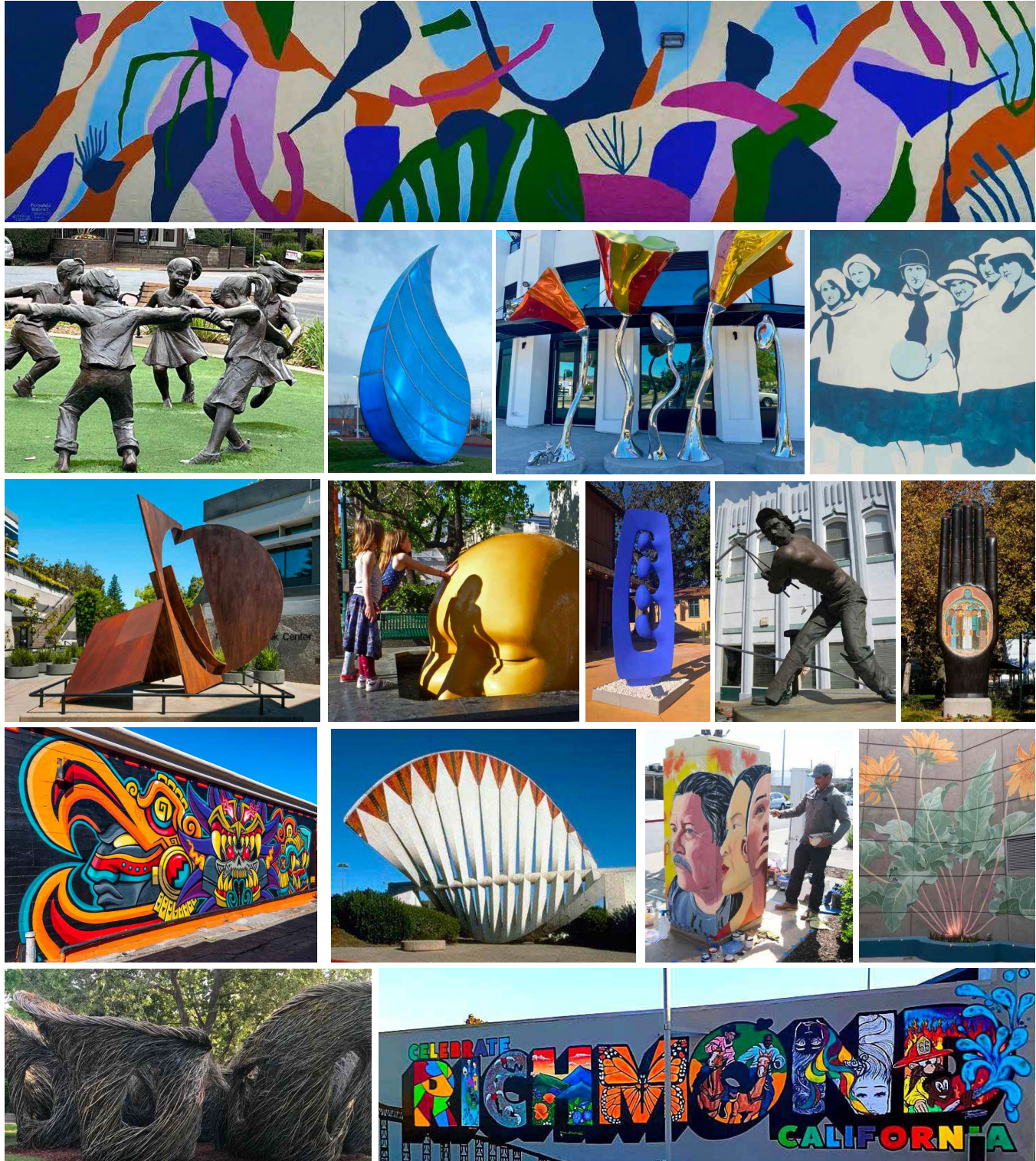




# Public Art Policy



Prepared by



This Draft Contra Costa County Public Art Policy was considered by the Contra Costa County Board of Supervisors Internal Operations Committee at its September 9, 2024 meeting and referred to the full Board of Supervisors for further consideration.

This policy was drafted by President & CEO Richard Stein and Patricia Gomez, Public Art Policy Specialist, with Arts Orange County, with input from an advisory body consisting of the following individuals:

Lara DeLaney, Sr. Deputy County Administrator  
Julie Enea, Sr. Deputy County Administrator  
Eric Angstadt, Chief Assistant County Administrator  
John Kopchik, Director of Conservation and Development  
Lynne Noone, Deputy Director of Contra Costa Library  
Carrie Ricci, Deputy Director of Public Works  
Jaskiran Samra, Deputy County Counsel  
Rhonda Smith, Assistant to the Director of CC Health  
Marla Stuart, Director of Employment and Human Services  
Jenny Balisle, Executive Director of ARTSCCC  
Ben Miyaji, Lead Advisor of ARTSCCC

Cover images of existing public art in Contra Costa County, from left to right:

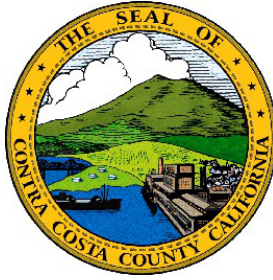
Row 1: Mural by Fernanda Martinez, Concord

Row 2: Sculpture in Clayton (title & artist unknown); Drop by Barbara Grygutis, Antioch; The Bee Effect by Brad Oldham and Christy Coltrin, BART station, Walnut Creek; Liberty Basketball by Alysa Casey, Brentwood

Row 3: Folded Alphabet by Fletcher Benton, Walnut Creek; Fountain Head by Seyed Alavi, Walnut Creek; Pot Luck by Matt Gil, Danville; The Steelworker by Frank Vitale, Pittsburg; Hand of Peace by Beniamino Bufano, Walnut Creek

Row 4: Mural by Jesse Hernandez, Concord; Torque by Jacques Overhoff, Richmond; Facing Here Now by Ricardo Cerezo, El Cerrito; Balsamorhiza by Mona Caron, Leshner Center, Walnut Creek

Row 5: Sure Enough! by Patrick Dougherty, Walnut Creek; Mural by Mike Kinney, Factory Bar, Richmond



# **Contra Costa County Public Art Policy adopted**

**DECEMBER 3, 2024**

**REVISED**

**May 19, 2026**

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## **I. PURPOSE**

Arts and Culture contribute positively to the health, wellbeing, and quality of life of a community. Public Art in all its forms can support economic vitality and create bridges to unify communities. The purpose of this policy is to establish uniform guidelines and procedures through which the County can commission, consider, approve, or reject publicly accessible art on County owned or controlled public property and accept or decline gifted artwork. The Public Art Policy will be reviewed and updated by the Board of Supervisors, as needed.

## **II. VISION**

An Arts and Culture Vision was identified in the Board’s adopted 2023 [Arts & Culture Master Plan for Contra Costa County \(Spanish language version.\)](#) as articulated below.

“Contra Costa County will be a place where:

- arts and culture are integrated deeply into daily community life of all 19 of its cities and unincorporated communities
- arts and culture reflect and celebrate the diversity of the County’s people, including those that have been historically underrepresented
- arts and culture are accessible equitably to all, regardless of socio-economic status
- arts and culture contribute positively to the health and well-being of all
- arts participation is robust
- arts education is fundamental and is well-supported financially
- artists can live fulfilling and prosperous lives
- public art can be seen everywhere
- arts and culture build bridges between generations
- arts and culture create civic cohesion.”

## **III. APPLICABILITY**

This policy applies to Public Art proposed to be located on County owned or controlled property that is viewable from the public right-of-way or other public property<sup>1</sup>. The stated applicability excludes temporary exhibitions of Portable Artwork displayed in County facilities through programmatic activity administered by County staff and/or graffiti abatement or other beautification efforts administered or supported by the County on private property. The Board of Supervisors retains in its sole discretion the right to approve or reject any proposed Public Art.

## **IV. DEFINITIONS**

To ensure a clear understanding of the Public Art policies and procedures, the following definitions are provided.

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<sup>1</sup> Unincorporated County roads and the Contra Costa County Flood Control District Property is included within the Section III Applicability as County owned or controlled property.

Art Consultant is an organization or individual working as a professional administrator of the arts relating to the arts such as, but not limited to, facilitating artistic and cultural programs and services, contracting Artists and arts media for venues with public audiences or providing oversight of on-site logistics, and who demonstrates success in project management and provides leadership in the completion of public art programs and projects.

Artist means a person or collective who has established a positive reputation of artistic conceptualization and creation in the arts, including but not limited to visual, or performing arts, as judged by peers and experts, and/or community members in the field, through a record of public exhibitions, performances, commissions, sale of works, recognition, educational attainment, and/or community engagement. The qualified artist shall work primarily in the production of unique fine art. This definition does not apply to project architects, landscape/hardscape designers, or other capital improvement design professionals.

Arts Council is an organization designated by the Board of Supervisors as the County's official State-Local Partner with the California Arts Council. In this capacity, it manages arts programs and services, and may be asked to provide expertise to the County about Public Art Projects.

Community Engagement incorporates activities and dialogue of artistic inquiry and/or audience participation that deepen an artist's connection with neighboring and greater community and site stakeholders while stimulating reflection and idea generation as it relates to the Public Art Project or artwork's objectives. An Artist's developed Community Engagement plan will be incorporated as a deliverable in the Artist's agreement for services for Public Art Projects. Community Engagement can take many forms with a variety of audience participation types that may occur at any time during the lifetime of the project.

