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A letter from Mayor Ezzy Ashcraft (or CM Jennifer Ott)

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Public Art Commission members

Adam Gillitt, Chair
Liz Rush, Vice Chair
Robert Ferguson
Peter Platzgummer
Jennifer Hoffecker

Base Reuse and Economic Development Department Staff

Lois Butler, Economic Development Division Manager
Walker Toma, Development Manager
Amanda Gehrke, Special Projects Manager

Community participants involved in the process included artists, arts and culture organizations, City staff, developers, arts educators, and philanthropists.

Local Artist

Yolanda Cotton Turner

Survey Respondents

439 anonymous survey respondents

FORECAST

Plan content prepared by Forecast Public Art:

Jen Krava, Director of Programming

Mark Salinas, Senior Project Manager

Yarlyn Rosario, Project Manager

Mallory Rukhsana Nezam, Consulting Partner

Plan designed by:

Jessica Warren

Executive summary

The Public Art Master Plan (Plan) is a comprehensive guide that aims to promote and support public art in the City of Alameda (City). Alameda has a thriving arts and culture community that is supported by the Base Reuse and Economic Development Department (BREDD) to foster a unique sense of place and a more livable and economically thriving city. The Public Art Commission (PAC) plays a critical role in ensuring that public art in Alameda is of the highest quality and reflects the values, cultural heritage, and diversity of the community. Together, BREDD and PAC provide access to resources and opportunities for artists and cultural organizations, and ensure that public art is accessible and inclusive for everyone in Alameda with limited capacity and variable funding schedules.

Through a competitive RFP process, Forecast Public Art was selected to develop the Public Art Master Plan in collaboration with BREDD. The Plan's development involved collaboration with local artists, arts organizations, and community members through a community engagement strategy. The strategy involved reaching out to a diverse range of stakeholders through various channels and actively listening to their input in places where they congregate. Overall, we received input from over 600 people through one-on-one conversations, focus groups, pop-up creative engagement activities, and a community-wide survey. We additionally held three workshops with the PAC.

This Plan establishes policies and procedures that will help the city to effectively manage its public art program and collection, prioritize public art funding, and create a cohesive approach to public art that is accessible and inclusive. The plan builds upon the 2012 report, Synergy: Public Art for Alameda and the Alameda General Plan 2040, and will help the city to evaluate the success of its public art program and measure its impact on the community.

One of the main reasons for the development of the Plan is to ensure that the City's limited resources are being used to support the most important and impactful public art projects. The Plan

will also enable the City to create a strategic approach to site selection for public art, carefully planning ahead to avoid potential issues and to ensure that public art is integrated seamlessly into the community. By working closely with artists, institutions, and community members, the City can tap into a wealth of creativity, cultural perspectives, and local knowledge to inform its public art program. This collaborative approach can lead to a better distribution of public art that is reflective of the diverse interests and identities of the city's residents.

Additionally, the Plan will amplify a sense of place and identity for the City, helping to define Alameda's unique character and enhance its cultural and creative landscape. By having a structured and comprehensive approach, the City can build a cohesive public art program that is in line with its objectives and creates a positive impact on the community. The involvement of the community in the public art process is crucial to ensure that the projects selected, commissioned, and installed reflect the diversity of cultures, perspectives, and interests of the residents of the city. This not only allows for a more inclusive and representative public art collection, but also creates a sense of ownership and pride in the community for the artwork that is being displayed.

About this Plan

This Plan is organized into two sections: an **Executive Summary** and a **Road Map for Public Art in Alameda** and includes nine (9) appendices. The Road Map is comprised of two sections: **Recommendations** and a **Five-Year Action Plan**. The **Recommendations** present overarching themes that help to establish strategic priorities for public art in Alameda, while the **Five-Year Action Plan** lays out specific actions that can be taken each year over the next five years in order to meet the recommendations.

The Plan is intended for use by city officials, artists, developers, and members of the community interested in participating in the public art process. The plan outlines the processes, roles, responsibilities, and funding mechanisms related to the commissioning, selection, placement, maintenance, and deaccessioning of public art in Alameda. It also includes appendices that provide additional background and guidance on the plan's implementation.

City officials can use the plan as a reference for developing policies and procedures related to public art, while artists and developers can refer to it for information on the public art commissioning process, selection criteria, and placement guidelines. Members of the community interested in participating in the public art process can use the plan to learn about the various opportunities available for contributing to the city's public art collection, as well as the criteria and requirements for doing so. The plan can also serve as a tool for ensuring transparency and accountability in the city's public art program by providing a clear framework for decision-making and resource allocation.

Appendix A provides a summary of the Plan's purpose. **Appendix B** lays out the current state of public art in Alameda. **Appendix C** shares community engagement efforts, findings, and synthesis as part of the planning process. **Appendix D** is an expanded version of the **Recommendations**. **Appendix E** is a draft Deaccessioning Policy for the PAC to consider modifying and adopting. **Appendix F** offers specific locational opportunities for public art in Alameda, along with criteria to consider when assessing additional locations in the future. **Appendix G** shares a framework for future unveiling ceremonies related to public art installations. **Appendix H** provides examples of how other cities in California are funding public art, and additional possible funding sources to be vetted by Alameda's legal team. **Appendix I** contains the full *Public Art Policy Guidelines*, to assist developers, staff, and members of the public in the public art commissioning process. **Appendix J** contains the full *City of Alameda Procedures for Public Art* and discerns between On-Site Artworks and In-Lieu Artworks, and the processes, roles, and responsibilities associated with each.

Public Art in Alameda

The City has a thriving arts and culture community, which works closely with the BREDD to promote various forms of art throughout the city. The Public Art Ordinance, adopted in 2003, requires the installation of publicly accessible art in certain new or substantially rehabilitated development projects.

The Public Art Fund

Developers have the option to make a monetary contribution to the City's Public Art Fund (Fund) instead of installing on-site art. The Fund is used to support physical art, cultural arts, and arts programming for the benefit of the community. Physical artworks refer to tangible objects like sculptures and murals that are installed in public spaces, while cultural arts and arts programming refer to a broader range of artistic experiences and events designed to engage and enrich the community.

Public Art and Larger City Goals

The City has a public art program and arts organizations that offer a diverse range of art and cultural experiences, reflecting the community's values, heritage, and diversity. The Alameda General Plan 2040 places value on supporting arts and culture and identifies opportunities for future public art projects associated with City development, including integrating public art in Seaplane Lagoon, utilizing public art to create significant places, and making utility boxes more attractive with public art. More detailed information about the Public Art Program and public art in Alameda is presented in **Appendix B**.

Public Art Commission

The PAC plays a critical role in advising and implementing the city's public art program. Appointed by the Mayor, the PAC is responsible for recommending projects for public art funding, selecting and commissioning artists and artworks, and developing policies and programs related to public art. With members representing a range of perspectives and meeting regularly with the public, the PAC ensures that public art in Alameda is of the highest quality and reflects the community's values, heritage, and diversity. By working closely with the city's public art program and other stakeholders, the PAC helps to promote public engagement and education about public art, while also advancing the city's goals of economic development, enhanced livability, and effective operations. Ultimately, the PAC's work helps to create a more vibrant and inclusive city that supports public art for years to come. More detailed information about the Public Art Commission is presented in **Appendix B**.

Vision:

Public art in Alameda fosters a sense of community and pride in place, celebrates and reflects diverse local perspectives, supports the local arts community, and creates a vibrant and exciting community within which to live, work, and visit (through collaboration with the City).

Mission:

The mission of the Alameda public art program is to:

1. Present a high-quality and engaging public art collection that reflects and embraces the cultural diversity of the community, inspires critical thinking among residents and visitors, and presents public art in locations across the City;
2. Foster a greater understanding of public art and cultural performances in Alameda;
3. Facilitate a clear, inviting and consistent process for artists and organizations by creating guidelines around public art;
4. Provide meaningful opportunities for the local arts community in a consistent way; and
5. Facilitate the presentation of art and funding for public artists

Goals:

1. Awareness and Education

- Increase public understanding of and access to the PAC
- Increase public access to public arts program information, documents, and maps
- Increase public appreciation and knowledge of public art

2. Programming and Participation

- Identify, prioritize, and track locations of future public art and build an informative map of existing public art
- Create unique Alameda-influenced public art opportunities for artists and organizations
- Provide outreach to historically underserved communities

3. Funding

- Create sustainable funding opportunities for artists and organizations by seeking additional government and philanthropic funding

4. Leverage Resources

- Bring high quality art to the public throughout the City

5. Representation

- Curate equal opportunities for diverse experiences and perspectives
- Foster public appreciation of cultural arts and arts programming
- Provide documentation and maintenance of public art
- Create methods to promote artists in the collection
- Provide long-term care and ethical responsibility of artwork

Community Engagement

The development of the Public Art Master Plan in Alameda involved a community engagement strategy that collaborated with local artists, arts organizations, and community members. The planning process was designed to reach those who reside, work, and recreate in Alameda through various channels and to actively listen to them in places where they congregate.

Engagement Activities

The engagement activities included PAC workshops, one-on-one conversations, focus groups, pop-up creative engagement activities conducted by a local team member, and a community-wide survey. The workshops involved creating a shared definition of public art, discussing cultural equity, and reviewing comparative programming of other cities in California to provide inspiration around what could happen in Alameda in the future. One-on-one conversations were held with people who have been involved in arts and culture activities in the past, while focus group conversations were held with people who will be affected by decisions made around arts and culture. Local artist Yolanda Cotton Turner developed pop-up activities to engage directly with community members and understand their wishes for public art in Alameda.

Engagement Findings

Through all of the engagement activities, we learned that the community would like public art to:

- Invoke a positive mood and inspire the community
- Connect, reflect, and involve the locals in its creation
- Be impactful
- Provide fun and entertainment, beautify the community and make them feel proud while supporting artists
- Be located everywhere
- Be inclusive, accessible and available to everyone

Community members are also interested in:

- More arts and culture events and programming, expansion upon free events, and more culturally relevant programming

- Murals, sculpture, and art that is connected to history and/or culturally relevant
- Rich history of Alameda including Native American and Indigenous history
- Support and capacity building for local artists

Road Map

This Road Map provides actionable, prioritized steps to take in the next five years, and was created in consideration of Public Art Program staff (Staff) capacity, fund variability, and community desires. It consists of a set of recommendations and a five-year action plan, and establishes policies and procedures for the effective management of the City's public art program and collection, prioritizes funding, and provides a roadmap for the selection and placement of artworks. The Plan builds upon previous reports and ensures that public art in Alameda is accessible, inclusive, and reflects the community's cultural, social, and historical context.

Recommendations

Specifically, the Plan recommends:

- Creating opportunities for professional connections for artists, culture bearers, and creatives in Alameda.
- Building local artist capacity.
- Continuing existing programming, and finding ways to increase culturally relevant programming while expanding free cost offerings.
- Developing prioritized sites for public art across the island.
- Developing opportunities for the community to be involved in, and to invest in public art.
- Developing a mix of artworks in theme, form, and interactivity, ensuring that all public art is physically accessible by people of all abilities.
- Further defining cultural equity, diversity and inclusiveness within the public art program, and creating an action plan around this.

Actions

To achieve these, the Plan lays out actions that can be taken over the next 5 years. These actions have been developed with Staff and PAC capacity in mind, and are focused on developing tools and resources, providing consistency in funding opportunities for artists and arts organizations, determining future locations for public artworks, and addressing the condition of existing artworks. For more detail, please see the Five-Year Action Plan section below.

Public Art Policy Guidelines and Public Art Procedures

Having processes to guide decision making is key when putting together a public art plan. *Public Art Policy Guidelines* (see **Appendix I**) and *Public Art Procedures* (see **Appendix J**) documents for public art in Alameda have been updated and created a new, respectively, to meet the recommendations included in this Plan and provide transparency into the public art process.

Public Art Policy Guidelines

Public Art Policy Guidelines are intended to create more clarity for developers who must follow the Public Art Ordinance (Ordinance). The Ordinance requires residential development projects

consisting of five (5) or more residential units and a development cost of \$250,000 dollars or greater are required to devote one percent (1%) of building development costs to public art in Alameda. This contribution is known as the Program Allocation, and may be fulfilled in the following ways:

- On-Site Installation: Install public art with a value that meets or exceeds the Program Allocation on the development site; or
- In-Lieu Contribution: Place an In-Lieu Contribution for an amount equal to the Program Allocation into the Fund. The Fund is used for development of public art projects; or
- Combination: Install On-Site Artwork that has a value less than 100% of the Program Allocation, and pay an In-Lieu Contribution to the Fund for the balance of the Program Allocation.

The *Public Art Policy Guidelines* are also a reference for Staff when moving through a public artwork process, and explains the Ordinance requirements, eligible and ineligible expenses, and lays out the process for commissioning On-Site and In-Lieu artworks.

Public Art Procedures

Public Art Procedures is a resource for members of the public, developers, artists, arts organizations, and more to follow the public art process and understand where opportunities lie and how decisions are made. The *Public Art Procedures* discerns between On-Site and In-Lieu Projects, defines common words used in public art projects in Alameda, guidelines for placement of public art and what to consider when selecting sites, and how to address maintenance and deaccessioning for public artworks.

The Public Art Fund

The Alameda Public Art Fund is described in detail in section V of the *Public Art Procedures* (**Appendix J**). Cultural Arts and Arts Programming and Physical Art projects (temporary or permanent) are commissioned with Fund grants. One of the action steps in the 5-year Plan is to maintain a consistent schedule for when grants are released so that artists and arts organizations can plan for these. The applications will live on the City's website. Artists and arts organizations apply to the grants. A PAC Subcommittee made up of PAC members, Staff, or a combination of the two review every application and make decisions based upon set criteria. The Subcommittee then makes recommendations to the PAC on which applications to fund. This process is designed to be as simple as possible, and every step is laid out in the *Procedures* (see **Appendix J**).

Please read on to see how public art in Alameda will take shape over the next five years.

A Road Map for Public Art in Alameda

This public art planning process comes at an exciting time - PAC members are interested in amplifying their work, local creatives are interested in opportunities and capacity building, the community is interested in seeing more artwork across the city, and the Ordinance was recently updated. Staff are also eager to create regularity in providing grant opportunities to local artists and arts organizations, but are constrained by the variable number of In-Lieu Contributions made into the Public Art Fund each year.

This road map provides actionable, prioritized steps to take in the next five years, and was created in consideration of staff capacity, fund variability, and community desires.

Recommendations

The following recommendations were crafted based on the feedback gathered through the community engagement initiatives summarized in the Executive Summary. These initiatives are further documented in **Appendixes C and D**. These recommendations align with the mission of the PAC and will aid in establishing strategic priorities for public art in Alameda, reflecting the diversity of cultures present in the community. Recommendations are to:

1. Create opportunities for professional connections for artists, culture bearers, and creatives in Alameda.
2. Build local artist capacity, and create opportunities for them to be involved in creating public art.
 - Continue existing programming, and find ways to increase culturally relevant programming. Continue to expand free cost offerings.
3. Develop prioritized sites for public art across the island.
4. Develop opportunities for the community to be involved in, and to invest in public art.
5. Develop a mix of artworks in theme, form, and interactivity, ensuring that all public art is physically accessible by people of all abilities.
6. Further define cultural equity, diversity and Inclusion within the public art program, and create an action plan around this.

Five-year Action Plan

Below are actionable tasks associated with these Recommendations, to be taken over the next five years.

YEAR 1:

1. Build resources based upon the updated *Public Art Policy Guidelines* and *Public Art Procedures* documents to assist artists, developers, community members, Staff, and PAC in the public art process.

Recommendations addressed: 1, 2, 5

- High priority:
 - Develop a toolkit of resources for developers so it is all in one easy to follow package.
 - Set aside time in a PAC meeting to walk through the Procedures so that artists understand what to do when they have an idea for a public art project. These conversations could also help the public art Staff gather feedback about what else artists need in regards to knowledge and skill building.
 - Develop a toolkit/reference package that can be utilized to onboard new PAC members or Staff quickly when there is turnover.
- If there is further capacity:
 - Offer professional development for artists to build skills in order to be eligible for future public art projects in Alameda.
 - Investigate a visiting Artist-In-Residence program that would invite artists from other places to develop projects in Alameda, share skills with local artists, and build community support for public art.

2. Attend to the condition of artworks in the public art collection.

Recommendations addressed: 6

2. High priority:
 - Engage a public art conservator to conduct a survey of the existing collection and determine whether major repairs are warranted.
 - Determine what actions to take on identified artworks.
 - Review and adopt a deaccessioning policy for the public art collection in Alameda. See **Appendix E** for a draft deaccessioning policy.

YEAR 2:

1. Release a grant application for Cultural Arts and Arts Programming.
2. Release a grant application for physical artworks.

Recommendations addressed: 2, 3, 5, 6

- High priority:
 - Utilize the *Public Art Procedures* to guide your decision-making process.
 - Explore ways to create consistency in grant opportunities year over year (e.g. offering Cultural Arts and Arts Programming grants every year, and physical artwork grants every other year, determining how much money can be rolled over from year to year to fund new projects, etc.)

YEAR 3:

1. Prioritize and select sites for upcoming projects.

Recommendations addressed: 4

- High priority:
 - Develop a prioritized list of locations for physical artworks based upon known upcoming public and private development projects, public locations available (such as walls on public buildings for murals, etc.), and areas where public art does not currently exist across the island.
 - Develop a process for identifying sites for public art in the future.
 - See **Appendix E** for more information on location opportunities for public art in Alameda.

YEAR 4:

1. Develop initiatives and/or materials for advocacy, marketing, and visibility of the public art program.

Recommendations addressed: 1, 5

- High priority:
 - Build an advocacy, marketing, and visibility plan that includes opportunities for sustained community engagement.
 - Include the link for people to sign up for public art email updates on the public art website: <https://www.alamedaca.gov/Subscribe>
- If there is further capacity:
 - Continue to build upon the public art map on the City of Alameda's public art website to help visitors and residents discover public art throughout the city. The online map could be made available as a printed brochure.
 - Share information about the process to apply and be selected for serving on the PAC. Encourage members of the community to apply who have traditionally not been a part of civic processes
 - Identify other partners that could assist with amplifying the visibility plan. This could include the Chamber of Commerce, ARPD, business associations, local arts and culture organizations, and other City departments such as the Alameda Free Library.
 - Develop a process for celebrating new artworks. See **Appendix G** for a potential structure for unveiling celebrations.

YEAR 5:

1. Review and adopt a deaccessioning policy and process.

Recommendations addressed: 6

3. High priority:

- Review the draft Deaccessioning Policy in **Appendix E**
- Make changes based upon advice from legal counsel
- Adopt and implement the policy.

ONGOING

As is current practice, PAC will develop a Biennial Work Plan that lays out priorities for the following two years. The plan would start at the end of the year it was developed, and should prioritize project(s) each year and the PAC's role in each. A seventh PAC meeting could be added in November of the year the plan is being made, in order for the PAC to develop this plan.

At the end of the two-year period, the PAC will continue their current practice of presenting to City Council how the Fund has been and will be spent.

The Biennial Work Plan will:

- Include a timeline for each year that prioritizes actions for PAC and Staff, and considers upcoming construction projects and known In-Lieu Contributions.
- Consider utilizing a theme for new public artworks commissioned through grant calls.
- Determine whether updates to the public art website are needed.
- Include when grant calls for physical artworks and Cultural Arts and Arts Programming will be released, based upon a decided consistent schedule. For example:
 - Calls for cultural arts and arts programming grants could be released on an annual basis whereas calls for physical artworks could be released less frequently. Larger, physical artworks have different requirements that take longer than cultural arts and arts programming (i.e. engineering, manufacturing, installation, etc.). These projects require more staff oversight and capacity and typically take around 18-24 months to complete.

Recommendations addressed:

This ongoing work addresses all seven Recommendations.

Appendices

Appendix A: Plan Purpose

This Public Art Master Plan (Plan) is designed to be a comprehensive guide for the City of Alameda (City) in its efforts to promote and support public art. This plan aims to provide a clear direction and vision for the City's public art program and to ensure that public art is integrated into the community in a meaningful and impactful way. The purpose of this plan is to establish the policies and procedures needed to effectively manage the City's public art program and collection, and to promote public art as an essential component of the community's cultural and creative landscape.

The Plan will help the City to make informed decisions about public art, including the selection and placement of artworks, the commissioning of new works, and the management of existing collections. It will provide a roadmap for the City to effectively leverage its limited resources and staff capacity to support public art initiatives, and it will provide a framework for community engagement and involvement in public art projects.

The Plan builds upon the 2012 report, *Synergy: Public Art for Alameda* and the Alameda General Plan 2040, and will help to ensure that public art in Alameda is accessible and inclusive, and that it reflects the cultural, social, and historical context of the community. It will also provide a foundation for the City to evaluate the success of its public art program, to measure its impact on the community, and to continuously improve its efforts to support and promote public art in Alameda.

