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# Administrative Report

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Council Action Date: April 19, 2016

To: MAYOR AND CITY COUNCIL  
From: JOHN LA ROCK, COMMUNITY SERVICES DIRECTOR  
Subject: PUBLIC ART MASTER PLAN

## **RECOMMENDATION**

Approve the proposed Public Art Master Plan to provide operational standards for the City's Public Art Program and the allocation of assets from the John Parsons Public Art Fund for public art projects.

## **EXECUTIVE SUMMARY**

On December 2, 2014, the City Council adopted Ordinance No. 3127-14 establishing the John Parsons Public Art Fund along with funding mechanisms and operational guidelines for a Redondo Beach Public Art Program. The Fund balance is currently \$124,099. The Fund is available for the acquisition and installation of new public artworks as well as the restoration and repair of existing public artworks. In addition, the City's Capital Improvement Project Budget includes a one-time allocation of \$46,561 for the public art program from the adopted FY 2008-2009 Budget.

Prior to any Fund allocation for public art, a Master Plan is recommended to govern the use of funds, the types of artwork considered, the potential locations within the City proposed to receive public art and the policies and procedures for the City's Public Art Program. The Public Art Commission has created the Public Art Master Plan attached to this report. For the purpose of managing a successful Public Art Program, the Public Art Master Plan addresses purpose and goals, project and site selection, artist selection, conservation and maintenance, gifts and loans, deaccession and removal, and receipt and completion. The Public Art Master Plan also incorporates a summary of the Public Art Funding Ordinance, as well as an inventory of the City's current public art collection and recommended locations for potential Public Art installations. As per the guidelines, recommended potential public art projects which require an allocation from available public art funds would be presented to City Council for discussion and possible action.

## **BACKGROUND**

At its meeting on September 7, 2010, the City Council gave direction to the Public Art Commission to develop and recommend a public art location plan. The plan would

provide information for the location, identification and sustainability of public art in Redondo Beach.

At its meeting on September 22, 2010, the Public Art Commission formed a Subcommittee (Members Baughman, Liljenwall, Nakano) to research and develop a Public Art Master Plan, as it's commonly referred to by public agencies operating a public art program. During the development of the Public Art Location Plan, the City Council, at its September 12, 2012 Strategic Planning session, created an objective for staff to evaluate options for the funding of public art. On November 28, 2012, the Planning and Public Art Commissions formed a joint sub-committee to research and make recommendations for potential funding mechanisms for public art. The central components of the sub-committee's recommended funding mechanisms were to establish a percent for art development fee, a percent for art CIP fee, and valuation thresholds for the application of the fee on commercial, private and applicable City development projects.

The sub-committee's recommendation for a public art ordinance was presented to the Planning Commission on June 20, 2013. The Planning Commission reviewed the sub-committee's recommendations and provided input to staff including revised development project valuation thresholds. Following revisions by staff, the proposed Public Art Ordinance was presented to the Planning Commission on October 16, 2014. The Planning Commission approved the Public Art Ordinance and recommended approval by the City Council. On December 2, 2014, the City Council approved Ordinance No. 3127-14 and designated the City's public art fund as the John Parsons Public Art Fund in honor of former Planning Commissioner and City Councilmember Parsons.

The Public Art Master Plan for Redondo Beach provides guidelines for public art projects in the City and the allocation of available public art funding. It also includes an inventory of the City's existing public art collection, a list of public locations recommended by the Public Art Commission to receive priority consideration for public art installations, the types of public artworks to be considered for those sites, and a list of additional locations within the City that have been identified as viable to receive public art.

The Public Art Master Plan is comprised of the following sections:

- Definitions
- History, Timeline and Process
- Scope
- Purpose and Goals
- Project and Site Selection
- Artist Selection

- Conservation and Maintenance
- Gifts and Loans
- Deaccession and Removal
- Receipt and Completion
- Public Art Collection
  - An informational catalog of viewable artworks that could be used for press, travel and other media opportunities and that enhance the livability and visitor serving brand of the City. The City's existing Public Art inventory includes 34 artworks, comprised of 21 pieces on public property and 13 pieces on private property. The inventory would be updated with regard to any new public art projects in the City, as well as to reflect any significant changes to an existing artwork.
- Proposed Public Art Locations
  - The Public Art Commission's recommendation for future public art installations is comprised of two sections. The first is a list of five locations which are to receive priority consideration as public art project locations. The Commission is recommending these five locations based on their high public visibility and in most cases for their status as gateway locations to the City. The five priority locations recommended by the Public Art Commission are:
    1. Performing Arts Center (exterior walls)
    2. Artesia Blvd. Center Medians (between Aviation and Inglewood Blvd's.)
    3. Czuleger Park (Rotunda Staircase and Rotunda Wall)
    4. Dominguez Park (Dog Park green space)
    5. Public Works City Yard Wall (Catalina Ave. & Gertruda Ave.)

The second section is an inventory of public spaces that are to be considered for a future temporary or permanent public art installations. The inventory of potential public spaces for public art is intended to be a living document receiving updates as the City evolves over time.

### Vision and Goals for the Program

The vision and goals of the Public Art Program are to aesthetically enhance the community through the creation, acquisition and restoration of works of art that inspire the citizens and visitors to the City and afford them an opportunity to appreciate works of art. The Program would assist in the creation of superior and diverse aesthetic character of a City's built environment that is vital to the quality of the life of its citizens, vital to the economic success of its businesses, an attraction for visitors; and an addition to the City's brand promise by including a vibrant art program. Further, the inclusion of Public Art throughout the City creates a stimulating cultural environment by promoting the aesthetic values of the entire community, providing opportunities to appreciate and be inspired by works of art, reflecting and enhancing the City's history, diversity, and culture.

If approved, the Public Art Master Plan would be utilized by the Public Art Commission as they consider recommendations for the inaugural public art project(s) under the public art funding ordinance. Any proposed public art project and allocation of public art funds would be presented to the City Council for approval.

Staff recommends that the City Council approve the proposed Public Art Master Plan to provide operational standards for the City's Public Art Program and the allocation of assets from the John Parsons Public Art Fund for public art projects

If approved, the Public Art Master Plan would be used to guide the identification of an inaugural public art project on City property. The Public Art Commission would initiate the public art project in the following general sequence:

- Site selection as per the potential locations detail of the Master Plan
- Issuance of a Request for Qualifications and/or Proposals from artists in a specific region, such as Los Angeles County or the State of California
- Review of project proposals and artist qualifications (project proposals are comprised of the artwork design and concept narrative as well as details regarding materials, fabrication, transportation, installation, maintenance, and budget)
- Recommendation to City Council for approval of the proposed public art and the associated allocation of assets from the John Parsons Public Art Fund
- Development of an agreement for services between the City and the artist
- Recommendation to City Council for approval of the agreement for services between the City and the artist
- Artist commencement of the public art project; artwork delivery, installation and unveiling would be scheduled in cooperation with the City

### **COORDINATION**

The Public Art Master Plan was developed by staff in the Community Development and Community Services Departments in collaboration with the Public Art Commission.

### **FISCAL IMPACT**

The John Parsons Fund for Public Art has a balance of \$124,099. The City's Capital Improvement Project Budget includes a one-time public art allocation of \$46,561 from the adopted FY 2008-09 Budget. It should be noted that there are potentially significant development projects planned in the City over the next 10 years. Commercial development projects as well as Capital Improvement Projects comprised of major City facility rehabilitation or replacement would likely result in both noteworthy public artworks being incorporated into development projects and a period of considerable fund balance growth for the John Parsons Public Art Fund.

Submitted by:

*John La Rock*  
*Community Services Director*

Approved for forwarding by:

*Joe Hoefgen*  
*City Manager*

Attachments:

- Public Art Master Plan
- Power Point presentation



# City of Redondo Beach Public Art Master Plan

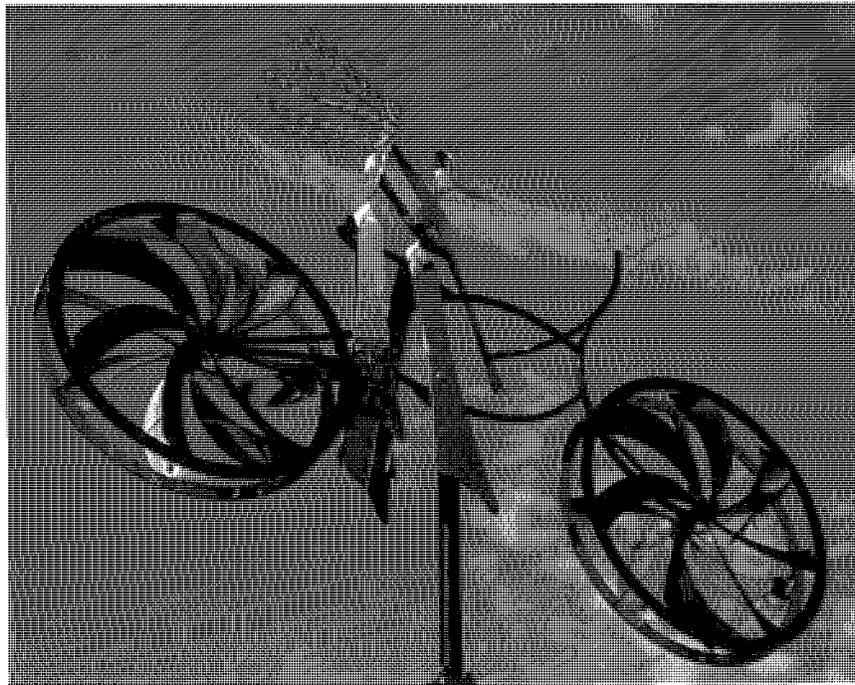


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Attachment B .....Public Art Collection

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## **1. DEFINITIONS**

1.1 To establish policies, procedures, and responsibilities for acquiring, inventorying, maintaining, and disposing of artwork pertaining to Public Art and the City Public Art Collection.

“Public art” means an original artwork of a permanent nature in any variety of media produced by an artist(s) which may include sculpture, murals, photography and original works of graphic art, water features, neon, glass, mosaics, or any combination of forms of media, furnishing or fixtures permanently affixed to the building or its grounds, or a combination thereof, and may include architectural features of the building which have been created by an artist(s) as public art. City commissioned public art may also include pieces as identified above which may be moved from time to time as a gallery collection and placed in public buildings such as City Hall, the libraries and other publicly accessible facilities.

Public art does not include the following:

- a) Art objects that are mass produced of standard design such as playground equipment, benches, statuary objects or fountains;
- b) Decorative or functional elements or architectural details, which are designed solely by the building architect as opposed to an artist(s) commissioned for this purpose working individually or in collaboration with the building architect;
- c) Landscape architecture and landscape gardening except where these elements are designed by the artist and are an integral part of the work of art by the artist(s);
- d) Directional elements such as super graphics, signage as defined in the Redondo Beach Municipal Code Section 10-2.1800, or color coding except where these elements are integral parts of the original work of art or executed by artists in unique or limited editions;
- e) Interpretive programs;
- f) Reproductions, by mechanical or other means, of original works of art, except in cases of film, video, photography, print making, sculpture or other media arts, specifically commissioned by the City;
- g) Services or utilities necessary to operate or maintain the artwork over time;
- h) Existing works of art offered for sale or donation to the City which do not have an established and recognized significance in the field of public art as determined by qualified arts professionals and art appraisers and ultimately as judged by the Public Art Commission or City Council;
- i) Works of art which are not visible to the public;
- j) Works of art which cannot be reasonably maintained within the resources allocated by the City of Redondo Beach;

- k) Logos or corporate identity.

### 1.2 John Parsons Public Art Fund

The City's John Parsons Public Art Fund (Ordinance No. 3127-14) shall be a fund dedicated to the acquisition and maintenance of public art assets, such as outdoor sculpture and artwork integrated into physical structures and environments. All new non-residential development with a minimum building valuation of two hundred and fifty thousand dollars shall include an element of public art equal to one-percent of the valuation or, contribute the equivalent amount to the Public Art Fund. Additionally, residential development of at least three units and a minimum building valuation of two hundred and fifty thousand dollars shall include an element of public art equal to one-percent of the valuation or, contribute the equivalent amount to the Public Art Fund. Eligible City Capital Improvement Projects with a minimum building valuation of two hundred and fifty thousand dollars shall include an element of public art equal to one-percent of the valuation. Ordinance No. 3127-14 is included as Attachment D to this Master Plan.

### 1.3 Public Art Program

The Public Art program of the City of Redondo Beach is overseen by the City's Public Art Commission and the Cultural Arts Manager under the direction of the Community Services Director, the City Manager, and the City Council. The program is responsible for the planning and commissioning of all artwork through the Public Art Fund, which receives its funding through a percentage of private and public development projects. This may include artwork purchases, commissions, loans, donations, and sales. The program also works in partnership with all City departments in the implementation of the planning, commissioning, acquisition, handling, installation, conservation and maintenance of all public artwork under the jurisdiction of these entities.

Public art is considered to be works of art that are displayed in the public right of way and are visible to the public free of charge or admission. For the purposes of this policy, public art shall also be works of art that are owned and or otherwise under the control of the City of Redondo Beach. Further, public art shall be works of art that are displayed on City of Redondo Beach property.

Works of art are acquired by the City of Redondo Beach in a variety of methods. Private individuals, groups, corporations, foundations, and agencies may offer works of art as donations to the City of Redondo Beach. Works of art that are donated may be displayed on a temporary or permanent basis.

