safety;
  - e. The Artwork is proved to be inauthentic or in violation of existing copyright laws;
  - f. The Artwork is not, or is only rarely, on display because it lacks a suitable site;
  - g. 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;
  - h. Changes to the site have significantly minimized or eliminated the public's access to the Artwork;
  - i. The site where the work is located is undergoing privatization;
  - j. The Artwork has been lost, stolen, or is missing;
  - k. The Artwork has received documented and unabated adverse public reaction over an extended period of time (at least five years);

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- I. Deaccessioning is requested by the Artist;
    - m. The Public Art Commission wishes to replace the artwork with a more appropriate work by the same artist.
  4. Artwork may be reviewed for deaccessioning at any time at the initiative of City staff, Public Art Commissioners, Planning Board Members, or members of the public residing in the City of Alameda. 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).
  5. 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 Community Development Department. A Deaccession Request must also contain information about the requestor's relationship to the Artwork and/or stake in Deaccessioning the Artwork.
  6. Deaccession Requests shall be reviewed by Community Development Department staff, and then presented to the Public Art Commission at a regularly scheduled and noticed public meeting. The Public Art Commission 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 Commission on the Deaccession Request. Every reasonable effort to contact the Artist who created the Artwork named in the Deaccession Request and any other known stakeholders shall be made in advance of the presentation to the Public Art Commission or ad hoc committee.
  7. In addition to the Deaccession Request, Community Development Department staff may provide relevant corresponding materials including, but not limited to:
    - a. Artist's name, biographical information, samples of past artwork, and resume.
    - b. A written description and images of the Artwork.
    - c. Artist's statement about the Artwork named in the Deaccession Request.
    - d. A description of the selection process that was implemented at the time the Artwork was selected.
    - e. A formal appraisal of the Artwork provided by a qualified art appraiser.
    - f. Information about the origin, derivation, history, and past ownership of the Artwork.
    - g. A warranty of originality of the Artwork.
    - h. Information about the condition of the Artwork provided by a qualified visual arts conservator.
    - i. Information about and images of the Artwork's site.
    - j. Information about the methods used for collecting community feedback about the Artwork and the outcome.
    - k. Feedback from the Director of the City department responsible for operating and maintaining the Artwork's site.
    - l. A detailed budget for all aspects of conservation, maintenance, repair, installation, operation, insurance, storage, and City staff support.
    - m. The Artist's contract or comparable legally binding document.
-

- n. An opinion from the office of the City Attorney or the City's Risk Management Department.

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

- a. Artistic Excellence. Qualifications and professional reputation of the Artist; craftsmanship, conceptual content, style, form, condition, and value of the Artwork.
- b. 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.
- c. 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.
- d. 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.
- e. Legal Considerations. Issues related to liability, insurance, copyright, warranties, ownership, theft, vandalism, loss, indemnification, and public safety.
- f. Timing. Safety or hazard emergencies, relevant construction schedules, and the allowance of sufficient time for a normal review process.
- g. Acquisition Process. Method by which the Artwork was acquired and accessioned into the collection of City-owned artwork (i.e. donation, loan, commission).
- h. Community Feedback. Community feedback about the Artwork, its site, and its condition.
- i. Restrictions. Any recognized restrictions associated with the Artwork.

9. Members of the Public Art Commission, ad hoc committee, and Planning Board may request to view the actual Artwork during the Deaccession Review process.

10. The Public Art Commission shall make a recommendation to the Planning Board to approve, with or without conditions, or reject the Deaccession Request based on the review criteria in the above Section 8.

11. Deaccession Requests, along with the Public Art Commission's recommendation, shall be reviewed by the Planning Board at a regularly scheduled and noticed public meeting. The Planning Board 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 stakeholders shall be made in advance of the presentation to the Planning Board. The decision of the Planning Board is final.