Conservation means the protection of County historical and cultural property/assets through activities that minimize chemical and physical deterioration and damage and that prevent loss of informational content.

County Owned or Controlled Property includes all real property owned in fee or easement by the County (including County streets/rights of way) and all property leased by the County, including Unincorporated County roads and the Contra Costa County Flood Control District Property.

County Public Art Collection is composed of Public Artworks that have been commissioned or accepted by donation or acquired by other means by the County.

Deaccession is the permanent removal of artwork from the collection.

Donations refer to original artwork (not applicable to mass produced or decorative works) gifted from its last documented owner to the County with supporting documentation that attests to its provenance and estimated market value. Donations must conform with the Donation Policy contained herein and require acceptance by the Public Art Advisory Committee. Donations with a documented value of more than \$10,000 require acceptance by the Board of Supervisors.

Eligible County Capital Project means a new building or facility and any expansion or refurbishment of an existing facility or system that may generate an in-tandem Public Art Project.

Exhibition means a short-term, single day or several month presentation of Public Art, which can include visual, literary, performing arts, or other programming. Opportunities are provided for artists (established or emerging) and/or students through submission-based processes when available.

Maintenance shall mean a minimally invasive, routine and regularly scheduled activity that may involve the removal of superficial dirt or debris build-up on the surface of an artwork or the cleaning and repair of non-art support material such as a pedestal or plaque.

Mural means original one-of-a-kind Public Art that is created by an Artist or Artists, sometimes in tandem with community members. The art image may be painted or applied directly on a prepared wall or other surface, or on an intermediate substrate such as a panel or canvas and attached on an interior or exterior surface. Murals will be evaluated on a periodic basis to determine their condition and may be maintained or removed subject to findings and/or resources.

Portable Artwork is art that is not permanently attached or integrated to a wall, façade, or other building surface. Portable Artwork is transportable and can be intended to be installed on a short- or long-term basis. Portable Artwork typically includes framed paintings, drawings or prints, photography, and 3-dimensional artwork such as sculptures.

Public Art means artistic and cultural facilities, objects and amenities, whether created before or after the adoption of this policy, such as:

- Sculpture: Free standing, wall supported or suspended, kinetic, electronic or mechanical in material or through a combination of permanent or temporary materials;
- Murals or portable paintings: In any materials or variety of materials, with or without collage or the addition of nontraditional materials and means;
- New media: Including but not limited to new technologies in light, sound, film, holograms, virtual reality, digital media, and any hybrids of media and new genres;
- Other media: Neon, textiles, glass, earthworks, mosaics, tile, ceramics, printmaking, collage, mixed media, assemblage, bronze, marble/stone, metal, encaustic, found object, and installation;
- Standardized fixtures: If rendered by an Artist for unique or limited editions, standardized fixtures including but not limited to, grates, streetlights, signage and other design;
- Cultural Facilities: Public gallery, exhibition space, public performance spaces, theaters, public artistic studio spaces, and public art education facilities;
- Cultural and artistic services;
- Performing Arts: Theatre, dance, music and performance art;
- Literary Art: Poetry readings, spoken word storytelling and creative writing;
- Media Art: Film, video, animation, or digital media;
- Education: Lectures, presentations and training in and about arts and culture;
- Special events: Parades, festivals and celebrations and;
- Similar arts services, facilities and amenities as approved by the County.

The following facilities, services and community amenities are not considered Public Art as defined in this Policy:

- Directional elements such as signage, or color coding except where these elements are integral parts of the original work of art considered a Public Art pursuant to this policy;

- Standard design, mass produced art objects, such as playground equipment, fountains or statuary objects;
- Decorative, ornamental, or functional elements which are designed by a building architect;
- Landscape architecture and landscape gardening except where these elements are designed by an artist and/or are an integral part of an authorized Public Artwork work of art by an artist;
- Artworks that contain commercial messaging of any kind.

Public Art Advisory Committee is an ad hoc committee consisting of no more than five Contra Costa County staff designated by the County Administrator's Office and the Directors of the Department of Public Works and the Department of Conservation and Development, or other departments as applicable. The Public Art Advisory Committee will invite and solicit technical or artistic advice from entities with expertise in these areas as appropriate. It is the role of the Committee to review the recommendation(s) of the Public Art Selection Committee to ensure feasibility and conformance with the Public Art Project goals and the Public Art Policy. The Public Art Advisory Committee confines their review to the final Public Art Selection Committee recommendation(s) when evaluating proposed County-commissioned Public Art.

The Public Art Advisory Committee has final review and acceptance of Public Art Project recommendations and Donations with a value of up to \$10,000. Public Art Projects and Donations with a value of over \$10,000 require the final approval and acceptance by the Board of Supervisors. (See section XII. DONATIONS for valuation methods.)

If the Public Art Advisory committee finds an artist's proposal for a Public Art Project recommended by the Public Art Selection Committee is not feasible or advisable based on identified circumstances, the proposal may be denied. In the case of denial, the Public Art Project may be canceled, or a revised artist solicitation may be issued. The Public Art Advisory Committee will meet on an ad hoc basis as needed. The Public Art Advisory Committee will advise regarding Public Art Project development, acceptance of donations, or other aspects of Public Art programs and/or projects as identified by the County Administrator's Office.

Public Art Project Manager is selected by the County Administrator's Office and has lead oversight for a particular public art project. The Public Art Project Manager is responsible for artist selection, artist relations, and project management to ensure the design development, community engagement, fabrication, installation, budget, and timeline are met in accordance with project goals. The Public Art Project Manager will facilitate the artist selection process and the Public Art Selection Committee meetings but will not serve as a Public Art Selection Committee member. The Public Art Project Manager may be a Contra Costa County staff member, or an Art Consultant or Arts Council contracted for this purpose.

Public Art Proposals are community-generated proposals generated with community support/partners for the installation or execution of Public Art in any of its forms on County property regardless of the source of funding. Acceptance of proposals is

determined through the review and approval of the County Administrator's Office and the Public Art Advisory Committee. Procedures for Public Art Proposal consideration are articulated in section XII. COMMUNITY-INITIATED PUBLIC ART PROPOSALS.

Public Art Selection Committee is an ad hoc project specific committee identified by the County Administrator's Office and/or through the direction of the Supervisor of the district in which the project resides. The Public Art Selection Committee's purpose is to review artist qualifications and/or submissions to identify the artist(s) and artwork(s) to be commissioned by the County in satisfaction of a particular Public Art opportunity. The findings and recommendations of the Public Art Selection Committee will be reviewed and approved by the Public Art Advisory Committee.

The Public Art Selection Committee may consist of but not be limited to a combination of individuals, with a preference for individuals from Contra Costa County, from the following representations:

- 1-2 Arts Professionals (curators, experienced public artists, specialized arts administrators, and/or community artists)
- 2-3 Community Members (members of "friends of" groups or localized community members living within close proximity of the final artwork).
- 1-2 Contra Costa County staff members who are from the Department that will host the artwork and will experience the artwork on a regular basis.
- A member of the Public Art Advisory Committee
- A staff member from the County Supervisor's Office in whose district the Public Art will reside
- The Architect of the project (if applicable)

A payment stipend may be provided to each of the Arts Professionals and Community Member participants in the Artist Selection Committee for their service in the review of artist applications and proposals and for their attendance and participation in review meetings and artist selection processes. Stipend amount is to be determined by the County Administrator's Office.

Public Art Project is a plan for the creation of Public Art, from inception through completion, with the objective of fulfilling the purpose of the Public Art Policy.

Permanent Public Art means Public Art created by an Artist and fabricated with materials and methods with an expected lifespan of twenty-five years or more. The long-term lifespan expectation incorporates materials and methods that have recorded longevity such as metal, glass, concrete, terrazzo, stone, mosaic, tile or other similar products. Because of the permanent nature of the work, artwork themes and concepts have an expectation of being broader or more universal, so as to not become dated in 10 or 15 years. Permanent Public Art projects result in artwork that will serve the community for many years and will become a County asset that may increase in value through the years.

Temporary Public Art means Public Art, created by an Artist, or by an Artist-led community participation process to design and/or fabricate an artwork intended to be exhibited for a limited, articulated period of time, typically 5 years or less. Because of the transitory nature of the work, contemporary themes can be explored, and diverse materials and methods can be employed. Because of the flexibility of temporary artwork, lower funding resources are generally required, and sites can be activated with artwork to assess community response

prior to consideration of a more budget intensive permanent artwork being commissioned at the location.

Materials such as vinyl, paper, canvas, textiles, wood, found objects, etc. can be employed, leaving a wide array of options for artists to consider. Murals will be considered Temporary Public Art due to their susceptibility to damage or deterioration due to environmental conditions.

### Public Art Project Costs

- *Allowable Public Art Project Costs:* Funds allocated for a Public Art Project may be used to fund the following expenditures: purchase or design and fabrication of Public Art, fees and travel expenses for Artist services, transportation and installation of Public Art, preservation, conservation, documentation, insurance, identification plaques, community workshops and other reasonable expenses associated with the initiation, development and completion of Public Art Projects. Fees paid to a limited number of Artist finalists for development of concept ideas or concept designs as part of the selection process are standard practice and allowable. Fees and related expenses paid to finalists are deducted from the Public Art Project's budget.
- *Allowable Public Art Administrative Costs:* The Public Art Project budget or other County budgetary resources as approved by the Board of Supervisors may be used on a project-by-project basis to fund the following expenditures: administration and Public Art project management, selection panelist fees and other reasonable expenses associated with the initiation, development, completion, public education, documentation, and public information associated with Public Art Projects.