A few specific reasons that highlight the need for this effort are:

1. To prioritize public art funding and allocate resources effectively, ensuring that the City's limited resources are being used to support the most important and impactful projects.
 - a. The limited capacity of staff resources presents a challenge for the effective management of Alameda's public art program. Although the program has access to 1/3 of a full-time staff position and \$10,000 in General Fund dollars, the administrative tasks associated with public art grants, particularly physical art grants, require a significant amount of time and effort. This can divert staff attention away from their main responsibility of funding artists and bringing public art to Alameda.
2. To create a cohesive and consistent approach to public art in the city, ensuring that new projects are in line with the City's overall vision and goals.
 - a. In order to increase the presence of public art in the city, it is important to have a structured and comprehensive approach. A framework that makes logical sense will help ensure that new public art projects align with the City's overall vision and goals. Having a clear plan in place will also streamline the process of bringing more public art to the city, making it more effective and efficient. By having a consistent approach, the City can build a cohesive public art program that is in line with its objectives and creates a positive impact on the community.

3. To involve the community in the process of selecting, commissioning, and installing public art, ensuring that projects reflect the diverse perspectives and interests of Alameda's residents.
 - a. The involvement of the community in the public art process is crucial to ensure that the projects selected, commissioned, and installed reflect the diversity of cultures, perspectives and interests of the residents of the city. This not only allows for a more inclusive and representative public art collection, but also creates a sense of ownership and pride in the community for the artwork that is being displayed. By engaging the community in the decision-making process, the City can create a more meaningful and impactful public art program that aligns with the values and desires of its residents. To promote fairness and equal representation in public art, it is crucial to increase engagement with communities that are typically not engaged in public art processes or lack access to public art.
4. To implement a strategic approach to site selection for public art.
 - a. This will ensure that all future public art installations are situated in the most appropriate locations. The current national best practice for public art site selection is to create a location plan in advance before releasing a call for artists. Utilizing this approach would allow the City to perform due diligence on the site, considering various factors such as site ownership, conditions, existing public art locations, expected development buildout, demographics, and land uses. By carefully planning ahead, the City can avoid potential issues, develop a more realistic budget for the artwork, and ensure that public art is integrated seamlessly into the community. With a strategic approach to site selection, the City can take the first step towards creating a cohesive and consistent public art program that aligns with its vision and goals.
 - b. Currently, the City of Alameda has an uneven distribution of public art across the city. To address this imbalance, it is crucial to implement a strategic approach to site selection for public art, which includes the consideration of the ideal location for each piece, the demographics of the surrounding area, and the impact the artwork would have on the community. By strategically placing art in parks and other public spaces, the City of Alameda aims to make its public art more accessible and enjoyable for all residents and visitors across the island.
 - c. Expanding public art engagement and involvement in the Alameda community is a crucial aspect of creating a more diverse and well-distributed public art presence in the city. By working closely with local artists, institutions, and community members, the City can tap into a wealth of creativity, cultural perspectives, and local knowledge to inform its public art program. This collaborative approach can lead to a better distribution of public art that is reflective of the diverse interests and identities of the city's residents. Through inclusive public art processes, the City can ensure that its public art not only enlivens public spaces but also truly represents the community it serves.
5. To amplify a sense of place and identity for the City, helping to define Alameda's unique character and distinguish it from neighboring communities.
 - a. Creating a sense of place and identity through public art is a significant goal of the City of Alameda's Public Art Master Plan. By showcasing local talent and highlighting the city's cultural heritage, public art can help to define Alameda's unique character and distinguish it from neighboring communities. The presence of public art in various areas of the city can also serve to create a strong sense of community pride, foster a deeper connection to the city, and provide visitors with a

- memorable experience. By implementing a strategic approach to the placement of public art throughout Alameda, the City can create a lasting impact that will help shape its cultural identity for generations to come.
6. To establish public art budgets that allow for adjustments and modifications.
 - a. This will ensure that future public art projects are completed within budget and without any financial strain on the City. By building in greater contingency budgets, Alameda can ensure the success of its public art program and create a vibrant and diverse public art landscape for its residents to enjoy.
 7. To promote economic development by attracting visitors and supporting artists, cultural organizations, and businesses.
 - a. By having a strong and diverse public art presence, Alameda can differentiate itself from neighboring communities and create a unique sense of place and identity. This can drive tourism and encourage people to explore and experience the culture and art offerings across the city. Additionally, by supporting artists, cultural organizations, and businesses, Alameda can further strengthen its economy and provide valuable opportunities for growth and development.
 8. To preserve the City's cultural heritage by documenting existing public art and creating a plan for preserving and maintaining these pieces for future generations or decommissioning them as needed.
 - a. The preservation of cultural heritage is an important aspect of community development in Alameda. This is achieved by documenting existing public art and creating a comprehensive plan for the preservation and maintenance of the collection. This ensures that the City's unique cultural identity is protected, offering future generations educational opportunities. In order to maintain a cohesive and meaningful collection, this Plan also shares scenarios to decommission public art that may no longer be relevant or suitable for the City.
 9. To enhance the quality of life for residents and workers by creating beautiful and engaging public spaces that promote community building and connection.
 - a. By creating aesthetically pleasing and interactive public spaces, the City aims to foster a sense of community and connection among its residents. This can be achieved through the placement of well-designed and meaningful public art pieces that encourage engagement and interaction, and that reflect the unique character and identity of Alameda and its residents. Whether through large-scale installations or smaller, community-focused pieces, public art has the power to enliven public spaces and bring people together, making Alameda a more vibrant and livable place for all who call it home or place of business.
 10. To provide opportunities for public education and engagement, helping to deepen community understanding and appreciation of public art.
 - a. Having opportunities for education and engagement in public art can help deepen the public's understanding and appreciation of this form of creative expression. Providing such opportunities can also create a more informed and culturally rich community. By developing and offering interactive events that focus on public art, individuals of all ages and backgrounds can learn about the creative process, the artists involved, and the cultural, historical, and social significance of the pieces. This not only enriches the lives of residents, but also contributes to a more vibrant and culturally diverse community.

Appendix B: Public Art in Alameda

The City of Alameda (City) has a thriving arts and culture community that is eager to work with the City government to promote various forms of art throughout the city. The Base Reuse and Economic Development Department (BREDD) encourages the advancement of local arts and culture to foster a unique sense of place and a more livable and economically thriving city. In 2003, the City Council adopted a Public Art Ordinance (Ordinance) that requires the installation of publicly accessible art in certain new or substantially rehabilitated development projects. Developers have the option to make a monetary contribution to the City's Public Art Fund (Fund), which was also established by the Ordinance, instead of installing On-Site art (this is referred to as an In-Lieu Contribution). The Fund is used to support physical art and cultural arts and arts programming for the benefit of the community.

The difference between physical artworks and cultural arts and arts programming in the City of Alameda refers to the form and focus of the art and cultural experiences being offered to the community.

Physical artworks refer to tangible, sometimes two or three-dimensional objects that are implemented in public spaces, such as sculptures, murals, photographs, and installations, including light and projection. These works of art are often the result of a commission or public art project and are meant to be experienced and enjoyed by the general public. Physical artworks serve to enhance the public realm and create a sense of place, and can be used to tell the story of a community and its values.

Cultural arts and arts programming, on the other hand, refer to a broader range of artistic experiences and events that are designed to engage and enrich the community. This may include theater performances, concerts, dance performances, film screenings, workshops, and educational programs. Cultural arts and arts programming aim to provide opportunities for residents and visitors to experience a wide range of artistic expression, to learn and grow through the arts, and to engage with the cultural life of the city.

In the City of Alameda, both physical artworks and cultural arts and arts programming play an important role in enhancing the community's quality of life and cultural landscape. The City's public art program and arts organizations work together to offer a diverse range of art and cultural experiences that reflect the community's values, heritage, and diversity. By providing a mix of physical artworks and cultural arts and arts programming, the City is able to offer its residents and visitors a rich and dynamic artistic landscape.

There are currently 32 permanent artworks in Alameda. The City recently developed a stand-alone website (alamedapublicartwork.com) that showcases the public art in Alameda and provides information about the program.

The Alameda General Plan 2040 places value on support for arts and culture in Alameda, with a call to "promote and support the public art requirement for new developments within the city". It also specifies opportunities for future public art projects associated with City development:

- Seaplane Lagoon: integrating public art as "short-duration stop" amenities to entice visitors to spend more time in the area.

- Significant Places: utilizing public art as a component of creating a range of cultural and civic places.
- Utilities: developing public art projects that serve as wayfinding opportunities, and making visible utility boxes more attractive with public art.

The Public Art Commission

The City of Alameda's Public Art Commission (PAC) is a group of community members appointed by the Mayor to advise on the development and implementation of the City's public art program. The PAC plays a critical role in ensuring that public art in Alameda is of the highest quality and reflects the values, cultural heritage, and diversity of the community.

The PAC's responsibilities include reviewing and recommending projects for public art funding, providing input on the selection and commissioning of artists and artworks, and developing and implementing programs and policies related to public art.

Members of the PAC are appointed for terms of four years and represent a range of perspectives, including arts professionals and community leaders, and are representatives of the community. The PAC typically meets six times a year, and its meetings are open to the public, providing an opportunity for community members to provide input and engage with the PAC on public art-related issues.

The PAC works closely with the City's public art program and other stakeholders, including artists, community organizations, and cultural institutions, to promote public engagement and education about public art and to ensure that public art in Alameda is of the highest quality and reflects the community's values, cultural heritage, and diversity. The PAC is committed to advancing the City's public art program and ensuring that public art continues to play a vital role in enhancing the community's quality of life.

The PAC plays a crucial role in ensuring that the City of Alameda meets its goals by promoting public art throughout the city. The commission reviews proposals for public art to ensure that they are high quality and align with the City's goals of preparing for the future, encouraging economic development, supporting enhanced livability, protecting core services, and ensuring effective and efficient operations. The PAC's role in approving public art proposals and installations helps to foster a strong and vibrant public art scene in Alameda, which contributes to the city's economic development and overall quality of life. The PAC's role in requiring the installation of public art on-site in construction projects over \$250,000 in value also ensures that public art is accessible and visible to all residents and visitors, creating a more livable and inclusive city for everyone. The PAC's work in ensuring that the public art program is effective and efficient helps to protect core services and operations, allowing the City to continue to meet its goals and support public art for years to come.

Vision, Mission, and Goals of Alameda's Public Art Program

An updated vision, mission, and goals for the public art program in Alameda were developed through a series of workshops with the PAC.

Vision:

Public art in Alameda fosters a sense of community and pride in place, celebrates and reflects diverse local perspectives, supports the local arts community, and creates a vibrant and exciting community within which to live, work, and visit (through collaboration with the City).

Mission:

The mission of the Alameda public art program is to:

4. Present a high-quality and engaging public art collection that:
 - a. reflects and embraces the cultural diversity of the community
 - b. inspires critical thinking among residents and visitors;
 - c. presents public art in locations across the city
5. Foster a greater understanding of public art and cultural performances in Alameda;
6. Facilitate a clear, inviting and consistent process for artists and organizations by creating guidelines around public art
7. Provide meaningful opportunities for the local arts community in a consistent way
8. Facilitate the presentation of art and funding for public artists

Goals

Goal: Awareness and Education

- Increase public understanding of and access to the PAC
- Increase public access to Public Arts Program information, documents, and maps
- Increase public appreciation and knowledge of public art

Goal: Programming and Participation

- Identify, prioritize, and track locations of future public art and build an informative map of existing public art
- Create unique Alameda-influenced public art opportunities for artists and organizations
- Provide outreach to historically underserved communities

Goal: Funding

6. Create sustainable funding opportunities for artists and organizations by seeking additional government and philanthropic funding

Goal: Leverage resources

1. Bring high quality art to the public throughout the City

Goal: Representation

- Curate equal opportunities for diverse experiences and perspectives
- Foster public appreciation of cultural arts and arts programming
- Provide Documentation and Maintenance
- Create methods to promote Artists in the collection
- Provide long-term care and ethical responsibility of artwork

Cultural equity in the public art program, artworks, and resource distribution

Alameda's General Plan 2040 emphasizes "equity, environmental justice, and a high quality of life for everyone irrespective of income, race, gender, sexual orientation, cultural background or ability by recognizing and changing local policies, programs, ordinances, and practices that serve to perpetuate injustices suffered by under-served and underrepresented populations and proactively engaging these populations in all City decision making." As the public art program in Alameda continues to develop and grow, creating equity in the program, artworks, and resource distribution is a critical aspect of promoting inclusiveness and diversity in the arts. To achieve this goal, it is essential to ensure that public art reflects the values, cultures, and perspectives of all members of a community, regardless of race, ethnicity, gender, or socioeconomic status. One place to start is by analyzing the inventory of public art on the island. Looking at the content, locations, and artist information for all of the public art in Alameda will help to identify discrepancies as related to race, gender, immigration status, access, and more.

Another key way to create equity in the public art program is through intentional outreach and engagement efforts to historically marginalized and underrepresented communities to gain their input and feedback on the public art program. This input can be used to inform the selection of artists, artworks, and locations for public art installations, ensuring that diverse perspectives are represented.

Another way to create equity in public art is by providing access to resources and opportunities for underrepresented artists and cultural organizations. This can be achieved by building upon the physical art and cultural arts and programming grant programs to provide other resources (in addition to funding) to support the creation of public art by underrepresented artists, as well as cultural organizations that serve diverse communities. This could take the form of training, mentorship, and professional development opportunities for artists from diverse backgrounds. It can help to increase access to resources and support that enable these artists and organizations to produce and exhibit their work, helping to create a more diverse and inclusive public art landscape.

It is crucial to ensure that public art is accessible and inclusive for all members of the community. This can be achieved through thoughtful site selection (see more information about locational opportunities in Alameda in **Appendix F**), ensuring that public art installations are located in accessible locations that are easily visible and accessible to all members of the community. In addition, the City can provide information about the public art program and the artworks

themselves in a variety of languages, as well as offer educational and interpretive materials to help increase understanding and appreciation of the artworks. By making public art accessible to all members of the community, it helps to promote equity and create a more inclusive and diverse public art landscape.

In addition to incorporating equity, diversity, and inclusion into the design and creation of public art, it is important to ensure that these values are reflected in the administration and management of the public art program. The *Guidelines* and *Procedures* documents (see **Appendix I** for *Guidelines* and **Appendix J** for *Procedures*) that drive processes for commissioning public art have been updated through a lens of equity, diversity, and inclusion, and can continue to be updated based upon continued listening to the community and evaluation of the public art collection. Additionally, staff and PAC members should have access to resources that help them continue to promote equity, diversity, and inclusion through their work in the public art program, such as training.

By taking a comprehensive and proactive approach to equity, diversity, and inclusion, Alameda can ensure that its public art program reflects the values of the community and serves the needs of all residents.

Appendix C: Plan Input

The community engagement strategy for the development of the Public Art Master Plan involved collaboration with local artists, arts organizations, and community members. To ensure widespread participation, the planning process was designed to reach those who reside, work, and recreate in Alameda through various channels and to actively listen to them in places where they congregate. The community engagement strategy, which involved collaboration with a local artist, played a key role in shaping the planning process. The engagement of a diverse range of stakeholders in the development of a vision and goals for quality public art is crucial to the success of both. Throughout the process, a range of engagement activities were conducted, including:

- Public Art Commission workshops
- One-on-one conversations
- Focus groups
- Pop-up, creative engagement activities conducted by local team members
- Community wide survey

Activities Conducted and Findings

PAC Workshops

The PAC participated in three workshops. Workshop #1 included creating a shared definition of public art, including locations, temporality, aesthetic, tone, geographic representation, and interactivity. The PAC also defined success in the planning process, and was tasked with giving a presentation about public art in Alameda, and the public art planning process to community members in some way.

In Workshop #2, the PAC participated in activities to articulate what they would like Alameda's public art program to be known for. The second workshop also included a discussion around cultural equity, and collective update of the program's mission, vision, and goals (presented in the "Public Art in Alameda" section of this plan).

Workshop #3 consisted of reviewing comparative programming of other cities in California in order to provide inspiration around what could happen in Alameda in the future. The workshop discussed cultural equity and explored goals of the PAC, and identified opportunities where changes in Alameda's public art processes could be made.

Community Conversations

Multiple conversations were held with community members through both one-on-one conversations and a series of focus groups exploring different themes. There were two pop-up events held with a local artist, which reached a total of 205 people.

One-On-Ones

One-on-one conversations were held with people who will have the highest touchpoints with arts and culture in the City and/or who have been involved in arts and culture activities in the past (including City Councilmembers, City staff, arts and culture organizations, educators, and developers). There was a total of eleven participants in the on-on-one conversations.

Focus Groups

Focus group conversations were held with people who will be affected by decisions made around arts and culture (including artists, philanthropists, arts educators, and cultural organizations). There were a total of four focus groups, comprising thirteen people.

Four 90-minute group discussions with individuals and organizations in Alameda were held to hear opinions on the future of public art in Alameda. These focus groups sought to reach all interests, experiences, and opinions about arts and culture from all segments of the community to understand what is working and what is not. Many attendees did not know each other although everyone in attendance considered themselves active in the field. Attendees agreed that more casual group conversations would be of benefit to them in defining and strengthening their advocacy needs.

Questions to start conversations included:

- Who you are and how you identify your role with local arts and culture?
- Who are your go-to resources for arts and culture experiences in Alameda?
- What would you recommend that the City of Alameda change, grow, or adapt in terms of its programming and activities?
- What do you think are the underutilized strengths of arts and culture in Alameda?

Creative Pop Up Activities

Local artist Yolanda Cotton Turner joined the consulting team and developed pop up activities to engage directly with community members and understand their wishes for public art in Alameda.

Yolanda Cotton Turner is a printmaker based in Oakland, California. Experimental by nature, she keeps her methods fresh while still giving respect to the more traditional processes. Her subject commonly focuses on Oakland urban culture, our kindred power within nature, the magic in music, the human experience, and other social, spiritual, and environmental inspirations. Yolanda uses plexiglass, wood, lino, and nature itself as a printing plate, printing onto handmade paper, mulberry, or cotton rag, or natural fabrics. She personally executes all the steps involved in the printmaking process, from developing the image, gouging, inking, and pulling the print by hand utilizing a Griffin etching press.

Yolanda's work has earned a spot on the walls of the de Young Museum in San Francisco, California as well as many other notable galleries. She is the Director of Diversity on the ArtPush.org board and works a full-time job with West Elm as a Designer and Community Event Coordinator. She can be found at The Red Door Creative Art Space in Alameda while also planning for the re-emergence of her printmaking studio called Resistance Press 510 in her home town of Oakland, California.

Through two pop up activities, Yolanda engaged with 205 people.

Event #1: **Alameda Art Fair**

Activity: Virtual Reality Mural Making Activity and a giant public art wall

Yolanda set up two tables: one with virtual reality (VR) equipment and the other with a 'waiting area' that had information about the mural-making process and materials available for

community members to make natural inks. There was also a wall made out of foam board, where participants could answer questions related to public art in Alameda. Questions included:

1. Where do you want to see public art in Alameda?
2. What should public art look like?
3. How do you want people to respond to public art?

147 people participated in the VR activity and/or offered answers to the questions posed.

Event #2: **Fiesta Alameda**

Activity: Mexican paper flowers for Día de Los Muertos Fiesta Alameda celebration and a ‘meet and greet’ with a PAC commissioner.

Yolanda created paper flowers with all who stopped by her booth at Fiesta Alameda. In exchange for flower making, people had the opportunity to engage with a member of the PAC and share feedback about public art in Alameda. Each time a commissioner or Yolanda would engage with someone either through flower making or with the public art survey, they would record the interaction using the tally method.

The collaboration with the PAC allowed Yolanda the opportunity to focus on the event, while the commissioners engaged residents around the survey and public art in Alameda.

While only 58 people were engaged in conversation at this event, the depth of the engagement provided many opportunities for learning and feedback on the types of public art opportunities that people in Alameda would like to see and experience.

Through both of these events, we learned that:

- Public art should exist in abundance in Alameda and be everywhere. People want to see public art in unexpected places.
- Public art should be accessible and available to everyone. It should be inclusive. Free events for the public are of interest to the community.
- Public art should invoke a positive mood and inspire the community.
- Public art should be impactful -- it should challenge your mind, be surprising, and/or tell a story.
- Public art should connect, reflect, and should involve the locals in its creation.
- Local artists want to understand how the City will help them with capacity building and people are interested in the City programming more arts related activities that include local artists.
- Strong response around having more culturally relevant programming.

Community Wide Survey

A community survey was distributed to the broad community to understand how they currently perceive public art in Alameda, and what they would like to see in the future. The survey was available in English and Spanish, with a total of 439 responses collected.

