



City Council Chambers
Vallejo City Hall
555 Santa Clara Street
Vallejo, CA 94590
www.cityofvallejo.net

AGENDA

COMMISSION ON CULTURE & THE ARTS REGULAR MEETING 6:00 P.M. – 8:00 P.M. September 28, 2020

CHAIR
Dalia Vidor
COMMISSIONERS
Trevor Allen, Vice Chair
Stacey Loew
Ken Mullen
Paul Boneberg
Askari Sowonde
Andrea Hernandez

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This AGENDA contains a brief general description of each item to be considered. The posting of the recommended actions does not indicate what action may be taken. If comments come to the Commission on Culture & the Arts without prior notice and are not listed on the AGENDA, no specific answers or response should be expected at this meeting per State law.

Pursuant to the Government Code Section 54954.3 (The Brown Act), members of the public shall be afforded the opportunity to speak on any agenda item of interest to them provided they are first recognized by the presiding officer. Members of the public wishing to be so recognized are requested to submit a completed speaker card to the Executive Secretary of the Commission prior to the consideration of the item.

Those wishing to address Commission on Culture & the Arts on any matter for which another opportunity to speak is not provided on the AGENDA but which is within the jurisdiction of the Commission on Culture & the Arts to resolve may come forward to the podium during the "COMMUNITY FORUM" portion of the AGENDA.

Members of the public have the right to speak on any item on this agenda. Those wishing to address the Commission on Culture & the Arts: 1) during the Community Forum are limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300; and 2) on a Consent Calendar item are limited to three minutes pursuant to Vallejo Municipal Code Section 2.02.310.

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1. CALL TO ORDER – 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. COMMUNICATIONS

- A. City Council Liaison Report
- B. Commission Liaison Report

5. PRESENTATIONS - 6:10 p.m.

- A. None

6. COMMUNITY FORUM – 6:10 p.m.

Anyone wishing to address the commission on any matter for which another opportunity to speak is not provided on the agenda, and which is within the jurisdiction of the commission to resolve, is requested to submit a completed speaker card to the Executive Secretary of the Commission. When called upon, each speaker should state his /her name, and address for the record. The conduct of the community forum shall be limited to a maximum of fifteen (15) minutes, with each speaker limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300.

7. APPROVAL OF AGENDA – 6:25 p.m.

A. Approval of Agenda

Recommendation: By motion, approve the September 28, 2020 agenda.

8. APPROVAL OF MINUTES – 6:25 p.m.

B. Approval of Minutes

Recommendation: By motion, approve the minutes from the August 24, 2020 meeting.

9. ACTION CALENDAR

A. Art Grant Program – 6:30 p.m.

Review and discuss the recommendations of the Ad-Hoc Committee regarding the timeline, informational seminars, outreach, selection of three Commissioners and two community members to serve on Selection Committee with VCAF.

Recommendation: By motion, accept the recommendations of the Ad-Hoc Committee on the timeline, informational seminars, and identify Commission members and community members who will serve on the Selection Committee with VCAF.

B. Discussion on Gift Policy – 7:00 p.m.

Review and discuss the draft Gift Policy.

Recommendation: None.

10. FUTURE AGENDA ITEMS – 7:20 p.m.

A. Addition of items to Future Agenda List

- Inventory of city-owned art
- Art in storage
- CCRC presentation
- Vallejo Artists Collective Gallery/Temple Art Lofts Community Gallery
- Art of Peace Update
- Artwalk Update
- Century 14 Theaters/Fathom cultural events
- African American Alliance
- Naval Museum
- Mad Hatter Presentation

11. NEXT SCHEDULED MEETING DATE: October 26, 2020

12. ADJOURNMENT – 8:00 p.m.

ADDITIONAL CITY INFORMATION

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I, Annette Taylor, do hereby certify that we have caused a true copy of the above notice and agenda to be delivered to each of the members of the Commission on Culture & The Arts, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at 5:30 p.m., September 24, 2020.