Public Art Report means an annual report to the Board of Supervisors issued by the County Administrator's Office which describes the Public Art activities for the previous fiscal year. The report details new and ongoing Public Art Projects, Maintenance and Conservation projects, and/or other activities undertaken during the year as applicable. This report may also set priorities for the use of funds supporting Public Art in future years and will identify projected Maintenance costs and associated budget recommendations for the upcoming fiscal period.

Utility Box Art is the enhancement of County owned utility boxes through the application of artwork created by Artists. Utility Box Art programs traditionally have two approaches: either the artwork is painted directly on to the utility boxes by the Artist, or the artwork is applied to utility boxes as vinyl wraps printed with the Artist's design.

## **V. IDENTIFICATION OF COUNTY-INITIATED PUBLIC ART PROJECTS**

The commissioning of public art can have a significant effect on a location as an environmental enhancement, source of pride, cultural significance, and place maker. Public Art can reflect and highlight the culture, history, goals, and/or values of a community.

In order to ensure the artwork achieves the highest level of positive impact, care is to be taken in the selection of locations. This shall include consideration of thematic and aesthetic appropriateness, audience, community and cultural equity, and public access. Conditions

affecting ongoing maintenance and use of materials will be assessed to ensure community enhancement longevity and the continuation of the asset's value.

In order to establish the budget for a Public Art Project, the County Administrator's Office may identify and pool funds from a particular site's Capital Project allocation, any other improvement funds, or other available funding as approved by the Board of Supervisors. For Public Art Projects to be pursued in tandem with capital improvement projects, every effort will be made to identify and select Public Art Projects in a timely manner. Locations may encompass parks, buildings, plazas, civic centers, roadway medians, traffic islands, and bridges or other sites as identified by the County.

A. The County Administrator's Office, in consultation with the Public Art Advisory Committee, the District Supervisor, and Municipal Advisory Councils, as applicable, shall review and identify Public Art Project budgets and sites for final review and approval by the Board of Supervisors.

Consideration will include, but not be limited to:

- Architectural opportunities for the placement of Public Art
- Pedestrian traffic or opportunities for maximum viewing
- A location that is safe, unobstructed, and accessible for maintenance
- A location that is publicly accessible to and available for use during normal hours of business
- Compliance with any Americans with Disabilities Act (ADA) requirements
- Availability of funds to create an impactful artwork
- Potential for thematic resonance of artwork in relation to celebrating the community's history, services, culture, or leaders.
- Impact of aesthetic intervention. Will the location particularly benefit from this intervention?
- Is there an equitable distribution of artwork in the community? Will identification of an artwork location balance the entirety of the public art offerings in the County.
- Future development plans for the area
- Overall program goals

B. In tandem with the identification of a public facility for Public Art, care will be taken to identify project type and opportunities for Public Art placement. Free-standing sculpture is universally understood as a traditional solution when evaluating the placement and commissioning of Public Art. However, the Public Art Advisory Committee shall consider other forms, from artist designed functional objects to artwork integrated into architecture. On-site locations for consideration for Public Art Projects may include, but are not limited to, walls, floors, ceilings, windows, exterior facades, stairways, rooftops and patios.

If funding for the artwork is attached to a particular site relating to a capital improvement development or other Public Works opportunity, site considerations within the development shall include public access hours and visibility. If the site has a history of vandalism, consideration shall be given to the height or accessibility of the artwork siting if placed on the building structure or monitored locations such as lobbies or interior welcome areas.

C. The Public Art Advisory Committee may consider Temporary Public Art projects if the available funds and resources, site conditions, and programmatic goals indicate this is a desirable opportunity.

## **VI. IMPLEMENTATION OF COUNTY-INITIATED PUBLIC ART PROJECTS**

When a public art project is proposed by the County, the County Administrator's Office will work with the Board office in the district where art is being considered to implement Public Art Projects, Conservation projects, community outreach and public education efforts, and any other Public Art activities anticipated to be undertaken in the upcoming fiscal period.

The Department of Public Works will coordinate the integration and delivery of Public Art components within the construction schedule in capital or refurbishment projects with the Public Art Project Manager. With the Public Art Project Manager, the Department of Public Works will establish a timeline for the development of the Public Art component that is consistent with the capital improvement project's timeline. The timeline will identify specific milestones for review and set the requirements for completion of the successive stages of conceptual design, final design, fabrication and installation. In tandem with the Public Art Project Manager, the Department will identify solutions to differences that may arise regarding project art components.

For Permanent Public Art Projects, a Public Art Selection Committee will be identified by staff and/or through direction from the Supervisor's office in the associated district of the project. The County Administrator's Office will identify the Public Art Project Manager for each new Public Art Project. The Public Art Selection Committee will meet to review and approve the following:

- a. *Artist proposals at the conceptual and final design phases.* In some cases, the conceptual design review may take place as part of the Artist selection process. After comments are received at each phase, the Public Art Project Manager will work with the Artist to refine the design. If the Artist is not in agreement with the Public Art Selection Committee's recommendations, the Public Art Project Manager will mediate discussions to arrive at a consensus among all parties. In each case, if revisions are called for, the revised conceptual or final design will be presented to the Public Art Selection Committee for approval.
- b. *Proposed alterations to the final design.* The Artist's contract will contain language specifying that no change to the approved final design may take place without written permission.

## **VII. ARTIST SELECTION FOR COUNTY-INITIATED PUBLIC ART PROJECTS**

Projects may be selected through an open Request for Qualifications (RFQ) or Request for Proposal (RFP) process. Other processes such as a limited invitation or a curatorial process that invites Artists' proposals may be enacted under the direction of the Board of Supervisors. The identification of an artist shall be conducted in an open, transparent process. Absent mitigating circumstances identified by the County Administrator's Office requiring an alternate Artist commissioning process, as a Permanent Public Art commission opportunity arises, it will be executed in a two-step process of artist selection. The following articulates the Two-Step Artist Selection Process:

1. Advertisement and issuance of a Request for Qualifications (RFQ) wherein the project's budget, parameters, artwork priorities and goals are articulated with the artist selection

criteria, scoring breakdown, and expectations regarding the selected artist's experience, interest, and past work.

Requested qualifications may include but not be limited to image samples of past relevant work, artist statement of interest (including artist statement of artistic practice and relevance to project opportunity), and artist resume/CV.

Under the direction and facilitation of the Public Art Project Manager, the Public Art Selection Committee will identify and select 3-4 Artist finalists from the review of the RFQ applicants based on the stated criteria and submission materials.

2. Selected Artist finalists will be directed to provide a project proposal, typically within 4 to 8 weeks depending on the complexity of the project. Artist finalists shall be provided with the scoring criteria for evaluation of the proposals.

The final proposal requirements are to be approved by the County Administrator's Office.

Artist finalists' proposals may include but not be limited to the following:

- A narrative of the concept, design sketches and drawings (in-situ if possible), with dimensions and materials.
- A preliminary budget, the fabrication and installation timeline, and any noteworthy considerations such as site preparation.
- A preliminary Community Engagement plan anticipated to be provided in tandem with the project. The plan will contain, at a minimum:
  - An explanation of how the Community Engagement plan will inform and/or inspire the Artist's design of the artwork;
  - An indication of the duration and location, and a preliminary description of proposed Community Engagement events over the course of the project;
  - A proposed budget for the Community Engagement.

It is recognized that professional practices require that artists be paid for their work, and the development of a proposal requires considerable research, time, and effort. Artist finalists may be compensated for their proposals. The amount of the proposal compensation will be identified by the County Administrator's Office based on best practices as appropriate to the Public Art project budget, typically between \$1,000 and \$5,000.

Criteria for the review of Public Art proposals are designed to ensure the artwork will encompass the highest standards of excellence and sustainability and may include but not be limited to the following:

- *Artistic Merit:* Artistic Originality of concept and artistic vision; the degree to which the work engages the viewer emotionally, and intellectually; the quality of craftsmanship or mastery of skills and techniques.
- *Relevant Skills & Experience:* The assessed ability of an artist to successfully implement a proposed project.
- *Meet Project Goals:* The proposed artwork (or the assessed ability of an artist to design a proposal) meets the specific goals of the project as defined in the RFQ.

- *Site Appropriateness:* The proposed artwork is appropriate in terms of scale, media, design or imagery and is judged to be relevant within the context of the surrounding community, and is compatible with the mission and operations of the location receiving the artwork.
- *Contra Costa County Connection:* Proposal highlights a connection to the County through community engagement, Artistic background/experience.

The Public Art Selection Committee will review proposals as presented by each artist through an in-person or online meeting, deliberate, score, and select the recommended artist and artwork. The recommended Artist proposal will be reviewed for approval by the Public Art Advisory Committee. Public Art Projects with a budget of \$10,000 or more will require Board of Supervisors' approval.

A variation to the above process is allowable when extensive community engagement is identified by the County Administrator's Office as vital to the artwork design and the community engagement process is a significant element to the Public Art Project. This can occur when the schedule permits and issues are present that have resulted in a community voiced need for inclusion, and artistic expression and community representation require navigation in an integrated manner. This type of project requires the design to be developed through an intensive community process. As such, it is not feasible for the design proposal to be developed in advance of Artist selection.