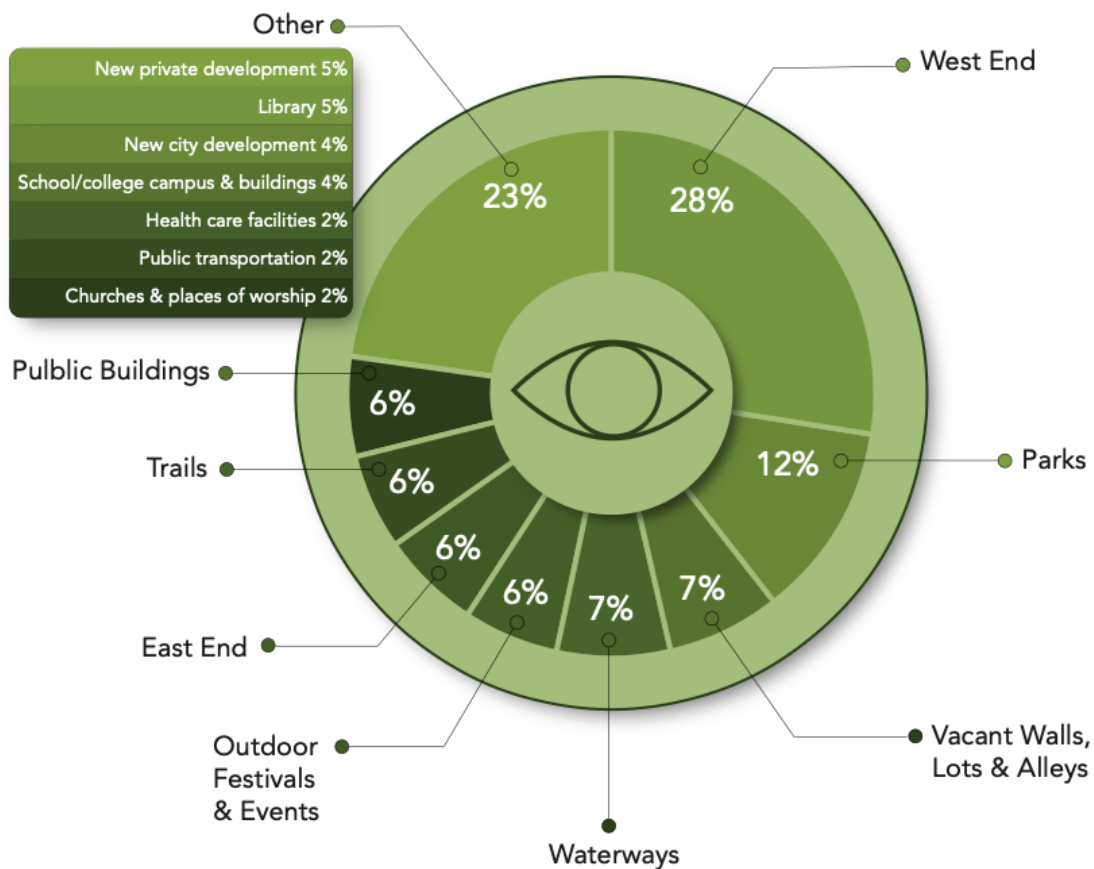
The survey asked Alamedans to:

- share where they have seen public art on the island, where they would like to see more of it and what kinds
- identify cultural assets
- articulate what public art should do for the city and residents
- denote how they'd like to see public art funded

Key Survey Findings

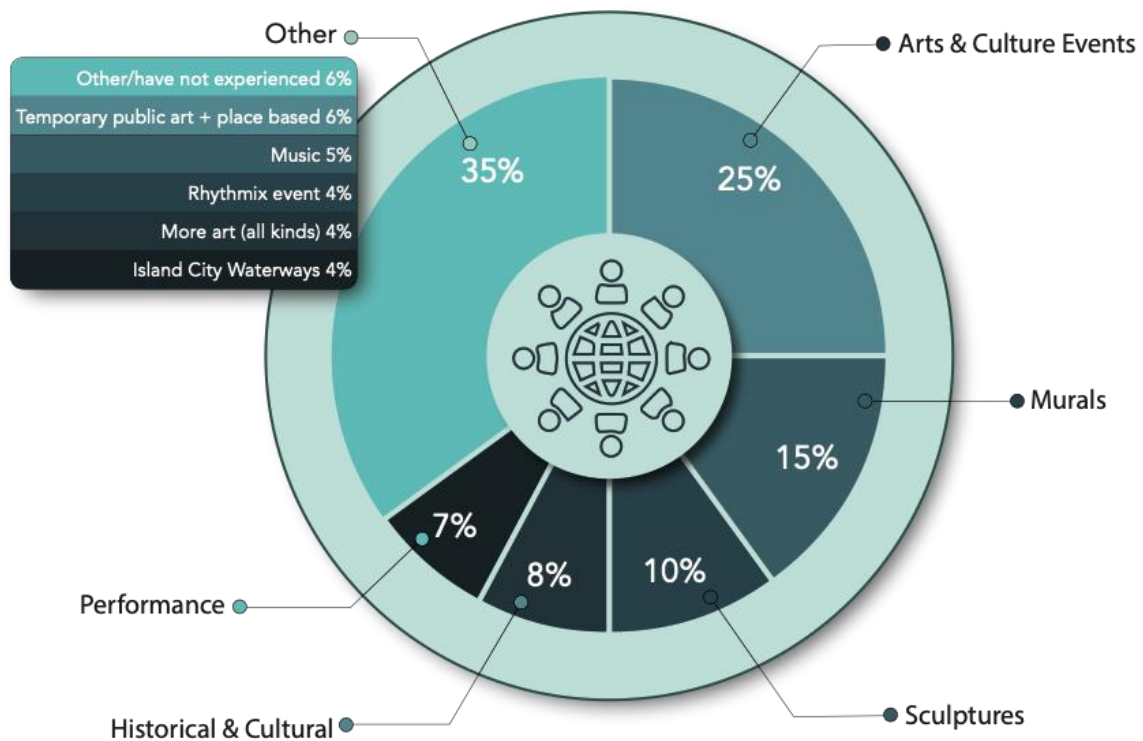
The community is used to seeing public art in these places:

Where have you seen or visited public art in Alameda?



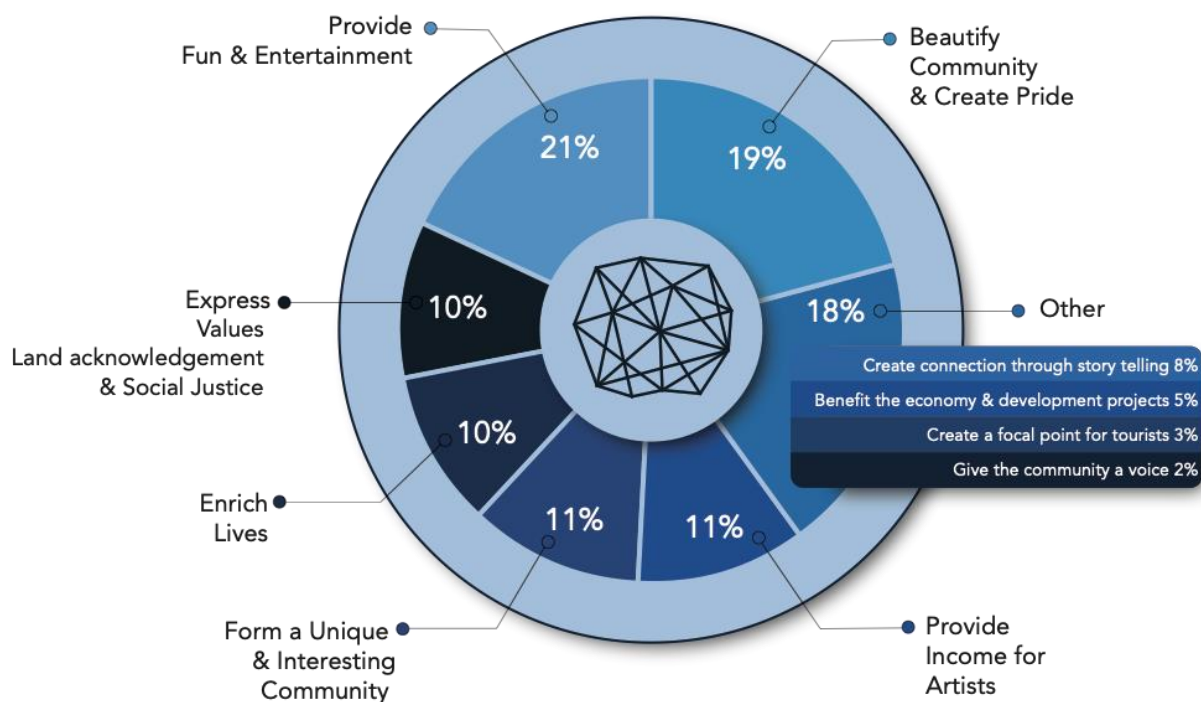
People want to see public art in the form of: arts and culture events and programming, murals, sculptures, and art that is connected to history and/or culturally relevant.

What kinds of cultural programming, temporary or event based public art have you experienced in Alameda and would like to see more of?

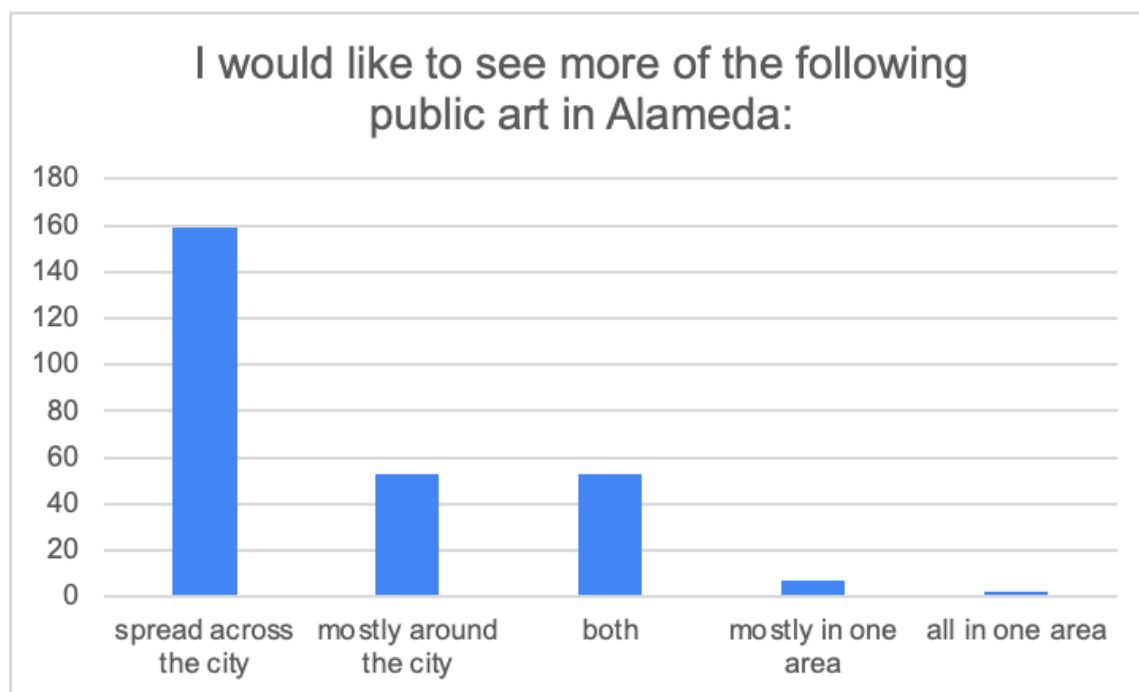


People would like public art in Alameda to provide fun and entertainment, beautify the community and make them feel proud while supporting artists.

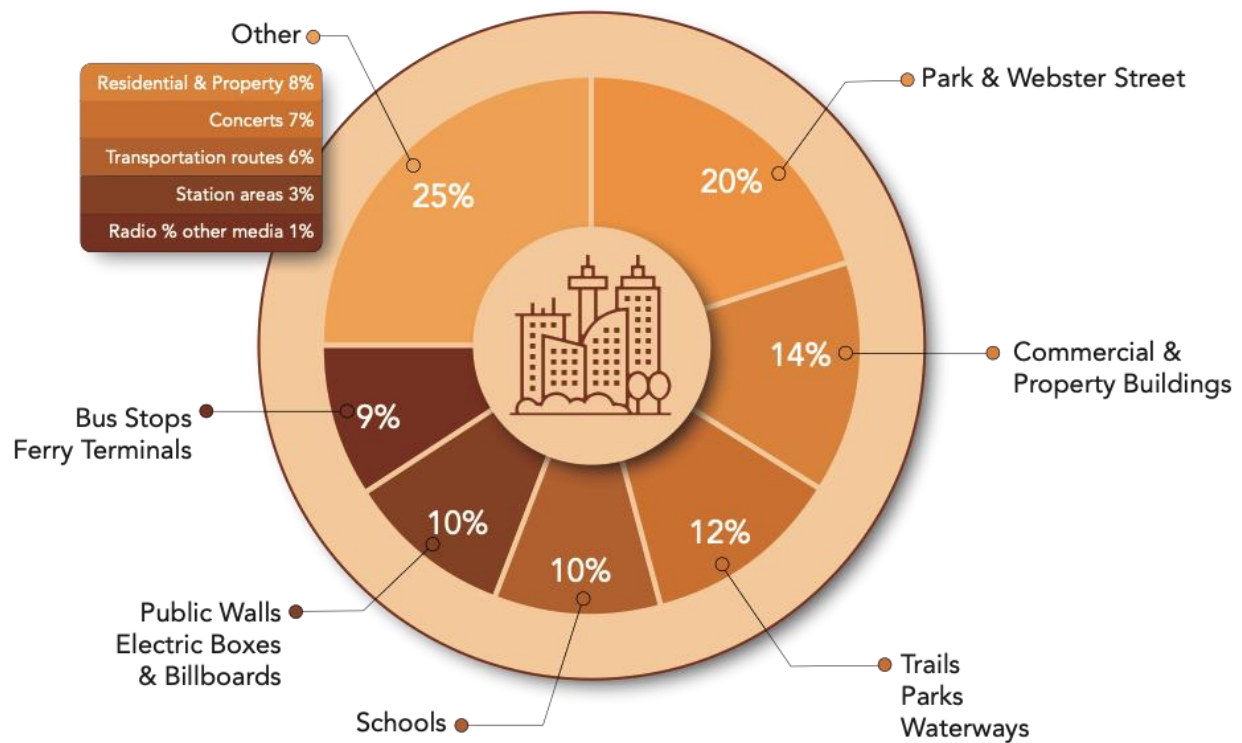
What should the role of public art in Alameda be?



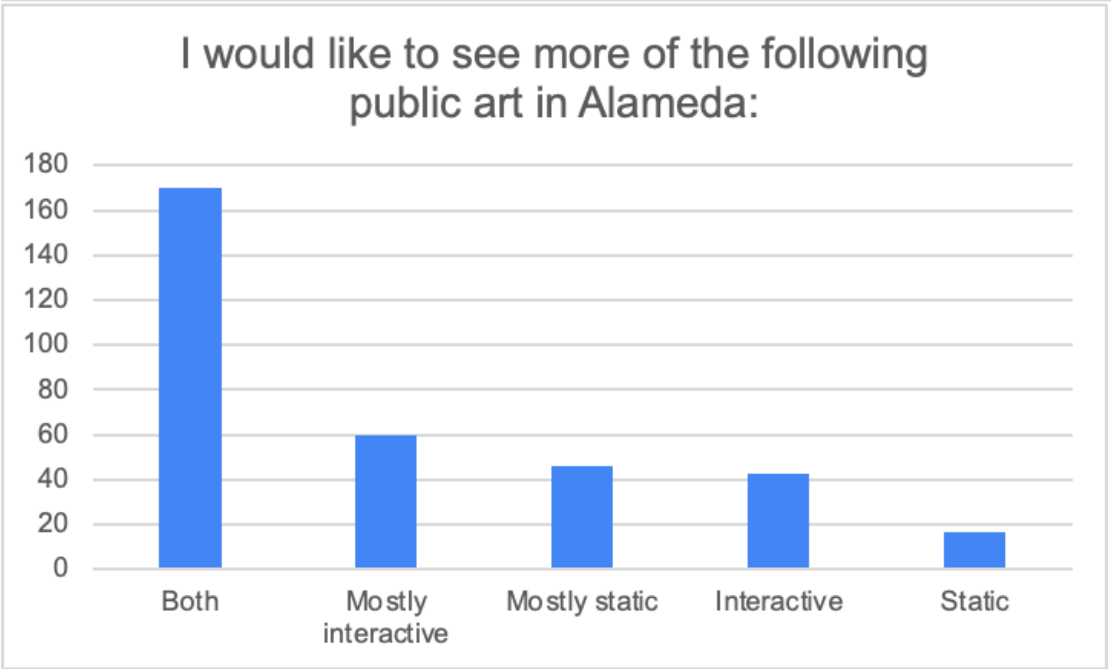
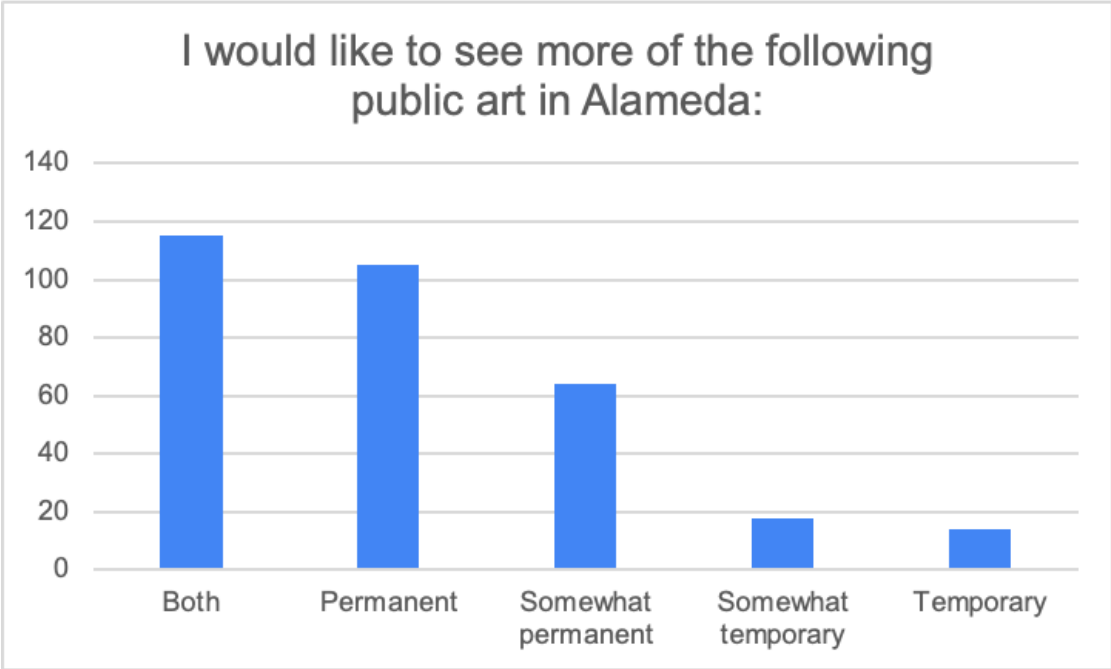
A majority of respondents want to see public art spread across the city. However, the area near Park Street and Webster Street, commercial buildings/property, and natural outdoor spaces are high priorities.