Dated: Thursday, September 24, 2020

Annette Taylor

Annette Taylor, Staff Liaison

Due to the Coronavirus emergency, all City Council meetings will be held via teleconference. Members of the public may provide public comments during the City Council Meeting via ZOOM

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- Dial (669) 900-6833
- Enter Meeting ID: 914 0075 0676#
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MINUTES

COMMISSION ON CULTURE & THE ARTS REGULAR MEETING 6:00 P.M. – 8:00 P.M. August 23, 2020

CHAIR
Dalia Vidor
COMMISSIONERS
Trevor Allen, Vice Chair
Stacey Loew
Ken Mullen
Paul Boneberg
Askari Sowonde
Andrea Hernandez

1. **CALL TO ORDER – 6:00 p.m.**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**

Present: Dalia Vidor, Chair, Trevor Allen, Vice Chair, Stacey Loew, Paul Boneberg, Andrea Hernandez

Absent: Ken Mullen, Askari Sowonde

4. **COMMUNICATIONS**

A. City Council Liaison Report – Councilwoman Verder-Aliga told the Commissioners that she appreciate patience for meeting to take place.

B. Commission Liaison Report – Staff stated that meetings will be held on as needed basis, depending on any actionable items to come before the Commission. Staff is working on holding meetings on a regular basis. Staff addressed questions regarding funding.

5. **PRESENTATIONS**

A. None

6. **COMMUNITY FORUM**

Gretchen Zimmerman inquired about what to do with Art and Entertainment website. Staff will discuss with Ms. Zimmerman her contract and funding for website. Commission asked staff to keep them informed.

7. **APPROVAL OF AGENDA**

Commissioner Boneberg moved and Commissioner Allen seconded to approve the August 23, 2020 agenda with correction of the numbering on the agenda. Approved unanimously, 5-0 with Commissioners Mullen and Sowonde absent.

8. **APPROVAL OF MINUTES**

Commissioner Hernandez moved and Commissioner Vidor seconded to accept the minutes. Approved unanimously, 5-0 with Commissioners Mullen and Sowonde absent.

9. ACTION CALENDAR

A. Administration of Program Funding

Commissioners discussed the recommendations of the Ad-Hoc Committee presented at the February 24, 2020 meeting and the need to proceed as quickly as possible to get the money out to the community, and the need for arts and culture. Staff informed the Commissioners that the agreement with Vallejo Community Arts Foundation (VCAF) was signed by the City Manager in June 2020 with the Ad-Hoc Committee recommendations. Staff didn't want to bypass the Commission in the process of going forward with VCAF. It was recommended that an announcement go out as soon as possible, an Ad Hoc Committee be created to work with VCAF; timelines, training for applicants, selection process and stated outcomes were discussed.

Commission Hernandez moved and Commissioner Allen seconded to accept the recommendations the Ad Hoc Committee on the number of grants awarded and the percentage of allocation for administration and have the Ad Hoc Committee meet with VCAF. Approved unanimously, 5-0 with Commissioners Mullen and Sowonde absent.

B. Discussion on Draft Public Art Funding Policy

Chairperson Vidor provided an overview of the draft Public Art Funding policy. Discussion included focus on ordinance is to preserve the General Fund and to be able to obtain funding from various places, timing of the request. Council Liaison Verder-Aliga said she agrees that this item should be presented to City Council.

Commissioner Allen moved and Commissioner Loew seconded to accept the recommendations in the draft policy and request Council Liaison Verder-Aliga to request Public Art Funding Policy be placed on a future City Council agenda. Approved unanimously, 5-0 with Commissioners Mullen and Sowonde absent. Council Liaison requested Commissioners attend the City Council meeting. Approved

10. FUTURE AGENDA ITEMS

- General Plan Art Element
- Art walk Update
- CAC Goals
- Art in Storage
- Long term funding for the arts
- Gift Policy
- Inventory of city art

Commissioner Boneberg asked that the process of how grants are to be awarded be agendaized as an Action Item. Chairperson Vidor asked that the draft Gift Policy be agendaized for review and make recommendations.

