

**CITY OF OAKLAND, LIFE ENRICHMENT AGENCY  
OFFICE OF PARKS, RECREATION, AND CULTURAL SERVICES**

**PUBLIC ART POLICIES AND PROCEDURES**

On February 28, 1989, the City of Oakland adopted a Percent for Art Ordinance, and the Oakland Redevelopment Agency (ORA) passed a Percent for Art resolution, which authorize the allocation of 1.5% of the City's capital improvement project costs for the commissioning of public artwork. It is the intent of the ordinance and resolution to provide a means for the City to expand public awareness of the visual arts and the process of creating art, and to include works of art, artplaces, and design elements as integral components within the planning, design, and development of the City of Oakland.

The establishment of the Percent for Art Program by the Oakland City Council/ORA expresses the City's intent to provide its citizens and visitors with a greater experience of the visual arts, and to provide financial and professional support for artists through the acquisition of their artwork. In keeping with these goals, the Public Art Advisory Committee has developed the following policies for the Public Art Program.

**NOTE: The Percent for Art Ordinance, Polices, and Procedures do not apply to the purchase, exhibition, care, or maintenance of artworks acquired for the City of Oakland through the Oakland Museum, nor do they affect the administration and management of the Oakland Museum.**

**1.0 PROGRAM OBJECTIVES**

The primary objectives of the Public Art Program are to:

- a. develop for the City of Oakland a collection of the highest quality artwork which reflects its culturally diverse community and its ever-changing needs;
- b. enliven, enrich and enhance the quality of Oakland's visual environment and public spaces;
- c. integrate the work and creative thinking of artists into the planning, design and development of the City of Oakland by promoting and facilitating collaborations between artists, architects, landscape architects, engineers and other designers in all public construction or urban design projects and by encouraging such collaborations in the private sector;
- d. provide opportunities for artists which advance their artforms and which broaden the role of the artist in the community;
- e. provide employment opportunities for artists through the commissioning of artwork;

- f. provide opportunities for citizens and visitors to participate in, experience and understand the processes involved in the creation of public art.

## **2.0 PROGRAM EMPHASIS**

In fulfilling the City's goals of developing a diverse collection of highest quality artwork and in creating art places which enliven and enrich the City's environment, the Public Art Program shall emphasize the following:

- a. fulfilling those artistic and cultural needs which are not met through existing City resources;
- b. encouraging the commissioning of artwork, design elements and artplaces which respond to the City's unique physical attributes and geographic location in the Bay Area;
- c. commissioning site-specific work as a priority over the purchase and installation of existing artwork;
- d. initiating collaborative teams at the earliest possible stages of project initiation to assure artists equal participation in the design process.

## **3.0 PROGRAM DIVERSITY**

The Public Art Program recognizes the cultural, ethnic and social diversity of Oakland's population and shall incorporate diversity in every aspect of the program. Means by which the Program may realize the goal of cultural and aesthetic diversity shall include the following:

- a. achieving an equitable distribution of commissions, acquisitions and temporary exhibitions from artists who represent the City's multi-cultural population;
- b. siting artworks, artplaces, design elements and temporary exhibitions throughout the neighborhoods of Oakland;
- c. emphasizing the acquisition of artwork, artplaces and design elements which include a wide variety of styles, materials, and scale;
- d. encouraging community participation in the public art process by providing positive opportunities for residents to recommend sites and concepts for artwork and to participate in the creation of artwork when appropriate;
- e. creating a Mentor/Artist program to provide community artists with

direct experience in the public art process;

- f. encouraging the exploration and understanding of new and experimental artforms as well as established and traditional artforms.

### **3.1 GEOGRAPHIC ELIGIBILITY**

In fulfilling the goals of the Public Art Program, the Public Art Advisory Committee recognizes the importance of providing professional support to contemporary artists through the commissioning of their artwork and of providing local artists with new opportunities to participate in the cultural life of the City. The program will provide career support primarily for Oakland-based artists, but will not exclude opportunities for non-Oakland artists to share their unique gifts with Oakland.