Artist selection of this type would have a similar RFQ process as outlined above. However, the required submission requirements within the RFQ will be adjusted as appropriate and will require a narrative about the type of community process the Artist envisions to develop the design, their approach to design, an indication of their interest in the project, and a listing of previous projects they completed wherein the community engagement was paramount to the artwork design process. The submission will require examples of the artist's current art practice or past work.

As opposed to a proposal requirement and review, in this type of project the Artist Selection Committee will interview the Artist finalists and include questions to ascertain the community appropriateness of the artist's process. The committee will utilize this information to select the most appropriate artist for the commission.

## **VIII. COMMUNITY ENGAGEMENT**

Paramount to the Public Art Program is service to the residents of Contra Costa County. By building arts education and participation opportunities into Public Art Projects, a sense of community ownership can be acknowledged and uplifted. Such activities can generate broader community appreciation of public art and recognition of the role of public art in reflecting the community's values.

The County shall incorporate Community Engagement as defined in section IX. DEFINITIONS, as part of each Public Art Project as appropriate. To meet this goal, the County Administrator's Office will ensure that there is community representation on artist selection panels and artist interaction with the community. Involvement with the local Municipal Advisory Council is advisable, as appropriate.

The Community Engagement plan should be developed in conjunction with the overall

project construction schedule and budget such that its implementation does not slow down the concept design or any other phases of development and completion of the art. Examples include, but are not limited to, observations of the proposal site, and activities that encourage personal interaction with community members, and formal and informal interviews or conversations held in order to learn about the community's culture, and important issues facing the community.

Community participation may be incorporated into the plan to engage members of the public, County employees, and others who will utilize the site through activities in which such people are likely to offer their perceptions, experiences, and knowledge in a way that will meaningfully inform the Public Art Project. Examples include, but are not limited to, activities demonstrating art and/or art process, such as presentations, workshops, and meetings.

## **IX. COUNTY-INITIATED MURALS**

Murals have been embraced as a valued art form by a diverse array of cultures and communities throughout history. They can celebrate the culture, leaders, and communities through abstract or figurative imagery or any number of approaches conceivable. The possibilities are unlimited.

Murals are an art form with a rich history and deep appreciation. The expected vs. actual lifespan of a mural is dependent on several factors, and realities can be vastly different from project plans. Murals expected to remain intact for generations can come up against conditions requiring their removal after a limited lifespan, and murals developed with a limited expectation of longevity can enhance a sense of community for many years.

A. Projects for Murals to be placed on County property should be evaluated and commissioned using the same or similar criteria and considerations as other Public Art Projects. In addition, the suitability of the wall should be assessed to receive the mural through a report by commissioning an art conservator with murals expertise to confirm the wall's long-term suitability and to provide recommendations for wall preparation and materials.

B. Murals commissioned for placement on County property will be placed on a well-prepared wall and have an anti-graffiti coating applied that is maintainable by the County. Varnish or other coatings or finishes that are not specifically designed as graffiti abatement products as part of a graffiti removal system do not comply with this requirement.

C. The Mural should be evaluated every five years to assess the condition to evaluate if the artwork should be maintained or removed. If the mural is in poor condition and the County does not have the resources for a restoration, the applicable artist's rights laws (Visual Artists Rights Act/VARA and California Arts Preservation Act/CAPA) require that artists be provided with 90 days advance notice of its removal. VARA and CAPA rights also apply if the County needs to remove the mural for any non-related reason, including building renovation or construction. The five-year review process and expected lifespan should be articulated in the County's agreement with the artist.

## **X. UTILITY BOX ART**

Utility Box Art programs traditionally have two approaches: either the artwork is painted directly on to the utility boxes by the Artist, or the artwork is applied to utility boxes as vinyl wraps printed with the Artist's design. Utility Box Art enhances common traffic control utility boxes and brings vibrant colorful artwork to the streetscape.

The County Administrator's Office in tandem with the Department of Public Works may develop a Utility Box Program that invites Artists to submit designs for consideration and oversees the development and placement of the artwork either through direct painting or vinyl wrapping.

Designs for the Utility Box Program will be submitted to the District Supervisor, thereafter forwarded to a Municipal Advisory Council (MAC) or if no MAC exists within the area of the proposed art, then the District Supervisor's Office will seek input from community members during a public meeting, with final approval of the proposed artwork from the respective District Supervisor.

The Utility Box Program will be developed that identifies the type of art fabrication, Artist design stipends, application guidelines, longevity, and procedures.

Development of the Utility Box Art program will include consideration and selection of the artwork fabrication and installation procedure. An assessment will evaluate the attributes of a program that selects an Artist's design that the Artist paints directly to a utility box surface, compared with the selection of an Artist design that is translated to a vinyl wrap and installed by specialized contractors.

The Utility Box Program is not subject to the art selection and implementation process outlined in this policy and summarized in Appendix A for Implementation of County-Initiated Public Art Projects.

## **XI. ARTISTS' RIGHTS**

Commissioning Permanent Public Art will result in the County obtaining ownership of Public Artworks as objects, with all the associated rights and responsibilities.

While the County as the commissioning agent will have ownership of a work of art as an object, this does not necessarily extend to ownership of the image and copyrights as articulated in the federal Visual Artists Rights Act (VARA) or the California Arts Preservation Act (CAPA).

The federal Visual Artists Rights Act (VARA) and the California Arts Preservation Act (CAPA) laws provide for a series of artists' rights including the rights of authorship and rights surrounding the removal, alteration, or destruction of artwork.

Any artist selected for a Public Art Project shall enter into a written agreement with the County. County Counsel will review Artist's agreements to ensure that they comply with the VARA, CAPA laws, and other laws, as required, or include exceptions as needed to ensure public safety. County Counsel's review of Artist's agreements will include the addition of other clauses as needed to ensure the County's ability to administer the Public Art program.

## **XII. PUBLIC ART DONATIONS**

The following areas and issues will be considered in the acceptance of artwork donations by

the County Administrator's Office and the Public Art Advisory Committee. The County will not accept a donation of artwork until all funds for its development, fabrication, installation and foreseeable Maintenance have been secured from the Donor or approved by the Board of Supervisors as being funded by the County. Final Approval of Public Art donations valued at more than \$10,000.00 require the Board of Supervisors' Approval. Monetary donations towards public art projects will follow the County's existing policy on Gifts and Donations.

For artwork to be considered for Donation, it must be pre-existing Permanent Public Art or Portable Artwork as defined in IV. DEFINITIONS.

The following criteria may be utilized as applicable in assessing the acceptance of an art donation:

- a. Does the Artwork uplift an artist or artists living in Contra Costa County?
- b. Are there limitations that restrict the size and number of donated items?
- c. What is the condition of the artwork(s)?
- d. The artwork highlights a Contra Costa County artist, collection, and/or cultural expression.
- e. The artwork supports the goals of the art collection and would contribute positively to the County's public art, meeting the standards for Public Art commissioned by the County.
- f. The artwork is of high quality and aesthetic excellence.
- g. There is an identified location to site the artwork if it requires a public installation, or there is a program or mechanism to display the artwork if it is a portable piece.
- h. The scale, form, context, and design of the artwork are appropriate for the setting and audience.
- i. The donor has committed to cover all applicable costs associated with permits, bonding, insurance, transportation and installation of the artwork or the County has committed the resources to cover these applicable items.
- j. The future maintenance and conservation need of the artwork is understood and the County has identified the resources to attend to these requirements.
- k. The legal considerations of ownership, copyright, liabilities, maintenance, and deaccessioning are understood and acceptable to the County, as reviewed by County Counsel.
- l. The artwork supports an equitable collection inventory, allowing for a diverse range of Contra Costa County artists to be represented, considering if there are already multiple donations of the same artist's work.

A donation application will be established to capture the relevant information for an informed decision and to identify any additional considerations to the donation offer.

The following identifies main areas to be considered in determining acceptance of a donation.

A. As has been discussed, there is more than one type of ownership as related to art, and this needs to be considered in the acceptance of an artwork. While a donor may have ownership of a work of art as an object, this may not extend to the donor having ownership of the image and copyrights as articulated in the federal Visual Artists Rights Act (VARA) or the California Arts Preservation Act (CAPA).

To establish the donor's ownership of the artwork as an object, a donation application will be developed with a requirement for information about the provenance and procurement of the

object, including documentation such as a receipt or other proof of ownership. Copies of any agreements the owner has with the artist or gallery should be included if applicable.

The value of the object should be established as part of the consideration of acceptance. This value can be established through:

- Appraisal Report: An appraisal report including, but not limited to, dollar amount value, description, disclaimers, and additional support for valuation conclusions by a certified third-party appraiser affiliated with at least one of the four appraisal organizations: Appraisers Association of America, the American Society for Appraisers, Appraisal Foundation, or the International Society of Appraisers.
- A receipt for the purchase of the artwork.
- Other documentation establishing the value of similar artworks by the same artist.

This valuation is essential as the artwork will become a physical asset for the County, and as such, a documented value is needed for asset accounting. Also, donors commonly request a letter from the County acknowledging the donation with the value indicated for their use as a tax donation. The County should have confirmation of the value for this purpose.

B. While a donor may have ownership of the artwork as an object, the artist may have retained the copyright ownership as established by the VARA and CAPA laws. The application should include artist information including contact, resume or bio, birth/death dates, as applicable, and any known copyright information as available. This is particularly important if the donation is a work to be installed as a permanent public artwork as the artist should be notified of the donation and location of the installation.