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

13. The deaccessioned Artwork shall be removed from the collection of City-owned Artwork through methods administered by the Community Development. 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

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(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:

- a. Sale, including auction or sealed bid.
  - b. Trade.
  - c. Donation.
  - d. Destruction. This method shall only be used in the following instances:
    - The entire Artwork has been damaged or has deteriorated and repair or remedy is impractical or unfeasible.
    - 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.
    - Public safety can be protected only by destroying the Artwork.
14. 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 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 Community Development Department.
15. 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.
16. In accordance with the City's conflict of interest policies, Artworks may not be sold, traded, or donated to current employees of the City of Alameda, their business partners, or their immediate family members. Current elected officials, Public Art Commissioner members, and Planning Board 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.
17. 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.



ATTACHMENT E



ATTACHMENT F

SELECTED PERCENT FOR ART PROGRAM COMPARISONS  
California, Oregon, and Washington

*Note: This is a list of public art programs with legislated ordinances administered by the municipal government. Not included are the myriad of public art projects and special initiatives administered by municipal arts agencies and non-profit arts organizations without a legislated ordinance.*

Northern California

Municipality	Year % First Established	Capital Improvement Program (CIP)	Private Development BP = Building Permit	Arts Commission	Grants to Arts Orgs
<b>CALIFORNIA</b>					
Alameda	2006	1% of construction over \$250,000; maximum of \$150,000 for public art	1% of construction over \$250,000; maximum of \$150,000 for public art	Yes (currently inactive)	No
Albany	2007	1.75% of construction over \$300,000	1.75% for construction over \$300,000	Yes	No
Brea	1975	1%	1% of BP over \$1.5M	Yes	Limited
Berkeley	2008	Bond Measure FF	NA	Yes	Yes
Beverly Hills	1983	1%	NA	Yes	No
Burbank	1992	1%	1% of BP over \$500,000	Yes	Yes
Culver City	1994	NA	1% of BP over \$500,000 (industrial) and over \$250,000 Commercial	Yes	Yes
Davis	1973	FU	NA	Yes	Yes
Emeryville	1990	1.5%	1% of BP over \$300,000	No	No
Escondido	1988	NA	\$0.15 per square foot of all new development over 2,000 square feet	No	No
Lodi	2001	2% of construction over \$50,000	NA	Yes	Yes
Long Beach	1989	NA	1% of BP over \$250,000	Yes	Yes
Los Angeles	1985	1%	\$1.57 per gross square foot (1% max) over \$500,000	Yes	Yes
Oakland	1989	1.5%	N/A	Yes	Yes

Municipality	Year % First Established	Capital Improvement Program (CIP)	Private Development BP = Building Permit	Arts Commission	Grants to Arts Orgs
Palm Desert	1986	1%	¼ of 1% of residential projects exceeding \$100,000; ½ of 1% of commercial developments	No	No
Pasadena	1988	1% of construction over \$250,000	1% of BP less admin costs	Yes	Yes
Petaluma	2005		1% of construction over \$500,000	Yes	No
Pomona	2011	NA	1% commercial/residential over \$750,000	Yes	No
Redwood City	2007	Funding through grants	NA	Yes	Yes
Richmond	1997	1.5% of CIP and Redevelopment Agency projects over \$300,000	N/A	Yes	No
Sacramento	1977	2%	2% of Redevelopment Agency private projects	Yes	Yes
San Diego	1991	2% of projects exceeding \$250,000	1% of BP of non-residential development exceeding \$5M	Yes	Yes
San Francisco	1969	2% (includes redevelopment)	N/A	Yes	Yes
San Jose	1985	2%	1%	Yes	Yes
Santa Cruz	1999	2%	N/A		
Santa Barbara	1979	1%	NA	Yes	Yes
Santa Rosa	2006	NA	1% of BP over \$500,000	Yes	No
San Luis Obispo	1990	1%	.5% of total construction cost of non-residential projects over \$100,000	Yes	Yes
Santa Monica	1984	1%	2% of BP for on-site artwork or 1% for contribution to Cultural Trust Fund	Yes	Yes
Stockton	2000	2%	1%	Yes	Yes
Sunnyvale	1983	1%	N/A	Yes	Yes
Ventura	1992	2%	N/A	Yes	Yes