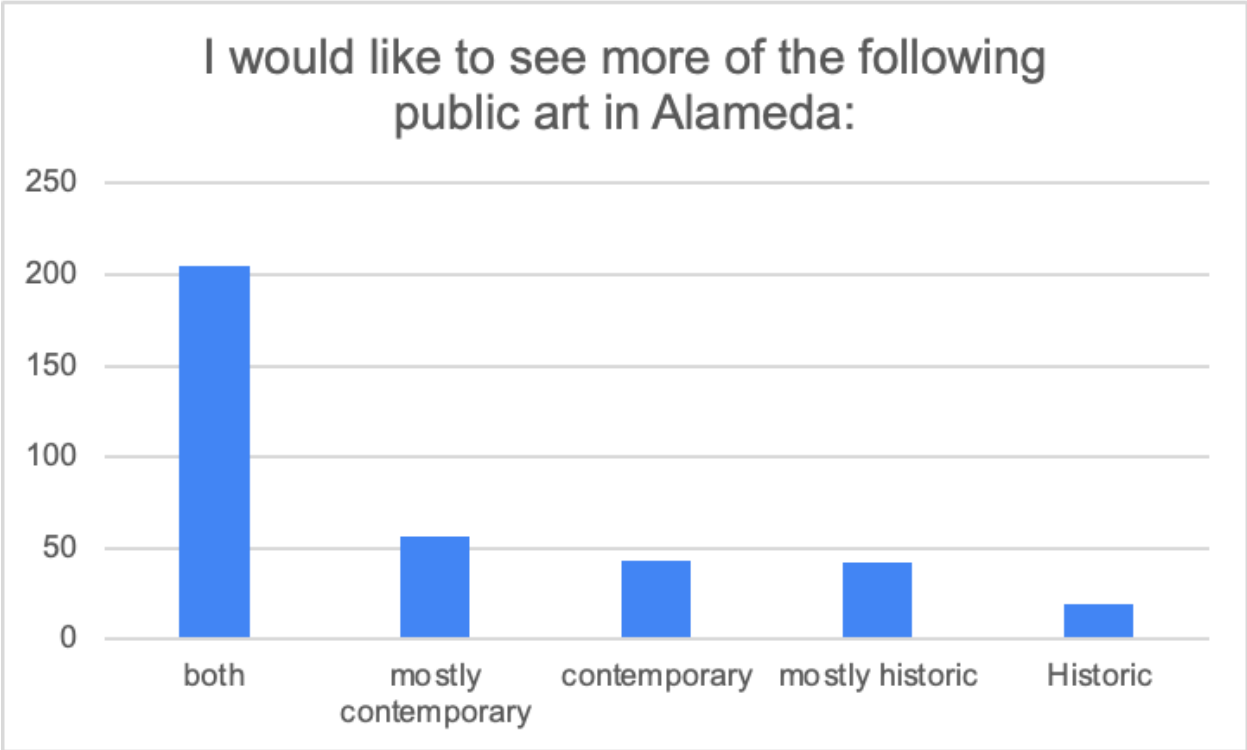
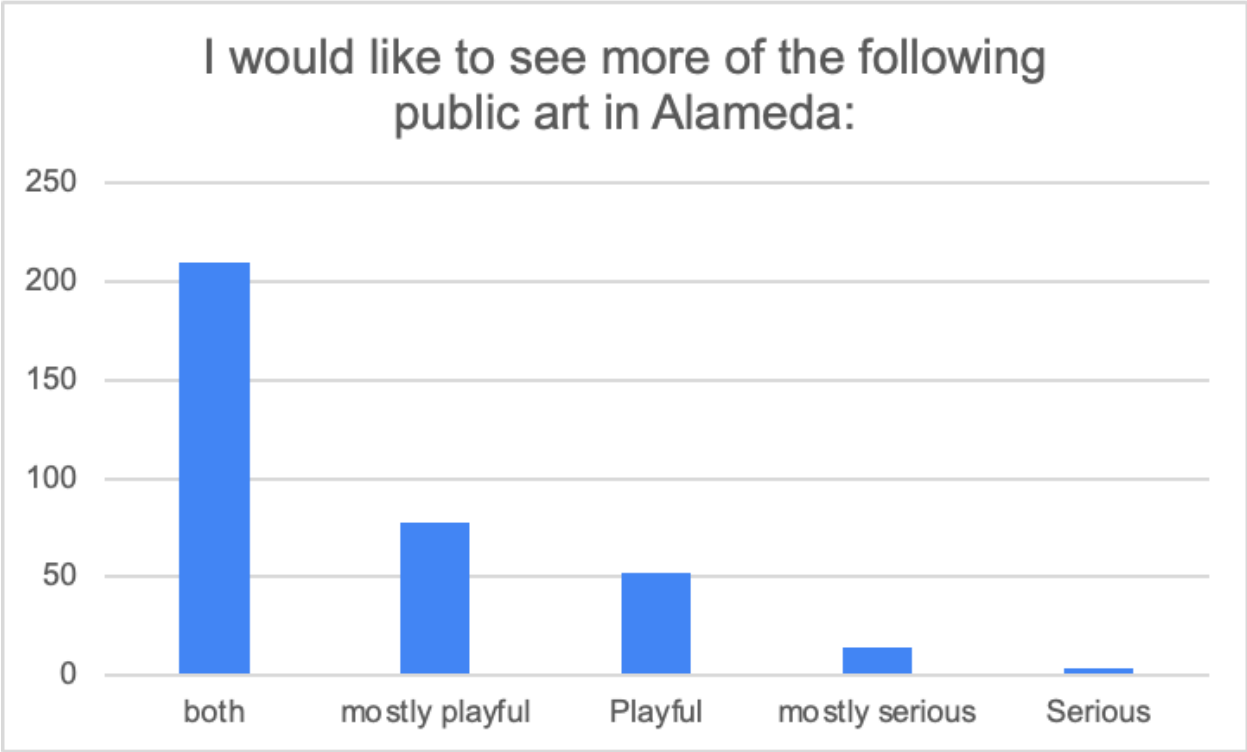


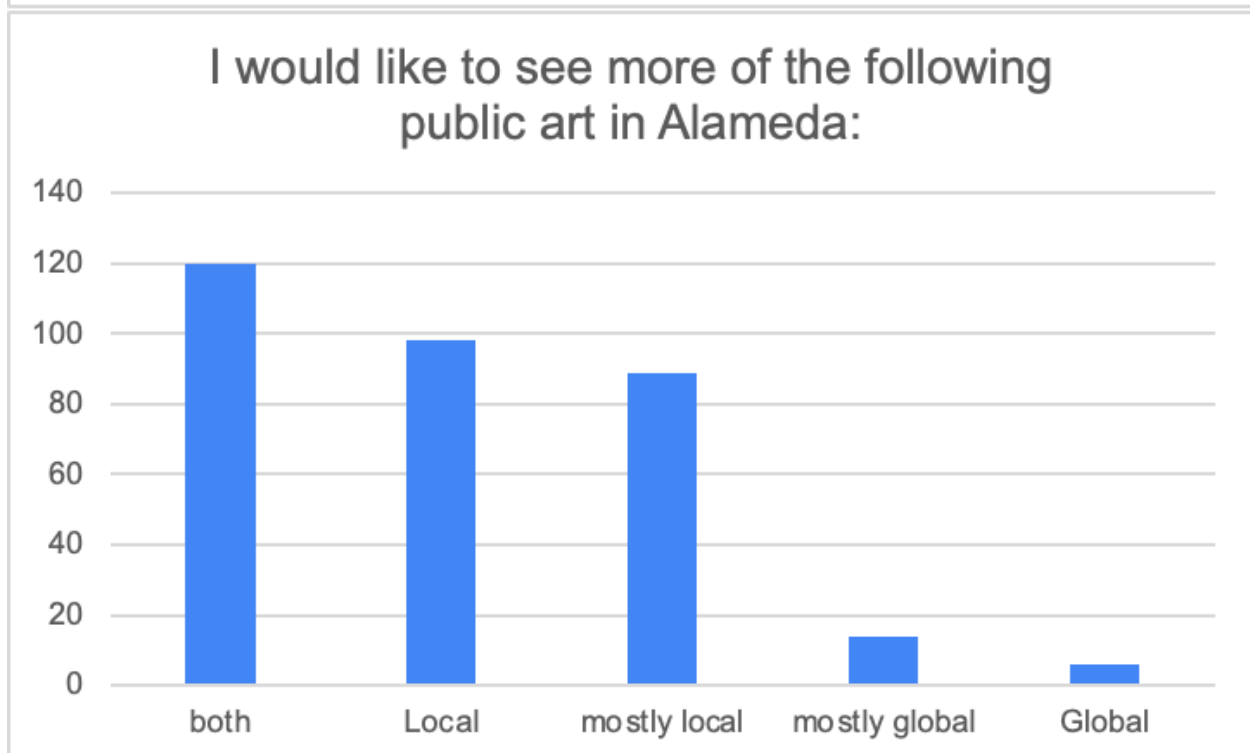
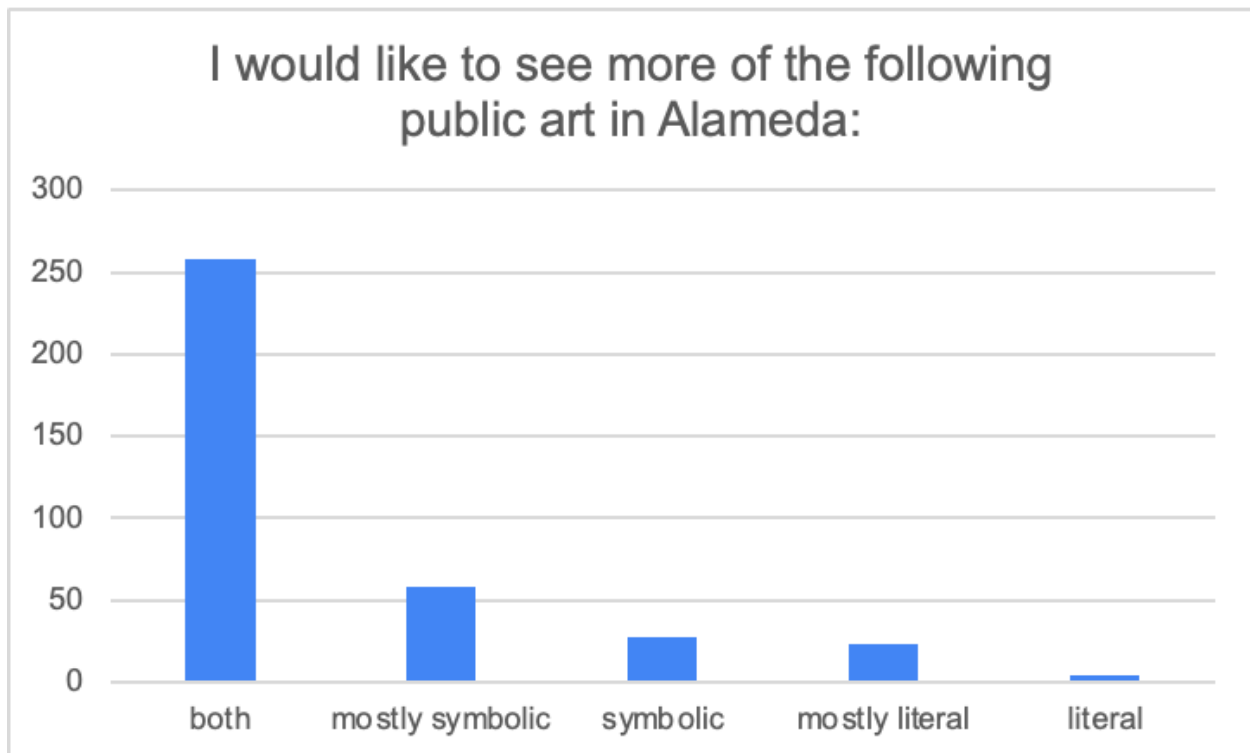
I want to see public art in and around the following areas:



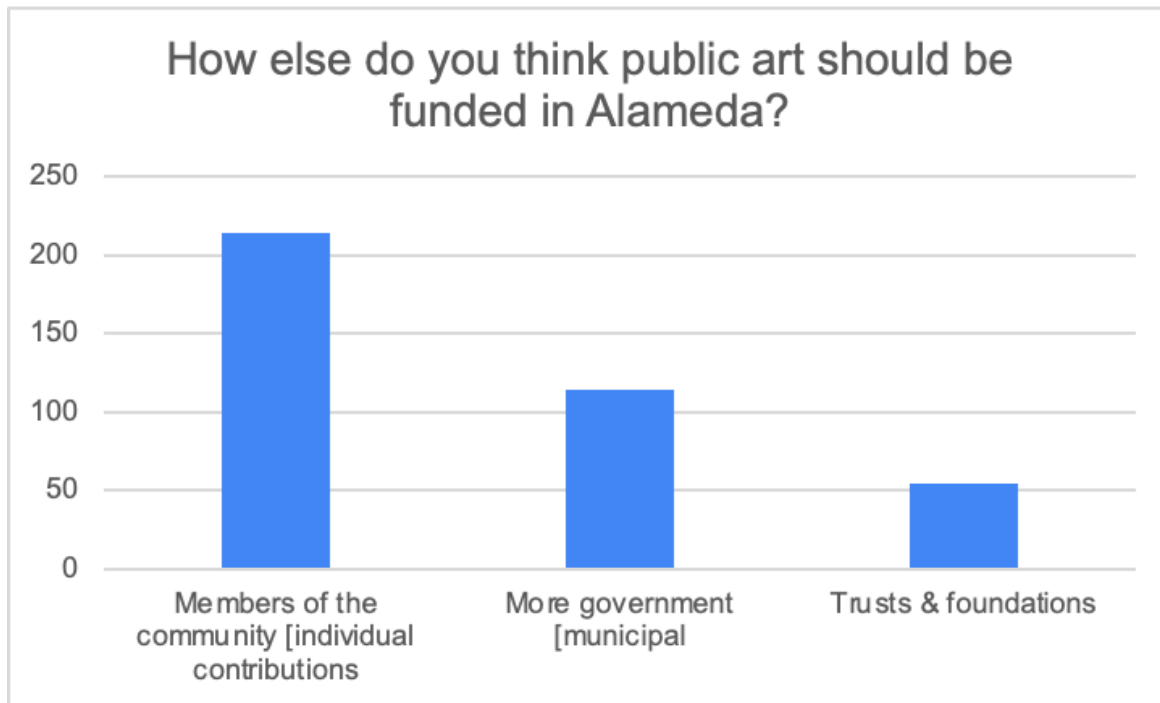
Overall, respondents would like a mix of artworks. Responses skewed toward permanent artworks that are playful and contemporary, consisting of local themes and made by local artists that are symbolic in nature.







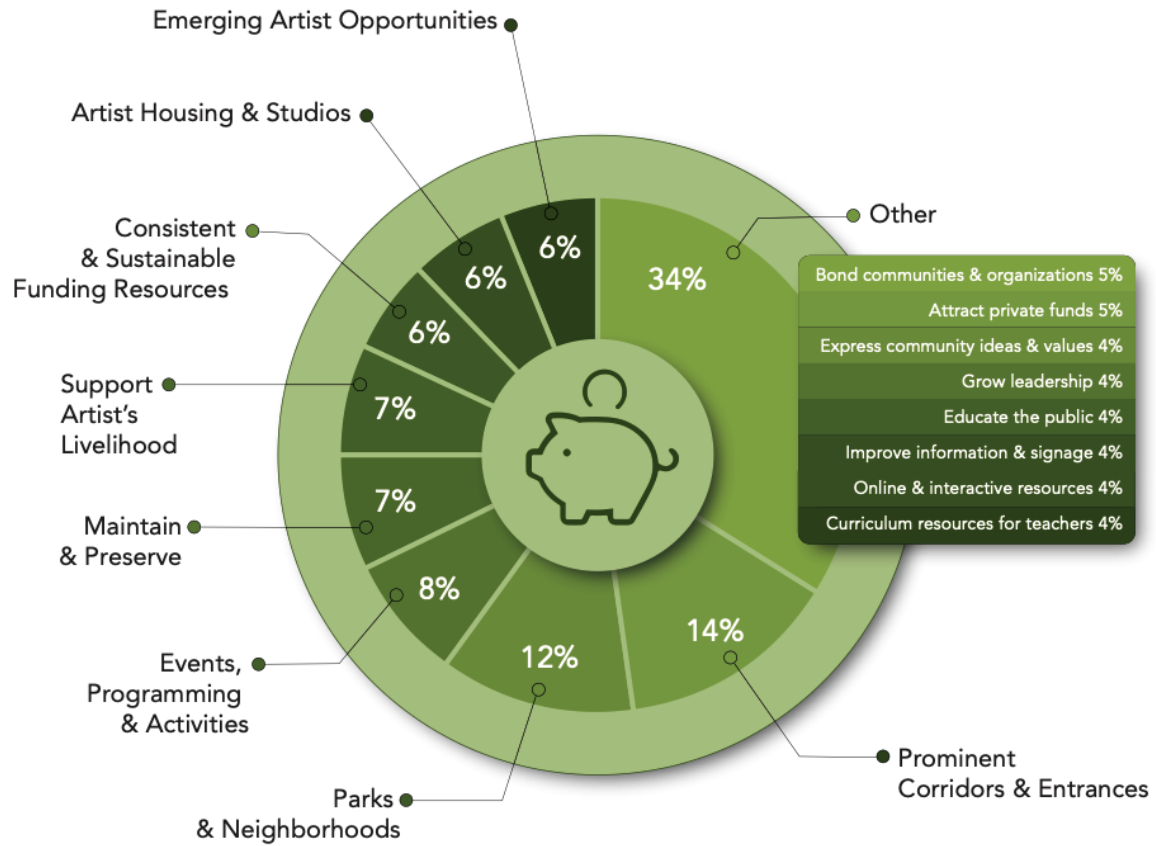
Respondents would like to see more funding for public art coming from the community.



Respondents would like to prioritize:

- Creating new public art across the city in locations included in the survey
- Creating events, programming, and activities around public art
- Maintain and preserve public art

What are your priorities for Alameda's investment in public art?



Respondents are interested in future public art in Alameda that is inclusive, colorful, and by and of the community.

Synthesizing the results

The results of this survey, 439 responses, show that there is a general interest for public art in Alameda. Respondents enjoy the public art in Alameda, and want to see more public art opportunities across the city.

In summary:

We learned from the survey that Alamedans place value in the existing cultural assets in the city. Cultural assets were defined to be places, people/organizations, and events that amplify community in Alameda. Responses named cultural assets in Alameda as prominent arts organizations such as Rhythmix Cultural Works, Frank Bette Arts Center, and the West End Arts District. They also named the rich history of Alameda including Native American and Indigenous history as having value in Alameda. Respondents want to see more public art in the form of arts and culture events and programming; are very interested in creating events, programming, and activities around public art; and are interested in amplifying the current cultural arts and arts programming offerings (e.g. 4th of July Parade, Island City Waterways, and other Alameda cultural events and street fairs). Survey feedback shows that there is an interest in free or reduced programming that is easy to access and does not require a heavy time commitment.

Most respondents have seen public art in the West End, parks, and in and around public buildings, and they are interested in a mix of artworks, but particularly murals and sculpture. Responses favor permanent artworks that are playful, colorful, inclusive, and contemporary, consisting of local themes and made by local artists that are symbolic in nature.