Art works as a result of an artist commission or donation are an important part of the City's growing public art collection and presence in the public realm.

The Financial Services, Community Development, Public Works and Community Services Departments are the main facilitators and coordinators for all of the activities covered herein. However, to achieve

maximum compliance with this Master Plan, the involvement of other City departments may be required depending on the nature and scope of the artwork.

The procedures outlined below are intended to facilitate City-wide communication and identify responsibilities and relationships among stakeholders as they work together to achieve maximum compliance with the provisions and activities covered herein.

## **SECTION 2. HISTORY**

### 2.1 History

2.1.1 January 15, 2008, City Council establishes a Public Art Task Force to make recommendations regarding policy issues pertaining to public art and implementation of a public art program. June 17, 2008, City Council approves initial funding for public art program activities in City's FY 2008-09 Capital Improvement Project budget (CIP). December 2, 2008, Public Art Commission established by City Council. March 17, 2009, Public Art Commission By Laws approved by City Council. November 11, 2014, Public Art funding ordinance adopted by City Council.

2.1.2 Public Art projects that have been completed using City public art funds include the Esplanade Bollard Mosaics, the Esplanade walkway mosaic panels, and the sculpture at the North Branch Library.

## **SECTION 3. SCOPE**

### 3.1 Scope of Policies and Procedures

These public art policies and procedures pertain to artwork commissioned through the Redondo Beach Public Art program, as well as to gifts and donations of public artwork to the City. They also apply to the planning, purchasing, commissioning, handling, conservation and maintenance of public artwork under the jurisdiction of all City departments. Any agreements the City of Redondo Beach develops with site owners, site managers and other partners for public art projects shall be consistent with these policies. The scope of these policies shall be a topic of ongoing discussion between the Public Art Commission, the City Council and City staff.

## **SECTION 4. PURPOSE AND GOALS**

### 4.1 Purpose

The mission of the public art program is to enrich the lives of citizens and visitors by integrating public art into City planning, services, design and infrastructure. The following values and goals shall guide the City in making decisions regarding public art. Review criteria for public art shall be based on these values and goals.

### 4.2 Values and Goals

#### 4.2.1 Stimulate Excellence in Public Arts:

- Enhance the aesthetic environment of public places within the City through engaging, unique and high quality public artworks.
- Engage qualified and experienced artists.

#### 4.2.2 Enhance Community Identity and Place:

- Build awareness of community history, identity, cultures and geography.
- Develop artworks that are integrated into City building projects and are compatible with their settings.

#### 4.2.3 Contribute to Community Vitality:

- Promote Redondo Beach as a nationally and internationally recognized arts city and tourist destination.
- Build the capacity of and cooperation between the private and public sectors, artists, arts and community members.
- Encourage civic dialogue about important City issues.
- Develop and maintain safe artworks.

#### 4.2.4 Involve a Broad Range of People and Communities:

- Enhance opportunities for all citizens and organizations to participate in the planning and creation of artworks.
- Celebrate the City's cultural communities.
- Provide opportunities for the community to collaborate and define areas of creative place making.
- Provide educational opportunities for students of all ages. .

#### 4.2.5 Value Artists and Artistic Processes:

- Provide a range of creative opportunities for artists with a range of experiences.
- Ensure the ongoing integrity of artworks and respect the creative rights of artists.
- Always involve artists directly in the concept, design and creation of artworks.

#### 4.2.6 Use Resources Wisely:

- Pursue projects that the City can support and maintain.
- Develop and sustain projects in a cost-effective manner.
- Use City funds to leverage private investment in public art and use public art to leverage private investments in other city ventures.

### **SECTION 5. PROJECT AND SITE SELECTION**

The Public Art Commission of the City of Redondo Beach shall review all potential donations and commissions of public art works. The Commission shall provide recommendations to the City Council. When necessary, additional City Commissions shall review potential public art projects. City staff

representing City Departments, including, but not limited to, the Planning, Building, Engineering, and Community Services shall review all potential public art projects. All applicable City Commissions and City staff shall review a potential public art project prior to its reporting to the City Council.

The aspects of a potential public artwork project that shall be addressed by applicable City Commissions and City staff, include, but are not limited to, technical feasibility, code compliance, budget, maintenance needs, durability and anticipated life span of the work, safety hazards and potential for vandalism, as well as donor/artist terms and conditions.

The acquisition of a public artwork by the City of Redondo Beach means a commitment to its preservation, protection, and display for the public benefit. All materials used in the creation of an artwork in a public setting must be durable for the City's marine environment. The artwork must be suitable for display in the proposed indoor or outdoor setting and must not have a limited life span due to either built-in obsolescence or inherent weakness.

Public art project review shall consider the artistic quality, durability, compatibility with the proposed site and adjoining neighborhood, context within the City's artwork collection, the professional credentials of the artist, and the responsiveness to the City issued request for proposals, if present.

In general, works of art will be acquired without legal restrictions as to future use and disposition, except with respect to the State or Federal laws on preservation, copyright, and/or resale of works of art.

Artworks as gifts of state presented to the City of Redondo Beach by foreign governments or by other political jurisdictions of the United States may be accepted by the City Council or City Manager on behalf of the City. Permanent placement of any such artworks will be determined jointly by the Public Art and other applicable City Commissions, and the appropriate City departments. If not provided by the donor, maintenance of the art will be the responsibility of the City of Redondo Beach.

## 5.1 Objectives

5.1.1 Identify priorities that are consistent with the goals of the Public Art program and the planning efforts of the City of Redondo Beach.

5.1.2 Provide opportunities for projects to be initiated from multiple stakeholder groups.

5.1.3 Balance projects across the City.

5.1.4 Educate City staff and partners about public art and its important role in public infrastructure and planning.

5.1.5 Provide opportunities for educators to encourage the study and appreciation of art by students of all ages.

5.1.6 Use public resources wisely and leverage financial support for public art from multiple sources.

5.1.7 Develop public artworks that are sustainable.

## 5.2 Locations for future public art projects

A directory of the City's public areas shall provide available locations in the public right of way for future public art projects undertaken by the City which are funded at least in part by the Public Art Fund. The directory shall be reviewed and updated as the public spaces of the City evolve over time. The public spaces of the City include, but are not limited to, parks, facilities, and road medians. The current catalogue is included with the Public Art Master Plan as Attachment C.

5.2.1 Creation of a public art location plan for specific developments or areas;

5.2.2 The Public Art Commission shall create and maintain a catalogue of public sites for the potential placement of public art.

5.2.3 The catalogue shall be updated on a bi-annual basis or as needed to respond to physical changes to the City and the City's public spaces.

5.2.4 The catalogue shall present locations evenly across all City districts for public art.

5.2.5 The catalogue shall include a focus on public sites that serve as entryways to the City.

5.2.6 The catalogue shall include a focus on corridors with rates of high vehicular travel.

5.2.7 The catalogue shall include a focus on corridors with rates of high pedestrian and bicycle travel.

## 5.3 Types of Projects and Locations to be considered.

The focus of the program shall be public infrastructure and City building projects, such as buildings, parks, roads, bridges and other structures and spaces constructed by the City. The types of projects to be considered may include:

5.3.1 Commissions by artists or commissions for artists to serve on design teams for City infrastructure and plans;

5.3.2 Initiatives from the for-profit sector needing technical assistance in developing an artwork on public property or private property in public view; and

5.3.3 Maintenance of existing works of public art.

## 5.4 Selection Criteria

The criteria listed below shall be used for evaluating proposed projects:

#### 5.4.1 Stimulate Excellence in Urban Design and Public Arts:

- Does the site provide an opportunity to make an engaging or bold artistic statement?
- Does the site/project provide an opportunity for a unique public artwork?
- Is the site/project an opportunity to draw an artist with a significant or engaging body of work?

#### 5.4.2 Enhance Community Identity and Place:

- Does the site, surrounding area or project provide an opportunity to reflect on the community and its characteristics, including history, identity, geography and cultures?
- Are there opportunities within the site/project to integrate artwork into the design or function of structures?

#### 5.4.3 Contribute to Community Vitality:

- Will the site be publicly visible to and attract public viewing?
- Is the project making an effort to build capacity and cooperation between the private and public sectors, artists, arts organizations and community members?
- Does the site have the potential to engage these groups?
- Does the site/project provide an opportunity to encourage civic dialogue on City issues?
- Is the proposed site and artwork location provide for public safety in its design, location and viewing location?

#### 5.4.4 Involve a Broad Range of People and Communities:

- Does the site/project provide an opportunity to engage citizens, neighborhoods and organizations in the planning and creation of the artwork?
- Will the site/project support an artwork that meets ADA regulations?
- Does the site/project provide an opportunity to celebrate one or more of the City's cultural communities?
- Does the site provide a creative place making opportunity for people to gather and come together?

#### 5.4.5 Value Artist(s) and Artistic Processes:

- Can the site/project accommodate an artist or range of artists working in a range of media or nurture an emerging artist(s)?
- Can the proposed site or design process include an artist and artistic process as a central element?

#### 5.4.6 Use Resources Wisely:

- Are the conditions at the proposed site stable enough to support an artwork for several years or is the site expected to undergo significant changes in the future?
- Is the proposed site workable within the public art timeline and budget?
- Can funds be leveraged for the artwork from the construction budget?
- Does the site/project provide an opportunity for a specific grant, private partnership or donation?

Public Art projects shall also be evaluated based on their ability to comply with City building and code regulations. The Public Art program shall also strive to balance projects across the City.

## **SECTION 6: ARTIST SELECTION**

### 6.1 Objectives

6.1.1 Foster a competitive application environment that results in strong proposals from artists and high quality works of art for the City.

6.1.2 Conduct artist selection early in the project to maximize the artist's impact on the project.

6.1.3 Create opportunities for a wide range of artists including emerging and established.

6.1.4 Foster the development of design teams who support artists and select artists who are compatible with the other team members.

6.1.5 Select artists who understand working with project budgeting, municipal governments, and project scheduling.

6.1.6 Select artists who understand the communities in which they will be working.

6.1.7 Keep application and design costs low and reasonable.

6.1.8 Support an efficient workload for staff, artists and design teams.

### 6.2 Application Process

6.2.1 Application Format: A process request for proposals (RFP) is recommended. Unlike a standard RFQ or RFP, a process RFP asks for an artist or team's qualifications, a description of their process for working and very preliminary ideas. This format is respectful of artists and ensures that the selection panel has the best information.

6.2.2 Selection Method: In most cases, an open call for artists is recommended. This call may be distributed locally, nationally or internationally, depending on the project needs. In cases where there is a specific artistic vision or a more renowned artist is desired, an invitational call may be used. Artist registries may be considered for large multi-year, multi-site projects.

6.2.3 Selection Timeframe: When working with a design team, the artist may be brought on before, with, or after the team. It is essential that the artist be hired no later than the very early stages of the design phase; it is preferred, though, that hiring occur before the design phase begins.

### 6.3 Artist Selection Criteria

The criteria listed below shall be used for evaluating artist and team qualifications, proposed processes and project ideas.

#### 6.3.1 Stimulate Excellence in Urban Design and Public Arts:

- Is the artist's submission, previous work and/or proposed idea engaging and high quality in concept and construction?
- Is the quality of the artist's previous work comparable to other artwork commissioned by the City?
- Is proposed idea unique, one-of-a-kind or part of a limited edition?
- Is the artist not over represented in the City's collection?
- Does the artist have a significant or engaging body of work?
- Does the artist have experience collaborating with architects and other professionals?
- Does the artist have experience with architectural and engineering drawings and methods?
- Does the artist have experience in comparable projects and artistic disciplines?

#### 6.3.2 Enhance Community Identity and Place:

- Is the artist familiar with the community or setting and its characteristics, including history, identity, geography and cultures?
- Has the artist's previous work been appropriate to the community or setting and the above characteristics?
- Do the proposed ideas reflect the community or setting and the above characteristics?
- Are the proposed ideas integrated into the site design?
- Does the artist have experience integrating artwork into infrastructure and building function?

#### 6.3.3 Contribute to Community Vitality:

- Do the artist's previous projects or proposed ideas have the potential to attract visitors and residents?
- Does the artist's previous work or proposed process build capacity and cooperation between the private and public sectors, artists, arts organizations and community members?
- Does the artist's previous work or proposed process encourage civic dialogue about City issues?
- Are the artist's previous projects or proposed ideas safe from hazards for the viewing public?

#### 6.3.4 Involve a Broad Range of People and Communities:

- Does the proposed process involve community members in the design or creation of the artwork?
- Does the artist have experience working with communities and with diverse groups?
- Does the artist have a demonstrated ability to address ADA regulations as they apply to public art?
- Does the artist's previous or proposed process celebrate one or more of the City's cultural communities?
- Does the artist have experience in projects that bring people together or create gathering places?
- Does the artist have experience revitalizing or repurposing underutilized spaces?

#### 6.3.5 Value Artists and Artistic Processes:

- Does the artist have a unique or appropriate cultural, geographic or artistic perspective?
- Is the proposed project or process an opportunity to nurture an emerging artist?

- Does the proposed project or process appropriately support the integrity of the artwork and the rights of the artist?
- Does the proposed project or design process include the artist and the artistic process as a central element?
- Does the budget demonstrate appropriate support for the artist and the artistic process?

#### 6.3.6 Use Resources Wisely:

- Is the artist's previous work or proposed project sustainable, secure and technically feasible?
- Has the artist's previous work been within the timeline and budget and is the artist able to work within the City's timeline and budget?