The application should indicate the copyright owner of the object. If the donor is the copyright owner, the application should include documentation of this and should ask if the donor intends to transfer the copyright to the County should the donation be accepted.

All such information from the donor's application shall be provided to County Counsel on receipt by the County Administrator, so County Counsel can advise the County Administrator if and how the acceptance of the artwork and installation will make the County subject to any applicable VARA and CAPA notifications or copyright requirements in the future. It is recommended that the County Counsel provide advice to the County Administrator regarding these considerations and requirements prior to the County's decision on whether to accept the donation.

C. The application should identify the materials and any known Maintenance or Conservation needs. A condition report should be provided by the donor to identify any issues and immediate or future costs associated with keeping the artwork in good condition.

D. If the artwork is a large sculpture or other public artwork, it is important for the County to understand the costs to transport the artwork and install it at the desired location. Questions to consider are the need for any footings or special attachment systems, permits, insurance, storage, installation, and any conservation and maintenance needed in the immediate future. It should be established if these costs and the responsibility for this activity will be borne by the donor or if the County is expected to handle these costs and the scope of work to see to the full completion the installation.

E. In addition to the above information the application should request any exhibition history, edition certifications or other pertinent information about the artwork as applicable and available.

### **XIII. COMMUNITY-INITIATED PUBLIC ART PROPOSALS**

Community Initiated Public Art Proposals are proposed by non-County entities pursuing Public Art to be placed or be executed on County property. The following procedures differ from the processes and procedures outlined for County initiated and funded Public Art. The requirements assume the County is positioned to accept or provide permission for Public Art that has been identified, developed, and/or selected outside of an established process without County oversight. The following requirements will provide assurance the Public Art conforms to similar standards and expectations as County initiated and funded projects.

Public Art programming can include an array of arts and culture special installations, performances, or other arts and culture activities. It is expected that the applicant will provide the needed resources such as funding, in-kind equipment or supplies, personnel, or other applicable elements required to successfully mount the proposed program.

Section III. APPLICABILITY defines the Public Art proposed project placements that are subject to the requirements of this policy. The following procedures include proposals initiated or funded by other government entities, or by outside sponsors, such as community artists, organizations or commercial enterprises. In considering approval, the Public Art Advisory Committee will evaluate proposals within the context of its Vision as identified in the 2024 Arts & Culture Master Plan.

The following articulates the process for obtaining the Public Art Advisory Committee's approval for a temporary or permanent installation of artwork or Public Art programming on County property or funded by the County. Artwork that is proposed as a donation to be owned by the County are not subject to this section but are required to comply with section XI. DONATIONS.

*Note:* With the exception of funds awarded on a competitive basis through a County program, the County Administrator's Office and the Public Art Advisory Committee cannot provide financial or staff support for the project. It is incumbent on the project sponsor to cover all costs associated with the project.

Proposals will be selected that are broad and diverse in appeal and allow the community an opportunity to experience artistic expression representative of a wide range of disciplines, styles, themes, and cultural practices.

Submitted Public Art Proposals will be reviewed initially by the Supervisor's office in whose District the proposed project will be located for referral to the Public Art Advisory Committee for consideration. Public Art Proposals will be considered quarterly on a schedule identified by the Public Art Advisory Committee. Please note, incomplete proposals will not be considered.

Selected Public Art Proposals may be required to adhere to insurance or other requirements appropriate to the type of program and/or venue.

A. The applicant must submit a completed Community Initiated Public Art Proposal that includes the following as applicable:

- Public Art Proposal Form
- A summary of experience for each lead visual or performing artists involved in the program.
- Background information for the organization or group making the proposal.
- Digital images of previous artwork or performance samples; either as a slide show, PDF, website, or a list with at least 5 but no more than 10 images with title, media, size, and date. Up to 5 video or audio samples of no more than 3 minutes duration each can be included in lieu of the images as appropriate.
- Project budget and services sheet indicating the resources required to successfully mount the project with an indication of funding or in-kind services being provided.

B. Criteria for approval will be based on the following:

- There should be a compelling reason to site the exhibition on County property, such as the relevance of the Public Art Proposal within the natural, architectural, cultural, historical, social/political or environmental context of the site.
- The Public Art should have merit as a work(s) of art, independent of other considerations.
- The Public Art should be judged to enhance the public's experience of the site.
- The Public Art may recognize an equitable distribution of commissions, acquisitions, and exhibitions from Artists throughout Contra Costa County.
- The Public Art should be an opportunity to expose the public to diverse artists from Contra Costa County's multi-ethnic and multi-cultural population.
- The Public Art may highlight and educate the public to diverse artistic styles, scale, and media.
- The Public Art should not contradict the County's values of environmental sustainability, accessibility, and cultural inclusiveness.
- The proposed Public Art should be appropriate in scale, media and context with its intended display location.
- The Public Art has evidence of community support and/or engagement.
- The Public Art should be judged to be able to withstand unprotected display in an outdoor environment and be able to be maintained by the applicant/sponsor throughout the public display period.
- The Public Art must not present a safety hazard. It must comply with all applicable building codes and disability access requirements.
- The proposed Public Art must be evaluated to be feasible, with convincing evidence of the applicant/sponsor's ability to mount the exhibit as proposed.
- Factors to be considered include, but are not limited to: project budget, timeline, the artists' experience, soundness of materials,
- The proposed Public Art must not impede the typical uses of the site.
- Project sponsors must be willing to pay all costs associated with the Public Art, including any required insurance and permit fees, as applicable.

C. Community-initiated Proposals for Murals on County property require the identification of an entity that will provide maintenance for the mural and adherence to the stated Public Art Proposals policy requirements as applicable, with the addition of the following information being provided:

- Incentive for placing a Mural at this location;
- Indication of why the placement of this Mural design will enhance the aesthetics of the area;
- Description of the proposed design with a sketch or drawing;
- Description of the Mural design development process including any Community Engagement or execution participation completed or planned;
- Indication of how the Mural will benefit the neighborhood and/or community;
- Expected lifespan of the Mural;
- Fabrication Information:
  - Description of the wall preparation process (Wall preparation is required prior to painting the wall. Preparation can include water blasting, sand blasting, scrubbing with wire brush, or other process as applicable and approved by the County.)
  - Indication of the primer or wall sealant to be used.
  - Identification of the type and brand name of the paint. (High pigment artist's colors are highly recommended.)
  - Indication of the type or brand name of the anti-graffiti coating to be applied (Varnish or other sealants not specifically manufactured as anti-graffiti coatings do not meet this requirement).

If the Mural is accepted, the applicant will be required to enter into an agreement regarding the artwork design, fabrication, site preparation, expected lifespan, artist's rights, anti-graffiti coating, and maintenance responsibility and expectations.

#### **XIV. DEACCESSION OF ART**

The deaccession of Public Art should be governed by procedures to ensure such decisions are carefully considered and in compliance with applicable laws.

As disposal of artworks is generally irrevocable, deaccessioning should be a deliberate procedure. County should not dispose of works simply because its original aesthetics are not popular and should not dispose of works whose worth might not yet be recognized.

A. The County Administrator's Office must authorize any relocation or removal of artwork utilizing the following processes and requirements:

- The Board of Supervisors will approve the Deaccession of Art.
- Staff of the Office of the County Administrator's Office shall prepare a report for the Board of Supervisors prior to the consideration of the request for deaccession of an artwork including;
  - Reasons for the suggested deaccessioning;
  - Review by the County Counsel;
  - Acquisition method and cost;
  - Informed estimate of the current value of the artwork;
  - Public input and agency feedback on the artwork

- Any valid warranties regarding the artwork
  - Suggested and alternate courses of action.
- The immediate removal of art if it represents a safety hazard to the public may be ordered by the County Administrator's Office.
- When an artwork is to be removed for relocation or repair, only authorized representatives or contractors of the County are to handle the artwork;
- In the event that an artwork is significantly damaged, stolen or completely destroyed, the County staff will notify the County Administrator's Office, the artist, and if appropriate, the County Sheriff will be contacted;
- The artist(s) whose artwork is being considered for decommissioning will be notified by reasonable means in compliance with the applicable VARA and CAPA artist's rights laws.
- The County Administrator's Office may recommend any of the following courses of action as a result of a deaccessioning review. The Board/staff shall not be limited to these courses of action, but may suggest new methods, as may be appropriate, given by a particular set of circumstances.
  - Relocation of the artwork
  - The sale or trade of the artwork
  - Offer to the artist(s) the opportunity to take back the artwork.
  - Advertise the sale of the artwork by auction or other public sale; or
  - Dispose of the artwork or remainder of the artwork in an appropriate and practical way when other options have not resulted in the disposal of the artwork.
- Any net proceeds from artwork disposal shall be returned to an appropriate Public Art Program account to acquire (through the standard Public Art processes) or maintain other Public Art within the County's Public Art Collection.
- Disposal by any means of any County owned art shall conform to legal requirements.

The following acknowledged criteria will be utilized to consider and approve deaccession:

- The artwork's present condition poses a safety hazard to the public.
- The artwork has been damaged or has deteriorated to the point that it can no longer be represented to be the original artwork.
- The restoration of the artwork's structural or aesthetic integrity is technically not feasible, or the expense of restoring it exceeds the available funding of the County for restoring the specific artwork.
- The architectural support (building, wall, plaza) is to be destroyed and the artwork cannot be removed intact for relocation.
- The use of the particular public space may have changed, and/or the artwork may have lost its contextual meaning, and it cannot be re-sited, or re-siting the artwork would be inappropriate.
- The artwork requires excessive and inappropriate conservation and/or maintenance or has faults of design or workmanship which can be termed inherent vice.
- An artwork is not, or is rarely, on display because of lack of a suitable site.
- The condition or security of the artwork cannot be reasonably guaranteed in its present location.