Full Survey Questions and Answers:

The following questions were asked in the survey:

1. Where have you seen or visited public art in Alameda? Select all that apply.
 - a. West End
 - b. East End
 - c. Parks
 - d. Trails
 - e. Waterways
 - f. New private development
 - g. New City development
 - h. Library
 - i. School/college campus and buildings
 - j. Outdoor festivals and events
 - k. Health care facilities
 - l. Public buildings
 - m. Public transportation
 - n. Vacant walls or lots/alleys
 - o. Churches and places of worship

1. Public art can be permanent objects, but also cultural programming, temporary artworks, or events. What kinds of cultural programming, temporary or event based public art have you experienced in Alameda that you want more of? (Open form answer).
2. The following factors have prevented me from attending public art experiences. Select all that apply.
 - a. Time commitment
 - b. Childcare/family responsibilities
 - c. Distance
 - d. Transportation or traffic
 - e. Parking
 - f. Cost of participation
 - g. I don't know how to find out about arts opportunities
 - h. I don't feel comfortable or welcome
 - i. There's nothing of interest to me
 - j. I am happy with my level of engagement
3. Cultural assets can be 1) people/organizations 2) places, and 3) events that define a community. Name one of each in Alameda. (Open form answer).
4. What is your favorite community public space in Alameda? (i.e. an intersection, a landmark, a building, a park, etc.) Why? (Open form answer).
5. What should the role of public art in Alameda be? (select up to 5)
 - a. Provides fun and entertainment
 - b. Makes me feel better about my community
 - c. Beautifies my community and makes me feel proud
 - d. Creates a focal point for tourists
 - e. Expresses community values e.g. land acknowledgement and social justice
 - f. Makes me feel like I have a voice in my community
 - g. Helps artists make a living
 - h. Helps connect people to stories that we share
 - i. Makes our community feel unique and interesting
 - j. Boosts the local economy and makes new development projects more exciting
6. I want to see public art in/around the following areas: (select up to 5)
 - a. Residential buildings/property/areas
 - b. Commercial buildings/property/areas
 - c. Park Street and Webster Street areas
 - d. Station areas
 - e. Transportation hubs such as bus stops and ferry terminals
 - f. Natural outdoor spaces such as trails, parks, and waterways
 - g. Parts of the built environment, such as public walls, electric boxes, and billboards
 - h. Common transportation routes such as streets, ferry terminals/piers, and sidewalks
 - i. Public buildings such as schools, post offices, libraries, police and fire stations, youth centers, senior centers, and City Hall
 - j. Events such as concerts, festivals, or sports
 - k. Elements of the media such as radio, TV, internet, podcasts, and the internet

7. I believe the following groups CURRENTLY shape public art decisions in Alameda. (Select up to 5)

- a. City elected officials/City staff
- b. Public institutions (museums, libraries, state arts agencies, schools)
- c. Design community (architects, planners, engineers, etc.)
- d. Artists/creators
- e. Arts organizations (arts nonprofits, cultural districts, etc.)
- f. Youth, students, educators
- g. Community members (advocacy leaders, residents, neighborhood organizations)
- h. Philanthropists, funders
- i. Business
- j. Tourism
- k. Visitors
- l. Seniors
- m. Historically under-represented/unrepresented peoples
- n. Media

8. I believe the following people should be included in making FUTURE public art decisions in Alameda. (Select up to 5)

- a. City elected officials/City staff
- b. Public institutions (museums, libraries, state arts agencies, schools)
- c. Design community (architects, planners, engineers, etc.)
- d. Artists/creators
- e. Arts organizations (arts nonprofits, cultural districts, etc.)
- f. Youth, students, educators
- g. Community members (advocacy leaders, residents, neighborhood organizations)
- h. Philanthropists, funders
- i. Business
- j. Tourism
- k. Visitors
- l. Seniors
- m. Historically under-represented/unrepresented peoples
- n. Media

9. I would like to see more of the following public art in Alameda: Permanent vs. Temporary

10. I would like to see more of the following public art in Alameda: Interactive vs. Static

11. I would like to see more of the following public art in Alameda: Local vs. Global

12. I would like to see more of the following public art in Alameda: Playful vs. Serious

13. I would like to see more of the following public art in Alameda: Historic vs. Contemporary

14. I would like to see more of the following public art in Alameda: Symbolic vs. Literal

15. I would like to see more of the following public art in Alameda: Spread around the city vs. All in one area
16. Alameda currently has a percent for public art ordinance, where 1% of any private development budget is used for public art projects. How else do you think public art should be funded in Alameda? (Please include any specific thoughts in the "other" field.)
- a. Members of the community (individual contributions, crowd sourcing)
 - b. More government (municipal, county, state, and national funds, grants)
 - c. Trusts & foundations
17. What are your priorities for Alameda's investment in public art? (Select up to 10).
- a. Creating new public art in prominent city corridors and entrances
 - b. Creating new public art in parks and neighborhoods
 - c. Create events, programming, and activities around public art
 - d. Improve site information and signage for public art
 - e. Improve online and interactive resources, maps and information about public art
 - f. Maintain and preserve public art
 - g. Educate people about art in public spaces
 - h. Ensure that community ideas and values influence public art
 - i. Support public artists in our community through professional development and opportunities to make a living
 - j. Support public artists in our community through affordable artist housing and studio space
 - k. Create public art opportunities for students and early career artists
 - l. Grow leadership and best practices for cultural planning, placemaking, and public art
 - m. Create curriculum-linked material for teachers to use public art as an educational resource.
 - n. Form strong relationships between organizations and community partners working on arts, cultural and heritage initiatives
 - o. Make sure funding resources for public art are consistent and sustainable
 - p. Use public resources to attract private funds for public art

Appendix D: Recommendations

This Appendix includes more robust information related to each Recommendation that is part of the Road Map.

Recommendation 1: Create opportunities for professional connections for artists, culture bearers, and creatives in Alameda.

- Opportunities for connection and discussion among arts professionals are desired in order to share opportunities and challenges, and create projects together.
- These conversations can help the public art program gather insights into what artists and arts professionals are seeking and adjust grants and other offerings accordingly, in order to better align with the community's needs.
- There is also an opportunity for the City to build off existing relationships with the Alameda County Arts Council.

Recommendation 2: Build local artist capacity, and create opportunities specifically for local artists to be involved in creating public art.

- Provide free public art training and workshops for local artists who are new to public art.
- Create opportunities for local early career artists to gain experience on public art projects when they are led by mid and/or late career artists.

Recommendation 3: Continue existing programming, and find ways to increase culturally relevant programming. Continue to expand free cost offerings.

- Create a visiting artist in residency/visiting artist lecture series program for all organizations to benefit from and promote
- Partner a pilot project with creative entrepreneurs such as those found in places like Spirits Alley, the Research Park at Alameda Marina and the Harbor Bay Business Park.

Recommendation 4: Develop prioritized sites for public art across the island.

- Work with the Alameda Recreation and Parks Department (ARPD) and other City departments, along with the PAC, to identify sites for public art including, but not limited to, parks, ferry terminals, identified transportation projects, intersections, etc.

Recommendation 5: Develop opportunities for the community to be involved in, and to invest in public art.

- Continue to post PAC meeting minutes. Advertise the meetings to a wider audience to grow attendance.
- Public Art Commission: Community Workshops and Open Forums: Host public meetings and workshops to gather input and feedback from the community on the City's public art program and what residents would like to see in terms of future public art projects. A portion of a regularly scheduled PAC meeting could be dedicated to this.
- Public Art Steering Committee: Establish a public art steering committee composed of community members, artists, and arts professionals to advise the PAC on the development of the City's public art program.

- Public Art Education and Outreach: Develop a public art education and outreach program to educate residents about the City's public art program and encourage participation in future public art projects.
- Community Murals: Commission community mural projects that involve residents in the creation of public art.
- Public Art Walks and Tours: Organize public art walks and tours to showcase existing public artworks in the city and engage residents in learning about the City's public art program. These efforts could leverage the recently launched website (alamedapublicartwork.com) showcasing the City's public art collection.
- Volunteer Opportunities: Provide opportunities for residents to volunteer on public art projects, such as assisting with the installation of public art or helping to maintain existing public artworks.
- Online Engagement: Utilize social media and other online platforms to engage residents in the City's public art program, such as through online surveys and forums.

By engaging the community and involving them in the process, the City of Alameda can ensure that public art reflects the values and interests of the residents and creates a sense of ownership and pride in the City's public art program.

Recommendation 6: Develop a mix of artworks in theme, form, and interactivity, ensuring that all public art is physically accessible by people of all abilities.

Recommendation 7: Further define cultural equity, diversity and Inclusion within the public art program, and create an action plan around this.

Appendix E: Draft Deaccessioning Policy

IX. DEACCESSION

It is the intent of the Plan to ensure the growth, development, and maturity of the Collection. The Plan seeks to preserve the vision of the Collection by ensuring that the intent of the artist, integrity of the artwork, and the interests of the public are in alignment. However, on rare occasions, circumstances may warrant the deaccession or relocation of works in the Collection by means of sale, trade, loan, donation, or demolition.

The following policy applies to all artworks on City property collected by any method. In the case of donated artworks, all documents relating to the donation circumstances and recipient obligations will be consulted prior to beginning the process. In the case of commissioned artwork, the artist's contract must be reviewed. The disposition of works by living artists will be accomplished in such a manner that it will not impugn the reputation of the artist or the artist's body of work.

Deaccessioning an artwork removes it permanently from the Collection, thereby removing it from its location. Both permanent and portable artwork may be considered for deaccession.

IX. A. Removal from Public Display

If the artwork is removed from public display, the PAC may consider the following options for disposition of artwork:

- Relocation of Public Display: If the PAC decides that an artwork must be removed from its original site, and if its condition is such that it could be re-installed, the PAC will attempt to identify another appropriate site. If the artwork was designed for a specific site, the PAC will attempt to relocate the work to a new site consistent with the artist's intention. If possible, the artist's assistance will be requested to help make this determination.
- Store object until a new site has been identified or the PAC decides to deaccession the artwork.
- Sale or Trade of Object after deaccession.

IX. B. Deaccessioning Criteria

Deaccession should be considered only after five years have elapsed from the date of installation for permanent works or acceptance of the artwork into the Collection in the case of portable works, unless otherwise specified in the Artist's contract. Deaccession may be considered earlier under special circumstances, such as when artwork has been damaged beyond repair or presents a public safety hazard, or expansion of a building may impact the location of the artwork.

A work of art may be considered for removal from public display and/or deaccessioning if one or more of the following conditions is met:

- In the case of site-specific artwork, significant changes in the use, character, or design of the site have occurred which affect the integrity of the artwork.
- The condition or security of the artwork can no longer be reasonably guaranteed.
- The artwork endangers physical public safety.
- The artwork has been damaged, or has deteriorated, and repair is impractical or unfeasible.
- The artwork requires excessive maintenance, or has faults in design or fabrication, and repair is impractical or unfeasible.
- The artwork is not, or is rarely, on display.
- The artwork is incompatible with the entire Collection, PAC goals, or Plan guidelines.
- The City wishes to replace the artwork with a work of more significance by the same artist.
- There has been significant, adverse, and sustained public reaction to the artwork over an extended period of time.
- The condition of the work is in such a deteriorated state that restoration would prove either unfeasible or impractical.
- No suitable site for the work is available, or significant changes in the use or character of design of the site affect the integrity of the work.
- The work interferes with the operations of the City.
- The work can be sold to finance, or can be traded for, a work of greater importance.
- Written request from the Artist has been received to remove the work from public display.
- The work is duplicative in a large holding of work of similar type by the Artist.
- The work is fraudulent or not authentic.

IX. C. Methods

Artist rights under the laws of the State of California shall be adhered to by the City.

Any member of the public may request for deaccession or relocation. All requests must be in writing and accompanied by any photo documentation and/or pertinent materials for presentation to the PAC. The PAC may also recommend artworks for consideration of deaccession and relocation to the City Council.

The PAC shall follow a deaccession review and determination process based upon public opinion, professional judgment, legal advice, and City Council direction.

Staff shall prepare a report which includes a staff evaluation and recommendation along with the following information:

- City Attorney's Opinion: The City Attorney shall be consulted regarding any restrictions that may apply to a specific work.
- Rationale: An analysis of the reasons for deaccessioning and its impact on the Collection and the artist, and an evaluation of the artwork.
- Community Opinion: If pertinent, public and agency feedback on the dispensation of work in question. For Monuments and Memorials, develop a public outreach plan.
- Independent Appraisal or other documentation of the value of the artwork: Prior to disposition of any object having a value of \$25,000 or more, Staff should obtain an independent professional appraisal, or an estimate of the value of the work based on recent documentation of gallery and auction sales.
- Related Professional Opinions: In cases of where deaccessioning or removal is recommended due to deterioration, threat to public safety, ongoing controversy, or lack of artistic quality, it is recommended that Staff seek the opinions of independent professionals qualified to comment on the concern prompting review (i.e., conservators, engineers, architects, critics, safety experts, community members, etc.).
- History:
 - Provide written correspondence, press and other evidence of public debate.
 - Original Acquisition method and purchase price.
 - For Monuments and Memorials: Historic analysis of subject, Artist, and intent
 - For Monuments and Memorials: Analyze symbolic impact of location
 - For Monuments and Memorials: Social and wellbeing impacts
 - Options for Disposition.
 - Replacement Costs.

The PAC must, by majority, approve Staff recommendation that a work of art under its jurisdiction should be deaccessioned.

All decisions and determinations of the PAC will honor pre-existing contractual agreements between the Artist, City and all other parties. The PAC recommendation will be made to the City Council for consideration and possible approval. If the artwork's original value exceeds \$25,000 the recommendation goes to City Council for possible approval. The City Council will consider any appeal made by the PAC according to Municipal Code.

In all the following scenarios, the Artist or his/her survivors, if locatable, must be informed of the action taken.

Relocation or Loan of the artwork

Relocation of an artwork changes its physical location status. While both permanent and portable artwork may be considered for relocation, portable artworks are more adaptable to new environments. Relocations are intended to resolve a long-term, extended display of an artwork and not to address rotating, temporary exhibitions. If the work was designed for a specific site, relocation must be to a new site consistent with the artist's intention. The artwork may be loaned

to the Artist, gallery, museum or other institution or agency for one or more artwork(s) or comparable value by the same Artist. Applicable of approvals, based on the value of the artwork would apply. Any final decision of the PAC or by Staff may be appealed to the City Council within ten (10) calendar days or may also be called for review by the City Council pursuant to the call for review process in Municipal Code Section 30-25.1.

Sale or Trade of the artwork

The Artist will be given the first option to purchase or trade the artwork. Sale may be through auction, gallery resale, or bidding by individuals, in compliance with local policies governing advertising and disposition of surplus property. If the artwork has a value of \$25,000 or more, the artwork must bear at least one written appraisal by a qualified independent dealer or appraiser. Any final decision of the PAC or by Staff may be appealed to the City Council within ten (10) calendar days or may also be called for review by the City Council pursuant to the call for review process in Municipal Code Section 30-25.1. Proceeds from all sales of artwork shall be retained in an account as managed by the BREDD (or applicable department). The proceeds of any sale shall be placed in the Fund.

Proceeds from Sale of Artwork: All proceeds from any sale or auction, less any payment due the Artist under the California Resale Royalties Act, shall be credited to the Fund, and the monies contributed to the Fund from the sale, exchange or exhibition of a work of art under the jurisdiction of the PAC shall be expended exclusively for the purpose of acquiring or maintaining works of art for the same public location for which the original work of art was acquired.

- Adequate Records: An adequate record of the conditions and circumstances under which objects are deaccessioned and disposed of should be made and retained as part of the City records.
- California Resale Royalties Act: The PAC shall abide by the California Resale Royalties Act (Civil Code Section 986) with respect to notification of the sale of any work of art which is sold for more than \$1,000, and payment of 5% of the sale price for any work of art which is sold for more than the PAC paid for the artwork provided that the artist can be located by reasonable means. If the Artist cannot be found, the Resale Royalty will revert to the California Arts Council in accordance with state law.

Donation of the Artwork

Deaccessioned artwork may be donated to a nonprofit organization or other public office or agency with approval of the City Manager, PAC or City Council, as applicable depending on the value of the piece. Any final decision of the PAC or by Staff may be appealed to the City Council within ten (10) calendar days or may also be called for review by the City Council pursuant to the call for review process in Municipal Code Section 30-25.1.

Alteration, Modification, or Destruction of Artwork

It is the primary responsibility of the PAC to preserve and protect the Collections for the people of the City. However, under certain conditions, and in accordance with the constraints of the

California Art Preservation Act [Civil Code 987] (CAPA), and the Visual Artists Rights Act of 1990 [17 U.S.C. 106A and 113 (d)] (VARA), or in the case where the Artist has waived his/her rights under CAPA and VARA, in accordance with the City's contractual agreement with the artist, the PAC may authorize actions that would alter, modify or destroy an artwork.

Conditions: Removal and disposal, destruction, alteration or modification of an artwork may be considered under the following circumstances:

- The work has faults of design or fabrication, or is damaged so that repair or remedy is impractical, unfeasible or an unjustifiable allocation of resources.
- In the event that the condition of the artwork represents an eminent safety hazard, and cannot be removed without risk of damage or destruction, Staff will proceed in accordance with the provisions specified under "Emergency Removal."
- The PAC deems it necessary in order for the City to exercise its responsibilities in regard to public works and improvements, or in furtherance of the City's operations, or for any other good cause.

If, for any of the above reasons, the City finds it necessary to pursue plans that would modify, remove, destroy or in any way alter an artwork, and the Staff, PAC, or City Council, as applicable, approves such action, then Staff shall make a reasonable effort to notify the public and Artist of the City's intent and outline possible options, which include, but are not limited to the following:

- Transfer of Title to the Artist: The Artist will be given the first option of having the title to the artwork transferred to him/her. If the Artist elects to pursue title transfer, he/she is responsible for the object's removal and all associated costs, including purchase of the artwork if applicable.
- Disclaim Authorship: In the case where the City contemplates action which would compromise the integrity of the artwork, the Artist shall be given the opportunity to disclaim authorship and request that his/her name not be used in connection with the given work.
- Alteration, Modification or Destruction: If alteration, modification, or destruction of an artwork is protected under the CAPA, or the VARA is contemplated, the PAC must secure a written waiver of the Artist's rights under this section. In the case of an emergency removal that may result in destruction or irreparable damage, Staff will act in accordance with the advice of the City Attorney.

Appendix F: Locational Opportunities for Public Art in Alameda

Identifying appropriate locations for public art in Alameda is an important step in the process of creating a vibrant and dynamic public art program. This appendix outlines the methods and criteria used to determine the most fitting locations for public art in the city, taking into consideration the cultural context, existing infrastructure, community involvement, and potential impact on the surrounding environment. By establishing clear guidelines and processes for site selection, the City of Alameda will be able to ensure that public art is integrated seamlessly into the fabric of the community, adding to its unique character and cultural identity.

It is important to continue building upon the existing map of public art in Alameda on the public art website, in order to offer the most updated information to the public.

1. Identify upcoming municipal development projects. Identify and prioritize opportunities within these projects to include public art, and then carry those projects over to the biennial work plan. For example, the upcoming roundabout projects:

- Clement/Tilden - www.alamedaca.gov/ClementTilden
 - Tilden/Blanding/Fernside
- Central Avenue project - www.alamedaca.gov/Central
 - Central/Fourth/Ballena
 - Central/Third/Taylor
 - Central/Main/Pacific

and the Railroad platform at Tilden and Broadway Avenue as part of the Central Avenue construction project would be great projects to include public art and prioritize in the biennial work plan.

2. Consider ARPD as a partner in locating public artwork in parks. “Gateway to California”, “Rock Spinners”, and “Beken” were all installed in Jean Sweeney Open Space Park with the assistance and partnership of ARPD.
 - a. ARPD has also identified locations in other parks across Alameda where public art could be installed, as well as what types of public art could be installed.
 - i. It’s important to include parameters that any artwork in parks has the possibility of being climbed upon and otherwise used and should be designed accordingly. Kinetic and climbable/usable art are encouraged in parks.
 - b. Utilize information from community input as part of this planning process, and prioritize park locations near Webster and Park.
 - c. As part of the PAC’s biannual work plan, public art deserts will be identified. Prioritize locations within these areas of Alameda in order to equitably distribute public art across the island.

INSERT MAP OF POSSIBLE LOCATIONS FROM REC AND PARKS

There are best practices in identifying locations for public artworks. These should be included as part of the process for selecting sites in Alameda.

- Consider visibility: Choose locations where the artwork will be highly visible to the public, such as in busy pedestrian areas, public parks, or near public transportation.

- Evaluate accessibility: Ensure that the location is accessible to all members of the community, regardless of physical abilities, and consider factors such as curb cuts, sidewalks, and other accessibility features.
- Consider community input: Involve the community in the process of selecting locations for public art, through public meetings, surveys, or other outreach efforts. Listen to their opinions and suggestions and take their feedback into account.
- Assess suitability of the environment: Evaluate the physical environment of each potential location, including factors such as climate, exposure to water, animals, birds, light exposure, wind patterns, and existing landscape features, to determine if they are appropriate for the artwork.
- Consider historical significance: Take into account the historical and cultural significance of the location and ensure that the artwork complements and enhances the area's existing cultural heritage.
- Evaluate safety: Ensure that the location is safe for both the artwork and the public, considering factors such as traffic patterns, and natural hazards.
- Evaluate maintenance requirements: Consider the long-term maintenance requirements of the artwork and ensure that the location can accommodate these needs, such as access to electricity and water.
- Evaluate funding and budget constraints: Consider budget constraints and funding sources when selecting locations for public art, as this may impact the type of artwork that can be commissioned and the number of locations that can be considered.

Appendix G: Potential Structure for Unveiling Celebrations

- The following structure can be followed for unveiling celebrations:
 - **Planning:** Gather a team of stakeholders, including artists, community members, arts professionals, City staff, and others to plan the celebration. Set goals for the event and determine the type of celebration that will best suit the artwork and community.
 - **Engagement:** Reach out to the community and encourage them to participate in the celebration. This could be done through flyers, emails, social media, and other outreach efforts.
 - **Preparation:** Arrange for the necessary resources and facilities to be in place for the celebration, including sound and lighting, seating, food and drinks, and entertainment if desired.
 - **Celebration:** Hold the event to celebrate the new public artwork. This could include a ribbon-cutting ceremony, a dedication speech, or a performance by artists.
 - **Follow-up:** After the celebration, gather feedback from participants and evaluate the success of the event. Use this information to refine the process for future celebrations and to improve community engagement around public art in Alameda.
 - **For On-Site artworks as part of private development projects,** the developer would be responsible for carrying this out. For artworks commissioned through physical artwork grants, Staff would lead this process with the assistance of the artist developing the artwork and community volunteers.

Appendix H: Possible Additional Sources of Funding for Public Art in Alameda

Here are other ways that we see public art being funded in California, and we recommend working with the City Attorney to explore whether additional funding sources may be viable for the public art program in Alameda:

- Percent for art: Public Capital Improvement Projects (CIP) – the percentage varies from .5 – 2%
- Private development percent for art ordinances – the percentage varies from .5 – 2%
- In-lieu fund - a CIP or private development project can select to put their money into a public art fund rather than create a public art project connected to their project
- General fund allocation to public art programs

Examples from other California communities of all sizes are listed below:

Watsonville, CA

Population: 52,067

The City Council passed a percent for art in private development, but all of the money goes into a Cultural Fund for the city. The Council specifically changed the initial draft of the ordinance that originally said the developer could commission their own work of art.