### **SECTION 7. CONSERVATION AND MAINTENANCE**

The works of art created through commission, purchased by, or donated to the City of Redondo Beach represent a significant asset that must be appropriately managed. The acquisition and display of artworks entails a commitment to care and maintenance for the artwork adhering to the standards and practices of the art world. The following guidelines codify the overall approach to maintaining those public artworks owned or otherwise controlled by the City of Redondo Beach.

#### 7.1 Periodic Review and Assessment of the Collection

Periodically, or at least once in every five year period, the City's public artworks will be evaluated for the purpose of public art collection management and in order to assess the collection's current status. This evaluation will be based in part on an artwork's original or most recent condition reports. This evaluation may be conducted in conjunction with outside experts as needed.

#### 7.2 Routine Care and Maintenance

The City of Redondo Beach assumes the responsibility for ongoing conservation of artworks belonging to the City. The City will oversee the maintenance and conservation of all artworks in the City's collection.

Within the terms of the contract, all repairs and restorations that are made during the lifetime of the artist will have the mutual agreement of the City and the artist where feasible. To the extent practical, the artist will be given the opportunity to accomplish such repairs.

Establishing guidelines and schedules for routine maintenance such as cleaning, changing of light fixtures, etc.

Advising the artist or donor about the removal of artwork from a site for which it was selected or from public display.

Advising the artist or donor when artworks require extraordinary maintenance or repairs.

Periodically, or at least once every five years, inspecting and preparing a report on each work of art in the City collection which will include the present location of the artwork; present condition of the artwork; recommendation regarding needed maintenance or repairs.

Routine maintenance including regular cleaning of artwork directed by artist or artwork origin. Services including conservation, cleaning and maintenance may be provided by experts as determined by an evaluation report.

### 7.3 Definitions

7.3.1 Maintenance: Regular routine inspection and care of artwork, such as cleaning and applying protective surface coatings. A conservator usually carries out maintenance, though a skilled City employee can be trained by a conservator to carry out routine maintenance.

7.3.2 Treatment or Conservation Treatment: Repair is done when needed to return artwork to its original condition and integrity, which may be the result of flaws, neglect, aging, damage or vandalism. A professional conservator usually carries out treatments, often in collaboration with artists or other experts.

7.3.3 Condition Assessments: Inspections of artwork include information on the present location, the current condition and the treatment or maintenance needed. Inspections may be carried out by City staff, but thorough assessments should occasionally be conducted by the Public Arts Administrator or a professional conservator.

7.3.4 Artwork Definition and Scope: A detailed definition of the scope of each artwork shall be created by the artist(s) and the City and shall be reflected in all agreements. The definition may include all parts of the artwork designed by the artist(s), and may include bases, lighting and landscape elements.

7.3.5 Artist Statement: The artist(s) shall provide a written artist's statement regarding their public artwork. The statement shall include, but not be limited to:

- Concepts, ideas, inspiration, vision, description, influences, relationship to environment, relationship to prior work, relationship to the viewer.

### 7.4 Objectives

7.4.1 To inspect the condition of City-owned public artwork on a regular basis;

7.4.2 To clean and provide other appropriate routine maintenance to public artwork;

7.4.3 To insure timely conservation of public artwork;

7.4.4 To integrate longevity and maintenance considerations into artist's planning, and City approval processes for artwork;

7.4.5 To establish a treatment and maintenance program for public art with regular procedures, agreements and documentation;

7.4.6 To educate public employees about public art and its important role in public infrastructure and planning;

7.4.7 To use public funds wisely by avoiding costly conservation expenses resulting from neglect; and

7.4.8 To leverage private and volunteer support for maintenance of public art, whenever possible.

#### 7.5 General Policies for Conservation Treatment and Maintenance

7.5.1 Purpose: Art works shall be efficiently maintained and preserved in the best possible condition as understood by the City and the Public Art program and consistent with the artist's original intention.

7.5.2 Integrity of Artworks: The Public Art program in this effort shall seek to insure the ongoing integrity of the artwork and the sites for which they were created, to the greatest extent feasible, in accordance with the artist's original intentions, and consistent with the rights afforded by the 1990 Visual Artists Rights Act.

7.5.3 Access to Artworks: The City shall seek to assure continuing access to artwork by the public, although the City may limit availability due to circumstances such as funding, public safety, display space and deaccession.

#### 7.6 Responsibility, Authority and Partners

The City Council shall have the final authority in decisions regarding conservation of public art. City staff shall oversee the condition assessment, treatment, maintenance, disposition and relocation of artwork, working in collaboration with the following partners:

7.6.1 Experts: Arts professionals, professional arts conservators, City Commissions, and other individuals familiar with art materials, fabrication methods, and the artistic intent shall inspect and evaluate artwork.

7.6.2 Artists: Artists shall develop artwork with maintenance requirements that can be realistically maintained by the City. Artist's specifications may be taken into account in maintaining artwork along with applicable conservation standards. Artists (if possible) shall be notified of all repairs and may be involved in conducting treatments and maintenance.

7.6.3 Site Owners, Site Managers and Other Partners: The Public Art program may work with the following site representatives and partners, as appropriate, to implement these policies: City staff, Department and City Commissions and Boards, other governmental agencies, and private businesses or landlords.

#### 7.7 Maintenance Planning and Documentation for Existing Works

7.7.1 Assessing Repair and Maintenance Needs of Existing Works developed through the Public Art program: Artwork shall be inventoried and receive cursory inspections once a year during the City's physical inventory process. Artwork shall receive regular, thorough, condition examinations, which include the present locations and conditions of artwork, as well as cost estimates for treatment and maintenance. These thorough examinations shall occur every one to five years, depending upon the needs of individual works. They shall also occur when required by reports of damage.

7.7.2 Assessing Repair and Maintenance Needs of Existing Works developed through other City Departments: This artwork shall be inventoried and receive cursory inspections once a year, during the City's physical inventory process. This artwork shall also receive thorough condition examinations, which include the present locations and conditions of artwork, as well as cost estimates for treatment and maintenance, at the discretion and expense of the respective City department.

7.7.3 Maintenance Plans for Existing Works: Treatment and maintenance plans for existing artwork shall be developed by the responsible department as treatments and repairs are applied. A maintenance plan shall include detailed specifications for regular maintenance, maintenance of plantings (if applicable), annual routine maintenance, other periodic maintenance and a long-term prognosis.

## 7.8 Maintenance Planning and Documentation for New Works

### 7.8.1 Preventative Maintenance:

- Sustainable Artwork: Artists shall be commissioned to develop sustainable artwork; that is artwork which can be realistically maintained by the City, using City resources and within the guidelines described in these policies and procedures. Artists shall work with The City and its partners to implement preventative maintenance strategies (such as applying graffiti coatings, selecting durable materials and providing wood chip borders near mowed areas) as part of the construction and installation of artwork, as long as those strategies do not interfere with the approved artist's proposal or integrity of the artwork.
- Design Approval and Final Receipt and Completion: Before design approval and prior to final receipt and completion, an art conservator, or other qualified City staff, such as engineers, concrete experts, landscape architects, maintenance crews and public safety, shall review the proposed design for possible flaws in structural design and fabrication.
- Inherent Flaws: Artists shall also be responsible for the cost and execution of repairs related to any defects in workmanship or inherent flaws in artwork, which they are commissioned to fabricate. Inherent flaws may include any quality within the material or materials incorporated into the artwork which, either alone or in combination, result in the deterioration of the artwork. Artist's plans for public artwork shall be reviewed and approved by certified structural engineers. When an artist is commissioned to fabricate an artwork, this review shall be at the artist's expense. (City staff shall encourage artists to contract with vendors, obtain warranties and hold manufacturers accountable for inherent flaws in their work.)

7.8.2 Maintenance Plans for New Art Works: All new artwork must have a treatment and maintenance plan that projects both staff time and funding needs. As part of their contractual requirements, commissioned artists shall consult with the City and all other appropriate partners on a maintenance plan for each new artwork. These maintenance plans shall include documentation of materials used to fabricate the artwork and a reasonable annual budget for maintenance. Artwork that includes landscaping as an integral part shall include a maintenance plan for the landscaping elements as well. Maintenance plans for new works shall be reviewed and approved by the City to ensure there are no major concerns with materials, safety or maintenance.

7.8.3 Landscaping as Part of the Artwork and Artist's Original Design:

- Artwork with landscaping elements shall be commissioned only for sites with an irrigation source and an ongoing source of funding for the operation and maintenance of the irrigation system. Exceptions shall only be made if plantings are sustainable within the local climate without irrigation and a budget provides watering for two years or until the plantings are established.
- Artists shall create a landscaping plan for such artwork. Property owners and experienced City staff or landscape architects shall approve this plan. Such landscaping shall also be included in the artwork's maintenance plan and contractual agreements with property owners.
- The City's responsibility for funding maintenance of such landscaping shall be proportional to the Public Art program's original role in funding the creation of landscaping portion of the artwork.
- Volunteers and garden clubs may be a good resource in maintaining such landscaping, however, it is unreasonable to expect them to assume full responsibility for maintenance for the life span of most artwork.

7.8.4 Landscaping Altered by Installation of Artwork: Any established landscaping, including grass, trees, and plantings directly disturbed or altered by the installation of artwork that are not part of a permanent landscaping design to accommodate the artwork shall be restored to its pre-installation state in a manner consistent with the design for the site and at the expense of the artist's project budget and/or the Public Art program.

7.8.5 Supplemental Landscaping: Maintenance of decorative landscaping that is supplemental to the artwork and not part of the artist's original design shall not be staffed or funded by the Public Art program. This may include landscaping in the area where the artwork has been installed or landscaping that has been added later. The artist and the property owner shall approve such landscaping in advance.

7.8.6 Life Span of Artwork: Condition assessments and maintenance plans for new art works shall also include an estimated life span for each artwork. This life span shall be selected from one of four categories: 1) temporary-up to five years, 2) mid-span-up to fifteen years, 3) long term-up to fifty years, 4) permanent or site integrated- part of site/structure and cannot be removed.

7.9 Implementing Conservation Treatment and Maintenance

7.9.1 Roles and Responsibilities: When treatment or maintenance is approved, the City, in conjunction with its partners, shall handle repairs, in consultation with a qualified art conservator. The artist shall be notified (if possible) of all repairs and may be involved in the treatment and maintenance of the work, if practical and for a reasonable fee. If an artist disagrees with the conservator's condition assessment and does not think the suggested alterations are in keeping with the integrity of the artwork, they may request changes to the repair plan in writing to the City. Other independent contractors shall be involved in treatment and maintenance as needed.

7.9.2 Repair by Site Owners and Managers: To ensure proper repair, governmental partners, site owners and site managers shall consult with the City before beginning any cleaning procedures, treatment or emergency maintenance activities conducted on artwork under the jurisdiction of the City. The Public Art program shall periodically request an update from these partners of the public artwork in their possession. These partners shall report to the City any damage, vandalism or graffiti to artwork. Except in cases of emergency, they shall not remove or relocate artwork without the consent of the City.

7.9.3 Emergency Repairs: The City may approve emergency treatment or movement necessary to prevent damage to artwork, to facilitate emergency repairs of City infrastructure or to insure public safety. This includes removal of graffiti.

7.9.4 Training and Technical Assistance: A professional conservator or artist trained in maintenance prevention strategies may train staff conducting routine maintenance of any kind on artwork. The City shall develop a maintenance guide for each artwork and coordinate any training. When possible, the City shall also provide technical assistance to community groups, private businesses, and individual artists regarding the treatment and maintenance needs of privately owned public artwork.

7.9.5 Signage: When appropriate, artworks commissioned by the Public Art program shall include signage with a phone number for reporting vandalism or damage.

#### 7.10 Maintenance and Repair Criteria

7.10.1 Criteria for determining treatment and maintenance priority shall include:

- Does the artwork not have any of the following problems: Requiring excessive maintenance or repair, having faults of design or workmanship, or securing the artwork is impractical or unfeasible (without substantially replacing it)?
- Will immediately treating or maintaining the artwork stabilize its condition?
- Is it more practical within the overall maintenance plan to repair the artwork at this time (i.e. cost-effective to do two similar treatments at same time)?
- Are conservation costs less than fifty percent of the artwork's financial value?
- Will immediately addressing short-term maintenance needs prevent increased long-term treatment costs?
- Does conservation of this artwork provide an opportunity for a specific grant, private partnership or donation?

## 7.11 Funding for Treatment and Maintenance

7.11.1 The Public Art program Budget: The City shall establish and dedicate a percentage of the Public Art program budget for funding treatment and maintenance costs for artwork generated through the program. The fund shall address increases to the City's collection of public artwork.

7.11.2 Gifts: The City shall only accept artwork as gifts and loans of public art if an annual maintenance for such artwork is donated or otherwise funded for the life span of the artwork.

## **SECTION 8: GIFTS AND LOANS**

### 8.1 Objectives:

8.1.1 Foster a gift and loan program that results in high quality works of art for the City.

8.1.2 Engage donors early and clearly communicate public art goals, policies and procedures.

8.1.3 Be proactive in soliciting gifts that help achieve the City's goals.

8.1.4 Accept artworks that enhance communities.

8.1.5 Respect and encourage artists.

8.1.6 Keep the application process as clear and simple as possible.

8.1.7 Support an efficient workload for staff.

### 8.2 Definitions

8.2.1 Gift: Personal or real property that is donated to the City for actual artwork, property for placement of artwork or funds for the acquisition of artwork.