- The artwork was not installed or fabricated as proposed, is incomplete, or does not meet the requirements of the commission.
- The artwork does not meet the goals of the collection.
- Removal has been requested by the artist in writing and it has been determined by County Administrator's Office to be a reasonable request.
- The artwork has reached the end of its original anticipated lifespan.
- The artwork is proved to be inauthentic or in violation of existing copyright laws.
- The artwork has received documented and ongoing adverse reaction from community members where the artwork is located, and the Board of Supervisors has determined the artwork no longer reflects the values of the community.
- The Board of Supervisors retains in its sole discretion the right to relocate or remove any Public Art.

#### **XV. MAINTENANCE OF ART IN THE COLLECTION**

Contra Costa County is at the beginning stages of assembling a public art collection. The single most important aspect in ensuring the value of these assets is the regular maintenance of the artworks. The ongoing maintenance of Public Art is a critical aspect of sustaining a positive public dialogue and supporting cultural expression. A maintenance plan is typically included in an artist contract.

The annual Public Art Report provided to the Board of Supervisors will include an assessment of the maintenance needs of the collection, associated estimated costs, and will include a budget allocation request for the upcoming fiscal year.

Maintenance plans are required as part of the Public Art Plan for Public Art Projects. Public Art Conservation efforts that go beyond routine maintenance should engage an art conservation specialist, and such cost shall be included in the Public Art Report.

If artwork is created as a component of a designated Capital Improvement Project and the funding source permits, the County Administrator's Office may choose to set aside and expend up to 10% of the total Public Art Project allocation for each project for maintenance and conservation purposes.

# APPENDIX A:

## Implementation of County-Initiated Public Art Projects

A Public Art Project opportunity, facility location, and budget is identified by the County Administrator's Office in tandem with the Public Art Advisory Committee, in discussion with the applicable District's Supervisorial Office.

The Public Art Project is approved and funded by the Board of Supervisors

Timeline for the Public Art Project is developed by the Administrator's Office in tandem with the Department of Public Works

A Public Art Project Manager is Selected to oversee the Artist Selection process and overall project delivery.

A Public Art Selection Committee is Identified

A Request for Qualifications is Issued to Artists

The Public Art Selection Committee reviews Artist's submissions and selects Artist finalists to proceed to the Request for Proposals stage.

The Public Art Selection Committee Reviews Proposals and selects the Artist and Proposal for the commission recommendation.

The Public Art Advisory Committee reviews the recommended Artist and Proposal for Approval.

The Board of Supervisors has Final Approval of the Artist's Commission.

# APPENDIX B:

## Contra Costa County Cities Public Arts Programs and Funding

District 1	El Cerrito	Richmond	San Pablo	Other Contra Costa County localities
Public Art Program	Art in Public Places Program	Public Art Program (adopted 1999) Amended 5/4/21 - Public Art Program Ordinance	Art in Public Places Ordinance 2017	Bayview
Municipal Codes	Chapter 13.50	Chapter 7.63 of the Richmond Municipal Code	Chapter 7.63 San Pablo Municipal Code	East Richmond Heights
Policies & Procedures	Art in Public Places Program requires certain development projects over \$250,000 to contribute 1% of construction costs to public art or in lieu fee to public art fund.	Public Art Program (1999) allocates 1.5% of all eligible City & Redevelopment Agency capital improvement project costs with budgets in excess of \$300,000 for public artwork. 1% for Public Art on Private Projects Program Section 6.50.030 - Public Art Program Ordinance (2021)	Art in Public Places Program requires certain development projects over \$200,000 to contribute 1% of construction costs to public art or in lieu fee to Public Arts Fund or Mural Fund.	El Sobrante
Guidelines	1) Visual art (sculpture, murals, mosaics, etc.) 2) On-site cultural programs (performances, special events, education)	All forms of media; criteria for site including visibility & public safety; temporary installations considered; RFQ/RFP submitted to get artists;	Art should include works of art that are created uniquely by an artist and integrated into the development project.	Kensington
Selection Process	Application Process - Public Art Subcommittee of Arts & Culture Commission oversees the selection process.	The City Arts & Culture Division administers the Public Art Program with oversight from the Public Art Advisory Committee (PAAC) - Subcommittee of the Arts & Culture Commission	Submit application and work with Planning Commission.	Montavalin Manor
Funding Mechanisms	1% of private & municipal projects of \$250,000 or more to in lieu Public Art Fund.	1.5% of Capital Improvement Projects; 1% of Private developments; gifts; donations or City funds.	1% of Commercial development with building costs of \$200,000 or more	Pinole City School of Performing Arts



District 1	El Cerrito	Richmond	San Pablo	Other Contra Costa County localities
City Capital Projects Required (all, some)	All -- development projects \$250,000 or more	Allocates 1.5% of all eligible City capital improvement project costs with budgets in excess of \$300,000 for public artwork.	Exemptions-Capital improvement projects	Rollingwood
Private development (all, some)	All -- development projects \$250,000 or more	One-Percent (1%) for Public Art on Private Projects Program Section 6.50.030 - Public Art Program Ordinance	1% of Commercial development with building costs of \$200,000 or more	Tara Hills
Requirement to Provide Art Work Or In Lieu	Art in Public Places Program requires certain development projects over \$250,000 to contribute 1% of construction costs to public art or in lieu fee to public art fund.	Private Development Projects Program - required to provide 1% of Building Development Costs as public art contribution in 3 ways: 1) On-Site public art 2) Paying an in-lieu contribution 3) Designated Public Art Space	1% of Commercial development with building costs of \$200,000 or more or in lieu to Public Art Fund or Mural Fund.	
Permanent Public Art (Public & Private)		35 public artworks		
Temporary Public Art				
Types of Artistic Disciplines				
Sculpture	X	X	X	
Murals	X	X	X	
Utility Boxes	Utility Box Program-Pilot			
Functional Benches, Streetlamps				
Arts Commission	Arts & Culture Commission	Arts & Culture Commission	Planning Commission	
Arts Committee		Public Art Advisory Committee (subcommittee)		
Arts Foundation, Other Foundations, Friends of			Community Foundation - Grant Program	



District 1	El Cerrito	Richmond	San Pablo	Other Contra Costa County localities
Grants Offered by City		Neighborhood Public Art "Mini-grant" program, awards grants to community organizations for performing & visual arts activities		
Arts Plan	Arts & Culture Master Plan, 2013	Cultural Arts Plan, 2002 Update		
City-operated art gallery	City Hall Gallery Space- Arts & Culture Commission juried		City Art Gallery	
City-operated performance space				
City-owned art gallery-outside operator				
City-owned performance space-outside operator				
City-presented concerts in the park				
City-presented festivals				
City-run Art Competitions				
City Art Directory		Artist Database for Public Art Projects		
City staff exclusive for arts-full-time, part-time, contracted		Winifred Day, Arts & Culture Manager, (510)620-6952		
City staff for arts with other duties-full-time, part-time, contracted	Alexandra Orogas, Asst. City Manager, (510)215-4302		Greg Dwyer, Community Services Director, (510)215-3081	
Contact Information	aorologas@ci.el-cerrito.ca.us	winifred_day@ci.richmond.ca.us	gregd@sanpabloca.gov	



District 2	Danville	Lafayette	Moraga	Orinda	San Ramon	Other Contra Costa County localities
Public Art Program		Public Art Master Plan (2013)	Public Art Policy	Art in Public Places Program	Art in Public Places Program (2011)	Alamo
Municipal Codes	Chapter 2.13	Municipal Code Chapter 6-26			Chapter X C 146-53	Blackhawk
Policies & Procedures		Public Art requires construction or alteration development over 5,000 sq. ft. to contribute 1% of construction costs to public art or in lieu Public Art Fund.		The Art in Public Places program, or "ArtSpace Orinda" has been placing outdoor sculpture in Orinda since 2007.		Camino Tassajara
Guidelines		Criteria: Aesthetic quality; Relationship to collection & community; Compatability; Materials, fabrication, installation				Canyon
Selection Process		Application reviewed by Public Art Committee and final action by City Council	Art in Public Spaces Committee meets quarterly to review and recommend public art projects to the City Council.	Art in Public Places Committee works to get artists involved and makes recommendations to City Council.	The proposed artwork is subject to review and approval by the Architectural review Board, Arts Advisory Committee, Planning Commission, and the City Council.	Castle Hill
Funding Mechanisms		1% of construction costs for public art or in lieu fees to Public Art Fund	Art in Public Places Fund - donations, grants., etc.	Art in Public Places Fund is funded by community organizations- Orinda Community Foundation, Lamorinda Arts Council, Orinda Park & Recreation Foundation	\$30,000 allocated annually from the City's Beautification Fund for Public Art.	Diablo
City Capital Projects Required (all, some)					In new capital building projects public art is considered using a budget guideline of 1% of total capital project budget.	Norris Canyon