In selecting artists or artworks for the Public Art Program, the following policies shall be adhered to:

- a. A majority of public art commissions or acquisitions shall be awarded to Oakland-based artists. (Oakland-based artists shall mean those artists who reside in Oakland, have a studio in Oakland, or whose primary professional employment is in Oakland).
- b. A majority of funds allocated for public art shall go to Oakland-based artists.

## **4. RESPONSIBILITIES**

- a. Oakland City Council/ORA

The Oakland City Council/ORA shall:

1. Appropriate 1.5% of eligible capital improvement project costs to the Public Art Project Account annually.
2. Review and approve the Public Art Program Policies.
3. Review and approve the Public Art projects plan annually.
4. Approve appointments to the Public Art Advisory Committee.
5. Approve contracts over \$15,000.
6. Approve acceptance of gifts, long-term loans of artwork, and loans of City-owned artwork to other organizations or

institutions (with the exception of artwork under the jurisdiction of the Oakland Museum).

b. Oakland Arts Council

The Oakland Arts Council shall:

1. Recommend policies for the implementation of the Public Art Program to the City Council/ORAs.
2. Recommend public art projects annually to the City Council/ORAs upon review of the Public Art Advisory Committee's recommendation.
3. Recommend to the City Council/ORAs persons to serve on the Public Art Advisory Committee.

c. Public Art Advisory Committee

The Public Art Advisory Committee shall:

1. Recommend public art policies to the Arts Council and City Council/ORAs.
2. Recommend public art projects and budgets annually to the Arts Council and City Council/ORAs.
3. Review and recommend to the City Council/ORAs the acceptance or rejection of all proposed gifts and long-term loans of artwork to the City and recommend the loan of City-owned artwork to other organizations or institutions (with the exception of art under the jurisdiction of the Oakland Museum).

d. The Cultural Arts Division

The Cultural Arts Division shall:

1. Administer all aspects of the Public Art Program.
2. Develop and implement plans, including budgets, for all public art projects annually.
3. Develop and maintain a list of potential jurors and panelists and develop a maintenance survey/work plan.
4. Serve as liaison between the Oakland Arts Council, Public Art

Advisory Committee, City Manager's Office, other City Departments and City Council.

5. Solicit funds from foundations, corporations, public agencies such as the National Endowment for the Arts (NEA) and the California Arts Council (CAC), for public art projects in Oakland.
  6. Revise Program policies as necessary.
- e. City Departments All City Departments collaborating on public art projects with the Cultural Arts Division (CAD) shall:
1. Provide information to CAD staff which identifies existing or planned sites under the Department's jurisdiction which might be appropriate for public art projects.
  2. Assist CAD in the development and implementation of public art projects at departmental sites.
  3. Inform the CAD of the relationship of any advisory groups, neighborhood groups, or other groups which may be impacted by or be interested in the development of a public art project.
  4. Inform the CAD of any proposed or planned project involving construction, renovation, or further development of a site or facility at the earliest possible point, in order to allow for adequate review of the project's potential for incorporation of artwork, and for planning of an appropriate artwork project or design team effort.
  5. Advise the CAD of any municipal, division, or departmental ordinances, resolutions or regulations which may affect or be affected by proposed public art projects.
  6. Inform the CAD of planning projects for neighborhood improvement, area redevelopment projects, private or public planning studies and/or long-range policy recommendations which have the potential to incorporate public art projects.

## **5.0 Allocation of Funds**

### **a. Appropriations**

All City departments will be responsible for including a one and one-half percent (1.5%) allocation for public art in all eligible capital

improvement project costs including, but not limited to, projects funded by bond measures, Measure B, off-street parking and gas tax funded projects, and all other capital projects funded from other eligible sources.

