



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Library & Recreation

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Library and Recreation Director

City Manager Approval: 

TOPIC: PUBLIC ART PROGRAM AND FORMATION OF THE PUBLIC ART REVIEW BOARD

SUBJECT: 1. ESTABLISHMENT OF PUBLIC ART PROGRAM
2. RESOLUTION APPROVING THE FORMATION OF THE PUBLIC ART REVIEW BOARD

EXECUTIVE SUMMARY:

In 2020, City staff received input from two local community groups expressing an interest in creating public art projects in the City. At that time, the only process available for establishing public art within the City included Environmental and Design Review, which can be a long and complicated process including Planning Commission review, which was not designed specifically to facilitate public art. The City Council directed staff to process the two public arts projects as part of a pilot program that would evaluate the possibility of establishing a permanent public art program within the City.

Staff developed a proposed Public Art Review Program based on the lessons learned from the pilot program, input received from the two public arts focus groups, research on public art review processes in other similarly sized cities, and input from a private consulting firm that specialized in public arts programs. This new program includes the creation of a public art review board, a public art review process, and public art selection criteria.

RECOMMENDATION:

Adopt a resolution approving the formation of the Public Art Review Board.

BACKGROUND:

On February 16, 2021, the City Council received [an Informational Report](#) that described the challenge these types of public art projects face in maneuvering the City's review process. Staff also provided an update on the two pending public art projects being proposed at the time: one in the Terra Linda neighborhood and one the Canal neighborhood (See Table 1).

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

TABLE 1: Public Arts Projects			
Project Proponents	Proposed Project	Additional Group Members	Proposed Location
Canal Arts Initiative	Canal Mural	Canal Alliance , SR Chamber of Commerce , Artworks Downtown , Marin Society of Artists , Storek Studio/Architecture	3301 Kerner Blvd
San Rafael Social Justice Community Art Group	Terra Linda Public Art Project	Youth in Arts , San Rafael community members	Arbor Park (Freitas & Las Gallinas)

In February of 2021, City Council adopted an ordinance amending San Rafael Municipal Code (SRMC) Section 14.25.040, allowing public art projects that undergo review through a separate review process to be exempt from Environmental and Design Review. The ordinance added the following language:

Public art installations on public or private property approved through a City-established public art program. For purposes of this section (14.25.040), "public art" is defined as all forms of art including, but not limited to: sculptures, murals, mosaics, and fountains, which are located on the exterior of a publicly owned facility or on a privately owned property when such artwork is placed in a location intended to be visible to the general public;

Through this amendment, the City Council authorized staff to proceed with a pilot public art review process for the two projects mentioned above. The pilot process included the formation of a temporary Public Art Advisory Group made up of local community art representatives, a member each of the Planning Commission and the Design Review Board, and a representative with diversity, equity & inclusion expertise. For the Terra Linda Public Art Project proposed for Arbor Park, a member of the Park & Recreation Commission was included as a member of the Advisory Group. The Advisory Group was created to discuss and provide feedback in a public forum on the two proposed public art projects and to provide an opportunity for members of the public to comment on proposed public art projects. The Advisory Group was an advisory body only and was formed in order to provide the City Council with their collective feedback on the public art projects that come forward during this pilot program. The City Council requested that staff provide an update on the effectiveness of the pilot program and a recommendation for establishing a permanent program.

Process and Status of Pilot Art Projects

Canal Arts Initiative

The Canal Arts Initiative includes a group of local volunteers, arts organizations and community-based organizations that serve the Canal neighborhood.

The group secured a grant from the [California Arts Council](#) to achieve the first major installation of color and art in Canal at 3301 Kerner Boulevard. The group worked with Canal Alliance, the Canal community, and local arts organizations to ensure the artistic concept for the mural was a community-driven process.

City staff then worked closely with the Canal Arts Initiative group members to assist with coordination and facilitation with City staff when needed. The proposed site was on the public facing wall of an existing Marin County building.

The Art installation was completed in July 2021, approximately five months after the City Council public art ordinance was approved on February 16, 2021. The completed art installation proved to be a successful community led effort that was funded, facilitated and administered primarily by the Canal Arts Initiative and its coalition of committed participants.