District 2	Danville	Lafayette	Moraga	Orinda	San Ramon	Other Contra Costa County localities
Private development (all, some)		Private development (construction or alteration 5,000 sq. ft.) -- 1% of construction costs for Public Art piece or in lieu of meeting requirements - can pay 1% of final construction costs			All new developments are required through a condition of project approval to provide Public Art. The requirement does not have a specific dollar amount.	Reliez Valley (partial)
Requirement to Provide Art Work Or In Lieu		Private development (construction or alteration 5,000 sq. ft.) -- 1% of construction costs for Public Art piece or in lieu of meeting requirements - can pay 1% of final construction costs			Art in Public Places Program is to promote the acquisition, construction, installation, restoration and maintenance of public art pieces.	Saranap/ Parkmead
Permanent Public Art (Public & Private)		16 public artworks Public Art Map	10 public art pieces	40 public art pieces online at <a href="http://artspaceorinda.org/artworks">artspaceorinda.org/artworks</a>	50 pieces	
Temporary Public Art	1) 'Picture This' 2022-artist frames in parks 2) Dogs of Danville-2019 15 painted dogs by local artists- 3) Shrumen Lumen (2021) 4) Hearts around Hartz (2020) 5) Bound for Books- Benches (2023)	Ursus Redivivus, (on loan sculpture) Rock Garden				

### Types of Artistic Disciplines

Sculpture	X	X	X		X	
Murals		X			X	
Utility Boxes		X	X		X	
Functional Benches, Streetlamps	Benches (working on now)					



District 2	Danville	Lafayette	Moraga	Orinda	San Ramon	Other Contra Costa County localities
Arts Commission	Parks, Recreation & Arts Commission "Creating Community Through People, Arts, Parks & Programs"					
Arts Committee	Arts Advisory Board (6)	Public Art Committee Appointed	Art in Public Spaces Committee (APSC)	Art in Public Places Committee (APPC)	Arts Advisory Committee	
Arts Foundation, Other Foundations, Friends of					San Ramon Arts Foundation works with Parks and Recreation to support grants for the arts.	
Grants offered by City					Cultural Growth Fund grants	
Arts Plan		Public Art Master Plan 2013				
City-operated art gallery	Village Theatre & Art Gallery	City Library Public Art Gallery		Art Gallery at Orinda Library	5 Art Galleries	
City-operated performance space	Village Theatre & Art Gallery				Dougherty Valley Performing Arts Center	
City-owned art gallery- outside operator						
City-owned performance space- outside operator						
City-presented concerts in the park	Music in the Park					
City-presented festivals	Annual Danville Summerfest - arts, crafts & food vendors		Pear & Wine Festival (Parks & Recreation)		Art & Wind Festival (music, arts, crafts, kites)	
City-run Art Competitions						
City Art Directory						



District 2	Danville	Lafayette	Moraga	Orinda	San Ramon	Other Contra Costa County localities
City staff exclusive for arts-full-time, part-time, contracted	Marija Nelson Bleier, Program Coordinator, Visual Arts Joe Dunn, Performing Arts Coordinator					
City staff for arts with other duties-full-time, part-time, contracted	Jessica Wallner, Recreation Superintendent, (925) 314-3426	Jenny Rosen, Public Art Liaison	Mackenzie Brady, Parks & Recreation Director	Park & Recreation	Adam Chow, Parks & Community Services Recreation Supervisor (925) 973-3321	
Contact Information	jwallner@danville.ca.gov	jrosen@lovelafayette.org	mbrady@moraga.ca.us	orindaparksrec@cityofordina.org	achow@sanramon.ca.gov	





Todos Santos Plaza in Concord

District 3	Antioch 3(5)	Brentwood	Other Contra Costa County localities
Public Art Program		Public Art Program	Bethel Island/Sandmound Slough
Municipal Codes		Municipal Code Chapter 2.44	Byron
Policies & Procedures		Public Art Program is established to require the inclusion of art in public capital projects & private construction development projects.	Discovery Bay
Guidelines		Public Art Program sets: purpose; use of funds; eligible artworks; process for approval; artist qualifications & criteria for selection.	
Selection Process		The Arts Commission in consultation with appropriate staff from City Departments shall develop a Public Art Plan to be submitted to City Council each year.	Knightsen
Funding Mechanisms		Funding Sources: 1) Capital Infrastructure 2) Public Art Acquisition Fund (1%development fees) 3) Public Art Administration	Oakley Has a Call for Artists now to do mural in Civic Center Park (\$250 to artist)
City Capital Projects Required (all, some)			
Private development (all, some)		1% development funds	
Requirement to Provide Art Work Or In Lieu			
Permanent Public Art (Public & Private)	25 pieces -- Google Map Online -- City of Antioch	50 pieces -- City of Brentwood 'Public Art Viewer' online	
Temporary Public Art			



District 3	Antioch 3(5)	Brentwood	Other Contra Costa County localities
Types of Artistic Disciplines			
Sculpture	X	X	
Murals	X	X	
Utility Boxes	X	X	
Functional Benches, Streetlamps	Fountain	Benches	
Arts Commission		Arts Commission	
Arts Committee			
Arts Foundation, Other Foundations, Friends of			
Grants offered by City	Civic Enhancement Grants -- for special events, historic & cultural activities, & facilities. Grants funded by TOT and General Fund		
Arts Plan			
City-operated art gallery		Community Center -- Public Art Walls - Changing exhibits	
City-operated performance space			
City-owned art gallery-outside operator			
City-owned performance space-outside operator			
City-presented concerts in the park	Concert in the Park	Summer Concert Series	
City-presented festivals		Art, Wine & Jazz Festival	
City-run Art Competitions			
City Art Directory			
City staff exclusive for arts-full-time, part-time, contracted			
City staff for arts with other duties-full-time, part-time, contracted	Brad Helfenberger, Parks & Recreation Director	Ben Keisic, Recreation Supervisor, Kris Farro, Recreation Manager	
		kfarro@brentwoodca.gov	
Contact Information	bhelfenberger@antiochca.gov	bkeisic@brentwoodca.gov	



District 4	Concord 4 (5)	Walnut Creek	Other Contra Costa County localities
Public Art Program		Public Art Master Plan (2000) - Revisions (2016) Public Art Strategic Plan - 2022	Acalanes Ridge Walnut Creek, Open Space
Municipal Codes		City's Municipal Code: Title 7, Chapter 3 (City) Title 10, Chapter 10, (Private)	Clayton Art & Wine Festival, Clayton Theatre Company, Concerts in the Grove
Policies & Procedures		Public Art Master Plan (PAMP) set criteria for the selection & prioritization of potential sites for public & private projects, guidelines for appropriate art and procedures for art review & selection. Two ordinances were adopted requiring a public art element for private development, and requiring public art for major City construction projects.	Contra Costa Centre
Guidelines		Include sculpture, murals, photography, earthworks, waterworks, glass, mosaics, or any combination of forms. The creator of public art shall be a practitioner in the visual arts who is not a member of the project engineering, architecture or landscape architecture firm.	North Gate
Selection Process	Planning Division -- Art Installation Design Guidelines & Review Process	Private Development Projects - Community & Economic Development Department (CED) is involved initially informing about public art requirements. Then they work with the Arts & Recreation Dept. Overseen by Bedford Gallery Advisory Council & Walnut Creek Arts Commission. Municipal Projects: City Council; Arts Commission; Design Review Commission; Arts, Recreation & Community Services Dept.; Planning Division; Building & Engineering Division. (details in Public Art Master Plan)	Pleasant Hill Summer Concerts by the Lake
Funding Mechanisms	Art in Public Places Fund - fees collected from new construction permits for purchase of art in the City. Fee rescinded in 2013 (?). Funds earmarked in Capital Improvement Program.	Public Art Fund - used for City-owned art/City-sponsored exhibitions that are accessible to the public.	Reliez Valley (partial)
City Capital Projects Required (all, some)		City construction project over \$500,000 must include art integrated into project or a 1% construction cost public art fee into Public Art Fund.	San Miguel
Private development (all, some)		Private construction or alteration project over \$500,000 must include art integrated into project or a 1% construction cost public art fee into Public Art Fund.	Shell Ridge Walnut Creek, Open Space
Requirement to Provide Art Work Or In Lieu			
Permanent Public Art (Public & Private)		Public Art Virtual Gallery Public Art & Heritage Tours (audio & walks) -- approximately 70 public artworks	



District 4	Concord 4 (5)	Walnut Creek	Other Contra Costa County localities
Temporary Public Art		Duncan Arcade Mural Gallery -- rotates every two years	
Types of Artistic Disciplines			
Sculpture	X	X	
Murals	X	X	
Utility Boxes	X Working with Concord Art Association to select art for Phase III of Utility Box Artwork		
Functional Benches, Streetlamps			
Arts Commission		Arts Commission	
Arts Committee	Recreation, Cultural Affairs and Community Services Committee	Public Art Committee (2 Arts Commission members)	
Arts Foundation, Other Foundations, Friends of			
Grants offered by City			
Arts Plan		Public Art Master Plan, Adopted 2000	
City-operated art gallery		Bedford Gallery Emilee Ehders, Curator	
City-operated performance space		Leshner Center for the Arts (Diablo Regional Arts Association), Carolyn Jackson, General Manager	
City-owned art gallery-outside operator			
City-owned performance space-outside operator			
City-presented concerts in the park	Music & Market Concert Series	Summer Concerts in the Park	
City-presented festivals		Walnut Festival Walnut Family Festival	
City Partners		Center for Community Arts - Part of Arts & Recreation - Art classes/open studios at various locations: Shadelands Art Center, Arts Studios, preschools	
City Art Directory		Public Art Virtual Gallery <a href="http://bedfordgallery.org/public-art/virtual-gallery">bedfordgallery.org/public-art/virtual-gallery</a>	
City staff exclusive for arts-full-time, part-time, contracted		Public Art Manager, Steven Huss,	
City staff for arts with other duties- full-time, part-time, contracted	Justin Ezell, Asst. City Manager,	Kevin Safine, Arts & Recreation Director, (925) 943-5848	
Contact Information	<a href="mailto:justin.ezell@cityofconcord.org">justin.ezell@cityofconcord.org</a>	<a href="mailto:safine@walnut-creek.org">safine@walnut-creek.org</a>	