Municipality	Year % First Established	Capital Improvement Program (CIP)	Private Development BP = Building Permit	Arts Commission	Grants to Arts Orgs
Walnut Creek	2000	1%	1% for 25,000 SF; ½ % for 15,000 - 24,999 to Pedstrian Retail District or Core Area Dev Zone	Yes	No
West Hollywood	1990	Voluntary	1% of BP	Yes	Yes
<b>OREGON</b>					
Beaverton	1985	1% construction costs over \$100,000 and \$80,000 - \$100,000 annually from General Fund	NA	Yes	Yes
Estacada					
Eugene	1981	1% construction costs over \$50,000	NA	Yes	No
Portland	1980	2%	NA	Yes	Yes
<b>WASHINGTON</b>					
Bainbridge Island	1992	2% above-ground construction	NA	Yes	Yes
Edmunds	1976	1%	NA	Yes	Yes
Kent	1985	\$2.00 per capita	NA	Yes	Yes
Lynnwood	1990	1%	NA	Yes	Yes
Mercer Island	1993	1%	NA	Yes	Yes
Olympia	1988	1% of CIP plus \$1.00 per capita from City taxes	NA	Yes	No
Seattle	1973	1%	NA	Yes	Yes
Spokane	1981	1%	NA	Yes	Yes
Tacoma	2000	1%	NA	Yes	Yes

Prepared by Gail M. Goldman Associates  
December 14, 2011

## ATTACHMENT G

### CITY OF ALAMEDA CULTURAL ARTS PROGRAM GRANT GUIDELINES

#### ABOUT

The Alameda Cultural Arts Program (CAP) is being established to make quality arts programming more accessible to all residents and visitors in Alameda. CAP grants provide financial and technical assistance for community-based arts activities offered by eligible not-for-profits organizations based in the city of Alameda. The program supports professional fees for artists, marketing costs, and technical production services. Arts programming must be the driving force of project requests. CAP grants are competitive.

#### ELIGIBILITY

- Applicant must be a 501(c)(3) organization, association or institution located in the city of Alameda with an Alameda mailing address whose primary mission is providing services to residents of Alameda.
- Applicant must be actively engaged in providing programs to the community since 20\_\_.
- Applicant must have an active Board of Directors which meets at least three times a year.
- Applicant must submit evidence of not-for-profit status through a determination letter from the Internal Revenue Service as a 501(c)(3).

#### WHAT CAP WILL FUND

- Grants are available for arts programs of high artistic merit and exemplary quality. The qualifications and caliber of participating artists is a large part of the evaluation process.
- Grants are available for support of a specific project only.
- Projects must have at their core an activity that is fundamentally arts, as opposed to an activity the outcome of which is fundamentally rehabilitative, therapeutic, or recreational.
- Projects must take place between January 1 and December 31, 20\_\_.
- Projects must be open to, targeted to, available to, promoted to and easily accessible to the general public of the city of Alameda and not just an organization's membership. Projects that are of specific interest to a small group will not be funded even if opened to the general public.
- CAP will fund expenses such as artist fees, marketing and publicity, postage, printing, some supply costs, space rental, and other expenses that support a specific program.