Canal Arts Initiative – Canal Mural



Terra Linda Social Justice Community Art Group

The San Rafael Social Justice Community Art Group came together in fall 2020 in response to the chalk art mural created at the intersection of Manuel T. Freitas Parkway and Las Gallinas Avenue over the summer of 2020. The chalk mural, honoring the life of Breonna Taylor, was removed per City policy to keep public property clear of markings. A coalition of concerned citizens then organized together and created the group to work on a public art project.

The group is comprised of 11 arts and community members who live and work in San Rafael. In addition, the group partnered with [Youth in Arts](#) (YIA), a San Rafael based non-profit to provide expertise, fundraising, and a youth component to the project. The project's focus was to create artwork that includes a positive message to celebrate the core themes of Justice, Equity, Diversity, and Inclusion (JEDI) through the lens of a Marin-based black, indigenous and people of color (BIPOC) perspective.

In addition, the group wanted to demonstrate that art is a representation of the collective community, to help community members heal, learn, and feel hope and unity. To that end, the creation of the art piece itself included an educational and awareness component.

The group selected Arbor Park, a small parkette at the southwest corner of the intersection of Manuel T. Freitas Parkway and Las Gallinas Avenue as the location for the artwork given its proximity to the chalk art mural mentioned above. Arbor Park is a City parkette (a small park) that consists of a few benches, a grass area, and a walking path. The park is highly visible to cars and pedestrians who travel in Terra Linda along Manuel T. Freitas, the main thoroughfare for the neighborhood.

A [Call for Artists](#) was issued by the group on January 15, 2021. The group received several applications and selected an accomplished local artist, Orin Carpenter, to prepare the artwork. Along with YIA, Orin Carpenter mentored ten youth artists who collaborated on a mural that represented concepts around the words, "Liberty, Freedom, and Justice." The mural, which was unanimously approved by the City Council at the [August 16, 2021 City Council meeting](#), will be installed in a large public display to be exhibited across three large, upright panels in Arbor Park. The group has convened with City staff, an architect and a construction contractor to prepare Arbor Park for the installation of the mural display, which is in the final planning stages for installation.

Mural that will be displayed in Arbor Park: "Regeneration"



ANALYSIS:

As discussed in the background section, the City Council directed staff to proceed with processing two public arts projects as part of a pilot program. Staff developed the *Proposed Public Art Review Program* described below.

In an effort to determine the best approach to formalizing the pilot program, staff conducted focused group discussions in early 2022 with both community groups to receive input on the process that was followed during the pilot program. The following describes the input received from each of the focus groups.

Canal Arts Initiative

The Canal Arts Initiative focus group indicated that although the pilot project was successful, each of the many arts groups in San Rafael still require assistance from the City of San Rafael to complete more public art projects in the San Rafael community. Focus group participants indicated a lack of coordination in applying for public arts grants across the County, and that the lack of an official public arts board caused confusion. Participants noted that although the pilot project was a good first step towards a future public-private partnership, they hoped that the City of San Rafael could provide more financial assistance, grant writing and letters of support for public arts projects proposed by the many arts groups located in San Rafael.

Participants also requested that any structured, official public arts board be specific about how it will incorporate and review public art proposals that reflect the diversity of all of San Rafael's community members. Several participants noted that any proposed board should include artists with the technical experience and understanding on how to execute a successful public arts project such as a large-scale mural, sculpture or integrated architectural or landscape architectural work.

Terra Linda Social Justice Community Art Group

Participants were grateful and appreciative of the quick responsiveness from City staff in response to community requests to respond to social justice issues that had occurred in cities nationwide in 2020. Participants expressed how much they value the partnership with City staff and local arts groups and felt the project to be a powerful unifying force in the community that they are eager to celebrate and commemorate for years to come. Several participants noted that the success of the project was directly correlated with the integral collaboration with one local arts nonprofit (Youth in Arts), and that additional resources from other local arts-based nonprofits could facilitate more public art projects.

Although most participants in the group were not professional artists or involved directly in the arts, the group did raise funds to commission a local artist, who helped the youth create a mural consistent with the group's identity and message. The commissioned artist was very grateful and appreciative of the City's efforts to guide the project through the complicated steps of commissioning public art in the City, and for respecting several local artists' time and artistic direction.

Participants requested a future list of preapproved sites or potential locations for future projects and requested City sponsorship for grants. Several members also noted the need to intentionally include diverse stakeholders from across the City of San Rafael. Participants also requested City assistance for venues to showcase art, as well as the request to partner in beautification efforts in Downtown or in empty storefronts. Each of these suggestions and takeaways were considered by staff and taken into consideration in the proposed public arts program.