12. **NEXT SCHEDULED MEETING DATE:** September 28, 2020

13. **ADJOURNMENT** – 8:02 p.m.

ATTESTED:

DALIA VIDOR, CHAIR

Annette Taylor

ANNETTE TAYLOR, STAFF LIAISON

DRAFT ARTWORK GIFT REVIEW POLICY

1.0 PURPOSE

The purpose of the Artwork Gift Review Policy is to ensure that only public artwork of the highest quality and enduring value is accepted into the City's collection.

2.0 ENABLING LEGISLATION

Vallejo Municipal Code Chapter 2.32 establishes the Commission on Culture and the Arts' responsibility to "coordinate arts projects for the benefit of the community" and to "advise the City Council regarding public arts projects."

3.0 DEFINITIONS

- 3.1 *Public Art*: Works of visual art intended for installation or placement at indoor or outdoor public property sites in the public view under the City of Vallejo's jurisdiction.
- 3.2 *Commission on Arts & Culture (CAC)*: A professionally qualified, nine-member citizen committee appointed by City Council to oversee quality control of the City's public art program and collection.
- 3.3 *Gift*: An existing or proposed work of art offered as a donation to the City for placement at a public site under the City's jurisdiction; alternatively, a monetary gift for the purpose of acquiring artwork for the City.
- 3.4 *Donor*: An individual, group, organization or business that proposes a work of art for placement or installation on a City-owned site, and/or, when applicable, the artist(s) who created the proposed gift.

4.1 REVIEW PROCESS

The Artwork Gift Review Policy provides a process for the review of proposed gifts of art to the City and for the placement, care, and preservation of artwork acquired through this process.

4.2 Review Procedure

All proposed gifts of artwork to the City will be referred to the CAC. The CAC's written recommendations on the acceptance or rejection of proposed gifts of, and the proposed location, shall be referred to the City Council for final consideration. Before CAC review of a proposed gift, the item will be noticed for the benefit of interested public.

4.3 Community Involvement, Departmental Approval and Public Safety

Once a proposed site has been identified by a donor, staff will review the proposal with the surrounding community and consult with the appropriate City official(s) regarding the selection, fabrication, and/or placement of the proposed artwork on the site. Department heads must approve proposals for sites over which their department has jurisdiction. Proposals must also address issues of public safety and will be reviewed by the offices of the City Attorney and Risk Management as needed.

Additional bodies may be required for approval, as identified in the Municipal Code or development agreements.

4.5 Recommendations

- A. If the CAC recommends against accepting the proposed gift, staff will (a) report the CAC's recommendation to the City Council, and (b) notify the donor.
- B. If the CAC recommends acceptance of the proposed gift, and the recommendation is approved by the City Council and other bodies (if appropriate), a formal agreement will be executed between the City and the donor or artist. This agreement will include the costs, responsibilities and schedule of all aspects of the project, including project funding, fabrication, site preparation, installation, maintenance needs, maintenance endowment, transfer of title, artist's rights, public education costs, project supervision and donor's administrative costs, documentation, an identification plaque, the donor's/artist's rights, the City's rights (including policy on deaccessioning), liability insurance (if applicable) and indemnification, and other requirements established by the CAC, City staff, and City Council.

5.1 CONDITIONS FOR REVIEW

5.2 Proposals Considered

The City will consider the following types of proposals for works of public art on City-owned sites:

- A. A donor's offer of an existing work of art.
- B. A donor's offer to commission an artwork by a specific artist or artists.
- C. A donor's offer to commission an artwork through a competitive public process.

However, a donor's offer of a gift cannot be contingent upon guarantee of a specific site where the work of art will be placed.

5.3 Maintenance Endowment

The City will consider proposed gifts of art with the understanding that no City funds will be required for fabrication, siting or installation of the work. In addition, donors will be required to deposit funds equivalent to at least 15% of the commission cost of the artwork to the City's Artwork Maintenance Fund. A maintenance audit will be conducted as part of the proposal review if, in the opinion of staff, the proposed gift is likely to incur high

maintenance costs and requires a larger contribution to the Artwork Maintenance Fund. Exorbitant maintenance costs may be grounds for rejection.