8.2.2 Loan: A work of art given for use over a period of time, to be returned to the lender, owner or organizer at the end of the use period.

### 8.3 General Policies

8.3.1 Integrity of Artworks: The Public Art program shall seek to insure the ongoing integrity of the artwork and the sites for which they were created, to the greatest extent feasible, in accordance with the artist's original intentions, and consistent with the rights afforded by the 1990 Visual Artists Rights Act.

8.3.2 Access to Artworks: The City shall seek to assure continuing access to artwork by the public, although the City may limit availability due to circumstances such as funding, public safety, display space and deaccession.

### 8.4 Acceptance Process

8.4.1 Donation Offer: An offer from the donor is reviewed by the Public Art Commission. This Commission determines whether the City should consider the Gift or Loan. If this Commission votes in favor of considering the work of art, then a full proposal shall be made to the City Council.

8.4.2 Gifts and Loans of Artworks Not Yet Created: In the case of offers of gifts and loans to the City for artworks that are in the design phase and have not yet been created, the Public Art Commission shall make a recommendation to the City Council regarding acceptance of the artwork. The City may require the donor, artists or others involved to enter into a contract, consistent with these public art policies and procedures. The City may also require the donor provide funds to defray the costs of the administration of the gift.

8.4.3 Public Meeting: The Public Art Commission shall hold a public meeting for the purpose of gathering community feedback on a proposed gift.

8.4.4 Deaccessioning of Gifts and Loans: Gifts and loans accepted by the City may be reviewed by the Public Art Commission every five years, based on the City's deaccession policies (Section 11).

8.4.5 Documentation of Receipt and Completion: Once the artwork is complete, is in the City's possession and the terms of the contract have been met, gifts and loans shall be formally received according to the policies and procedures outlined in section 12.

## 8.5 Review Criteria

The criteria listed below shall be used for evaluating offers of gifts and loans.

### 8.5.1 Stimulate Excellence in Public Arts:

- Is the artist's previous work or proposed artwork engaging and high quality in concept and construction?
- Is the quality of the artist's previous work and/or this artwork comparable to other artwork commissioned by the City?
- Is the artwork unique, one-of-a-kind or part of a limited edition?
- Is the artist not over represented in the City's collection?
- Does the proposed project comply with the City's on premise and off premise sign regulations (use of logos or other trademarked materials is prohibited)?
- Does the artist have a significant or engaging body of work?
- Does the artist have experience collaborating with architects and other professionals?
- Does the artist have experience with architectural and engineering drawings and methods?
- Does the artist have experience in comparable projects and artistic disciplines?

### 8.5.2 Enhance Community Identity and Place:

- Does the proposed project reflect the community or setting and its characteristics, including history, identity, geography and cultures?
- Is the proposed project in accordance with adopted policy, historic use or master plans?
- Is a suitable site available for the artwork?
- Is the proposed artwork integrated into the proposed site design?
- Does the proposed artist have experience integrating artwork into infrastructure and building function?

#### 8.5.3 Contribute to Community Vitality:

- Does the proposed project or artwork have the potential to attract visitors and residents?
- Does the proposed project or process build that capacity and cooperation between the private and public sectors, artists, arts organizations and community members?
- Does the artist's previous work or proposed process or artwork encourage civic dialogue about City issues?
- Is the proposed project or artwork safe?

#### 8.5.4 Involve a Broad Range of People and Communities:

- Does the proposed process involve community members in the design or creation of the artwork?
- Does the artist have experience working with communities and with diverse groups?
- Do the proposed project or artworks meet ADA regulations?
- Does the artist's previous work or the proposed process or artwork celebrate one or more cultural communities?
- Does the artist have experience in projects that bring people together or create gathering places, or will the artwork bring people together?

#### 8.5.5 Value Artists and Artistic Processes:

- Does the proposed project or artwork include a unique or appropriate cultural, geographic or artistic perspective?
- Does the proposed project or artwork nurture an emerging artist?
- Is the original artistic integrity of the artwork intact?
- Will displaying the artwork undermine the artist's intention or reputation?
- Do the donor's contracts with the artist and fabricators comply with the law?
- Does the proposed artwork or design process include the artist and the artistic process as a central element?
- Does the budget demonstrate appropriate support for the artist and the artistic process?

#### 8.5.6 Use Resources Wisely:

- Is the proposed project or artwork sustainable, secure and technically feasible?
- Is the proposed project consistent with section 8.11.2: "The City shall only accept artwork as gifts and loans if an annual maintenance for such artwork is donated or otherwise funded for the life span of the

artwork?”

- Is the proposed project workable within City timelines?
- Does the proposed project include a detailed budget which covers City expenses for managing the project, including supporting administrative costs preparing the site, delivering and installing the work, and providing signage?
- Have all restrictions by donor been clearly identified and can the City meet these restrictions?
- Does the proposed project or artwork leverage private investment in public art or other city ventures?

The Public Art Commission shall also evaluate offers of gifts and loans based on their ability to comply with City building and code regulations.

### **SECTION 9: DEACCESSION AND REMOVAL**

9.1 Deaccessioning is the process by which the City decides that a public artwork may be removed from the City's collection. It is the primary responsibility of the City to preserve and protect the artworks under its control for the people of the City of Redondo Beach. The City will dispose of works of art in its collections only in the public interest and as a means of improving the quality of the collection. Since artworks are acquired by the City through a thorough review process, deaccessioning should be considered only after five years following acceptance. The need for relocation or the temporary removal from public display does not automatically necessitate deaccession. Deaccessioning should be cautiously applied only after careful and impartial evaluation of the artwork to avoid the influence of fluctuations of taste and the premature removal of an artwork from the collection.

City staff will manage the deaccession process working with the City Council and the Public Art Commission. The process will ensure that the interests of the public, the intent of the donor (if any), and the interests of the cultural communities are all given careful consideration. Because of its complex legal and ethical nature, the deaccession process requires even greater deliberation than the acquisition of objects and will be handled in an open forum. All final decisions regarding the deaccession of any artwork will be made at regularly scheduled public meetings of the City Council.

All proceeds from any sale or auction of a work of art, less any payment due the artist under the California Resale Royalties Act, will be used for the exclusive purpose of acquiring or maintaining one or more other works of art for the same public structure or purpose for which the original work of art was acquired. If that is not possible, then the proceeds will be made part of the Public Art Fund and be used to acquire or maintain a work of art to be placed within the City.

#### 9.2 Removal from Public Display

While the intent of acquisition of artwork or creation of public art is for permanent public display, circumstances and/or conditions may arise that make it prudent for the Commission, on behalf of the public interest to remove an artwork from public display.

9.2.1 One or more of the following conditions must apply in order for an artwork to be considered for deaccession:

- The work presents a threat to public safety.
- The condition or security of the work cannot be guaranteed, or the City cannot properly care for or store the work.
- The work requires excessive or unreasonable maintenance.
- The work has serious or dangerous faults in design or workmanship.
- The condition of the work requires restoration in gross excess of its monetary value, or is in such a deteriorated state that restoration would prove either unfeasible, impractical or would render the work essentially false.
- The work is of poor quality.
- A similar but superior example exists in the collection.
- The work is a forgery.
- No suitable site for the work is available.
- Significant adverse public reaction is documented over an extended period of time (5 years or more).
- The work is judged to have little or no aesthetic and/or historical or cultural value.
- The City wishes to replace a work with a more appropriate work by the same artist.
- The work can be sold to finance, or can be traded for, a work of greater importance.
- A written request from the artist has been received to remove the work from public display.
- The work is not, or is rarely displayed.
- The artwork has been determined to be incompatible with the rest of the collection.

### 9.3 General Policies

9.3.1 Integrity of Artworks: The Public Art program shall seek to insure the ongoing integrity of the artwork and the sites for which they were created, to the greatest extent feasible, in accordance with the artist's original intentions, and consistent with the rights afforded by the 1990 Visual Artists Rights Act.

9.3.2 Access to Artworks: The City shall seek to assure continuing access to artwork by the public, although the City may limit availability due to circumstances such as funding, public safety, display space and deaccession.

9.3.3 Life Spans: Life spans that have been assigned to the work during the commissioning process shall be taken into consideration as part of requests for deaccession or removal. For artworks that have not been assigned a life span, the City may engage experts to assist in assigning the artwork a life span, based on the life expectancy of the artwork's materials and fabrication methods.

### 9.4 Deaccession Application Process

9.4.1 Preliminary Request: Permanent artworks must be in place for at least five years before deaccession or removal requests shall be considered. Deaccession or removal requests may be submitted by one of the following:

- A neighborhood organization;
- City department;
- Independent Board or Commission of the City;
- City Council Member;

9.4.2 The Public Art Commission reviews a preliminary request from the applicant. This Commission shall determine whether the Commission shall consider the request. If this Commission votes in favor of considering the request, then City staff works with the applicant to bring a full proposal before the City Council.

9.4.3 Public Meeting: The Public Art Commission shall hold at least one public meeting for the purpose of gathering community feedback on a proposed deaccession or removal.

9.4.4 Artist Involvement: If deaccession or removal is recommended, the artist (if available) shall be contacted and invited to provide input to the Public Art Commission.

9.4.5 Recommendation: The Public Art Commission's recommendation may include dismissing the request and/or modifying, moving, selling, donating, disposing, or storing the artwork.

9.4.6 Costs: If deaccession accommodates the applicant's interests or project; they may be required to cover the costs of deaccession.

9.4.7 Compliance with Applicable Policies and Regulations: Deaccession and removal of artwork shall be done in a manner that complies with all other applicable city, state and federal procedures, policies and regulations. For example, deaccession and removal actions must comply with applicable procedures and laws relating to the disposition of City property and with laws protecting artists' rights.

## 9.5 Review Criteria

The criteria listed below shall be used for evaluating requests for deaccession or removal.

### 9.5.1 Stimulate Excellence in Urban Design and Public Arts:

- Is the artwork of inferior quality in concept or construction or compared to other artwork commissioned by the City?
- Is the artwork fraudulent or not authentic?
- Is the artwork not unique and/or a reproduction?
- Is the artist over represented in the City's collection?
- Does the applicant wish to replace the artwork with a more appropriate work by the same artist?
- Does the artist lack a significant or engaging body of work?

### 9.5.2 Enhance Community Identity and Place:

- Is the artwork significantly less appropriate given changes in the function or character of the setting or the community?
- Does the artwork lack historical value?

- Is the artwork contrary to adopted policy and historic use or master plans?
- Is the artwork incompatible with the current site design and function and/or the design and function of other possible sites?
- If the site is going to be demolished or adapted, or is it not possible to successfully incorporate the artwork into redevelopment of the site?
- Is no suitable new site available for the artwork?

#### 9.5.3 Contribute to Community Vitality:

- Is the site no longer publicly accessible?
- Has the artwork been the source of significant adverse public reaction over at least five years?
- Has the artwork failed to contribute to the overall community dialogue about civic issues?
- Is the artwork unsafe?

#### 9.5.4 Involve a Broad Range of People and Communities:

- Has the applicant gathered input from various people and groups in considering removal of the artwork?
- Do a broad range of people support the removal of the artwork?
- Does the current artwork or site fail to meet ADA regulations, and is it impossible to modify them to do so?
- Is the artwork a source of contention among various cultural communities?

#### 9.5.5 Value Artists and Artistic Processes:

- Does the artist have an inappropriate cultural, geographic or artistic perspective?
- Is the original artistic integrity of the artwork no longer intact or can it no longer be maintained?
- Does continued display of the artwork undermine the artist's intention or reputation?
- Has the artist been involved in discussions about removal of the work?
- Did someone other than a practicing artist create the artwork?

#### 9.5.6 Use Resources Wisely:

- Does the artwork require excessive maintenance or repair, have faults of design or workmanship, or is repairing or securing the artwork impractical or unfeasible?
- Are the terms of the original contracts unfulfilled?
- Is the cost of repair or conservation more than fifty percent of the original commission costs or current appraised value?
- Can the City no longer meet the donor's restrictions (for gifts) or other obligations?
- Does removal of the artwork provide an opportunity for a new project that could be supported privately?
- Is another governmental or non-profit agency better suited to provide care and maintenance?

9.5.7 Sale at public auction is strongly encouraged. Whenever works are deaccessioned by means other than public auction, no fewer than two independent estimates of fair market value must be secured.

9.5.8 Artworks may not be given or sold privately to City employees, officers, volunteers or members of City commissions, committees, boards, affiliate groups, or their representatives unless they are sold at public auction and with appropriate disclosures.

9.5.9 Consideration should be given to placing the art objects, through gift, exchange or sale, in another tax-exempt public institution wherein they may serve the purpose for which they were acquired initially by the City.

9.5.10 Destruction of work deteriorated or damaged beyond repair at a reasonable cost, and deemed to be of no or only a negligible value, will take place in accordance with national standards for conservation and deaccession.

## 9.6 Sale of Artworks

9.6.1 A work of art may be sold privately under the following circumstances:

- If the work is offered at public auction and no bids are received, or if the bids are rejected. A work of art on which bids have been rejected will not thereafter be sold through private sale for less than the amount of the highest bid received.
- If the artist of the work chooses to purchase it at the original price of commission or purchase.

9.6.2 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 records of the City of Redondo Beach.