Public Art Programs - Research from other Cities

Of the cities in Northern California that currently operate a public arts program, staff selected ten that were most comparable to San Rafael in terms of size and/or geography and that had a well-developed public art process. Staff gathered a range of information on existing programs, including: the make-up of different types of governing bodies, what types of policies and documents are used for planning and decision-making, which City departments administer the public art programs, what is involved in the review process for public art projects, potential funding sources, and criteria used for reviewing public art proposals.

Consulting Firm Recommendations

The City hired Cultural Planning Group (CPG), an organization that specializes in public art planning on the development of the proposed Public Art Review Program. CPG has significant experience in all aspects of public art planning, including developing a new program, creating a master plan for an existing program, and defining the future for a mature, successful program.

Staff worked with CPG to develop a proposed Public Art Review Program that incorporates best practices and lessons learned from CPG's experience in the field. CPG provided significant input to the design of the program. Specifically, CPG's recommendations addressed the following areas:

- Definitions of Public Art
- Public Art Review Board roles and responsibilities, authority, membership criteria, and meeting frequency
- Selection Guidelines, including project readiness, community engagement, maintenance, and design requirements
- Establishing a timeframe for all projects, with the understanding that all artwork installed on public property will be considered temporary

CPG noted that considering all artwork to be temporary is a novel approach that provides a number of benefits and flexibility, particularly given that the City will not be purchasing or funding the artwork. Since this is a new approach the guidelines may need some adjustments and updates in various areas as the city goes through implementation.

Proposed Public Art Review Program

Staff proposes the establishment of a program that includes a public art review board, a public art review process, and creation of public art selection criteria as described below.

Establishment of Public Art Advisory Board

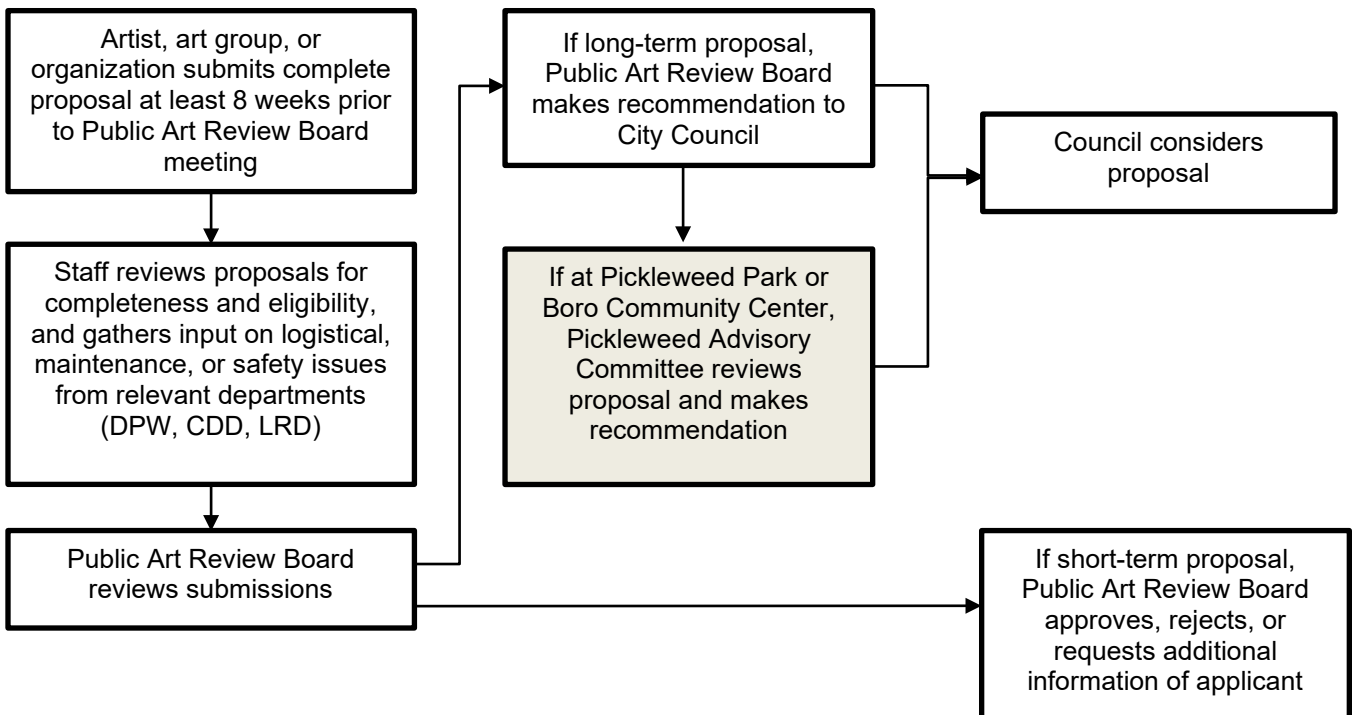
Staff recommends establishment of a Public Art Review Board (Board) that would serve as an advisory board. Their primary responsibilities would be to oversee the public art review process and to advise the City Council on selection of public art. The Board would be staffed by the Library and Recreation Department. Membership would consist of 5 members, including one (1) Design Review Board Member, one (1) Park & Recreation Commissioner, and three (3) at large voting members. In addition, individual councilmembers will participate as a non-voting liaison when public art is proposed within that councilmember’s district.