San Mateo, CA

Population: 102,200

Their ordinance lays out the following: The methods for funding of public art can include General Fund allocations, or the inauguration of a percent-for-arts programs. Alternative funding sources might include government grant monies and private (including business) donations and grants.

Long Beach, CA

Population: 456,062

General Fund budget: this support is in the ongoing structural budgetary funds allocated to the Long Beach Arts Commission.

They also did some research in 2016 into what other programs are doing. One thing they found was that the City charges development impact fees on certain projects. It was recommended that Long Beach investigate an Arts Impact Fee further.

San Diego, CA

Population: 1.3M

10% of all public art budgets for public and private projects – to the extent permitted by law and funding source restrictions – are set aside in a separate pooled, interest-bearing account within the Public Art Fund for collections management and maintenance of the public art collection.

They also require any public artwork donations to come with a maintenance endowment to ensure long-term care of the artwork.

The San Diego City Manager annually proposes that the City's Public Art Program be funded by 2% of the annual Capital Improvement Program budget. The City Council, then decides how much to allocate each year.

Other funding mechanisms that have been utilized by communities around the country are listed below. (Note that further research into the specific deployment and legality of mechanisms in Alameda is required):

- A percentage of event revenue can be dedicated to future public art projects
- Private sponsors (individuals, companies)
- Grants - local, regional, and national, such as:
 - Our Town Grant from the National Endowment for the Arts
 - [Bloomberg Philanthropies Public Art Challenge](#)
- Creative taxing mechanisms such as taxes on billboards or golf bag taxes, or on dispensaries
- Sales tax revenue
- TIF funding
- Utilities tax
- Liquor tax
- Line item from City's general fund
- Pull a percentage of taxes from events
- Shared city/county funding possibilities
- State lottery revenue
- Parking meter revenue
- State arts agencies

Appendix I: Public Art Policy Guidelines

ALAMEDA PUBLIC ART POLICY GUIDELINES



CITY OF ALAMEDA

COMMUNITY DEVELOPMENT DEPARTMENT

**950 West Mall Square
ALAMEDA, CA 94501**

CITY OF ALAMEDA

PUBLIC ART POLICY GUIDELINES

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Addendum A: Plaque Signage Requirements

Purpose of this document:

This document serves to provide a technical reference for developers, staff, and members of the public to provide transparency into the processes required for public art in Alameda. This document explains the public art ordinance requirements, eligible and ineligible expenses, and the process for commissioning On-Site and In-Lieu artworks.

Definitions

The following terms are common in public art projects in Alameda. For specific ordinance language and definitions, please see the entire public art ordinance.

Alameda Public Art Fund (Fund) is a fund dedicated to public art in Alameda. Instead of installing On-Site Artwork, a developer can contribute an equal amount of funds into the Public Art Fund, that can be utilized to fund permanent or temporary artwork. Grants to community organizations and artists for physical artworks or cultural arts and arts programming come from this fund.

Applicant is the person or entity that is applying to do a public art project. This could be a developer applying with an On-Site Artwork project to fulfill the Ordinance, or an artist who is applying for grant funding from the City.

Artwork is art in many different forms. This includes sculpture, painting, mosaics, photography, crafts, mixed media, and electronic arts. Artwork can be permanent, temporary, or portable, and can be integrated into other design projects, such as architecture or landscape architecture.

Artist is the person who is creating the artwork. Artist eligibility is determined by project as early and mid-career artists will have varying levels of skills and will be suitable for different projects.

Building Development Costs are construction costs declared on building permit applications for new construction or rehabilitation. These are then accepted by the Planning, Building, & Transportation Department and can include but not be limited to all building, plumbing, mechanical, and electrical permit applications for the project.

City of Alameda (City) The City of Alameda, incorporated in April 1854, is located in the East Bay region of the San Francisco Bay Area. Alameda has a population of approximately 76,400 spread across Alameda Island, Bay Farm Island, and Coast Guard Island.

Cultural Arts and Arts Programming is performance arts such as theater, dance, music; literary arts; poetry reading and storytelling; film and video; screenings and installations; arts education; art lectures and presentations; special events; festivals and celebrations; and artist in residence programs in the arts.

Development Project is any project that requires a building permit from the City of Alameda. This includes apartment buildings, civic spaces, and mixed use and retail developments.

Maintenance is the physical care of the artworks in the City's Collection. This includes cleaning and repairs in order to keep the artworks in a condition close to when it was installed.

Non-profit Organization is an organization under Internal Revenue Code Section 501 c 3 in good standing with the California Franchise Tax Board and in compliance with any and all federal state and local licensing, reporting, and tax requirements.

On-Site Artwork is permanent artwork that is commissioned and installed for a Development Project, as required by the Public Art Ordinance.

Public Art is artwork that is accessible to the public, including but not limited to On-Site Artwork and Cultural Arts and Arts Programming. Accessible means that the art is placed in a location that allows the public to view it from a public right-of-way or from other publicly accessible property and follows ADA guidelines. Interactive art must be fully accessible and approachable by the public.

Public art can be located 1) on private property that has public accessibility; 2) on City owned property or in City owned buildings; or 3) on state, county, federal or other government property that has public accessibility. Public art can be publicly or privately funded, or a combination of the two.

What a city or tourism bureau advertises to residents and visitors as its 'public art collection' often is a combination of privately-owned artworks in the public realm and city owned artworks on public property. While both types of artworks share public accessibility, the selection process, ownership, and maintenance responsibilities may vary from artwork to artwork.

Successful long-term administration of the Plan will result in a rich and diverse Public Art Collection (Collection). Prior to creation of this Plan, it is recognized that some 2D and 3D objects, which may have been considered representative of public artwork, may already be in possession by the City of Alameda through a variety of undocumented and unprocessed means of gifting, donation, or purchase. Some of the items may or may not have a registered history of accession or any supporting provenance. To be included in the Collection and considered property of the City, all future objects defined as public art must be commissioned in partnership with the City. In-Lieu Contributions, otherwise known as the Fund, can be utilized to commission public artwork as defined in this document. Any artworks in the Collection are eligible for maintenance and insurance from the Alameda Public Art Fund.

Physical public art forms may include, but are not limited to: drawings, prints, photographs, collages, paintings, mosaics, murals, written works, fiber and mixed media artworks, stained glass, relief or freestanding three-dimensional forms, digital or computer-generated imagery or sound, indoor and outdoor installations.

Cultural arts and arts programming may include but are not limited to: music, performance, dance, theater, song, story-telling, or poetry.

Works of art may be temporary, permanent, or portable. Some works of art may highlight specific cultures, near or abroad, through communal folk traditions, ceremonies, celebrations, or languages.

Public artworks shall not include objects that are mass-produced of standard design, such as floor coverings, wall coverings, seating, benches, bike racks, light fixtures, signage, architectural infrastructure, except when designed by an artist as an integral part of a project; or reproductions of works of art, except when considered a numbered edition of a limited series.

Public Art Commission (PAC) is the City of Alameda's volunteer commission which advises the City Council on Public Art policies, procedures, and expenditures from the Alameda Public Art Fund.

Public Art In-Lieu Contribution (In-Lieu Contribution) happens when a developer makes a payment to the Alameda Public Art Fund rather than installing On-Site Artwork to fulfill their public art obligation required under the Ordinance.

Public Art Master Plan (Plan) is a document that lays out a strategy for public art in Alameda.

Public Art Program Staff (Staff) are the City staff members who manage the public art program for the City of Alameda.

I. WHAT IS THE ALAMEDA PUBLIC ART PROGRAM?

Program Overview

The intent of the City of Alameda Public Art Program is to provide art that is easily accessible to the general community throughout the City. The Public Art Program is designed to offer a wide range of artistic styles, themes, and media, all of outstanding quality. The variety of artistic expression is chosen to ensure and encourage discussion. Public art is dependent on public-private cooperation between the City, artists, the Public Art Commission (PAC), members of the public, and developers. All public art is privately or publicly owned, and is designed to encourage pride in ownership and add value to the community.

The Alameda City Council (Council) adopted Public Art Ordinance No. 2892 on March 4, 2003, which was most recently amended by Ordinance No. 3303 on July 21, 2021 (Ordinance). The *Public Art Policy Guidelines* (*Guidelines*) describe the Public Art Program's policies, procedures, and application processes. Development projects subject to the Ordinance are subject to the *Guidelines* in effect prior to final approval of the development project application.

Purpose:

Cultural identity plays an important role in attracting and retaining artists and creatives to Alameda. Public art can help bring people together to celebrate and experience the rich cultural diversity in the City of Alameda (City). Creating opportunities for people of different backgrounds aids in the economic vitality of the city. Including public art in publicly and privately owned, publicly accessible spaces across the city can emphasize what is important to the community. It can also add beauty to our shared spaces, enhance the design of buildings, and increase the quality of life for those working, living, and recreating in Alameda.

Public art projects support the larger goals of the City. It is important for public art to be part of private developments in order to ensure that development in Alameda benefits everyone.

A robust, engaging public art program can attract people to come to Alameda, bolstering the economy and creating opportunities to retain artistic and creative talent. Public art creates a more desirable community within which to live and work.

Projects that are Required to Provide Public Art

Commercial, industrial and/or municipal development projects with a cost of \$250,000 or greater are required to provide On-Site Artwork or to make an In-Lieu Contribution to the Alameda Public Art Fund (Fund).

Residential development projects consisting of five (5) or more residential units and a development cost of \$250,000 dollars or greater are required to provide On-Site Artwork or make an In-Lieu Contribution to the Alameda Public Art Fund (Fund).

Exempt Projects:

- Affordable housing development projects in which one hundred (100%) percent of the units qualify as units affordable to very low-, low- or moderate-income households.
- Rehabilitation of designated City monuments.
- Development or rehabilitation of structures that house a cultural facility.
- Municipal or Non-Profit Organization Development Projects (including parks) may not be required to provide On-Site Artwork or to make an In-Lieu Contribution to the Fund if Council determines it is in the best interests of the Alameda community.

Determining Public Art Program Allocation

Eligible projects must devote at least one percent (1%) of building development costs for public art. This contribution is known as the Program Allocation. The exact dollar amount of the Program Allocation will be established as part of the permitting process or within a negotiated comprehensive public benefit package.

Applicants may fulfill the Program Allocation in any of the following ways:

- On-Site Installation: Install public art with a value that meets or exceeds the Program Allocation on the development site; or
- In-Lieu Contribution: Place an In-Lieu Contribution for an amount equal to the Program Allocation into the Fund. The Fund is used for development of public art projects; or
- Combination: Install On-Site Artwork that has a value less than 100% of the Program Allocation, and pay an In-Lieu Contribution to the Fund for the balance of the Program Allocation.

Determination of On-Site Artwork, In-Lieu Contribution, or a Combination

Prior to final approval of the development project application, projects that are required to contribute a Program Allocation will select if they would like to install an On-Site physical artwork, make In-Lieu Contribution, or some combination of the two. If an On-Site physical artwork is selected for the Program Allocation and is not installed by the indicated installation date denoted by the applicant, the Program Allocation would need to be fulfilled through an In-Lieu Contribution rather than an On-Site artwork.

II. ON-SITE ARTWORK

On-Site Artwork Definition and Eligibility

On-Site Artwork is a physical installation of permanent public art and must be constructed of materials that are appropriate for the proposed location.

On-Site Artwork installations may include the following artwork mediums and types:

- Sculpture; such as in the round, bas-relief, mobile, fountain, kinetic, electronic, or other, in any material or combination of materials;
- Painting: All media, including but not limited to, murals;
- Graphic and multimedia: Printmaking, drawing, calligraphy and photography including digital, any combination of forms of electronic media including sound, film, holographic, and video and other art forms but only when on a large public scale;
- Mosaics;
- Crafts: In clay, fiber and textiles, wood metal, plastics and other materials;
- Mixed Media: Any combination of forms or media, including collage; and Any other artwork determined by the PAC, or Council on appeal, to satisfy the intent of this section.

If an applicant chooses to install physical public art On-Site, the applicant will identify the proposed location(s) of the On-Site Artwork on the submitted plans. Typically, the location of proposed On-Site Artwork will be evaluated by the Planning Board. On-Site Artwork must be installed on the development project site in a location that allows the artwork to be visible from a public right-of-way or from other publicly accessible property. Interactive art must be fully accessible to the public.

The following are not eligible to satisfy the On-Site Artwork Program Allocation:

- Construction of indoor or outdoor stages or performance spaces.
- Cultural arts and arts programming.

On-Site Artwork Application Process:

Successful On-Site Artworks involve collaboration and cooperation between the applicant, the artist and the City. An artist must be selected prior to filling out the On-Site Artwork application, and can be selected by the applicant in any of the following ways:

1. Open Request for Qualifications: The applicant determines the selection criteria and issues a call for artists to submit credentials for consideration (a “Request for Qualifications” rather than a “Request for Proposals”). The applicant invites a short-list of artists to interview and develop proposals for the project, and shares the call through their channels.
2. Invitational Competition: The applicant invites a limited number of artists to submit credentials for consideration (a “Request for Qualifications” rather than a “Request for Proposals”). A short-list of artists may be invited to interview and to develop proposals for the project.
3. Direct Selection: The applicant selects a specific artist(s) to develop a proposal.

The Community Development Department is available to provide assistance throughout the project, including help finding and hiring an artist. An arts consultant may be retained for public art projects valued at \$50,000 and above.

The following are not eligible to be selected as the artist for On-Site Artwork:

- Members of the design team or their immediate families
- Project architects or consulting architectural firms
- Members of the selection team
- Members and immediate families of the PAC
- Community Development Department Staff or other City staff

Once the artwork location is solidified, an artist is selected, and an artistic concept is developed, the below process must be followed in order to meet the Program Allocation requirement for On-Site Artwork.

- a. An application for the installation of On-Site Artwork must be submitted to the Community Development Department. An artist should be selected prior to filling out this form. [This form is available on the Community Development Department website.](#) The following information is asked for in the application:
 - i. A site plan of the development, including:
 1. the proposed location of the On-Site Artwork showing how it integrates into the overall project design;
 2. A sample, model, photograph or drawings of the proposed On-Site Artwork;
 3. Material samples and finishes if appropriate;
 - ii. The artist's resume and portfolio of past work, showing that the artist has experience and ability to create the proposed On-Site Artwork;

- iii. A written statement by the artist describing the On-Site Artwork and how the artwork proposal meets the following requirements (which are used by the PAC to approve an artwork to move forward in the process):
 - 1. The artist has demonstrated qualifications to complete the proposed On-Site Artwork with the highest professional standards.
 - 2. There is sufficient public visibility and accessibility to the On-Site Artwork, and the proposed On-Site Artwork is compatible with and harmonious with the development project and surrounding environment.
 - 3. The proposed On-Site Artwork is durable and cost effective to maintain using ordinary methods of maintenance.
 - 4. The budget for the proposed On-Site Artwork and any In-Lieu fees proposed by the applicant is equivalent to or exceeds the required Program Allocation.
 - iv. An itemized budget showing the valuation of the On-Site Artwork, artist design fees, transportation and installation fees, and any other fees as applicable and necessary. The budget total must equal or exceed the 1% minimum Program Allocation and ensure that items in the budget are eligible.
 - 1. The following expenses are eligible for On-Site Artwork:
 - a. The On-Site Artwork itself including the artist's fee for design, structural engineering and fabrication;
 - b. Transportation and installation of the On-Site Artwork at the development project site;
 - c. Identification signs; and
 - d. Mountings, anchorages, containments, pedestals, bases, or materials necessary for installation of the On-Site Artwork.
 - 2. The following expenses are not eligible for On-Site Artwork:
 - a. The cost of locating the artist(s);
 - b. Architect and landscape architect fees;
 - c. Land costs;
 - d. Landscaping around the On-Site Artwork not integral to its design;
 - e. Publicity, public relations, photographs or dedication ceremonies;
 - f. Utility fees associated with activating the artwork; and
 - g. Illuminating the On-Site Artwork if not integral to the design.
 - v. A maintenance plan for both the routine and long-term upkeep, care and preservation of the On-Site Artwork, based upon the maintenance requirements laid out in section 2: Onsite Artwork, **Maintenance Requirements for On-Site Artwork, p.14 -15.**
 - vi. Any additional information or materials as required by the Community Development Director;
 - vii. Application processing fees set by City Council Resolution.
- b. Once submitted to the Community Development Department, the Community Development Director will review the application and determine whether it is complete and meets the Program Allocation requirements.
- c. The PAC will meet to review the proposal as soon as possible (and within 60 calendar days) after all application materials are submitted in their complete form. If items are found incomplete, the 60-day period for review will not begin until all outstanding items are received. Staff will inform the applicant of the date, time and location of the PAC meeting.

- d. The PAC reviews the application following the criteria listed in section 2, “Onsite Artwork, On-Site Artwork Criteria”, p. 15 - 16.
- e. The applicant will make an oral presentation to support the On-Site Artwork proposal, utilizing written and visual materials. The applicant must be present at the meeting to give the presentation and to receive comments and suggestions of the PAC, should the application not be approved in full.
- f. The PAC will contact the Planning Board to address any potential site feasibility or constraint issues.
- g. The PAC will either approve the application, ask for refinements, or deny the application. Approval by the PAC will require the adoption of a resolution, an example of which is included in Appendix A. The PAC retains the right to ask the applicant to provide further information or demonstrate how their application meets the review criteria, prior to giving their final decision.
- h. A final decision of the PAC may be appealed to the City Council within ten (10) calendar days following the PAC decision.
 - i. The applicant will be notified in writing of the PAC’s decision within ten (10) working days of the review meeting. If the project application is approved, any outstanding items that must be completed by the installation date will be listed and given to the applicant.
 - ii. If the project application is not approved, the reason(s) for denial will be noted, as well as possible modifications or additions that could lead to approval. If the applicant agrees to the modifications, the applicant may resubmit an application to the PAC for reconsideration. Staff will inform the applicant of the date, time and location of the meeting to review the revised application.
 - iii. Once the project application is approved, the applicant will inform the City of the approximate date the project will be installed or completed.
 - iv. Completion of the On-Site Artwork application, approval of the project by PAC, and artwork installation must all happen prior to final building inspection or issuance of the first certificate of occupancy for the development project. [Please refer to Ordinance section 30-98.9 for specific details.](#)
 - v. If an On-Site Artwork is selected for the Program Allocation and is not installed by the indicated installation date denoted by the applicant, the Program Allocation would need to be fulfilled through an In-Lieu Contribution rather than an On-Site Artwork.
- i. [The applicant contracts with and makes payments directly to the artist, and](#) must submit a copy of the agreement with artist and/or contract of sale including the long-term care and maintenance instructions for the public art.
- j. If installation of the On-Site Artwork occurs over more than two months, the applicant will provide monthly progress reports on installation status to the Community Development Department.

Maintenance Requirements for On-Site Artwork

Once the permanent On-Site Artwork is installed, the applicant and any future property owner is legally responsible for maintaining the artwork in perpetuity. The applicant should demonstrate that the selected public art is constructed appropriately for its display and that provisions have been made for the care of the work throughout its lifetime.

The artist will provide an updated maintenance manual with the expected lifetime of the artwork, a description of all materials, processes and products to be used for maintaining the artwork, the required care and upkeep involved, and the recommended procedures ("the Maintenance Plan"). The draft Maintenance Plan is subject to review by a professional conservator.

The Property Owner will:

1. Maintain the On-Site Artwork on a regular basis, and as described in the maintenance plan provided by the artist as part of the application and approval process;
2. Repair the On-Site Artwork when necessary;
3. Replace the On-Site Artwork when it is damaged beyond repair, destroyed or stolen; and
4. Establish a source of funding to maintain the On-Site Artwork for its lifetime.

The plaque will contain a credit to the artist and a copyright notice substantially in the following form:

Copyright ©[artist's name, date of publication].

Additionally, the artist will design and install a plaque on or near the artwork consistent with plaque guidelines provided by the City. See Appendix A. The plaque design and installation plans must be approved by City Staff prior to installation.

The City must approve the final Maintenance Plan and installation of an approved plaque must be installed prior to the On-Site Artwork receiving final approval from the City.

Ownership and Copyright

All On-Site Artwork included in a project belongs to the property owner, however, the On-Site Artwork copyright belongs to the artist(s). The copyright remains with the artist unless specifically assigned in the artist agreement. The City has the right to use any photos, slides, models, printed materials, etc. of the On-Site Artwork for non-commercial purposes, and this must be in the contract between the applicant and the artist. The City and applicant agree to act in accordance with Federal and State of California artist's rights legislation with regard to the ownership, maintenance, preservation, disposition, sale, copyright, and other legal considerations concerning On-Site Artwork.