9.6.3 The City must abide by the California Resale Royalties Act with respect to notification and payment of artists.

9.6.4 All recommendations for deaccession are subject to appeal. All appeals must be made in writing to the office of the City Manager.

9.7 Exceptions. There will be no exceptions to this policy unless provided and approved by the City Manager.

## **SECTION 10. RECEIPT AND COMPLETION**

### 10.1 Objectives

10.1.1 To document the City's ownership of artworks.

10.1.2 To review all artworks prior to acceptance and ensure they are completed in accordance with the project goals and appropriate agreements.

10.1.3 To confirm agreement among all partners that artworks are complete and all parties have fulfilled their responsibilities.

10.1.4 To acknowledge the transfer of insurance liabilities to the City.

10.1.5 To place an identification plaque at the site of any temporary or permanent public art installation.

- Plaques shall be installed at the site of public art at the same time as the public art work is installed at its intended display location.
- Plaques shall include the artwork title, name of artist(s), installation date, primary media, and may include additional information such as donor name(s), sponsor name(s), or dedication. All plaque wording shall be subject to approval by the City.
- Plaques shall be a minimum of nine inches by twelve inches in size. Requests for additional sizes may be reviewed and approved by the City.
- Plaques shall be constructed of a durable metal such as bronze, aluminum or steel. Requests for alternative materials such as stone may be reviewed and approved by the City.
- Plaques shall be included in the project budget submitted by the artist, including production of the plaque and installation of the plaque at the project site.
- Plaques shall be placed at the site of the artwork so as not to impede with a public right-of-way, the viewing of the artwork or other adjacent artworks, or adversely affect the surrounding environment.

#### 10.2 Process for Documenting Receipt and Completion

The City's ownership of artworks must be documented through an official Receive and File of the City Council upon receipt and completion. A Receive and File Action on all artwork shall be submitted after:

- The artwork is received or completely installed;
- The full completion of the artwork by the artist(s) as defined in the applicable contract(s) or scope(s) of services including a complete artist statement regarding the artwork;
- A thorough inspection of the artwork by the Public Arts Administrator and other appropriate City staff;

10.2.1 Once the City Council has officially received the report, the City staff will enter the artwork into the City's Public Art inventory documentation.

### **SECTION 11. PUBLIC ART COLLECTION**

The City's public art collection shall be documented to provide archival reference and to provide information regarding the maintenance of the public art collection. The collection document shall be updated as public art is created and installed throughout the City on both public and private sites. The current collection of public art is included with the Public Art Master Plan as Attachment A.

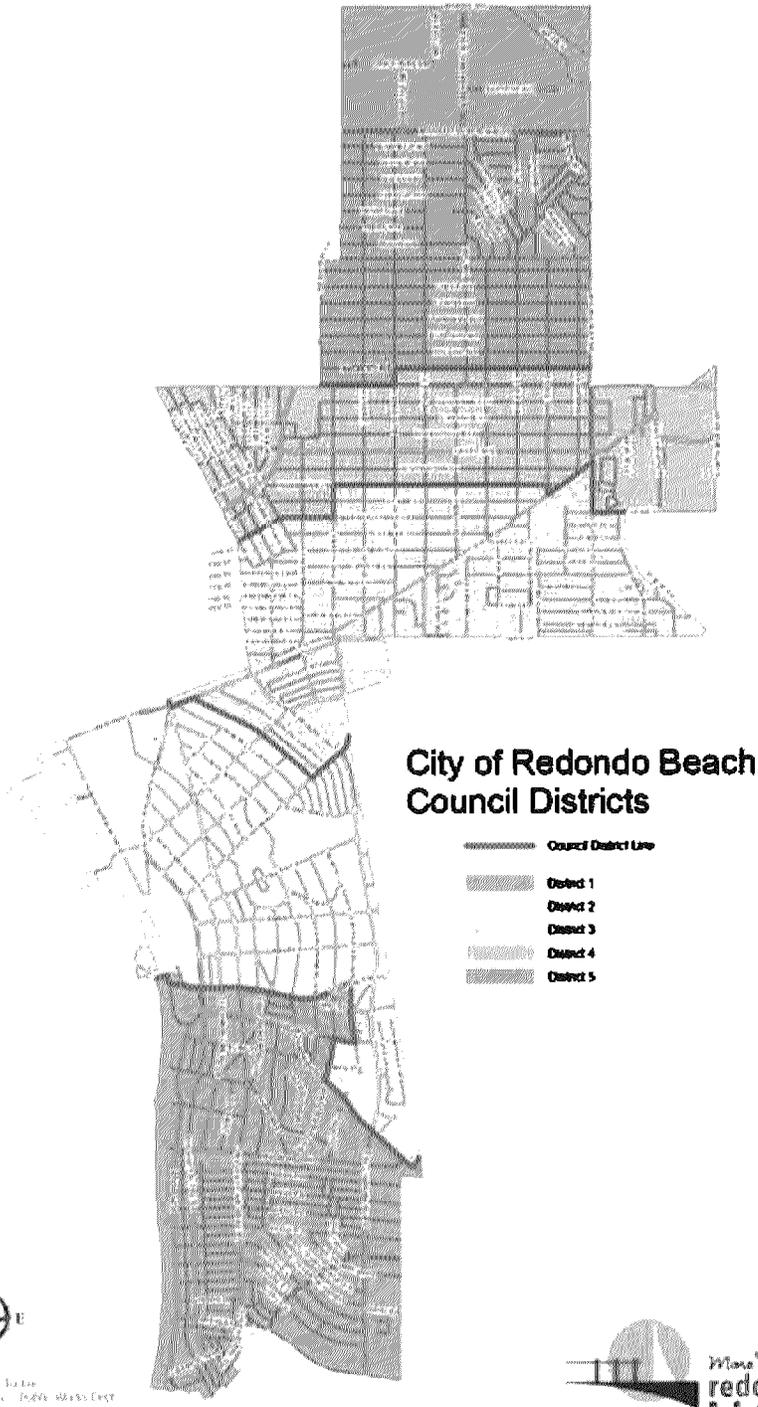
11.1.1 The public art catalogue shall include all available information regarding a public artwork, whether on public or private sites. Available information includes, but is not limited to:

- Title, artist(s), artist's statement, dedication date, funding sources, materials, recommended maintenance, current status of artwork condition.

11.1.3 The catalogue shall be a guideline for the even geographic distribution of public art projects throughout the City.

11.1.4 The catalogue shall be the guideline for the maintenance and conservation of all public art. Maintenance and conservation may be undertaken by the City, private conservators, artists, and private ownership.

Attachment A



  
Created by: G. Sullivan  
Engineering, Inc. 14676 Wilcox Court  
Redondo Beach, CA 90248



Attachment B

Attachment C

Attachment D

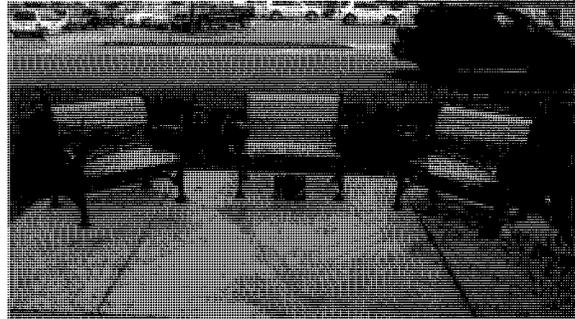
Attachment B



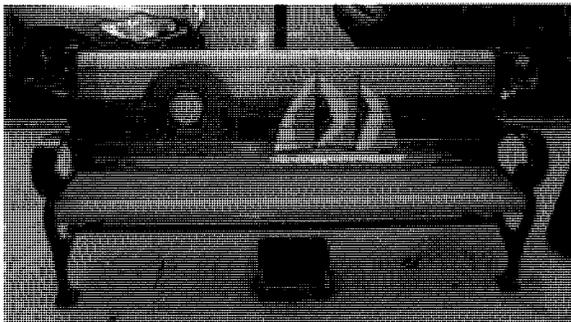
**Redondo Beach  
Public Art Commission  
Public Art Inventory  
Image Gallery**

September 23, 2015

Benches in Riviera Village



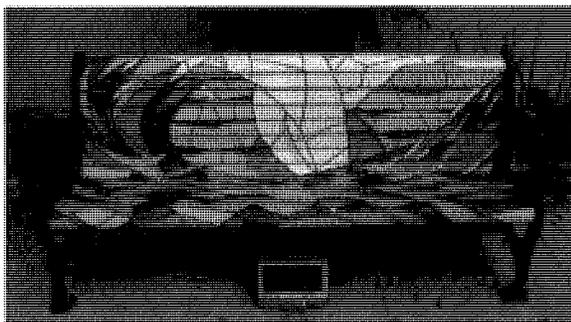
Havlena Bench



Leadership Bench



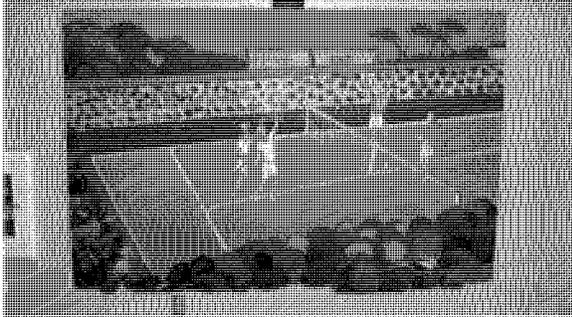
Steiglutz Bench



Harmony Works Bench



Alta Vista Mural



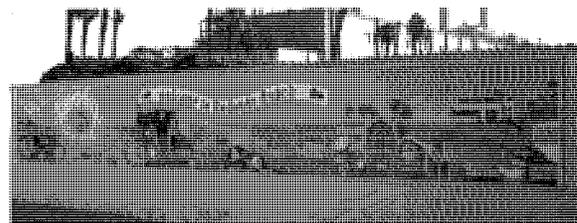
Alta Vista Mural



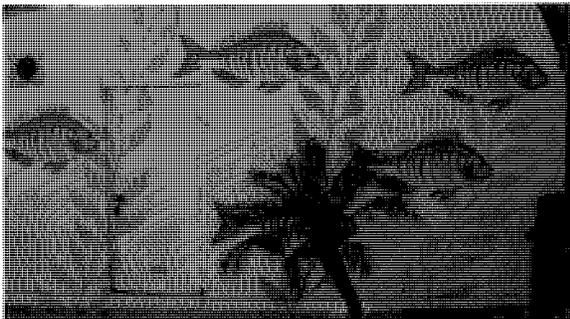
Mosaic Planter Alta Vista Park



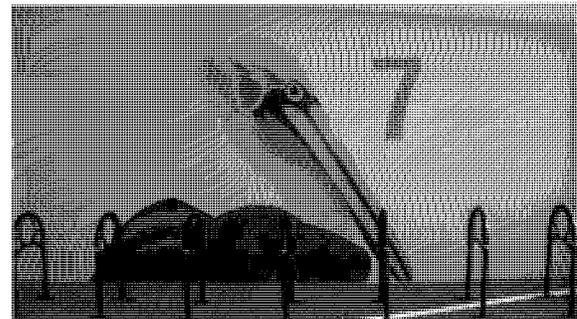
Strand Wall Mural  
(temporarily removed-to be relocated)