All City departments will be responsible for including a one and one-half percent (1.5%) allocation for public art in all capital grant requests to other public or private agencies or foundations, unless specifically excluded from pertinent grant program guidelines. This requirement shall include joint public/private projects which use revenue bond funding.

The Oakland Redevelopment Agency shall be responsible for including a one and one-half percent (1.5%) allocation for public art in all ORA funds invested annually for public capital improvement and private development projects. Funds will be used exclusively for the commissioning and installation of public art in redevelopment area spaces, either private or public, which are accessible to the public a minimum of ten hours a day.

Funds allocated from City departments and/or from the Redevelopment Agency shall be placed in a Public Art Project Account to be used for the implementation of the Public Art Program.

b. Method of Calculation

The minimum amount appropriated to the Public Art Project Account to fund artists' services and/or artworks, maintenance, administration, and education shall be the total capital project appropriation, including all construction costs, as well as architectural and engineering fees and site work expenses multiplied by 0.015, excluding amounts budgeted for real property acquisition or public easements, demolition, furniture, fixtures, equipment of standard manufacture, financing costs and site-survey related costs.

c. Pooling

Funds appropriated as part of any one project, but deemed not necessary or appropriate in total, or in part, for public art at said project site by the Cultural Arts Division, in consultation with the Public Art Advisory Committee and the capital improvement project manager, may be expended on other approved public art projects when such funds are eligible to be so used.

## 5.1 Use of Funds

a. Public Art funds generated from the Public Art Ordinance/Resolution

may be expended on, but are not limited to use for, the following:

1. The development of artists' design concepts.
  2. The purchase or commissioning of artwork.
  3. Costs associated with the placement, installation, exhibition and display of artwork.
  4. Costs related to the selection of artists or artwork.
  5. Community education and outreach expenses.
  6. Insurance.
  7. Documentation, publicity and identification plaques.
  8. Preservation and maintenance of artwork in the City's Public Art collection.
- b. Administration fees may include, but are not limited to, the following:
1. Cultural Arts Division's administrative costs including staff time, direct costs and administrative overhead to implement the Public Art Program.
  2. Documentation (slides, transparencies and/or photographs) of the artwork's fabrication and installation.
  3. Educational programs, including lectures, workshops and symposia.
- c. In concurrence with the National Endowment for the Arts, the Cultural Arts Division recommends that not more than 10% of the artist's fees (project profits) be paid as a dealer/gallery commission.
- d. All artwork acquired by purchase or commission through the Public Art Program shall be acquired from artists or their designated representatives. Artwork may not be acquired through third party owners, such as private collectors or auction houses.
- e. Public Art funds generated from the Percent for Art Ordinance/Resolution may not be expended on the following:
- directional elements such as super-graphics, signage, "art

objects" which are mass produced and of standard design, reproductions by mechanical means or other means, landscape architecture and landscape gardening (except as may relate to an artist's design concept for a public art project).

## **6.0 COMMUNITY PARTICIPATION**

In order to ensure community participation in the Public Art Program, the Public Art Advisory Committee will:

- a. establish Community Advisory Groups for public art projects to advise the CAD staff and the project artist of the history, demographics, interests, and special needs of the community, as may be relevant to a public art project.
- b. ensure that the ratio of jurors on selected public art projects includes an equal number of arts professionals and community members.
- c. provide opportunities for community groups to: 1) meet with artists selected for public art projects, 2) schedule tours to the public art sites and 3) arrange public displays of artists' models for public art projects.
- d. create a "Special Projects" category to enable community members to propose sites, concepts, and projects for potential inclusion in the Public Art Projects Plan. The "Special Projects" category shall include the following policies:
  1. "Special Projects" shall mean those projects submitted as proposals by community members, artists, and neighborhood groups.
  2. 15% of each annual art acquisition budget shall be allocated to the Special Projects category.
  3. A Selection Panel shall review proposals and shall make recommendations to the Public Art Advisory Committee regarding funding of Special Projects out of the 15% allocation.
  4. Projects which have secured outside matching funds shall receive priority for funding and the evidence of such funds shall be one criteria to be used by the Selection Panel in the evaluation of proposals.