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## WHAT CAP WILL NOT FUND

- Capital expenditures, construction, mortgage payments, staff salaries, improvements, or expenditures for establishment of new organizations.
- Activities that are targeted to at-risk audiences, targeted to a small insular group, or at facilities not considered open to the general public.
- Activities that announce that they are open to the general public but are not easily accessible or not promoted to the general public or are not in spirit targeted to the general public.
- Activities that are primarily geared towards an audience outside of the city of Alameda.
- Public school districts, their affiliates or components, that exclusively serve a student audience, with no public component.
- City of Alameda agencies and departments.
- Projects taking place in a school during the school day or immediately after. Requests should not reflect activities targeted primarily to school audiences and school-based programs.
- Projects where fees are paid to students of universities, high schools, middle or elementary schools, or the use of children as professional artists.
- Activities that are fundamentally recreational, rehabilitative, or therapeutic (i.e.. magic shows, balloon art, juggling, clowns, art therapy).
- Fundraising events, awards, prizes, lobbying costs, reception costs (i.e. food and drink).
- Acquisition of works of art or the creation of books.
- Activities that already have taken place.
- Supply and equipment purchases, unless used during the course of the project (i.e. art supplies, cameras, etc.) Equipment rental is allowed.

## SPONSORSHIP OF SMALL GROUPS

Organizations that do not have not for profit status can seek sponsorship with an organization that fits the eligibility criteria. The sponsoring organization is called the “Applicant Organization”.

## FUNDING PREFERENCES

- Organizations demonstrating that access to the project is being provided to as broad an audience as possible.
- Organizations that provide at least 20% of the project costs from sources other than CAP or include the equivalent in in-kind contributions.

## REVIEW CRITERIA

### Artistic Merit

- Artistic quality, program quality.
- Caliber and credentials of artists and other project personnel supported by resumes and/or work samples.

### Guidelines and Application

- Adherence to these guidelines.
- Application clarity, completeness and neatness.

### Feasibility

- Clearly defined project objectives, project implementation, and management.
- Demonstrated ability of personnel to administer project.
- Reasonable project budget and demonstrated need for public support.
- Demonstrated community interest, community support, and community benefit..
- Effectiveness of proposed promotional efforts throughout the community.
- Applicant's history with regard to existing program success and management.

## DIRECTIONS FOR COMPLETING APPLICATION

### Amount of Request

The total request amount from one organization cannot exceed \$3,000.

### Deadline

- Applications must be RECEIVED no later than at 5pm on \_\_\_\_\_.
- No applications will be accepted after this date and time. CAP does not give extensions.

### Writing the Application

- Please read the application and guidelines carefully. This grant is competitive!
- All italicized text in the application must be deleted.
- The application must be typed, with the exception of the budget page which can be hand written. Type must be at least 12 pt.
- The format and page breaks as they appear in the application must be maintained. An extra page each for a detailed statement and long budget breakdown is allowable.

## REVIEW PROCESS

- Applications will be checked by Planning Department staff for eligibility, completeness, and accuracy. Applicants may be contacted for clarification and/or additional information.
- The Public Art Commission will read the applications in advance of the Application Review Meeting which will be held in \_\_\_\_\_. The PAC will make recommendations to the Planning Board that will meet and forward a recommendation to the City Council for final approval. Applicants will be informed of the decision regarding their requests by letter no later than \_\_\_\_\_.



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**SUBMISSION INSTRUCTIONS**

**1. Submit *ONE* of each of the following (loose, not stapled):**

**Proof of Not for Profit Status**  
Submit IRS 501(c)(3) Letter or Proof.

**Expense & Income Statement from last completed fiscal year.**  
Arts organizations that are the applicant organization or the organization are required to submit completed statement.

**2. Submit \_\_\_\_\_ *SETS* of the following, stapled and in this order; no cardstock or cover pages:**

**Grant Application**  
One (1) set with an original signature, the remaining \_\_\_\_ sets can be copies.

**Board of Directors List with Names and E-mail Addresses**  
This is a requirement for arts organizations that are the applicant organization and for the organization being sponsored.

**Artist Information**  
Please attach artists' resumes. This information is essential for the panel to address the qualifications and caliber of the artist(s) you wish to pay with CAP funds.

- If multiple artists are being hired, it is permissible to attach a relevant summation of each artist's accomplishments and careers (not an artist statement).
- Catalogues, brochures, and other materials may be included.