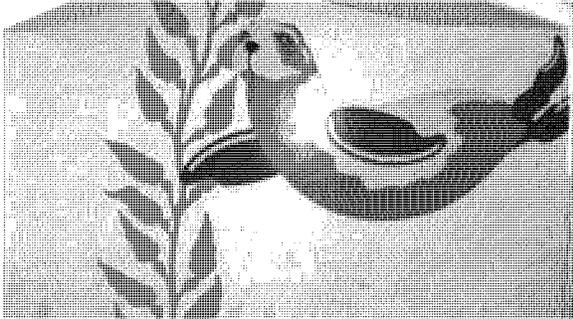
Pier Garage Mural



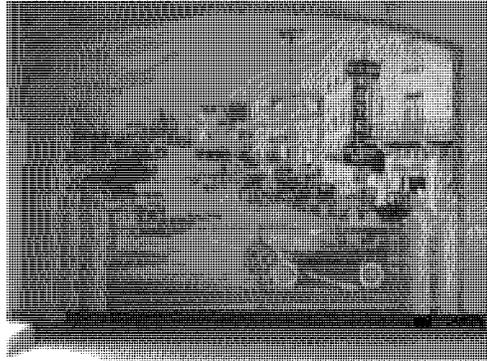
Pier Garage Mural



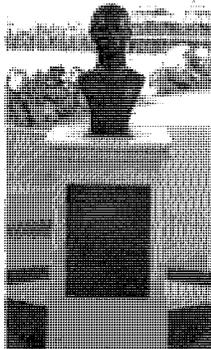
Pier Garage Mural



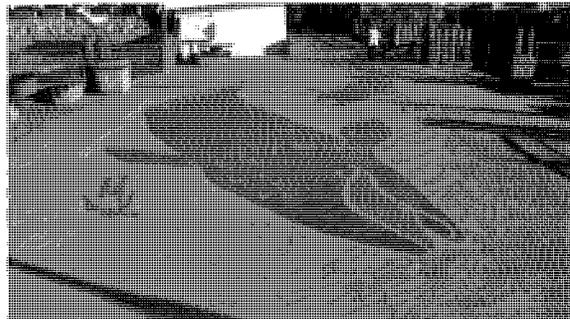
Pier Garage Mural



George Freeth Monument Pier



Stamped Concrete Horseshoe Pier



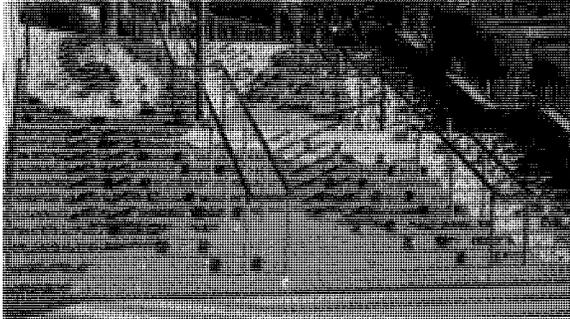
Pier Garage Mural



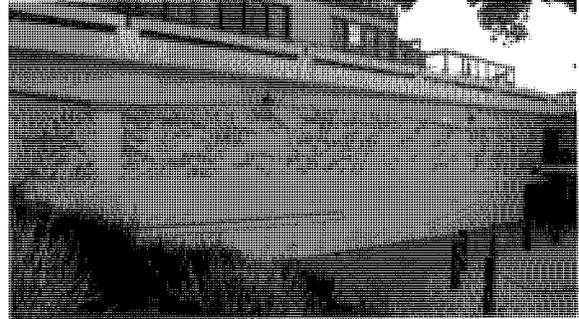
Tile Mosaics International Boardwalk



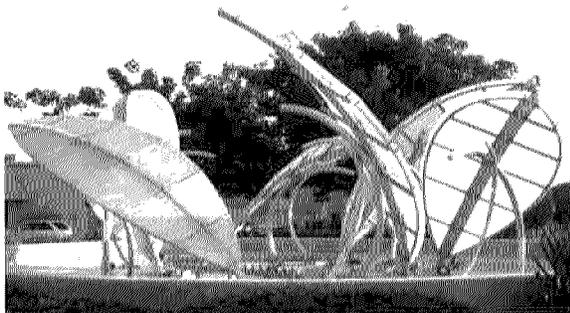
Ocean Steps International Boardwalk



Mural Pier Garage



Fountain Sculpture Catalina/PCH



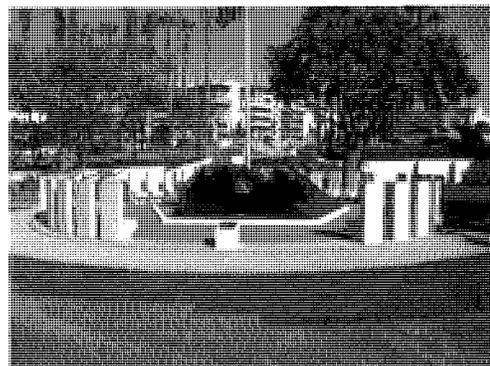
Sculpture Sails – Horseshoe Pier



9-11 Tribute Memorial City Hall Plaza



Veterans Memorial – Veterans Park



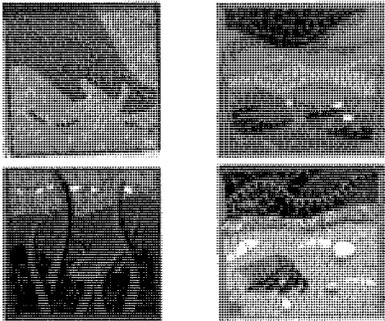
**Sculpture North Branch Library**



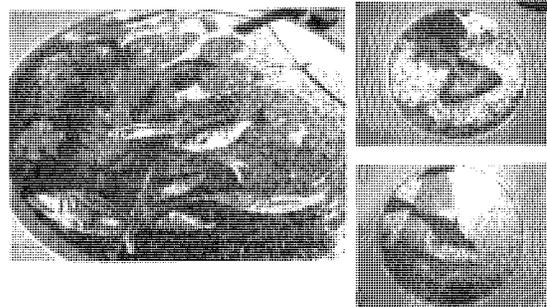
**Stone Sculpture – Pier Garage Entrance**



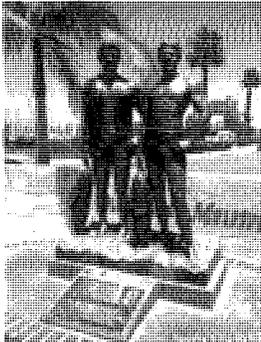
**Mosaic Panels – Esplanade Bollards**



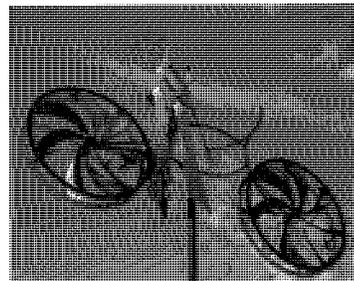
**Mosaic Ground Panels - Esplanade**



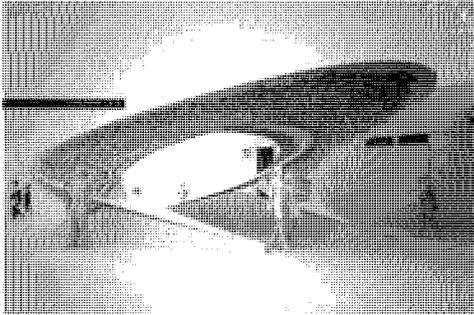
**Bill & Bob Meistrell Memorial**



**“Love My Bike”  
Harbor Drive Welcome Plaza**



Coming Soon: "Gate Wave"  
Redondo Beach Transit Center



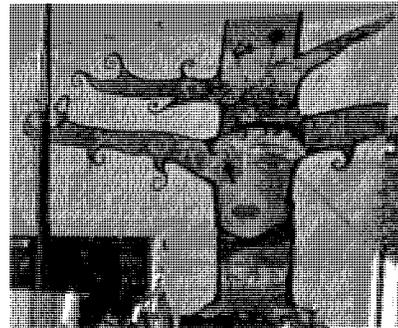
Privately owned  
Public Art



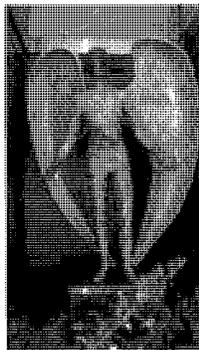
Mural – La Tete (building side)



Mural – La Tete



Angel Sculpture – Riviera Village



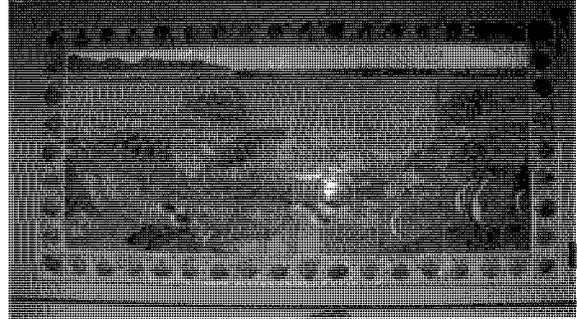
Empty Chair Memorial – Rev. Friend residence



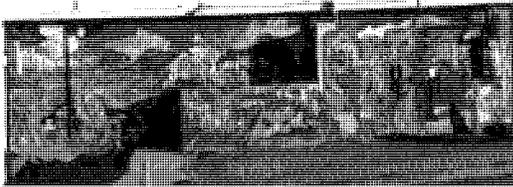
Murals – Catalina business location



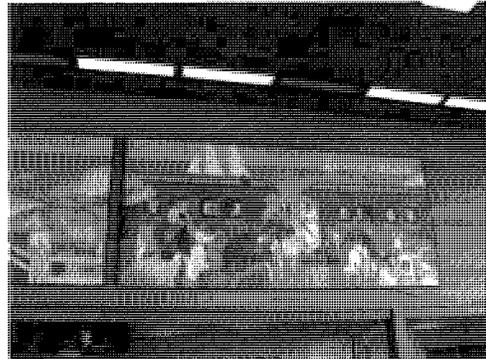
Mosaics – Riviera Village business center



Mural – Bull Pen Restaurant



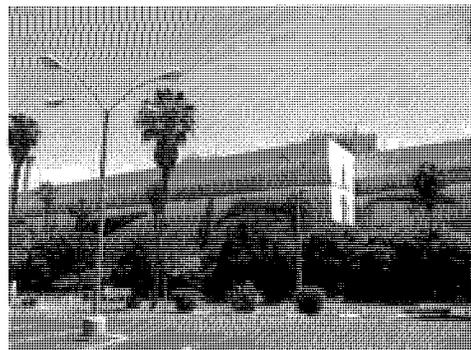
Framed Mural – Main Post Office



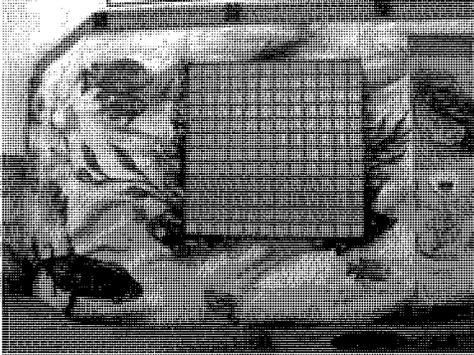
Mosaic – Wells Fargo Bank PCH



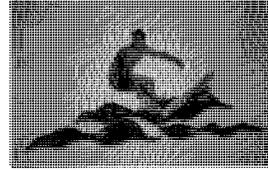
Wyland Mural – AES Redondo



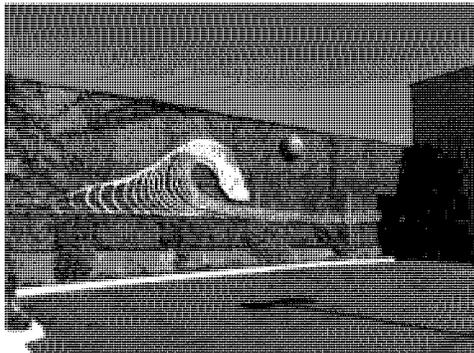
Mural - Sealab



Ocean Sports Mosaics



"The Wave" Greenstreet Redondo



"Mermaid" Redondo Landing



Attachment C

City of Redondo Beach  
Public Art Program  
As of April 19, 2016

Priority Potential Public Art Locations

- Performing Arts Center (exterior building walls)
- Artesia corridor medians; 14 Potential Locations:
  - 3015 Artesia (Redondo Beach Blvd. & Hawthorne Blvd.)
  - 2901 Artesia (Firmona Ave. & Kingsdale Ave.)
  - 4623 Artesia (Condon Ave. & Firmona Ave.)
  - 2722 Artesia (Inglewood Ave. & Condon Ave.)
  - 2612 Artesia (Felton Ln. & Inglewood Ave.)
  - 2527 Artesia (Phelan Ln. & Felton Ln.)
  - 2408 Artesia (MacKay Ln. & Phelan Ln.)
  - 2350 Artesia (Vail Ln. & MacKay Ln.)
  - 2213 Artesia (Rindge Ln. & Slauson Ln.)
  - 2115 Artesia (Blossom Ln. & Rindge Ln.)
  - 2033 Artesia (Green Ln. & Blossom Ln.)
  - 1961 Artesia (Flagler Ln. & Green Ln.)
  - 1925 Artesia (Aviation Way & Flagler Ln.)
  - 1750 Artesia (Aviation Blvd. & Aviation Way)
- Czuleger Park (exterior concrete stairs & low circular wall)
- Dominguez Park (Dog Park & Green Space section)
- Public Works City Yard Wall (Catalina Ave. & Gertruda Ave.)

Additional locations for consideration:

- North Redondo Beach Bike Path
- Main Library exterior lawn
- Paseo del la Playa @ Esplanade circle drive median
- Low Wall of Esplanade (east-facing)
- Stone sculpture @ Harbor Garage entrance (revision of existing installation)

Additional locations for consideration (con't):

- Trash and recycling bins at Esplanade
- Restroom building @ Veterans Park (exterior walls)
- Railing at Veterans Park (west)
- Entry landscaping median at Wilderness Park
- Portico @ Harbor Dr./Portofino Way
- Czuleger Park (park bench green space)
- Moonstone Park
- Pier Garage elevator west-facing exterior wall
- Hardscape area at upper level of South Pier
- Traffic triangle median @ Carmelita & Goodman
- La Paz Sister City Parkette
- Lillienthal Park (entry sign area)
- Glenn Anderson Park (corner greenspace)
- Franklin Park
- Massena Parkette
- George Freeth Way @ "Hotel Redondo" stairs
- Ensenada Parkette
- George Freeth Plaza @ The Pier
- Seaside Lagoon
- Marina Post Office East Wall
- Green corner (Prospect Ave. & Palos Verdes Blvd.)
- Triangle (N. Phelan & Beland St.)
- Andrews Park
- Townsend Parkette
- Matthews Parkette
- Glenn Anderson Park
- Dale Page Parkette
- Trash Enclosure (Veterans Park)
- Alta Vista Park
- Median (Catalina Ave. & Avenue I)

Additional locations for consideration (con't):

- Median (Catalina Ave. & Palos Verdes Blvd.)
- Wilderness Park
- Medians (El Redondo St.)
- Vincent Park
- Beverly Parkette
- Median (Carmelita Ave. & Speyer Ln.)
- Fulton Playfield
- General Eaton Parkettes (1 & 2)
- Gregg Parkette
- Sneary Parkette
- McNeill Parkette
- Perry/Allison Parkette
- North Branch Library
- Wylie Parkette
- Welcome Parkette (Harbor Dr. & Herondo St.)