District 5	Martinez	Mountain View	Pittsburg	Other Contra Costa County localities
Public Art Program	Public Art Policy (July, 2022)			
Municipal Codes				Bay Point
Policies & Procedures	Process for City Planned, Initiated, or Commissioned Public Art: Develop planned or commissioned Public Arts Programs/Projects through collaboration between City Staff/ Public Art Review Committee (PARC) and PRMCC (Parks, Recreation, Marina & Cultural Commission. Following review by PRMCC, all Public Art shall be forwarded to City Council for review and acceptance.	The Visual Arts Committee advises the City Council on the selection of art and artists for City-funded public art acquisitions. Recommend the use and programs supported by the City's one percent and annual Capital Improvement Program allocation for art.		Briones
Guidelines	Public Art should reflect: represent the diverse social, cultural, & historical values of the City; contribute to quality of life & economic vitality; be thought-provoking, memorable, & enduring; provide opportunities for education & learning; & encourage civic pride, add value to the community & represent the City.			Clyde
Selection Process	Public Art Review Committee (PARC). Committee comprised of City staff tasked with initial intake & review process for approval/acceptance by City Council.	Visual Arts Committee advises the City Council on the selection of art and artists for City-funded public art acquisitions (RFQ/RFP).		Crockett
Funding Mechanisms	City funds and grants			Hercules - Community & Library Services Commission oversee Library Art Exhibit Program
City Capital Projects Required (all, some)		1% of the project budget for all major public projects (valued at \$1 million or more) devoted to art.		Pacheco
Private development (all, some)				Port Costa
Requirement to Provide Art Work Or In Lieu				Reliez Valley (partial)
Permanent Public Art (Public & Private)		Public Art Map - Online (38 pieces)	City of Pittsburgh Art Walk - A Self-Guided Tour	Rodeo
			<a href="http://pittsburgca.gov/our-city/art-about-town">pittsburgca.gov/our-city/art-about-town</a>	
Temporary Public Art				Vine Hill



District 5	Martinez	Mountain View	Pittsburg	Other Contra Costa County localities
Types of Artistic Disciplines				
Sculpture	X	X	X	
Murals	X	X	X	
Utility Boxes				
Functional Benches, Streetlamps			Fountain	
Arts Commission	Parks, Recreation, Marina & Cultural Commission (PRMCC)			
Arts Committee	Cultural & Arts Subcommittee	Visual Arts Committee		
Arts Foundation, Other Foundations, Friends of			Pittsburgh Art & Community Foundation (Old Town Art Centre)	
Grants offered by City	Cultural Event Grant - Pilot Program for fiscal year 2022-2023 Grant for public performances, dance, music, theatre & educational events.			
Arts Plan				
City-operated art gallery		City Hall Art Gallery - organized by Visual Arts Committee		
City-operated performance space		Mountain View Center for Performing Arts		
City-owned art gallery-outside operator				
City-owned performance space-outside operator				
City-presented concerts in the park		Movies in the Park		
City-presented festivals			Arts & Crafts Fair	
City-run Art Competitions				
City Art Directory		Artist Registry - Artists on file for public art projects		
City staff exclusive for arts-full-time, part-time, contracted				
City staff for arts with other duties- full-time, part-time, contracted	Lauren Sugayan, Deputy City Manager	John Lang, Economic Vitality Manager	Kolette Simonton, Director of Recreation	
Contact Information	lsugayan@cityofmartinez.org	econ.dev@mountainview.gov	ksimonton@pittsburghca.gov	





## APPENDIX C:

### Implementation of Community-Initiated Public Art Proposals

A community entity identifies and develops a Public Art Project and Proposal as required.

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graph TD; A[A community entity identifies and develops a Public Art Project and Proposal as required.] --> B[The Proposal is submitted to the applicable District's Supervisorial Office. The Supervisor's office will review for referral to the Administrator's Office.]; B --> C[The Administrator's Office in tandem with the Public Art Advisory Committee will review and recommend the Proposal for approval by the Board of Supervisors.]; C --> D[The Board of Supervisors has final Approval of the Community Initiated Public Art Proposal.];
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The Proposal is submitted to the applicable District's Supervisorial Office. The Supervisor's office will review for referral to the Administrator's Office.

The Administrator's Office in tandem with the Public Art Advisory Committee will review and recommend the Proposal for approval by the Board of Supervisors.

The Board of Supervisors has final Approval of the Community Initiated Public Art Proposal.

# APPENDIX D:



THE CITY OF SAN DIEGO

## APPLICATION FOR DONATIONS OF ARTWORK TO THE CITY OF SAN DIEGO

Thank you for your interest in donating artwork to the City of San Diego. Please complete and submit this application to the City of San Diego Commission for Arts and Culture, ATTN: Civic Art Collection, 1200 Third Avenue, Suite 924, San Diego, CA 92101. Contact City staff at (619) 236-6800 for assistance. Additional sheets may be attached as needed. The City reserves the right to request additional information in order to process a donation proposal.

DONOR			
Name(s)			
Address			
City	State	Zip Code	Country
Phone	Fax	Email	
Credit Line - Provide the donor's name as it should appear in labels, publications and publicity.			
If this application is for a partial interest donation, explain the proposed terms. (Unless otherwise indicated by the donor, the City will assume that donation proposals are absolute.)			
If this application is for a restricted donation, explain the proposed terms. (Unless otherwise indicated by the donor, the City will assume that donation proposals are unrestricted.)			
Conflict of Interest - Disclose whether the donor has any active contracts with the City or is involved in any stage of negotiations for a City contract.			
ARTIST			
Name		Alias (If applicable)	
Nationality		Birth Date	Death Date (If applicable)
Address			
City	State	Zip Code	Country
Phone	Fax	Email	
Website			
Artist Representation/Gallery Name (If applicable)			
Artist Representation/Gallery Address			
City	State	Zip Code	Country
Phone	Fax	Email	

<b>Website</b>	
For donations of commissioned artwork, please explain the method for the selection of the artist.	
<b>ARTWORK</b>	
<b>Title</b>	
<b>Artwork type</b> (e.g. painting, sculpture, etc.)	<b>Medium</b>
<b>Description</b>	
<b>Period/Date</b>	<b>Dimensions and Weight</b>
<b>Finishes applied to surface</b>	
<b>Construction technique(s)</b>	
If this artwork is part of an edition, what is the edition number and the total number of the edition?	
If this artwork is part of a series, what is the total number in the series?	
If this artwork is part of a pair or a group, what is the total number in the pair or group?	
<b>Describe frame, if any.</b>	<b>Describe base or pedestal, if any.</b>
<b>Describe any accompanying accessories.</b>	
<b>Current location of artwork</b>	
<b>(Optional) Proposed City-owned site for placement</b>	
For memorials, describe the person or event to be commemorated.	

**ARTWORK HISTORY**

Provenance/Past Owners – List all past owners and period of ownership for each.

Exhibition History – List the exhibition history including exhibition titles, venues and dates for each.

Publications and References – List all publications about and references to the artwork.

**COPYRIGHT OWNERSHIP**

Name of current copyright owner		Title	
Address			
City	State	Zip Code	Country
Phone	Fax	Email	

If the donor is the current copyright owner, does the donor intend to transfer the copyright to the City of San Diego should the donation be accepted by the City?

**ARTWORK VALUATION**

Fair Market Value \$

How was this fair market value determined and by whom?

**CONDITION**

Describe the current condition of the artwork noting any existing breaks, tears, scratches, abrasions, paint losses, or other insecurities or defects in the artwork.

If the artwork has been conserved, describe the conservation treatment.

(Optional) Provide recommendations for routine maintenance of artwork. Indicate whether these recommendations were provided by a conservator.

(Optional) Provide recommendations for security, installation, transportation and/or storage.

For donations of commissioned artwork, please outline the installation plan.

### **OTHER REQUIRED MATERIALS**

Please submit the following materials along with this completed form.

- Artist's résumé and bio
- Digital, color images of existing artwork
- Color renderings of commissioned artwork
- For commissioned artwork, submit digital images of artist's past work.
- (Optional) Images of proposed site for artwork
- Itemized list of any costs to be borne by the City for transportation, installation, exhibition, operation, maintenance, conservation, and/or security.
- For commissioned artwork, submit an itemized budget for design, fabrication and installation.
- For commissioned artwork, submit a timeline for design, fabrication and installation.
- Exhibition catalogs, publications and/or references, if available
- Formal, written appraisal for any artwork with a fair market value of \$10,000 or more
- Condition report, if available
- Conservator's report, if applicable
- Proof of authenticity, if available
- Any other information relevant to the artwork

### **DONOR'S ADDITIONAL COMMENTS (OPTIONAL)**

### **DONOR'S AUTHORIZATION TO INITIATE A DONATION REVIEW**

Authorized signature	Title
Print name	Date

### **COMMISSION STAFF ONLY**

Received by	Date
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