5. Projects shall be open on a national basis but all projects must have demonstrated support from the local community or neighborhood in which the artwork or project will occur. Projects proposed for private property must fulfill a demonstrated need within that community.
6. Projects proposed for placement on public property shall be deemed a higher priority than those for private property.
7. The Public Art Advisory Committee shall require a written agreement from private property owners that they will support the project for the duration of its proposed time and will not destroy, remove, deface, or otherwise alter the work in any way.

## **7.0 EDUCATION AND OUTREACH**

In order to stimulate a greater awareness of the Public Art Program and the cultural resources it offers to residents and visitors, the Cultural Arts Division will initiate events and activities designed to provide a greater understanding of the visual arts and of art in public places. Activities and events funded from the Public Art Fund may include, but are not limited to, the following:

- a. conferences, symposia, workshops, artists' lectures, public art tours;
- b. development of cooperative programs with educational and arts institutions and community organizations;
- c. regular distribution of promotional and publicity packets, to include press releases, public service announcements and a public art newsletter.

## **8.0 GIFTS AND LOANS**

The Gifts and Loans Policy provides a process for the review of proposed gifts and loans, and for the placement, care, and preservation of artwork acquired through this process.

### **A. POLICY**

1. Proposed gifts or loans of artwork to the City shall be referred to the Public Art Advisory Committee for review. All recommendations on the acceptance or rejection of proposed gifts or loans of artwork shall be referred to the City Council/ORC for approval.

2. Proposed monetary gifts to the City for the purpose of acquiring artwork shall be referred to the Public Art Advisory Committee for review. All recommendations on the acceptance or rejection of proposed gifts of money shall be referred to the City Council/ORC for approval.
3. The Cultural Arts Division, through the Public Art Program, shall maintain an inventory of spaces which are potential sites for gifts of artwork.
4. The Cultural Arts Division shall consult with the appropriate City official(s) for a particular site regarding the selection, fabrication, and/or placement of an artwork project relative to gifted or loaned artwork.
5. The Cultural Arts Division shall assure that any proposed gift or loan of artwork requiring extraordinary operation or maintenance expenses be approved by the Department Head responsible for such operation or maintenance.

B. CRITERIA FOR ACCEPTANCE

1. Proposed gifts or loans of artwork shall be evaluated by the same criteria as those established in the Public Art Procedures for artwork acquired through the Percent for Art Ordinance. Criteria for evaluation shall include:
  - a. an analysis of the relationship of the proposed artwork to the present collection and to the goals of the Public Art Program;
  - b. adherence to the Selection Criteria as defined in the Public Art Procedures (ref: Public Art Procedures, Section 4.0).
  - c. availability and appropriateness of a site for the artwork.
  - d. an analysis of the financial impact of the proposed gift or loan on the Public Art Program, including costs related to the framing, installation, or insuring of the artwork, and to any long-term maintenance or conservation costs;
  - e. an analysis of the impact of the proposed gift or loan on other City departments, to include any routine operations or maintenance requirements.

C. CONDITIONS OF ACCEPTANCE

1. The Public Art Advisory Committee and the Cultural Arts Division encourage clear and unrestricted gifts to the City of Oakland. Any conditions or restrictions attached to a gift or loan must be presented to the Public Art Advisory Committee for review and to the Oakland City Council/ORC for approval. No work of art will be accepted with conditions deemed unacceptable by the Public Art Advisory Committee or the City Council/ORC, nor will any work of art be accepted with an attribution or circumstance guaranteed in perpetuity.
2. A legal document of transmittal, transferring title or loan of the artwork, and defining the rights and responsibilities of all parties, must accompany all gifts or loans of artwork.