Traffic Signal Box Locations:

District One:

- Prospect Avenue @ Palos Verdes Boulevard
- Palos Verdes Boulevard @ Pacific Coast Highway
- Catalina Avenue @ Knob Hill Avenue
- Catalina Avenue @ Pearl Avenue
- Pacific Coast Highway @ Ruby Street

District Two:

- Catalina Avenue @ Torrance Boulevard
- Catalina Avenue @ Garnet Street
- Diamond Street @ Pacific Coast Highway
- Harbor Drive @ Beryl Street
- Harbor Drive @ Herondo Street

District Three:

- 190<sup>th</sup> Street @ Prospect Avenue
- Inglewood Avenue @ 182<sup>nd</sup> Street
- Inglewood Avenue @ 190<sup>th</sup> Street

Traffic Signal Box Locations (con't):

- Inglewood Avenue @ Raiston Lane
- Harkness Lane @ Anita Street

District Four:

- Artesia Boulevard @ Green Lane
- Grant Avenue @ Flagler Lane
- Grant Avenue @ McKay Lane
- Grant Avenue @ Kingsdale Avenue
- Artesia Boulevard @ Felton Lane

District Five:

- Manhattan Beach Boulevard @ Vail Avenue
- Marine Avenue @ Redondo Beach Avenue
- Aviation Way @ Artesia Boulevard
- Marine Avenue @ Hotel Drive
- Manhattan Beach Boulevard @ Inglewood Avenue

Attachment D

**ORDINANCE NO. 3127-14**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, ADDING CHAPTER 6 PUBLIC ART FUNDING MECHANISMS TO TITLE 10 PLANNING AND ZONING OF THE REDONDO BEACH MUNICIPAL CODE**

WHEREAS, on August 20, 2013, the Redondo Beach City Council directed that an ordinance be created for funding mechanisms for public art; and

WHEREAS, the Planning Commission of the City of Redondo Beach held a public hearing on October 16th, 2014, at which time all interested parties were given an opportunity to be heard and to present evidence; and

WHEREAS the City of Redondo Beach has determined that public art is a critical element of providing a diverse and culturally rich environment to residents and visitors to Redondo Beach that promotes the general public welfare; and

WHEREAS, research has shown that the arts foster economic development, revitalize urban areas and improve the overall business environment. Additionally, a well-conceived work of art can increase the value of a development project, enhance the corporate image of the community, promote cultural tourism and enhance the Living Streets Policy of a more beautiful and vital city; and

WHEREAS, public art enriches and celebrates our community identity by developing a collection of artworks which have strong inherent aesthetic quality and represent diverse communities and a wide range of artistic styles and disciplines; and

WHEREAS, in order to ensure that public art is present throughout the community it is necessary to require that all new non-residential development in the City of Redondo Beach with a building valuation of at least two hundred fifty thousand dollars (\$250,000), include an element of public art equivalent to one percent (1%) of the building valuation or, where appropriate, contribute to a City fund for public art, in an amount equal to one percent (1%) of the building valuation of the project in lieu of providing said art; and

WHEREAS, in order to ensure that public art is present throughout the community it is necessary to require that all new residential development in the City of Redondo Beach of three (3) units or more and with a building valuation of at least two hundred fifty thousand dollars (\$250,000), include an element of public art equivalent to one percent (1%) of the of the building valuation or, where appropriate, contribute to a City fund for public art, in an amount equal to one percent (1%) of the building valuation (minimum two hundred fifty thousand dollars (\$250,000) of the project in lieu of providing said art; and

WHEREAS, in order to ensure that public art is present throughout the community it is necessary to require that certain eligible City Capital Improvement Projects include an element of public art at a cost equivalent to one percent (1%) of the of the building valuation; and

The fostering of public art in the City and the establishment of a Public Art Program was due, in part, to the hard work of the late John Parsons, a former Planning Commissioner, Harbor Commissioner and Council Member who dedicated himself to this purpose.

The visual and aesthetic quality of development projects has a significant impact on property values, the local economy and vitality of the city. Public art illuminates the diversity and history of a community, and points to its aspirations for the future. A wealth of art and culture in the public realm will foster the economic development of the community.

To achieve these goals, public art should be integrated into development projects citywide. For best results, consideration of public art should be integrated into project planning at the earliest possible stage, and the selected artist(s) should become a member of the project's design team early in the design process.

#### **10-6.02 Implementation by the Public Art Commission**

**The Public Art Commission, as established in Section 2-9.1401 of the Redondo Beach Municipal Code, shall implement the duties established in this Chapter.**

#### **10-6.03 Definitions**

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

- A. "Addition" means an extension or increase in floor area or height of a building or structure.
- B. "Alteration" means any construction or renovation to an existing structure other than repair or addition.
- C. "Artist" means a person who has a reputation among peers as a person of artistic excellence, through a record of exhibitions, public commissions, sale of works, or educational attainment as judged by the reviewing body with final design review authority for the development project.
- D. "Building Valuation" for an applicable project shall consist of the dollar amount of all construction permits using the latest Building Valuation Data as set forth by the International Code Council (ICC), unless in the opinion of the Building Official, a different valuation methodology is more appropriate for the particular project. It does not include the cost of the land acquisition and off-site improvement costs.
- E. "Developer" means the person or entity that is financially and legally responsible for the planning, development and construction of any development project covered by this chapter, who may, or may not, be the owner of the subject property.
- F. "Director" means the Community Development Director, or a designee of the Community Development Director or the City Manager.
- G. "Eligible Capital Improvement Project" shall mean any improvement to public property which the City Manager has approved for application of the requirements of this Resolution. This term shall not be interpreted to include any improvement for which the source of funding, or

Public art does not include the following:

1. Art objects that are mass produced of standard design such as playground equipment, benches, statuary objects or fountains;
  2. Decorative or functional elements or architectural details, which are designed solely by the building architect as opposed to an artist commissioned for this purpose working individually or in collaboration with the building architect;
  3. Landscape architecture and landscape gardening except where these elements are designed by the artist and are an integral part of the work of art by the artist;
  4. Directional elements such as super graphics, signage as defined in the Redondo Beach Municipal Code Section 10-2.1800, or color coding except where these elements are integral parts of the original work of art or executed by artists in unique or limited editions;
  5. Interpretive programs;
  6. Reproductions, by mechanical or other means, of original works of art, except in cases of film, video, photography, print making, or other media arts, specifically commissioned by the City;
  7. Services or utilities necessary to operate or maintain the artwork over time;
  8. Existing works of art offered for sale or donation to the City which do not have an established and recognized significance in the field of public art as determined by qualified arts professionals and art appraisers and ultimately as judged by the Public Art Commission or City Council;
  9. Works of art which are not visible to the public;
  10. Works of art which cannot be reasonably maintained within the resources allocated by the City of Redondo Beach;
  11. Logos or corporate identity.
- L. "Public art contribution" means the dollar amount equal to one percent (1%) of the building valuation of a development project with a building valuation of at least two hundred fifty thousand dollars (\$250,000), covered by this chapter. In the case of a mixed-use project, the dollar amount shall be equal to the cost of one percent (1%) of the building valuation of at least two hundred fifty thousand dollars (\$250,000) of the non-residential component of that development project.
- M. "Public art fund" means a fund established and maintained by the City of Redondo Beach for the purpose of funding public art and the maintenance of public art consistent with the public art master plan.
- N. "Public art master plan" means a plan developed by the City and approved by the City Council which identifies locations on public property such as public rights-of-way and public

evidence and documentation with the application to the satisfaction of the City Manager that payment of a 1% fee in excess of \$750,000.00 would be prohibitively expensive for project delivery; or

3 Subject to the approval of the reviewing body with the authority to approve the private development project, install public art on the development project site that has a value lower than the public art contribution amount and make an in-lieu monetary contribution for the balance of the public art contribution.

B. Prior to obtaining a building permit for construction of the private development project, the developer shall demonstrate compliance with the requirements of this chapter in one of the following ways:

1. Payment of the full amount of the public art monetary contribution; or
2. Written proof to the appropriate Director, designee of the Director, or City Manager of a contract to commission or purchase and install the required public art previously approved by the review body with authority to approve the development project on the subject development site. Such proof shall be accompanied by a performance security, in an amount determined by the Director, to be adequate to secure faithful performance of the commission and installation of the required public art. It shall be accompanied by a written acknowledgement by the project artist and the developer, in a form approved by the Director that the proposed public artwork complies with the criteria set forth below:
  - a. The public art shall be designed by an artist.
  - b. The public art shall require a low level of maintenance and the proposed maintenance provisions shall be adequate for the long-term integrity and enjoyment of the work. The owner shall enter into a maintenance agreement with the City to be recorded against the property to ensure that proper maintenance is performed as determined by the Director.
  - c. The public art shall be related in terms of scale, material, form and content to immediate and adjacent buildings and architecture, landscaping or other settings to complement the site and its surroundings and shall be consistent with any corresponding action of the reviewing body with final design review authority for the development project as it may relate to any development entitlements.
  - d. Public art shall be permanently affixed to the property.
  - e. The public art shall be maintained by the owner or his or her successor in interest in a manner acceptable to the City.
  - f. The public art shall meet all applicable building code requirements.

C. The developer shall provide the City with proof of installation of the required public art on the development site prior to the issuance of a certificate of occupancy

2. The capital improvement project is a permanent public improvement project with a building valuation in excess of two hundred fifty thousand dollars (\$250,000).

3. The resulting public art would be publicly accessible on the capital improvement project site.

4. Eligible capital improvement projects would include the construction of public facilities such as a library, civic center, public safety facility, green/park space, recreational facility or transportation project. Ineligible capital projects include, but are not limited to, underground public works projects, street and/or sidewalk repair, tree planting, drainage and sewer projects, roof repairs, utility facilities, non-municipal government construction and emergency operations facilities and equipment.

If a project is determined to be an Eligible Capital Improvement Project, an amount equivalent to one percent (1%) of the building valuation of the project shall be allocated from the Eligible Capital Improvement Project funding towards public art as part of the Project. The City shall engage an artist for the Eligible Capital Improvement Project at the onset of the development process.

#### **10-6.07 Administrative policies and program guidelines**

The City Manager is authorized to establish and maintain written administrative policies as program guidelines, which shall implement the requirements of this chapter. A copy of the program guidelines shall be maintained in the office of the City Clerk. The program guidelines shall be approved by the City Manager, based on the recommendation of the Community Development Director, and subject to the review and approval as to form by the City Attorney. The program guidelines may include, but are not limited to, the following elements: consistency with General Plan Design policies and Specific Plan Design policies, consistency with applicable Design Guidelines adopted by the City Council, standards for eligible public art works, media and materials in public art, standards for placement and site selection of public art, standards for placement of public art on both public and private development sites, role and procedures of the Public Art Commission, art selection process, art selection standards and criteria, maintenance and conservation of public art works, staffing and administration of the public arts program, public art collection review and removal, and catalog and inventory procedures for the collection of art installed under this chapter.

#### **10-6.08 City Public Art Master Plan**

The City Council shall adopt a public art master plan to govern the acquisition, placement and installation of public art owned by the City using the City Public Art Fund. Prior to the adoption of the Public Art Master Plan, any use of the public art fund shall be subject to a determination by the City Council that the proposed use of revenue is for the acquisition, placement or installation of public art consistent with the purpose of this chapter.

#### **10-6.09 City Public Art Fund**

of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

**SECTION 4. PUBLICATION AND EFFECTIVE DATE.** This ordinance shall be published by one insertion in the official newspaper of the City, and the same shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

WHEREAS, in order to provide the City Council with advisory recommendations regarding public art proposals, whether funded by a developer or through in lieu contributions, all public art proposals shall be first received by the Public Art Commission; and

WHEREAS, the requirement that applicants for development projects provide either public art or an in lieu equivalent fee is a legitimate and valid land use regulation that has been analogized by California courts as akin to traditional land use regulations imposing minimal setbacks, parking and lighting conditions, landscaping requirements and other design conditions; and

WHEREAS, aesthetic regulations as set forth in the public art contribution is reasonably related to the public health, safety and welfare of the citizens of the City of Redondo Beach, and furthers the significant government interests of the promotion of visual and cultural interest in commercial and residential zoning, preservation of neighborhood character, communication of community values and cultural interests, promotion of tourism and stimulation of the local economy, and enhancement of the visual character and identity of the City; and

WHEREAS, the City Council hereby finds that the public art contribution is thus neither a "development fee" subject to the requirements of the California Mitigation Fee Act, California Government Code 66000 *et seq*, nor a development exaction subject to the scrutiny of relevant rules set forth in Nollan v. California Coastal Commission 483 U.S. 825 91987) and Dolan v. City of Tigard 512 U.S. 374 (1994), but rather, that the public art contribution is a zoning requirement that furthers aesthetic objectives under the authority of the City's general police power.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Redondo Beach Municipal Code Chapter 6, Title 10 is hereby added to read as follows:

Chapter 6

PUBLIC ART REQUIREMENTS

Sections:

**10-6.01 Purpose**

The purpose of this chapter is to authorize the establishment of guidelines, procedures and standards for the integration of public art into new, eligible private development projects and public capital improvement projects throughout the City of Redondo Beach.

Public art helps create a more livable and visually stimulating city. The presence of and access to public art enlivens the public areas of buildings and their grounds and makes them more welcoming. It creates a deeper interaction with the places where we live, work and visit. A city rich in art encourages cultural tourism which brings in visitor revenues.