On-Site Artwork Criteria

Criteria that will be used by the PAC when considering On-Site Artwork will include, but not be limited to:

1. Inherent Artistic Quality: The artistic or conceptual merit of the On-Site Artwork proposal, independent of other considerations.
2. Context: Works of art must be compatible in scale, material, form and content with their surroundings. Consideration should be given to the architectural, historical, geographical and social/cultural context of the site.
3. Media: Sculpture, painting, graphic and multimedia, mosaics, crafts, and mixed media may be considered.
4. Permanence: Due consideration shall be given to the structural and surface soundness, and to inherent resistance to theft, vandalism and weathering.
5. Ability to Maintain: Significant consideration shall be given to the cost of on-going maintenance and repair anticipated, and the applicant's ability to provide adequate maintenance. Ephemeral artwork will be maintained for the lifetime as defined by the artist.
6. Public Safety and Accessibility: Each work shall be evaluated to ensure that it does not present a hazard to public safety and complies with all applicable building codes and accessibility requirements.
7. Diversity: The City is committed to acquiring public art that reflects its diverse cultural communities and perspectives. To that end, the City encourages applicants to seek public art from artists of diverse backgrounds and permanent artworks in a variety of styles, scales, and materials. Innovative work as well as established art forms shall be encouraged.
8. Feasibility: Proposed On-Site Artworks shall be evaluated for feasibility and factors to be considered include, but are not limited to: project budget, timeline, artist's experience, soundness of materials, and City approval requirements.
9. Duplication: To assure that the On-Site Artwork is unique, the artist will be asked to warrant its distinction from other artworks in the artist's body of work. A limited edition will be evaluated on a case-by-case basis.

III. IN-LIEU CONTRIBUTION

In-Lieu Contribution Definition and Eligibility

Instead of acquiring and installing a permanent, On-Site Artwork in order to fulfill the Program Allocation requirement, the applicant may provide a Public Art In-Lieu Contribution in an amount equal to 100% of the Program Allocation into the Fund (please refer to Ordinance section 30-98.10 for the guidelines, including eligible uses for Fund monies). If an applicant chooses to make an In-Lieu Contribution, the applicant must do so as part of the initial discretionary permit for the project, or the submission of building permits, if no discretionary permits are required for the project.

The In-Lieu Contribution will be placed in the Fund.

The Fund may be used only in one of the following ways:

1. Acquisition, commission, design, installation, improvement, and insurance of public art;

2. City acquisition of property or improvement of public property for the purpose of displaying public art. (If property purchased with monies from the Fund is sold, the proceeds from the sale shall be returned to the Fund);
3. Grants to provide publicly accessible cultural arts and arts programming to benefit the Alameda community free of charge. (No more than twenty-five (25%) percent of the Alameda Public Art Fund shall be distributed for cultural arts and arts programming);
4. Other expenses associated with implementation, conservation, maintenance, or deaccession of public art. (These funds will be prioritized for public art on public property, rather than private property).

The PAC will biennially report to the Council on the distribution of Fund dollars.

In-Lieu Contribution Expenditure Approval Process

Expenditures from the Fund will be authorized by the Council. The City Manager is also authorized to approve expenditures within the City Manager's spending authority, and will notify the Council of any approved expenditures.

Any two Members of the Council may call the City Manager's decision for review within ten days of the City Manager's notification. If no timely call for review occurs, the City Manager's decision shall become final and effective.

Artist Selection Process when using In-Lieu Contribution for the Acquisition of Public Art

An Open Request for Qualifications will typically be the selection process for City public art projects, with the PAC leading the development of selection criteria.

Typically, Public Art Program Staff (Staff) manage the application process and convene the PAC as deemed necessary to gather input towards the creation of a City-issued solicitation for public artworks as funded through grants coming from the Fund. Staff will include any technical drawings, dimensions, and photographs or renderings of the project site. City solicitations for public art are posted on the [City webpage where all City contracts open to bids are](#) posted. In addition, the solicitation will be distributed widely through various means including, but not limited to: social media, City press release, circulation with other City and artists' networks, etc. with a goal of reaching diverse audiences.

Please see the Procedures document for more detail about the commissioning process for Cultural Arts and Arts Programming and Physical Art Projects.

Addendum A: Plaque Signage Requirements



PUBLIC ART IDENTIFICATION SIGNAGE GUIDELINES

The Public Art Commission may, as a condition of approval, require that identification signage be installed on or in the vicinity of public art projects that are subject to approval by the Commission. When required, the following shall serve as guidelines for the design and placement of public art identification signage:

Material: All signage shall be bronze in which the letter or symbol shall be cast, embossed, or etched.

Size: Identification signage shall be separated into two components, each with a dimension of 5" x 5". One shall bear the Seal of the City of Alameda, while the other shall contain information required by these guidelines or other information deemed necessary by the Public Art Commission.

Required Information: The following information shall be included on identification sign:

- Date
- Artist name
- Title of Art
- Alameda Public Art Program

Applicant Drawings: Applicant shall provide drawings that identify:

- Font style
- Font height
- Arrangement of required information
- Location of the identification signage in relation to the public art

Appendix J: City of Alameda: Procedures for Public Art

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I. INTRODUCTION

This document lays out the processes and procedures involved in public art projects in the City of Alameda. It discerns between On-Site Artworks and In-Lieu Artworks, and provides a process for each. It includes definitions for common words used in public art projects in Alameda, and shares roles and responsibilities for each part of the process.

I. A. Definitions

The following terms are common in public art projects in Alameda. For more detailed language, see Ordinance No. 3033.

Alameda Public Art Fund (Fund) is a fund dedicated to public art in Alameda. Instead of installing On-Site Artwork, a developer can contribute an equal amount of funds into the Fund, that can be utilized to fund both permanent or temporary artwork. Grants to community organizations and artists for physical artworks or cultural arts and arts programming come from this fund.

Applicant is the person or entity that is applying to do a public art project. This could be a developer applying with an On-Site Artwork project to fulfill the Ordinance, or an artist who is applying for grant funding from the City.

Artwork is art in many different forms. This includes sculpture, painting, mosaics, photography, crafts, mixed media, and electronic arts. Artwork can be permanent, temporary, or portable, and can be integrated into other design projects, such as architecture or landscape architecture.

Artist is the person who is creating the artwork. Artist eligibility is determined by project as early and mid-career artists will have varying levels of skills and will be suitable for different projects.

Building Development Costs are construction costs declared on building permit applications for new construction or rehabilitation. These are then accepted by the Planning, Building, & Transportation Department and can include but not be limited to all building, plumbing, mechanical, and electrical permit applications for the project.

City of Alameda (City) Incorporated in April 1854, the City is located in the East Bay region of the San Francisco Bay Area. Alameda has a population of approximately 76,400 spreads across Alameda Island, Bay Farm Island, and Coast Guard Island.

Cultural Arts and Arts Programming is performance arts such as theater, dance, music; literary arts; poetry reading and storytelling; film and video; screenings and installations; arts education; art lectures and presentations; special events; festivals and celebrations; and artist in residence programs in the arts.

Development Project is any project that requires a building permit from the City. This includes apartment buildings, civic spaces, and mixed use and retail developments.

Maintenance is the physical care of the artworks in the Municipal Public Art Collection. This includes cleaning and repairs in order to keep the artworks in a condition close to when it was installed.

Municipal Public Art Collection (Collection) all works of Public Art which are owned by the City and considered City assets. To be included in the Collection and considered property of the City, all future objects defined as public art must be commissioned in partnership with the City.

Non-profit Organization is an organization under Internal Revenue Code Section 501 c 3 in good standing with the California Franchise Tax Board and in compliance with any and all federal state and local licensing, reporting, and tax requirements.

On-Site Artwork is permanent artwork that is commissioned and installed for a Development Project, as required by the Public Art Ordinance.

Public Art is artwork that is accessible to the public, including but not limited to On-Site Artwork and Cultural Arts and Arts Programming. Accessible means that the art is placed in a location that allows the public to view it from a public right-of-way or from other publicly accessible property and follows ADA guidelines. Interactive art must be fully accessible and approachable by the public.

Public art can be located 1) on private property that has public accessibility; 2) on City owned property or in City owned buildings; or 3) on state, county, federal or other government property that has public accessibility. Public art can be publicly or privately funded, or a combination of the two.

What a city or tourism bureau advertises to residents and visitors as its 'public art collection' often is a combination of privately-owned artworks in the public realm and municipal-owned artworks on public property. While both types of artworks share public accessibility, the selection process, ownership, and maintenance responsibilities may vary from artwork to artwork.

Successful long-term administration of the Plan will result in a rich and diverse Collection. Prior to creation of this Plan, it is recognized that some 2D and 3D objects, which may have been considered representative of public artwork, may already be in possession by the City through a variety of undocumented and unprocessed means of gifting, donation, or purchase. Some of the items may or may not have a registered history of accession or any supporting provenance. To be included in the Collection and considered property of the City, all future objects defined as public art must be commissioned in partnership with the City. In-Lieu Contributions deposited in the Fund can be utilized to commission public artwork as defined in this Plan. Any artworks in the 'public art collection' whether privately-owned or municipal-owned, are eligible for maintenance and insurance from the Fund. However, the Fund is intended to be used for maintenance expenses only in isolated or extreme cases, and prioritization shall be for artwork on public property.

Physical public art forms may include, but are not limited to: drawings, prints, photographs, collages, paintings, mosaics, murals, written works, fiber and mixed media artworks, stained glass, relief or freestanding three-dimensional forms, digital or computer-generated imagery or sound, indoor and outdoor installations.

Cultural arts and arts programming may include but are not limited to: music, performance art, dance, theater, song, story-telling, poetry, art education, artist-in-residence programs in the arts, art lectures and presentations, and special events: festivals and celebrations.

Works of art may be temporary, permanent, or portable. Some works of art may highlight specific cultures, near or abroad, through communal folk traditions, ceremonies, celebrations, or languages.

Public art shall not include objects that are mass-produced of standard design, such as floor coverings, wall coverings, seating, benches, bike racks, light fixtures, signage, architectural infrastructure, except when designed by an artist as an integral part of a project; or reproductions of works of art, except when considered a numbered edition of a limited series.

Public Art Commission (PAC) is a City volunteer commission which advises the City Council on Public Art policies, procedures, and expenditures from the Fund.

Public Art In-Lieu Contribution (In-Lieu Contribution) happens when a developer makes a payment to the Fund rather than installing On-site artwork to fulfill their public art obligation required under the Ordinance.

Public Art Master Plan (Plan) is a document that lays out a strategy for public art in Alameda.

Public Art Program Staff (Staff) are the City staff members who manage the public art program for the City.

II. PROCESSES

The following processes are utilized in commissioning public art in Alameda, both physical artworks and cultural arts and arts programming.

II. A. An Overview of the Public Art Process

WIP (graphic designer)

II. B. Process for On-Site Artwork

WIP (graphic designer)

II. C. Process for In-Lieu Artwork

WIP (graphic designer)

III. ROLES AND RESPONSIBILITIES

Mayor

- The Mayor reviews applications to the PAC and nominates appointments.

City Council (including the Mayor)

- The City Council approves the Mayor's nominees for the appointments.
- The City Council approves, adopts, and amends the Plan upon recommendation of the PAC as needed to expand and advance the City's arts and culture identity.
- The City Council approves all grants or commissions funded out of the Fund over the City Manager's monetary limit.
- The City Council reviews all appeals and makes decisions on appeals.

Base Reuse and Economic Development Department (BREDD)

1. The BREDD works with businesses and the Alameda community to cultivate and develop the City's economic, housing, social and cultural resources.

Public Art Program Staff (Staff)

- Staff is responsible for the day-to-day management of both the Public Art Program and PAC (including ensuring its meetings are agendaized and posted), as well as the administration of the Plan.
- Staff oversees all agreements between the City and Artists, organizations, and other appropriate contractors including the outreach effort, program marketing, maintenance of the City's public art website, and overseeing the maintenance of its Collection, if it is unassigned to another department.

Public Art Commission (PAC)

- The PAC's primary role is to make decisions regarding public art in Alameda, including, but not limited to the evaluation of public art applications, the use of Fund monies, and other matters pertaining to the quality, quantity, scope and style of art in public places.
- The PAC makes recommendations to the City Council regarding the Plan.
- The PAC makes recommendations to the City Council on funds sourced from the Fund on public artwork that exceeds the City Manager's monetary threshold.
- The PAC guides and provides input to private developers for all On-Site Artwork resulting from Ordinance No. 3303.
- Commissioners act as volunteer representatives for the Public Art Program, representing community input and interests. In coordination with Staff, the PAC will develop a strategy to help dictate the Public Art priorities for a set amount of time.
- The PAC promotes the Collection.

Planning Board

- The Planning Board's role in public art is to assist with thinking through locations for On-Site Artworks.
- The Planning Board can also assist with decision making should the PAC need guidance.

IV. FUNDING

Funding for Public Art in Alameda can come from five identified sources. Additional funding sources may arise over time, and should be added to this list.

IV. A. Public Art Ordinance

On-Site Artworks: Development projects above \$250,000 located in the City are subject to the Public Art Ordinance, and must install a public artwork (either permanent or temporary) on the development site. The cost of the artwork must be at least one percent (1%) of building development costs (referred to as the Program Allocation).

In-Lieu Contribution: Rather than commissioning and installing On-Site Artwork, the developer may pay into the Fund an amount equal to one hundred percent (100%) of the Program Allocation.

If the developer chooses to commission and install On-Site Artwork, and its value is less than one hundred percent (100%) of the Program Allocation, the developer shall pay into the Fund the difference between one hundred percent (100%) of the Program Allocation and the value of the On-Site Artwork prior to the issuance of the Certificate of Occupancy. If an On-Site Artwork is selected for the Program Allocation and is not installed by the indicated installation date denoted by the applicant, the Program Allocation would transfer to an In-Lieu Contribution rather than an On-Site Artwork.

IV. B. General Fund

Resources for the management of the Public Art Program is subject to change but may include staffing as well as additional City General Fund dollars.

The Public Art Program Allocation makes up the Fund. Please see Section V Alameda Public Art Fund for more information about the Fund.

IV. C. Grants

Local, state, and national grants may also provide a source of funding for the Alameda Public Art Program. The Fund may be used as matching funds for grant applications determined worthy of application by the PAC. If the amount being used from the Fund is over the City Manager's limit, then City Council approval of the disbursement is required. All approvals of City dollar commitments must be approved at all necessary levels.

IV. D. Private Donations

Private individuals and organizations may also provide financial sponsorship or other forms of funding as long as they are aligned with ordinance requirements and do not interfere or change the roles and responsibilities of those parties identified in the Plan.

IV. E. In-Kind Donations

Non-monetary resources such as volunteerism, donation of commercial space, materials, transportation, education, entertainment, food/drink, or promotional items, gifts, and awards may be contributed to the Public Art Program. Such contributions may not interfere, reduce, or omit the policies and procedures of the Public Art Program nor limit the roles and responsibilities of those parties identified in the Plan. Any donations requiring ongoing, long-term expenses by the City will not be accepted without City Council approval.

V. ALAMEDA PUBLIC ART FUND

The Fund is made up of contributions from the In-Lieu Contributions for On-Site Artwork. The Fund is utilized for cultural arts and arts programming and physical art (both Permanent Works and Temporary Works).

V. A. Cultural Arts and Arts Programming

The Fund offers the possibility for Cultural Arts and Arts Programming which, depending on annual budget and staff capacity, may manifest itself in many forms such as artist residencies, grants, cultural programming, creative pop-ups, arts education workshops, new or special arts events, annual or signature arts events, or incoming loans of artwork for display. Based on the Fund balance at the time a request for proposals is released, no more than twenty-five percent (25%) of the Fund shall be distributed for cultural arts and arts programming. The daily administration of this portfolio is managed by Staff with recommendations made from the PAC.

V. B. Permanent Artwork

Permanent artwork, such as commissions through a City-issued RFP/RFQ opportunity, can create and contribute towards the Collection. Such artwork becomes City assets, requiring on-going insurance, maintenance, storage, repair, conservation, and documentation. Unless otherwise stated in a contract, the artist transfers title and ownership of the artwork to the City. A permanent artwork acquisition may range from a small unframed photograph to a monumental outdoor sculpture requiring a permanent site researched and prepared in advance of its delivery and installation, for example.

V. C. Temporary Artwork

Temporary artwork, such as loans, leases, and rentals, are methods of borrowing usually ready-made artwork to display, on rotation, upon City property with appreciable public visibility. Unless otherwise stated in the contract, the incoming artwork is insured short-term by the City, and the lender holds title, ownership, and copyright of the artwork. A temporary acquisition typically utilizes less budget and Staff time in the selection, preparation, and installation of artwork than in comparison to permanent acquisitions. Temporary artworks must be on display for a minimum of two weeks.

Temporary, physical artworks also include, but are not limited to, creative pop-ups, or incoming loans of artwork for display.

Temporary, cultural arts and arts programming also include, but are not limited to, artist residencies, grants, cultural programming, performances, arts education workshops, new or special arts events, annual or signature arts events.

V. D. Donated Artwork

The City will accept donations of Artwork on a case-by-case basis.

VI. PLACEMENT

The thoughtful placement of Public Art, whether permanent or temporary, indoor or outdoor, is critical in creating audience thought, appreciation, and dialogue. The most successful installation of public artwork will be compatible in its design to its immediate surroundings. In all cases, such locations should reflect a balanced and strategic effort to represent a diversity of sites that comprise and define the City and its community members.

While not exhaustive, a list of potential sites for future Public Art has been identified and is included in the Plan.

VI. A. Public Property

To ensure that physical, environmental, social, and cultural factors of the public are considered, the following three main criteria will be considered when selecting sites for permanent or temporary artworks: Accessibility/Visibility, Site Capacity, and Compatibility. These are most compatible with large-scale artworks but can be referenced and considered for smaller works and projects.

Accessibility/Visibility: Public Art is 'public' in that it must be available for the community to view and engage with at a meaningful level. This means that it is located in a place that is open to the public (whether indoor or outdoor) and does not require admission.

This requires:

- Permission and support of property owner
- Convenient public access to the physical site, including attention to the Americans with Disabilities Act (ADA) needs, and consideration of building hours and/or parking
- Proper lighting, signage
- High visibility along vehicular, pedestrian corridors, in public buildings or public outdoor areas (such as parks) - the view of the artwork is not obstructed
- Considerations for audience involvement and what space is needed to interact with the artwork in a meaningful way.

Site Capacity: The physical qualities of the potential site must be conducive to Public Art installations and the ongoing maintenance, or utility service of such work. Public safety is a major consideration in selecting sites for Public Art.

Considerations may include:

1. Required permits secured, pursuant to the municipal code
2. ADA compliance

3. Planning and development requirements secured
4. Adequate structural support for display
5. Security of artwork against theft, weather, vandalism
6. Accessibility for cleaning, maintenance

Compatibility: Public Art should enhance, rather than detract from, the public realm and any nearby artworks. Sites must be chosen with great consideration for the surrounding built and natural environments and their intended uses. Artwork should help anchor and activate the site and enhance the surroundings.

This includes:

- Architectural, cultural, historical, social history of site
- Community stakeholder input
- Other art in the vicinity, or in the Collection
- Future site development plans

VI. B. Murals on Private Property

Private mural projects installed on private property need not adhere to the Plan but shall adhere to the City of Alameda Municipal Code.

VI. C. Public / Private Development

According to independent state and national research, funding for the arts directly benefits community vitality, economic development, and leads to healthier neighborhoods. Many private entities, such as private developers, building owners, businesses, and community organizations may seek to partner with the City in projects that elevate the arts for residents and visitors. Such partnership may be realized through the private sector's raising of funds, or other in-kind donations to sponsor a work of Public Art or public art programming.

Public Art funded through the Fund can be located on private property if there is an agreement with the City.

VII. SELECTION / PUBLIC ART COMMISSIONING PROCESS

VII. A. Public Art Commission

The PAC is composed of 5 members nominated by the Mayor, and confirmed by City Council, to serve as the primary advisory body for all city matters related to arts and culture. Members serve as representatives of the city's Public Art Program, providing a variety of professional perspectives, opinions, recommendations, and approvals on the funding, priority, and placement of Public Art. Its mission is to foster an environment in which arts and culture are recognized as critical to the quality of life in Alameda. The PAC supports the artistic expression, education and awareness of diverse voices, and beautification of public spaces.

The PAC plays a vital role in the evaluation of both On-Site Artwork (private) and artwork commissioned through the Fund.

VII. B. Public Art in Private Development

Per the Public Art Ordinance, projects subject to the Public Art requirement shall declare their intention to install permanent On-Site Artwork or to contribute to the Fund through an In-Lieu Contribution as part of the initial discretionary permit for the project. This process is explained in more detail in the *Guidelines* document. See Exhibit D for the full Guidelines.