## PROCEDURES

- 1.0 The Public Art Advisory Committee shall meet monthly, and shall advise the City on the development of the Public Art Projects Plan. The Public Art Projects Plan shall be the means by which public art projects are initiated and developed.
- 1.1 The Cultural Arts Division shall develop a city- wide site inventory, consulting with other City departments to identify potential sites, both planned and existing, for potential artwork projects, both permanent and temporary. As necessary, the site inventory will be updated by staff, through periodic review of the Annual Capital Improvement Projects List and the Redevelopment Agency Projects list. All projects which are proposed for placement in Design Review Districts will be submitted for review and approval by the Department of City Planning.
  - 1.1.1 Site inventories shall include the following information: geographic location, extent of public access, identification of user groups, neighborhood demographics, environmental/social/cultural conditions, evaluation of planned or existing cultural/artistic facilities/amenities within the area, appropriateness of artwork/artplaces to the area/site/facility, approximate schedule for construction.
- 1.2 Citizen participation will be encouraged in the development of the Public Art Projects Plan, and public meetings will be held to receive citizens' comments and suggestions. The Public Art Advisory Committee will appoint Citizens Advisory Groups to serve as resources in planning for public art projects.
- 1.3 The Public Art Advisory Committee will recommend to the City Council/ORC the site, concept, allocation of funds, and project criteria for each public art project.
- 1.4 In developing specific art projects, the CAD shall work with the appropriate City official(s) and the project designer and/or project manager for the site to determine the following parameters:
  - a. recommended medium and/or concept (artworks, temporary or permanent, artplaces, design elements, etc.) and/or inclusion of artist(s) in project design;
  - b. recommended location(s) (artwork may be placed either as an integral part of the construction project or may be placed in, on or about other public facilities. Site determination may be restricted by the funds);
  - c. recommended budget(s) (recommendations for specific project budgets

shall be made after an evaluation of the site, potential nature and concept of the art project, and evaluation of the relationship of the specific project to the overall Public Art Project Plan).

In the case of sites under development, the appropriate City departments will keep the Cultural Arts Division informed of progress in the selection of the architect/designer, and shall include the artwork project in the design program for the project. Upon selection of an architect/designer, the artist selection process will be implemented with input from the project architect and appropriate City officials. The artist and the project architect/designer will then coordinate the location and nature of the artwork within the scope of the construction project.

In the case of existing sites, where development is completed, CAD staff shall consult with the appropriate City official(s) to determine potential locations for artwork, and the location shall be determined by agreement between the Department and the CAD.

## **2.0 Public Art Projects Plan: Approval Process**

Upon review of the site inventory, the projected annual budget, and public art project options presented by CAD staff, the Public Art Advisory Committee shall adopt the Annual Public Art Projects Plan and shall forward a recommendation for approval to the Oakland Arts Council.

- 2.1 Following adoption by the Oakland Arts Council, the Annual Public Art Projects Plan will be transmitted to the Oakland City Council for approval.
- 2.2 The CAD staff and the Public Art Advisory Committee shall periodically review the Annual Public Art Projects Plan for possible revision or amendment. The Oakland Arts Council and the Oakland City Council will amend the Public Art Projects Plan when revisions or amendments are required.
- 2.3 Implementation of the Annual Public Art Projects Plan and all administrative responsibilities related to the Public Art Program shall be administered by the Cultural Arts Division. Individual projects will be coordinated between the appropriate City officials within each City department, the Cultural Arts Coordinator, and the Public Art Coordinator.
- 2.4 Requests for proposals for public art projects will be disseminated as broadly as possible through local media, arts media and mailings. Projects will be announced at least one month before the Selection Panel is scheduled to meet. Public meetings and/or site visits will be held to provide information to artists.
- 2.5 Individual project appropriations shall cover costs related to the selection,

purchase, or design and fabrication of the artwork, transportation, installation, insurance, identification plaques, and any other reasonable expenses associated with the initiation, development and completion of the project. All project appropriations shall be approved by the Public Art Advisory Committee.