- J. "Private development project" means a project involving the construction of any new residential (three units or more), commercial building (including office and retail uses), industrial or light industrial uses, or any mixed-use project, the construction of new tenant improvements in any shell building, an addition to an existing building, or the rehabilitation, renovation, remodeling or tenant improvement of an existing building, and having a building valuation, as defined in this Chapter, of two hundred fifty thousand (\$250,000.00) or more. For the purposes of calculation of the public art contribution for a mixed-use project, the building valuation shall be calculated based on the nonresidential portion of the project only. To the extent that all or some portion of the new construction includes one or more of the six "exclusion items" identified below, those portions of the project shall be excluded from the definition of "Private development project"; thus, those portions of construction shall not be subject to the requirements of this chapter:
1. Repair or reconstruction of structures which have been damaged by fire, flood, wind, earthquake or other calamity;
  2. Historic preservation or restoration;
  3. Seismic retrofit or flood protection projects work items;
  4. Fire sprinkler installation work items as defined by section 9-1.05 of the Redondo Beach Municipal Code.
  5. Any alteration, maintenance or repair of an existing structure, or equipment, that does not result in an addition (i.e. does not result in an extension, expansion or increase in the floor area or height of the existing structure). Notwithstanding this exclusion, construction of new tenant improvements in any shell building shall be within the definition of "development project";
  6. Solar (photo voltaic) system applications.
- K. "Public art" means an original work of a permanent nature in any variety of media produced by an artist which may include sculpture, murals, photography and original works of graphic art, water features, neon, glass, mosaics, or any combination of forms of media, furnishing or fixtures permanently affixed to the building or its grounds, or a combination thereof, and may include architectural features of the building such as decorative handrails, stained glass and other functional features which have been enhanced to be visually appealing. City commissioned public art may also include pieces as identified above which may be moved from time to time as a gallery collection and placed in public buildings such as City Hall, the libraries and other publicly accessible facilities.

Public art does not include the following:

1. Art objects that are mass produced of standard design such as playground equipment, benches, statuary objects or fountains;
2. Decorative or functional elements or architectural details, which are designed solely by the building architect as opposed to an artist commissioned for this purpose working individually or in collaboration with the building architect;



- Q. "Remodel." See "Alteration."
- R. "Repair" means the reconstruction or renewal of any part of an existing building for the purpose of its maintenance.
- S. "Reviewing body" means a review in a public forum by official bodies of the City of Redondo Beach including, but not limited to, the Harbor, Public Art and Planning Commissions, as well as the City Council.
- T. "Solar photovoltaic system" means the total components and subsystems that, in combination, convert solar energy into electric energy suitable for connection to a utilization load.

**10-6.03 Public art requirement**

The requirements of this chapter shall apply to the following activities:

- A. Eligible Private Development Projects as defined above.
- B. Eligible Capital Improvement Projects as defined above.

**10-6.04 Public art requirement for eligible private development projects**

A. The developer of any eligible private development project subject to the requirements of this chapter shall install public art on the project site in a public place as approved by the reviewing body with the authority to approve the development project pursuant to the process identified in this chapter. The cost of the public art shall be equal at least to one percent (1%) of the building valuation. The creator of public art shall be an artist. Public art shall be displayed in a manner that will enhance its enjoyment by the general public. As an alternative to on-site installation of public art, the developer may:

1. Request that the reviewing body with the authority to approve the private development project consider placement of a developer-funded art piece in a public place nearby which is identified in the public art master plan; or

2. Pay a public art monetary contribution into the City Public Art Fund equal to one percent (1%) of the building valuation above two hundred fifty thousand dollars (\$250,000). The public art contribution shall be paid by the developer at the time of building permit issuance. Projects that would generate a 1% fee on the amounts over \$750,000.00 and provide a significant benefit to the public may request that their 1% fee be capped at \$750,000.00 if the developer submits evidence and documentation with the application to the satisfaction of the City Manager that payment of a 1% fee in excess of \$750,000.00 would be prohibitively expensive for project delivery; or

3. Subject to the approval of the reviewing body with the authority to approve the private development project, install public art on the development project site that has a value lower than the public art contribution amount and make an in-lieu monetary contribution for the balance of the public art contribution.



E. If, for any reason, the current owner or successor in interest shall choose to replace any public art installed pursuant to this chapter, the following requirements shall be met before the art is replaced:

1. The replacement public art must be reviewed and approved by the reviewing body with the authority to approve private the development project.
2. The cost of the replacement art shall be equal to, or greater than, the initial cost of the existing public art to be removed.
3. The location of the replacement public art shall meet the requirement for public visibility in effect at the time of the replacement.
4. The replacement public art shall conform, in every respect, to all standards in effect at the time of the replacement.
5. The replacement public art, location and installation shall violate no other ordinance.
6. The replacement public art shall be installed within 180 days of the removal of the existing public art piece, unless the period is extended by the Director.

#### **10-6.05 Process for approval of the installation of a public art piece**

The developer shall submit a narrative proposal and artistic rendering of the proposed public art in satisfaction of the requirements imposed by Section 10-6.04, in conjunction with the submittal of an eligible private development project to the Planning Department. The developer may also indicate an intention to pay an in-lieu public art monetary contribution into the City Public Art Fund The proposal for the public art shall be considered as an element of the design review permit review by the reviewing body with authority for the approval of the private development project.

#### **10-6.06 Public art requirement for eligible capital improvement projects**

As part of the City's annual budget process, the City Manager or a designee of the City Manager shall create a report identifying all capital improvement projects that could incorporate public art and which satisfy the following criteria:

1. Designation as an eligible capital improvement project would not result in detriment to the project.
2. The capital improvement project is a permanent public improvement project with a building valuation in excess of two hundred fifty thousand dollars (\$250,000).
3. The resulting public art would be publicly accessible on the capital improvement project site.
4. Eligible capital improvement projects would include the construction of public facilities such as a library, civic center, public safety facility, green/park space, recreational facility or transportation project. Ineligible capital projects include, but are not limited to, underground



posted on or about the street line at intervals of not less than 200 feet, starting at either end of the subject properties where the property line intersects the street line.

#### **10-6.09 City Public Art Master Plan**

The City Council shall adopt a public art master plan to govern the acquisition, placement and installation of public art owned by the City using the City Public Art Fund. Prior to the adoption of the Public Art Master Plan, any use of the public art fund shall be subject to a determination by the City Council that the proposed use of revenue is for the acquisition, placement or installation of public art consistent with the purpose of this chapter.

#### **10-6.10 City Public Art Fund**

All fees collected under this chapter shall be held in a special fund known as the "City Public Art Fund," maintained, managed and reviewed by the City Treasurer. These funds shall be used solely for purpose of furthering the goals of the City's Public Art Program. The City shall use any unexpended public art monetary contributions for the advancement of the Public Art Master Plan and the ongoing maintenance and repair of all current and future public art in the City.

The City shall maintain a five percent (5%) set aside of the Public Art Fund for the maintenance, repair and potential removal or relocation of all current and future public art in the City. The five percent (5%) maintenance allocation shall be funded by all fees collected for the City Public Art Fund (10-6.04 and 10-6.06).

The City shall routinely solicit alternative public art funding sources, including but not limited to, public art grants, donations and sponsorships.

#### **10-6.11 Fee adjustment**

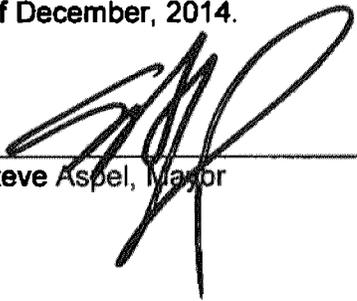
A developer subject to the requirements set forth in this chapter may apply to the City Council for a reduction or adjustment to the fees or waiver of the fees based upon the absence of any reasonable relationship or nexus between the impact of the new development and either the amount of the fees charged or the type of facility to be financed or the portion of the facility attributable to the new development. If appealing fees owed upon issuance of a building permit, the developer shall pay all required fees under protest and concurrently file a written application for a waiver or reduction as an appeal to City Council. Appeals filed under this section shall comply with the requirements set forth in Section 10-1.906 and shall be conducted in accordance with the procedures set forth in that chapter, except that all appeals shall be considered by the City Council. The decision of the Council shall be final.

#### **10-6.12 Authority for additional mitigation**

Fees collected pursuant to this chapter do not replace existing development fees, except as the Council may specifically provide, or other charges or limit requirements or conditions to provide additional mitigation of impacts imposed upon development projects as part of normal development review process.



PASSED, APPROVED AND ADOPTED this 2<sup>nd</sup> day of December, 2014.

  
\_\_\_\_\_  
Steve Aspel, Mayor

ATTEST:

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )     SS  
CITY OF REDONDO BEACH       )

I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that the foregoing Ordinance No. 3127-14 duly introduced at a regular meeting of the City Council held on the 18<sup>th</sup> day of November, 2014, and was duly approved and adopted by the City Council at a regular meeting of said City Council held on the 2<sup>nd</sup> day of December, 2014, by the following vote:

AYES:            GINSBURG, BRAND, AUST, SAMMARCO, KILROY

NOES:            NONE

ABSENT:         NONE

ABSTAIN:        NONE

  
\_\_\_\_\_  
Eleanor Manzano, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael W. Webb, City Attorney

# PUBLIC ART MASTER PLAN



## HISTORY & IMPLEMENTATION

- Dec. 2, 2014  
Approval of Public Art Ordinance
- Established Development Fee for Commercial, Private and City Projects at Specific Valuations
- Developers may opt to pay Public Art Development Fee or incorporate Public Art into Development Project
- Public Art Program Standards Needed

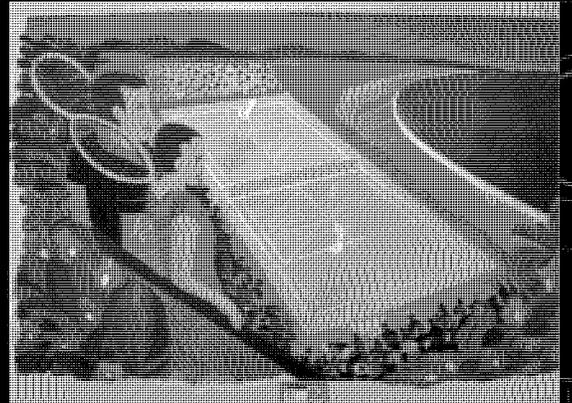
# PUBLIC ART MASTER PLAN

- Provides Operational Guidelines for a Public Art Program
- Program Purpose and Goals
- Project and Site Selection
- Artist Selection and Collaboration
- Conservation and Maintenance of Collection
- Current Inventory; Future Art Locations



## PUBLIC ART PROJECTS

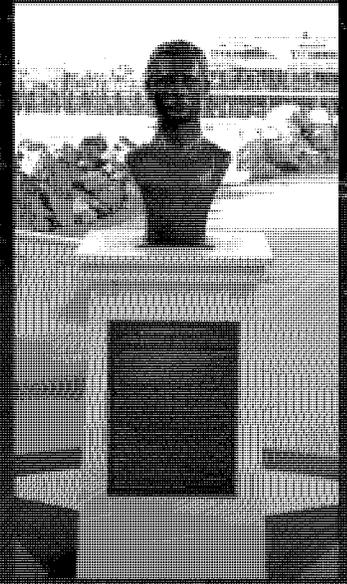
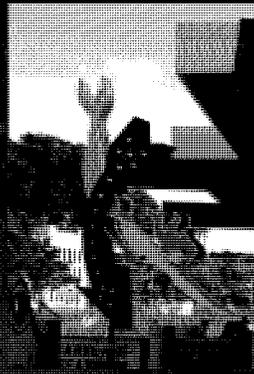
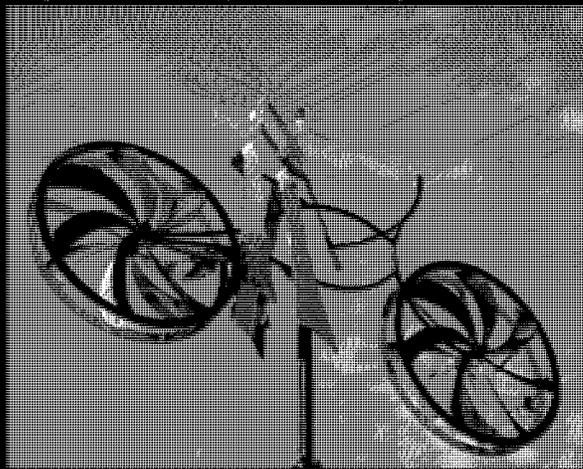
- Site Selection
- Artist Selection
- Concept, Budget, Schedule, Project Integration, Fabrication, Installation, Dedication, Maintenance, Repair, Relocation, Removal
- Approval of Projects and Fund Allocations by City Council based on recommendations.



## PUBLIC ART STAKEHOLDERS

- Many official City bodies and Civic Groups contributed to the advocacy for and development of the John Parsons Public Art Fund and the Public Art Master Plan.
- Special Thanks to the City Council, Planning Commission, Public Art Commission, Public Art Task Force, Redondo Beach Art Group, and Friends of Redondo Beach Arts

# PUBLIC ART COLLECTION



## RECOMMENDATION:

- Approve the proposed Public Art Master Plan to provide operational standards for the City's Public Art Program and the allocation of assets from the John Parsons Public Art Fund for public art projects.