



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. October 26, 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 October 26, 2020 agenda.

8. **APPROVAL OF MINUTES – 6:25 p.m.**

- B. **Approval of Minutes**

Recommendation: By motion, approve the minutes from the September 28, 2020 meeting.

9. **ACTION CALENDAR**

- A. **Art Grant Program Update – 6:30 p.m.**

Updates on the timeline, informational seminars and outreach will be provided along with the name of the two community members selected to serve on the Selection Committee with the Ad-Hoc Committee.

Recommendation: By motion, accept the recommendations of the Ad-Hoc Committee on the timeline, informational seminars, two 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. Provide any proposed edits to the policy.

Recommendation: By motion, accept the recommendations of proposed edits to the Gift Policy.

C. Black Lives Matter Mural

Izzy Drumgoole will make a presentation on the Black Lives Mural. City Council referred this item to the Commission to make recommendations. This is a city project. Recommendation: By motion, make a recommendation on the mural concept to the City Council.

10. FUTURE AGENDA ITEMS – 7:20 p.m.

A. Review and discuss items on the 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: November 23, 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., October 22, 2020.

Dated: Thursday, October 22, 2020

Annette Taylor

Annette Taylor, Staff Liaison

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MINUTES

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

1. **CALL TO ORDER – 6:04 p.m.**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**

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

Absent: Askari Sowonde

4. **COMMUNICATIONS**

- A. City Council Liaison Report – Councilwoman Verder-Aliga informed the Commissioners that she requested that Long Term Funding be agendized on a future City Council agenda.
- B. Commission Liaison Report – Staff informed the Commissioners that the City Council referred the Black Lives Matter mural to this Commission to make recommendations to them. Councilwoman Verder-Aliga said she would get clarification from the Mayor's Office.

5. **PRESENTATIONS**

- A. None

6. **COMMUNITY FORUM**

Jeann McDougald provided information of the US Census and encouraged people to take the time to complete the form.

7. **APPROVAL OF AGENDA**

Commissioner Allen moved and Commissioner Hernandez seconded to approve the September 28, 2020 agenda. Approved unanimously, 6-0 with Commissioner Sowonde absent.

8. **APPROVAL OF MINUTES**

Commissioner Loew moved and Commissioner Vidor seconded to accept the minutes. Approved unanimously, 6-0 with Commissioner Sowonde absent.

9. ACTION CALENDAR

A. Art Grant Program

Commissioner Loew provided the Ad-Hoc Committee's proposed timeline for the informational seminars, outreach and recommendation to City Council. There were discussions regarding the Commission meeting in November and December, the process on how the Commission would review the applications, have a transparent process, have the entire Commission review the applications instead of having a Selection Committee that has two community members. Also discussed were the proposed dates and times for the informational seminars, press release, instructions and application. Selection of the Ad-Hoc Committee members who will be part of the Selection Committee was made that included Commissioner Hernandez, Loew, and Sowonde, with Chairperson Vidor as an alternate if Commissioner Sowonde is not available. Discussion followed regarding the selection of the two community members who would serve on the Selection Committee. Commissioner Loew volunteered to take the lead of gathering names of prospective community members from the Commissioners and work with VCAF to select two community members. The Commissioners will provide two names to Commissioner Loew within the next two days.

Commission Hernandez moved and Commissioner Allen seconded to accept the recommendations the Ad Hoc Committee on the timeline, selection of the three Ad-Hoc Committee members, and the selection process for the two community members. Approved unanimously, 6-0 with Commissioner Sowonde absent.

B. Discussion on Gift Policy

Chairperson Vidor opened the item for discussion. A question was asked to clarify if the proposed gift policy requires a donor to contribute 15% of the value of the art piece for maintenance with discussion following. The Commissioners will review the draft policy and return next month with additional comments. Also discussed was the name Artwork Gift Review Policy. Item to be brought back for discussion and recommendation at the next meeting.

10. FUTURE AGENDA ITEMS

A. Black Lives Matter Mural, Gift Policy, and Art Grant

Staff will add the Black Lives Matter mural on the October agenda after there is clarification as to the role of the Commission. Also on October agenda will be the Gift Policy and Art Grant

B. Other Potential Future Agenda Items

Discussion by Commissioners as to what remains on the Future Agenda Item List and what may be added to the Future Agenda Item List. Concern was expressed about the state of the arts, perhaps Commission could have a presentation/ forum; perhaps working with Gretchen Zimmerman to advertise.

11. NEXT SCHEDULED MEETING DATE: October 26, 2020

13. ADJOURNMENT – 7:45 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 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