### **3.0 Review and Selection Process**

- 3.1 A Selection Panel (Jury), appointed by the Public Art Advisory Committee, shall recommend the artist or artwork for public art projects.
- 3.2 The following guidelines shall be used in the Public Art Advisory Committee's recommendation of a Selection Panel for each project and in determining the responsibilities and jurisdiction of the Selection Panel.

The number of panelists and the composition of the panel appointed for projects will depend upon the size, location, and complexity of each project. The Panels shall:

- 1. be comprised of a minimum of three persons from the following categories:
  - a. Voting Members
    - i. At least one artist or arts professional (designer, curator, educator, etc.).
    - ii. At least one representative of the neighborhood in which the artwork will occur.
  - b. Non-Voting Advisors
    - i. The design architect, if selected at this point.
    - ii. The project manager or designee from the City agency collaborating on the project.
    - iii. Other design team members, if selected at this point.
    - iv. A member of the Public Art Advisory Committee.

- 3.3 The Selection Process will be facilitated under the following processes:

- a. The Selection Panel shall meet in open session.
- b. Staff shall issue written instructions to panelists detailing the duties and responsibilities related to the project before the first panel meeting.
- c. The Panel shall review credentials, proposals, and/or materials submitted by artists.

- d. The Panel shall recommend to the Public Art Committee an artist or artists to be commissioned for the project; an artist or artists to develop design proposals for the project; or recommend an artist or artists whose existing work is to be selected for the project. In the case where an artist or artists have been asked to prepare a specific design proposal, the Panel shall re-convene to review the proposals and shall select the artwork following the same procedures as outlined in steps A, B, and C above.
- e. If a consensus cannot be reached, then a vote shall be taken, with the majority carrying the decision. Panelists shall each have one vote, and no Panelist shall have the right of veto.
- f. The Panel shall have the option of making no selection. In the event that no selection is made, the PAAC shall determine whether to: 1) initiate a new selection process 2) revise the project or 3) abandon the project.
- g. The Panel's decision shall be recorded by the Public Art Coordinator in the form of a written record to the Public Art Committee. If approved, the Panel's decision will be given formal approval by resolution of the Committee. If rejected, the decision to reject the Panel's decision will be voted on by the Public Art Advisory Committee and an alternative process for project development will be determined.

#### 3.4 Community Advisors

For each public art project, a Community Advisory Group will be established to provide the Cultural Arts Division and the artist with information regarding the community's history, demographics, interests and special needs, as pertains to public Art. Community Advisory Group members will be identified through existing community organizations and by referrals from other agencies, public or private, who are familiar with the neighborhood in which the art project will occur. The Community Advisory Group will represent residents who will be most affected by the art project and who can provide the artist with useful information in the development of his or her project.

#### 3.5 File of potential Selection Panel (Jury) Members.

CAD staff will establish and maintain a file of potential panelists, to include arts professionals and community members. The file will contain information on the credentials, experience, and interest in the program which qualify individuals to serve in this capacity.

#### 3.6 Recommendation of Panelists

The Public Art Coordinator shall recommend a short list of panelists for each project and shall submit these recommendations to the Public Art Advisory Committee for approval. Selection shall be made based on an analysis of the following: professional expertise, experience in working with public art projects and knowledge of current trends and issues in public art, knowledge of local, regional and national artists, experience and interest in working with Oakland's multi-cultural community, ability to assess the creativity, design skills, and problem-solving abilities of artists under review, knowledge of materials and methods of fabrication used in public art projects and an ability to assess their appropriateness to a particular site, ability to represent a particular neighborhood or area of Oakland in which the artwork will be sited, ability to work cooperatively and effectively in a panel process.