**Audio-Visual Documentation**  
Relevant documentation that supports the artistic quality of past and proposed programs and exhibitions may be submitted on CD or DVD containing, but not limited to:

- Audio and video files of work samples for theatre, dance, music, and other performing arts.
- PowerPoint and/or digital images of the work of proposed visual artists.

**Optional Supporting Material**  
You are encouraged to attach supporting information such as a brochure or flyer from a previous project, news clippings, photographs, and other promotional materials. Recent critical reviews or feature articles --no more than three clippings, no older than 3 years with dates clearly indicated.

- Please be selective since too much information can be overwhelming.
- Highlight or circle relevant information in long articles.
- Single sets of supporting materials will be passed around during the application review meeting.

**BUDGET INSTRUCTIONS**

- The budget page is for cash expenses and income only. Do not include in-kind on this page.
- Start by filling out your Expenses and Income. Provide explanations or breakdowns in the second column as demonstrated below. If you need more room to itemize expenses, such as a supply list or a list of artistic personnel, you may include an additional page.
- Then subtract “Column B Total Income” from “Column A Total Expenses”. The resulting amount, your deficit, will be your “Grant Request”.
- Column “C. CAP Request” shows exactly which expenses the grant will cover. The total of column C and the CAP request at the bottom of the page must match.
- **Please check your math before submission** (both horizontally and vertically).

**SAMPLE BUDGET**

<b>PROJECT EXPENSES</b>	<b>Provide Breakdown Below</b>	<b>(A) TOTAL EXPENSES</b>	<b>(C) CAP REQUEST</b>
Artistic Personnel	<i>1<sup>st</sup> concert: 3 musicians. 2<sup>nd</sup> concert: 6 musicians. 3<sup>rd</sup> concert 3 musicians. Total 12 musicians @ \$100 each</i>	<i>\$1,200</i>	<i>\$1,200</i>
Technical Personnel	<i>Sound Engineer</i>	<i>\$200</i>	
Space Rental	<i>\$100 x 3 concerts</i>	<i>\$300</i>	<i>\$225</i>
Equip. Rental, Supplies			
Travel			
Advertising Promotion	<i>3 display ads @ \$200 ea B&amp;W postcard printing \$45. Mailing \$144. 100 posters</i>	<i>\$600 \$195 \$45</i>	
Remaining Operating Expenses (itemize)	<i>Rental Scores (\$250) Custodian for 3 concerts \$50 x 3</i>	<i>\$250 \$150</i>	
	<b>TOTALS</b>	<b>\$2,940</b>	<b>\$1,425</b>

<b>PROJECT INCOME</b>	<b>Provide Breakdown Below</b>	<b>(B) TOTAL INCOME</b>
Admissions	<i>75 people / 3concerts @ \$5 ea</i>	<i>\$1,125</i>
Membership, Dues		
Workshops, Sales		
Contributions Individual		<i>\$150</i>
Contributions Corporate		<i>\$250</i>
Other Grants (not GAP)		
Other (explain)		
	<b>TOTAL</b>	<b>\$1,525</b>

**CAP Request: \$1,425**

Subtract “B. Total Income” from “A Total Expenses”

## **CAP Application – Page 1**

*Please maintain the format and page breaks as they appear in the application.*

### **APPLICANT ORGANIZATION INFORMATION**

1. Applicant Organization (not for profit) Name:
2. Applicant Organization Mailing Address (city, zip):
3. Applicant Organization Website:
4. Applicant Organization year incorporated:
5. Name of Executive, Director or President of Applicant Organization:
6. Executive Director or President daytime phone:
7. Executive Director or President e-mail:
8. Contact Person Name and Title:
9. Contact Person Address:
10. Contact Phone:
11. Contact E-mail:
12. Name of group being sponsored if the Applicant Organization is acting as a sponsor for another local arts organization:
13. Mailing address and website of organization being sponsored:

### **CAP GRANT REQUEST**

14. Name of Project:
15. Amount Requested: \$ \_\_\_\_\_

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## CAP Application – Page 2

*Please maintain the format and page breaks as they appear in the application.*

### 1. APPLICANT ORGANIZATION

Briefly describe the overall purpose and general activities of the Applicant Organization.