Process for physical On-Site Artwork in private development:

- An application for the installation of On-Site Artwork shall be submitted to the BREDD. Once Staff determines the application is complete and in accordance with the Ordinance, the PAC reviews the application at a scheduled meeting.
- The PAC is the technical body responsible for reviewing and evaluating for approval all public art projects and shall ensure that all public art projects meet program criteria established by the Ordinance. In order to approve an On-Site Artwork application, the PAC must make all of the following findings:
 - The artist has demonstrated qualifications to complete the proposed On-Site Artwork with the highest professional standards.
 - There is sufficient public visibility and accessibility to the On-Site Artwork, and the proposed On-Site Artwork is compatible with and harmonious with the development project and surrounding environment.
 - The proposed On-Site Artwork is durable and cost effective to maintain using ordinary methods of maintenance.
 - The budget for the proposed On-Site Artwork and any in-lieu fees proposed by the applicant is equivalent to or exceeds the required program allocation.

VII. C. Public Art In-Lieu Contributions

In-Lieu Contributions are made directly to the Fund. Projects are then commissioned by Staff or the PAC utilizing these funds.

VII. D. Cultural Arts and Arts Programming and Physical Art Projects

The following section outlines the typical processes for artwork commissioned by Fund grants. However, there may be instances wherein the responsibilities of Staff, the PAC, and/or other stakeholders differ from the processes described below.

Cultural Arts and Arts Programming and Physical Art projects (temporary or permanent) will be commissioned by Fund grants and, typically, processed through 1) a Staff managed grant program which includes a grant application process with solicitation, curatorial review, scoring, and selection or 2) a PAC

curatorial review, scoring, and selection. However, there may be instances in which grants are processed without PAC curatorial review, scoring, and/or selection.

Typically, Staff manages the grant process and convenes the PAC as deemed necessary to gather input towards the creation of a City-issued application and solicitation for Public Artworks.

Solicitations for Public Art are posted on the City webpage where all City contracts open to bids are posted. The solicitation is distributed with the intent of reaching diverse audiences in such manner that include, but are not limited to social media, City press releases, and City and artist networks.

All applications received will be reviewed and scored through fair, equitable, and transparent means by a PAC Subcommittee (Subcommittee) composed of Staff, PAC, or a combination of the two.

In many instances, Staff can be voting or non-voting members of the Subcommittee. Evaluation of submissions considers appropriateness of the content of the artwork, design and materials of the artwork, placement, potential risk issues, and expense of maintaining and owning the artwork. Members of the Subcommittee are not compensated and must have no conflict of interest throughout the selection process. The Subcommittee shall have no communications with any applicant once City-issued solicitations are publicly posted.

Process

- Staff determines the number and size of the grant awards budget based upon what is available in the Fund. PAC approval is not required for grant awards but the PAC may be consulted regarding the size, number and scope of grant awards.
- Staff determines appropriate locations for artwork for physical artworks based upon criteria in Section VI of this document. (Cultural Arts and Arts Programming can propose their own sites as these projects are temporary in nature). PAC approval is not required for designating locations but will be consulted for input.
- Staff develops an initial draft of the grant application based upon the PAC's work plan and priorities for the year. The draft should include any technical drawings, dimensions, and photographs or renderings of the project site. Staff will integrate PAC input regarding project goals, scope of work, location of the project site, artist eligibility, budget, and timeline, as well as generating any specific scoring criteria.
- Application is posted publicly online and is supported through marketing efforts by Staff and, when appropriate, the PAC.
- When applicable, applicants are offered a pre-submittal opportunity to ask Staff questions regarding the application process and site considerations.
- Upon application deadline, Staff will check eligibility of submitted applications. Staff will then aggregate all submissions for Subcommittee review and scoring.
- Staff convenes the Subcommittee and leads discussion of applications, with a goal of selecting grantees by the end of the meeting. Subcommittee members are expected to review applications prior to the meeting. The Subcommittee will recommend to the full PAC which grants to award.
- In instances wherein the awarded grant(s) exceeds the City Manager's monetary threshold, Staff will bring the recommendation to the City Council for consideration and possible approval. Any final decision of the PAC may be appealed to the City Council within ten (10) calendar days or

may also be called for review by the City Council pursuant to the call for review process in Municipal Code Section 30-25.1.

- Upon approval, Staff contacts selected applicants.
- Upon acceptance by selected grantees, Staff creates a press release to announce upcoming grantees and their projects.
- Grantees sign a contract with the City and the grant period begins.

VII. E. Scoring

The Evaluation Committee shall review all eligible City-issued solicitations using the scoring rubrics posted in each solicitation.

Typically, such scoring rubrics include:

- Artistic Merit: Proposal achieves quality and value based on uniqueness, creativity, ingenuity.
- Clarity of application, narrative, and budget: Proposal has a vision and planning that evokes understanding and enthusiasm.
- Alameda Relevance and Community Engagement: Relevance to the City, including, but not limited to its diverse communities and history, traditions, and/or natural environment. Engagement with the community during the concept and design phase, and/or through interactive artwork.
- Site Compatibility: Proposal connects to architectural, cultural, historical, social history of site.
- Artist Portfolio: Artist reputability and history in successfully accomplishing large scale projects.
- Local preference: Artist and/or artist team lives or works in the City.

VII. F. Contract

After the final approval, Staff shall prepare a contract in consultation with appropriate City departments. Upon execution of the contract, Staff monitors the artist's work within the established budgets and timelines, inspects the project to certify progress, authorizes payments to the artists as scheduled in the contract, tracks expenses against art project allocations, and provides periodic updates to the PAC.

General contract considerations should include:

- Project details
- Artist design fee
- Travel/per diem fees
- Materials, transportation, and installation costs
- Contingency fee
- Timeline
- Project delays
- Title and ownership
- Reproduction rights/copyright
- Warranties/Risk of loss
- Certificate of insurance
- Contract enforcement

- Termination or cancellation

In certain instances, the artist contract may stipulate that contractors are hired by and managed by the City, rather than the artist.

VIII. MAINTENANCE

VIII. A. Documentation

Proper documentation of the Collection creates value and safety for the artwork. Information to archive includes artist name, contact info, medium, size, year of completion, budget, RFQ submission, final presentation, contract, maintenance instructions, insurance value, and all related correspondence. All works should be professionally photographed for inclusion in marketing assets.

Maintenance responsibility and funding mechanism is to be clearly identified prior to installation.

Contract with the Artist shall require the Artist to provide a maintenance plan for review by Staff who may engage a Conservator in order to help inform the artist maintenance plans as deemed necessary. Final approval of an artwork will be contingent upon approval of the final maintenance plan by the PAC and must be reflected in a recorded maintenance agreement.

VIII. B. Storage

All Public Art should be on view to the general public at all times, whenever possible. Even when not on display, the Collection still requires a safe and thoughtful monitored environment. Proper storage techniques include assuring safe access to the inventory, maintaining a proper, pest-free environmental climate of both temperature and humidity, and providing ample room to store empty packing and crating materials, installation tools and hardware, ladders, frames, easels, display pedestals, platforms, stanchion, rugs, tables, and special event/reception materials. As the Collection grows, so too does the need for storage. Location of each artwork must be accurate at all times. Packing material and crates or any other components or replacement parts for display should be properly labeled and inventoried. If the artwork has specialized art installation instructions or hardware, this too must be organized.

VIII. C. Conservation

The City has a role in caring for the artworks in the Collection in order to extend the objects' life for future education and public enjoyment for generations to come. Preservation of the Collection includes enacting preventative measures to save tangible artworks from inherent decay, material decomposition, weathering, vandalism, damage, or theft, as to present artwork in its original, artist-intent condition. Considerations include proper art handling, proper use and selection of materials for packing and crating, condition reporting, anti-theft hardware, anti-graffiti coating, UV glass coating, general on-going non-specialized treatments such as dusting and cleaning, and consulting the maintenance plan for the artwork, if applicable.

Conservation of the Collection includes hands-on, invasive measures to address the occurrence of inherent decay, material decomposition, weathering, vandalism, and damage, as to present artwork in its original, artist-intent condition. Such methods require consultation with the artist or a skilled professional. Avoid cleaning of artwork by typical commercial cleaning companies. If damage does occur, contact a professional Conservator to assess the piece and contact your insurance company.

VIII. D. Insurance

All temporary and permanent artworks on City property should be fully insured while in the care of the City.

IX. DEACCESSION

It is the intent of the Plan to ensure the growth, development, and maturity of the Collection. The Plan seeks to preserve the vision of the Collection by ensuring that the intent of the artist, integrity of the artwork, and the interests of the public are in alignment. However, on rare occasions, circumstances may warrant the deaccession or relocation of works in the Collection by means of sale, trade, loan, donation, or demolition.

The following policy applies to all artworks on City property collected by any method. In the case of donated artworks, all documents relating to the donation circumstances and recipient obligations will be consulted prior to beginning the process. In the case of commissioned artwork, the artist's contract must be reviewed. The disposition of works by living artists will be accomplished in such a manner that it will not impugn the reputation of the artist or the artist's body of work.

Deaccessioning an artwork removes it permanently from the Collection, thereby removing it from its location. Both permanent and portable artwork may be considered for deaccession.

IX. A. Removal from Public Display

If the artwork is removed from public display, the PAC may consider the following options for disposition of artwork:

- Relocation of Public Display: If the PAC decides that an artwork must be removed from its original site, and if its condition is such that it could be re-installed, the PAC will attempt to identify another appropriate site. If the artwork was designed for a specific site, the PAC will attempt to relocate the work to a new site consistent with the artist's intention. If possible, the artist's assistance will be requested to help make this determination.
- Store object until a new site has been identified or the PAC decides to deaccession the artwork.
- Sale or Trade of Object after deaccession.

IX. B. Deaccessioning Criteria

Deaccession should be considered only after five years have elapsed from the date of installation for permanent works or acceptance of the artwork into the Collection in the case of portable works, unless

otherwise specified in the Artist's contract. Deaccession may be considered earlier under special circumstances, such as when artwork has been damaged beyond repair or presents a public safety hazard, or expansion of a building may impact the location of the artwork.

A work of art may be considered for removal from public display and/or deaccessioning if one or more of the following conditions is met:

- In the case of site-specific artwork, significant changes in the use, character, or design of the site have occurred which affect the integrity of the artwork.
- The condition or security of the artwork can no longer be reasonably guaranteed.
- The artwork endangers physical public safety.
- The artwork has been damaged, or has deteriorated, and repair is impractical or unfeasible.
- The artwork requires excessive maintenance, or has faults in design or fabrication, and repair is impractical or unfeasible.
- The artwork is not, or is rarely, on display.
- The artwork is incompatible with the entire Collection, PAC goals, or Plan guidelines.
- The City wishes to replace the artwork with a work of more significance by the same artist.
- There has been significant, adverse, and sustained public reaction to the artwork over an extended period of time.
- The condition of the work is in such a deteriorated state that restoration would prove either unfeasible or impractical.
- No suitable site for the work is available, or significant changes in the use or character of design of the site affect the integrity of the work.
- The work interferes with the operations of the City.
- The work can be sold to finance, or can be traded for, a work of greater importance.
- Written request from the Artist has been received to remove the work from public display.
- The work is duplicative in a large holding of work of similar type by the Artist.
- The work is fraudulent or not authentic.

IX. C. Methods

Artist rights under the laws of the State of California shall be adhered to by the City.

Any member of the public may request for deaccession or relocation. All requests must be in writing and accompanied by any photo documentation and/or pertinent materials for presentation to the PAC. The PAC may also recommend artworks for consideration of deaccession and relocation to the City Council.

The PAC shall follow a deaccession review and determination process based upon public opinion, professional judgment, legal advice, and City Council direction.

Staff shall prepare a report which includes a staff evaluation and recommendation along with the following information:

- City Attorney's Opinion: The City Attorney shall be consulted regarding any restrictions that may apply to a specific work.

- Rationale: An analysis of the reasons for deaccessioning and its impact on the Collection and the artist, and an evaluation of the artwork.
- Community Opinion: If pertinent, public and agency feedback on the dispensation of work in question. For Monuments and Memorials, develop a public outreach plan.
- Independent Appraisal or other documentation of the value of the artwork: Prior to disposition of any object having a value of \$25,000 or more, Staff should obtain an independent professional appraisal, or an estimate of the value of the work based on recent documentation of gallery and auction sales.
- Related Professional Opinions: In cases of where deaccessioning or removal is recommended due to deterioration, threat to public safety, ongoing controversy, or lack of artistic quality, it is recommended that Staff seek the opinions of independent professionals qualified to comment on the concern prompting review (i.e., conservators, engineers, architects, critics, safety experts, community members, etc.).
- History:
 - Provide written correspondence, press and other evidence of public debate.
 - Original Acquisition method and purchase price.
 - For Monuments and Memorials: Historic analysis of subject, Artist, and intent
 - For Monuments and Memorials: Analyze symbolic impact of location
 - For Monuments and Memorials: Social and wellbeing impacts
 - Options for Disposition.
 - Replacement Costs.

The PAC must, by majority, approve Staff recommendation that a work of art under its jurisdiction should be deaccessioned.

All decisions and determinations of the PAC will honor pre-existing contractual agreements between the Artist, City and all other parties. The PAC recommendation will be made to the City Council for consideration and possible approval. If the artwork's original value exceeds \$25,000 the recommendation goes to City Council for possible approval. The City Council will consider any appeal made by the PAC according to Municipal Code.

In all the following scenarios, the Artist or his/her survivors, if locatable, must be informed of the action taken.

Relocation or Loan of the artwork

Relocation of an artwork changes its physical location status. While both permanent and portable artwork may be considered for relocation, portable artworks are more adaptable to new environments. Relocations are intended to resolve a long-term, extended display of an artwork and not to address rotating, temporary exhibitions. If the work was designed for a specific site, relocation must be to a new site consistent with the artist's intention. The artwork may be loaned to the Artist, gallery, museum or other institution or agency for one or more artwork(s) or comparable value by the same Artist. Applicable of approvals, based on the value of the artwork would apply. Any final decision of the PAC or by Staff may be appealed to the City Council within ten (10) calendar days or may also be called for review by the City Council pursuant to the call for review process in Municipal Code Section 30-25.1.

Sale or Trade of the artwork

The Artist will be given the first option to purchase or trade the artwork. Sale may be through auction, gallery resale, or bidding by individuals, in compliance with local policies governing advertising and disposition of surplus property. If the artwork has a value of \$25,000 or more, the artwork must bear at least one written appraisal by a qualified independent dealer or appraiser. Any final decision of the PAC or by Staff may be appealed to the City Council within ten (10) calendar days or may also be called for review by the City Council pursuant to the call for review process in Municipal Code Section 30-25.1. Proceeds from all sales of artwork shall be retained in an account as managed by the BREDD (or applicable department). The proceeds of any sale shall be placed in the Fund.

Proceeds from Sale of Artwork: All proceeds from any sale or auction, less any payment due the Artist under the California Resale Royalties Act, shall be credited to the Fund, and the monies contributed to the Fund from the sale, exchange or exhibition of a work of art under the jurisdiction of the PAC shall be expended exclusively for the purpose of acquiring or maintaining works of art for the same public location for which the original work of art was acquired.

- **Adequate Records:** An adequate record of the conditions and circumstances under which objects are deaccessioned and disposed of should be made and retained as part of the City records.
- **California Resale Royalties Act:** The PAC shall abide by the California Resale Royalties Act (Civil Code Section 986) with respect to notification of the sale of any work of art which is sold for more than \$1,000, and payment of 5% of the sale price for any work of art which is sold for more than the PAC paid for the artwork provided that the artist can be located by reasonable means. If the Artist cannot be found, the Resale Royalty will revert to the California Arts Council in accordance with state law.

Donation of the Artwork

Deaccessioned artwork may be donated to a nonprofit organization or other public office or agency with approval of the City Manager, PAC or City Council, as applicable depending on the value of the piece. Any final decision of the PAC or by Staff may be appealed to the City Council within ten (10) calendar days or may also be called for review by the City Council pursuant to the call for review process in Municipal Code Section 30-25.1.

Alteration, Modification, or Destruction of Artwork

It is the primary responsibility of the PAC to preserve and protect the Collections for the people of the City. However, under certain conditions, and in accordance with the constraints of the California Art Preservation Act [Civil Code 987] (CAPA), and the Visual Artists Rights Act of 1990 [17 U.S.C. 106A and 113 (d)] (VARA), or in the case where the Artist has waived his/her rights under CAPA and VARA, in accordance with the City's contractual agreement with the artist, the PAC may authorize actions that would alter, modify or destroy an artwork.

Conditions: Removal and disposal, destruction, alteration or modification of an artwork may be considered under the following circumstances:

- The work has faults of design or fabrication, or is damaged so that repair or remedy is impractical, unfeasible or an unjustifiable allocation of resources.

- In the event that the condition of the artwork represents an eminent safety hazard, and cannot be removed without risk of damage or destruction, Staff will proceed in accordance with the provisions specified under "Emergency Removal."
- The PAC deems it necessary in order for the City to exercise its responsibilities in regard to public works and improvements, or in furtherance of the City's operations, or for any other good cause.

If, for any of the above reasons, the City finds it necessary to pursue plans that would modify, remove, destroy or in any way alter an artwork, and the Staff, PAC, or City Council, as applicable, approves such action, then Staff shall make a reasonable effort to notify the public and Artist of the City's intent and outline possible options, which include, but are not limited to the following:

- **Transfer of Title to the Artist:** The Artist will be given the first option of having the title to the artwork transferred to him/her. If the Artist elects to pursue title transfer, he/she is responsible for the object's removal and all associated costs, including purchase of the artwork if applicable.
- **Disclaim Authorship:** In the case where the City contemplates action which would compromise the integrity of the artwork, the Artist shall be given the opportunity to disclaim authorship and request that his/her name not be used in connection with the given work.
- **Alteration, Modification or Destruction:** If alteration, modification, or destruction of an artwork is protected under the CAPA, or the VARA is contemplated, the PAC must secure a written waiver of the Artist's rights under this section. In the case of an emergency removal that may result in destruction or irreparable damage, Staff will act in accordance with the advice of the City Attorney.

X. EXHIBITS

X. Exhibit A. History

Incorporated in April 1854, the City is located in the East Bay region of the San Francisco Bay Area. Alameda has a population of approximately 76,400 spread across Alameda Island, Bay Farm Island, Ballena Bay, and Coast Guard Island. Alameda has an active and enthusiastic arts and culture community that is interested in partnering with the City government to promote a variety of art forms. The Public Art Program encourages the advancement of local arts and culture to create a unique sense of place, and a more livable and economically vibrant city.

In 2003, the City Council adopted a Public Art Ordinance to require the installation of publicly accessible On-Site Artworks in certain new and substantially rehabilitated development projects. In lieu of providing On-Site art, developers may choose to make a monetary contribution equal in value to the Fund. The Fund, also established by the aforementioned Ordinance, is to be used for physical art and/or cultural arts and arts programming to benefit the community.

X. Exhibit B. Vision, Mission, and Goals of the Alameda Public Art Master Plan

Public Art contributes to the public's understanding, enjoyment, and experience of cultural diversity, and helps to attract and anchor a large and diverse creative sector, enriching the City's cultural identity which is a key component of the City's economic vitality.

The following Vision, Mission, and Goals were developed in collaboration with the PAC.

Vision

Public Art in Alameda fosters a sense of community, promotes cultural equity, celebrates diverse local perspectives, inspires critical reflection and creates a vibrant community within which to live, work and visit.

Mission

- Facilitate clear policy and procedures of the Public Arts Program and foster a greater understanding of public art and cultural performances in Alameda
 - Goal: Awareness and Education
 - Increase public understanding of and access to the PAC
 - Increase public access to Public Arts Program information, documents, and maps
 - Increase public appreciation and knowledge of public art
- Provide meaningful opportunities for artists and organizations
 - Goal: Programming and Participation
 - Identify, prioritize, and track locations of future public art
 - Create unique Alameda-influenced public art opportunities for artists and organizations
 - Provide outreach to historically underserved communities
 - Goal: Funding
 - Create sustainable funding opportunities for artists and organizations by seeking additional government and philanthropic funding
- Provide a high-quality Collection that reflects and inspires critical thinking among residents and visitors
 - Goal: Leverage resources
 - Bring high quality art to the public throughout the City
 - Goal: Representation
 - Curate equal opportunities for diverse experiences and perspectives
 - Foster public appreciation of cultural arts and arts programming
 - Provide Documentation and Maintenance
 - Create methods to promote Artists in the collection
 - Provide long-term care and ethical responsibility of artwork

X. Exhibit C. City of Alameda Public Art Ordinance [Ordinance No. 3303](#)

X. Exhibit D. City of Alameda Public Art Policy Guidelines

See Appendix A of the Alameda Public Art Master Plan document.

X. Exhibit E. Application Quick Guide

[Quick Guide to the Application for the Alameda Public Art Program](#)

X. Exhibit F. Public Art Commission By-Laws

X. Exhibit G. Application for prospective Public Art Commissioners

[Public Art Commission Application](#)