5.3 Acquisition Procedures

Staff will inform the donor of the review procedures, criteria and standards governing the acceptance of gifts of public art. In all cases, the donor will be asked to submit the following materials to staff prior to Panel review of the proposed gift:

- A. A brief statement of intent from the artist;
- B. Adequate visual representation of the proposed work in drawing(s) and/or photographs and/or model(s), with scale and materials indicated;
- C. A scale drawing showing the proposed work as it will be sited;
- D. A comprehensive budget, with projected costs for the project, funds committed to date, and proposed source(s) of funds; and
- E. Artist's resume and any additional supporting material relevant to the artist's experience.

6.1 REVIEW CRITERIA AND STANDARDS FOR ACCEPTANCE

The selection panel's criteria for evaluation shall include:

6.2 Aesthetic Quality

The foremost consideration will be the inherent quality of the proposed work of art as assessed by the critical review of the CAC. The history, reputation and/or promise of the artist may also be key considerations.

6.2 Relationship to Collection and to City

The proposed artwork will be analyzed by the CAC for its potential relationship to the present collection and to the goals of the City's Public Art Policy, and whether it will enhance the aesthetic quality of the City.

6.3 Compatibility

CAC will consider conceptual compatibility and appropriateness of the proposed artwork to the surrounding neighborhood or environment, and will include scale, form, content and design.

6.4 Budget

CAC's consideration will include an evaluation of the donor's proposed budget and the artist's ability to successfully complete the project within the proposed budget, and review to assess realistic estimates and comprehensiveness of the budget as it addresses all costs of the proposal.

6.5 Materials, Fabrication and Installation

Staff will evaluate the artist's proposed materials and method(s) of fabrication, and their appropriateness to the project as regards structural and surface integrity, protection against theft, vandalism, public safety and weathering, and an analysis of long-term maintenance needs. Staff will also analyze the artist's proposed method of installation of the artwork and evaluate the safety and structural factors involved in the installation.

6.6 Unrestricted Gifts

Proposed gifts to the City should be clear and unrestricted.

6.7 Project Costs

Acceptance is contingent upon receipt by staff of payment from the donor for all costs associated with the gift that are not being covered by the donor directly, e.g. transportation, installation, and maintenance endowment.

6.8 Inventory

Proposed gifts to the City must be entered into the City's inventory of public art, including the artist name, date of construction/creation, date of gifting, type and source of materials, specifications (dimensions, weight, etc.), and estimated market value.

7.0 ALTERATIONS TO PROPOSED DESIGN

Any significant change to the design or concept made by the artist or donor after approval of the gift proposal must be reviewed and accepted by the CAC, and may be grounds for rejection of the gift.

8.0 REVIEW OF FABRICATION AND INSTALLATION

Works of art accepted from maquettes or drawings will be subject to staff and CAC review throughout fabrication and installation. Specific plans for site design, installation, maintenance and protection must be submitted for approvals and accepted by staff and CAC.

9.0 APPEAL POLICY

No appeals will be considered on the grounds of the panel's aesthetic evaluation of an existing or proposed work.

10.0 DEACCESSIONING

In accepting a gift of artwork, the CAC will not be bound by any agreement with the donor that restricts their ability to act in the City's best interests. Nothing in the acceptance of a gift of artwork shall prevent the CAC from approving subsequent disposal (removal, relocation, sale and/or deaccessioning) of such gift if it serves the City's best interest to do

so. The CAC will deaccession and sell or otherwise dispose of works of art in its collection in accordance with the Public Art Policy's Deaccessioning policies, the requirements of the City's administrative code, and the limitations of the California Art Preservation Act (Civil Code 987) and the Visual Artists Rights Act of 1990 (17 U.S.C. 106A and 113(d)).

DRAFT