#### 4.0 Selection Criteria

The Panelists shall select artists based on the appropriateness of their proposal to the particular project and the probability of its successful completion, as indicated by the artist's past work or by his/her ability to procure appropriate resources to ensure successful completion of the project. In evaluating proposals for public art projects, panelists shall consider:

- a. the appropriateness of the artwork to the surrounding neighborhood, to include its scale, form, content and design;
- b. an evaluation of the artwork's relationship to the social and cultural identity of the neighborhood where the artwork will occur;
- c. an evaluation of the artist's proposed budget and the artist's ability to successfully complete the project within the proposed budget;
- d. an evaluation of the artist's proposed materials and their appropriateness to the project as regards structural and surface integrity, protection against theft, vandalism, public safety and weathering, and an analysis of long-term maintenance needs;
- e. an analysis of the artist's proposed method of installation of the artwork and an evaluation of safety and structural factors involved in the installation.

#### 4.1 Conflict of Interest

Any persons who would receive financial gain from the selection of artists or artworks are ineligible to serve on a Selection Panel. Any artist selected to serve on the Selection Panel is precluded from having his/her work considered for any Public Art project during his/her time of service.

#### 4.2 In order to bring a diverse aesthetic, cultural and ethnic perspective to the Public



Art Program, no panelist shall serve more than once in any two year period.

#### 5.0 Method of Selecting Artist(s)

- a. Direct selection: artist(s) or completed artwork(s) chosen directly by the Selection Panel.
- b. Limited competition or invitational: artists are invited by the Selection Panel to submit proposals, completed artwork, or otherwise participate in a public art project.
- c. Open competition: any professional artist is eligible to participate, subject to limitations established by the Public Art Advisory Committee.

5.1 Specifically excluded from consideration are artworks done by students to satisfy course requirements; the project architect (or other members of their firm(s)); city employees and their families; and artists who are members of, or related to members of, the Arts Council or Public Art Advisory Committee.

#### 6.0 Project Development

The Cultural Arts Division will negotiate the contract with the artist, and with other consultants as necessary, for the purchase or design, fabrication, and installation of the artwork. Contracts will be executed by the City Manager, or his designee.

6.1 The contract with the artist will be administered by Cultural Arts Division.

6.2 On-site activity related to the installation of the artwork will be coordinated between CAD staff and the appropriate City official (s) within the Department having jurisdiction over the site and/or construction.

- a. In the case of sites under development, the appropriate City official(s) within the Department will coordinate the concurrent site development and the artwork installation in the most efficient manner possible.
- b. In the case of existing sites, CAD staff and the appropriate City official(s) shall oversee and facilitate the installation of the artwork. In such cases, the cost of necessary site alteration or restoration shall be borne by the Public Art Program unless otherwise agreed upon by the appropriate City official(s).

6.3 Unless otherwise agreed, routine maintenance of the artwork shall be the responsibility of the Department where the artwork is sited. Routine maintenance shall include such tasks as dusting, sweeping, and other such

activities. Extraordinary maintenance and/or conservation of the artwork shall be the responsibility of the Cultural Arts Division. No City Agency or Department shall be responsible for the conservation of artwork, and no conservation or repair work shall be performed by the user department without the prior written consent of the Cultural Arts Division.

Any proposed work of art, which is deemed by the CAD and the Department head to require extraordinary operations or maintenance on the part of the host Department, shall be subject to review by the Department head. CAD staff, in consultation with other City agencies, shall develop an annual maintenance needs survey of the public art collection and shall determine appropriate budgets and procedures for the care and maintenance of the collection.

- 6.4 In general, Departmental staff and consultant(s) hired by the Department in connection with projects where an artwork is included shall not receive additional compensation for time spent in connection with the implementation of artwork projects. However, where a specific technical or professional task is performed by such staff or consultant(s), solely in connection with the artwork, and where the task is necessary to the execution or installation of the artwork, and where it is not feasible to include it as the responsibility of the artist under the terms of the Public Art Program, such Departmental staff and/or consultants may receive compensation for work performed provided that reimbursement is requested prior to establishment of the project budget and is approved by the appropriate City departments.