The Board would meet quarterly and would be responsible for providing recommendations to the City Council regarding long-term (greater than one year) public art installations and for approving applications for temporary (one year or less) public art exhibitions. Attachment 3 provides more detail on the roles, responsibilities, and selection criteria and process for Board members.

Establishment of a Public Art Review Process

The Public Art Review Process would be used to review all art projects proposed for property that is owned, occupied, or managed by the City. Applications would be accepted on a rolling basis and would be required to be submitted eight (8) weeks prior to a publicly noticed Board meeting.

The below flow chart outlines the steps in the proposed Public Art Review Process.



Establishment of Public Art Selection Criteria

The proposed Public Art Review Guidelines established a set of criteria by which the Board would review public art projects and base their recommendations. These criteria provide transparency in the decision-making process and ensure the community understands what is required of successful public art applications.

The criteria include:

- Project readiness
- Qualification of artist(s), artist teams, or project manager
- Funding
- Community Engagement
- Maintenance
- Design
- Diversity

Attachment 3 (Proposed Public Art Review Guidelines) provides greater detail as to what the Board would be looking for in each of these criteria. It is important to note that the majority of the criteria address issues of feasibility and logistics and the focus of the Board's decisions will be based on the ability of the applicant to successfully complete the project, efforts made to solicit support from the surrounding community, the maintenance requirements, and the appropriateness of the project for the given site. The criteria that address the content of the artwork prohibit themes interpreted as derogatory as to race, religion, sexual orientation, natural origin, or physical or mental disability; those that contain subject matter that is religious, sexual, or that promotes a political candidate or includes political text; and content considered obscene or indecent.

Implementation

If approved by the City Council, staff will quickly open a recruitment for the at-large members and work with the Design Review Board and Park & Recreation Commission to select members for the Public Art Review Board. Assuming sufficient applications are received, it is estimated that the recruitment and selection process would take approximately six to eight weeks. Based on that timeline, staff would target a date in late July or early August for the first meeting of the Board.

Once the Board is developed, receiving applications, and implementing the proposed review process, staff and Board members will regularly evaluate the program to determine if there are opportunities for it to be adapted or strengthened. As this is a new program for the City, the implementation will be a continuous learning process and staff expect to iterate on the program design in future years.

COMMUNITY OUTREACH:

Community outreach was conducted for both public art projects. Notices were sent to residents and businesses within 300 feet of the proposed project sites at Arbor Park and in the Canal neighborhood. Signs were also posted at these sites with additional information regarding the upcoming public hearing. This allowed opportunity for public involvement, however, neither project resulted in much public participation other than participation from members of the focus groups.

For the development of the Public Art Review program, the City conducted focus groups with organizations and individuals that participated in the two pilot projects to receive input/feedback on the process and recommendations for establishing a permanent public art program. The draft Public Art Review Guidelines were also shared with these groups and their input received to date has been incorporated into the proposed program.

Additionally, the program itself requires that applicants conduct outreach to the communities surrounding project locations, utilizing a tiered approach depending on the longevity and location of the proposed art projects. Further, depending on the size and scope of the application, staff will determine if further outreach is necessary prior to the Public Art Review Board meetings.