### 2. ORGANIZATIONS BEING SPONSORED

Briefly describe the purposes and general activities of the organization being sponsored.

### 3. CERTIFICATION AND RELEASE - To Be Signed by the President or Executive Director of the Applicant Organization AND the individual filling out the application.

The undersigned certifies that she or he:

- a. Has read and understands the 20\_\_ CAP guidelines and agrees that this request complies with and is made subject to said guidelines;
- b. Understands that any award checks are made out to the Applicant Organization;
- c. Agrees that the Applicant Organization is responsible for the occurrence of the funded project; and
- d. Understands that the applicant organization will hold responsibility for ensuring that a final report on the funded project is submitted even if that report is written by another.

#### President or Executive Director of Applicant Organization

\_\_\_\_\_ Date: \_\_\_\_\_

Print name: \_\_\_\_\_ Title: \_\_\_\_\_

#### Individual filling out Application (if different from above)

\_\_\_\_\_ Date: \_\_\_\_\_

Print name: \_\_\_\_\_

## CAP Application – Page 3

*Please maintain the format and page breaks as they appear in the application.*

### 1. **EVENT INFORMATION**

*Use the following format to list dates, times and locations of your requested event(s). If information is not confirmed, write what you can, i.e. "mid-June". Estimate audience size.*

<u>Activity</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Ticket Fee</u>	<u>Audience Size</u>
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### 2. **SUMMARY STATEMENT**

*Summarize your project in one sentence.*

### 3. **DETAILED STATEMENT**

*Describe your project on this page and one additional page, if needed. Address all points listed below. You do not need to write a separate paragraph for each bullet -- just make sure that every point below is covered somewhere in the narrative. Any expenses described in the narrative should be found on the budget page of this application. Any costs listed in the budget should be described in the narrative.*

- Write clear, concise, detailed narrative description of the project.
- Describe the art, i.e. the performance, exhibition, or activity.
- Name the artistic personnel and describe their qualifications and experience. Note that a resume also will be attached.
- Name the administrators of the project and describe their qualifications.
- Describe the size and type of audience that will be served by the project. Comment on community interest in your proposed project and community benefit.
- Address the need for these funds.

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## **CAP Application – Page 4**

*Please maintain the format and page breaks as they appear in the application.  
An extra page may be used to answer these questions.*

**1. IN-KIND CONTRIBUTIONS**

*Describe services that are being donated to your project such as space rental, printing, utilities, volunteers, food, etc.:*

**2. FUNDING PRIORITIES**

*List the expenses most crucial for the success of your project. If your project receives funding at a reduced level, describe how your project could be adjusted.*

**3. PROMOTIONAL EFFORTS**

*Describe your planned publicity and promotional efforts for the project. How will your organization encourage community interest and participation?*

**CAP Application – Page 5**

*Please maintain the format and page breaks as they appear in the application.*

**BUDGET**

<b>PROJECT EXPENSES</b>	<b>Provide Breakdown Below</b>	<b>(A) TOTAL EXPENSES</b>	<b>(C) CAP REQUEST</b>
Artistic Personnel			
Technical Personnel			
Space Rental			
Equip. Rental, Supplies			
Travel			
Advertising Promotion			
Remaining Operating Expenses			
	<b>TOTALS</b>		

<b>PROJECT INCOME</b>	<b>Provide Breakdown Below</b>	<b>(B) TOTAL INCOME</b>
Admissions		
Membership, Dues		
Workshops, Sales		
Contributions: Individual		
Contributions: Corporate		
Other Grants (not CAP)		
Other (explain)		
	<b>TOTAL</b>	

**CAP Request: \$ \_\_\_\_\_**

*Subtract "B. Total Income" from "A. Total Expenses"*