7.0 Project files and records. CAD staff shall maintain records of each project, which shall include, but not be limited to, the following:

- a. Contract(s) with the artist(s) and consultants participating in the project.
- b. Records of City Council, Arts Council, Cultural Arts Division and Public Art Advisory Committee actions bearing on the project.
- c. Interdepartmental agreements relating to the siting or implementation of the project.
- d. Correspondence, announcements, memoranda, and publicity information relating to the project.
- e. Records of all billings made in connection with the project.
- f. All proposals submitted and other visual or written materials relating to the artist's design or method of execution as they are submitted or become available.
- g. Photo documentation in the form of black and white photographs, color slides, and transparencies of the completed project.

## **ADDENDUM TO PUBLIC ART POLICIES AND PROCEDURES**

### DEFINITIONS

1. **ACCESSION:** The steps taken officially to log in or designate an artwork or artplace as part of an art collection.
2. **ACQUISITION:** The inclusion of an artwork or artplace in the permanent collection of the City, whether by commission, purchase, gift, or other means.
3. **ANNUAL PUBLIC ART PROJECTS PLAN:** A prioritized list of visual arts projects, with budgets and recommended design approach.
4. **ART CONCEPT:** An idea or concept developed by an artist, artists, or a collaboration of design professionals.
5. **ART IN PUBLIC PLACES:** Visual or performance art created or presented at a public site.
6. **ARTPLACE:** A space designed by an artist, working alone or in collaboration with other design professionals, to create a place of unified aesthetic.
7. **ARTS MAINTENANCE FUND:** An account within the Public Art Fund from which an annual appropriation is made to implement the public art maintenance and conservation program.
8. **ARTWORK:** A tangible creation by an artist.
9. **CAPITAL BOND PROGRAM:** The planned, projected construction needs of a municipality put before the voters to approve bond sales by which to finance capital projects.
10. **CAPITAL IMPROVEMENT BUDGETS:** The budget of a municipality which is allocated for the construction or remodel of buildings, structures, parks, streets, sewers and utilities.
11. **DEACCESSIONING:** The indefinite removal of an artwork or artplace from permanent display, whether it is disposed of or not.
12. **DESIGN COLLABORATION:** Projects created through the collaboration of artists with other design professionals.
13. **DESIGN PROFESSIONALS:** Individuals professionally trained in design, such as architecture, landscape architecture, fine arts, and planning; also graphic, industrial and urban design.

14. DISPOSAL: Any action or set of procedures that result in the cessation of ownership and possession of an artwork or artplace by the City.
15. OAKLAND ARTS COUNCIL: An Advisory Body established by the Office of the Mayor in 1980. The purpose of the Arts Council is "to foster support for the arts and humanities throughout the City of Oakland."
16. PERCENT FOR PUBLIC ART: A phrase which has come to mean a method of financing public art programs by an ordinance, resolution, or policy which requires that a percentage of capital project budgets of a municipality or other designated public or private entity be appropriated for artworks and/or the services of artists as design consultants.
17. PERMANENT INSTALLATION: Artwork or artplace which has a permanent site as opposed to a temporary site.
18. PUBLIC ART: Artworks and artplaces created by an artist, artists, and/or a collaboration of design professionals for a public place for the public to experience.
19. PUBLIC ART PROJECT ACCOUNT: An account within the Capital Improvement Project Fund (550) from which an annual appropriation is made to administer the public art program and its educational components.
20. PUBLIC ART ADVISORY COMMITTEE (PAAC): A citizens' committee appointed by the City Council to develop and make recommendations for public art program policies and project plans.
21. PUBLIC PLACES: All publicly and privately owned spaces, indoors and outdoors, which are generally accessible to the public.
22. SELECTION PANEL (JURY): A Panel appointed by the Public Art Advisory Committee whose role is to select artists or artwork for specific projects.
23. TEMPORARY INSTALLATION: Artwork or an artplace which is in a given place for a limited time.
24. VISUAL ARTS PROFESSIONALS: Those persons trained in some medium of or pertaining to the visual arts, such as a visual artist, art critic, collector, arts administrator, or curator.