FISCAL IMPACT:

While this action will require existing staff time for the review of applications and the administration of the Public Art Review Board, there is no predicted budget impact as the program is currently designed.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Approve the resolution as proposed.
2. Approve the resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:

Adopt a resolution approving the formation of the Public Art Review Board.

ATTACHMENTS:

1. Resolution
2. Exhibit A to the Resolution: Public Art Review Board Bylaws
3. Proposed Public Art Review Guidelines

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL APPROVING THE FORMATION OF THE PUBLIC ART REVIEW BOARD

WHEREAS, on February 16, 2021, the City Council received a report regarding Public Art Projects in the Terra Linda and Canal Neighborhoods and a proposed path for reviewing public arts projects as part of a pilot public arts program; and

WHEREAS, on February 16, 2021, the City Council also adopted an ordinance amending San Rafael Municipal Code, (SRMC) Section 14.25.040 to provide an avenue for exempting from Environmental and Design Review, certain types of public art installations that are approved through a City-established public art program; and

WHEREAS, subsequent to the Council Action, the City began processing two public art projects: Terra Linda Public Art Project and the Canal Mural Project; and

WHEREAS, the City worked with the two public art projects to pilot a review process and to develop a streamlined public art review program; and

WHEREAS, staff have gathered lessons learned from the pilot processes, conducted research on public art programs in other cities, and engaged a consultant that specializes in public art programs to develop a Public Art Program designed to meet the current needs of the City of San Rafael; and

WHEREAS, a critical component to the development of a Public Art Program is the establishment of a Public Art Review Board with clear and transparent criteria for the review of public art; and

WHEREAS, on May 16, 2022, the City Council held a duly noticed public meeting and was presented a proposed framework for establishing a permanent public arts program within the City, and accepted public testimony; and

WHEREAS, the City Council, finds that establishment of a public arts program is consistent with the Arts and Culture Element of the General Plan including the following policies:

- Policy AC-1.1: Cultural Center of Marin
Continue to promote San Rafael as the hub of arts and culture in Marin County.
- Policy AC-1.2: Arts Programming
Encourage and support an array of cultural arts programs and activities addressing the needs and interests of the whole community
- Policy AC-1.3: Partnerships
Promote and strengthen partnerships and collaborative arts programming with local artists, schools and institutions of higher learning, community-based organizations, the County of Marin, the private sector, and non-profit arts organizations.
- Policy AC-1.4: Inclusive Activities
Encourage activities, entertainment and events that reflect San Rafael's diverse cultural heritage and population. Programming should be inclusive of all ages, ethnicities, genders, abilities, and socioeconomic groups. Participation in the arts should be supported as a

way to promote intercultural understanding, and to bridge differences and forge unity. All residents should have access to arts and cultural activities.

- Policy AC-1.5: Public Art
Promote a stimulating and engaging environment through the greater display of public art, including both temporary and permanent works. Locations throughout the city should be considered.
- Policy AC-1.6: Space for the Arts
Encourage and promote the creation of public and private arts and cultural space in the city, such as galleries, theaters, indoor and outdoor performance spaces, music venues, and cultural centers.
- Policy AC-1.9: Arts-Supportive Environment
Create an environment that is supportive to arts professionals.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of San Rafael hereby establishes the Public Art Review Board and establishes the responsibilities and duties of the Public Art Review Board members as specifically delineated in Exhibit "A" attached hereto and incorporated herein.

BE IT FURTHER RESOLVED, the City Manager or their designee is authorized to approve contracts, waivers, insurance, and other documentation needed to implement the program.

I, **LINDSAY LARA**, Clerk of the City of San Rafael, California, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the Council of the City of San Rafael held on the 16th day of May 2022, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

PUBLIC ART REVIEW BOARD BYLAWS

ARTICLE I. NAME AND PURPOSE

Section 1.1. Name. The name of this body shall be the City of San Rafael Public Art Review Board, hereinafter referred to as the "Public Art Review Board," or the "Board."

Section 1.2. Purpose. The Public Art Review Board's purpose is to help administer the public art review process and to advise the City Council on public art installations.

Section 1.3. Committee Responsibility. The Public Art Review Board's authority over long-term art proposals (greater than one year) is advisory only and the Board will issue a recommendation to City Council to approve or reject a proposal. For short-term art proposals, the Public Art Review Board has the authority to approve exhibitions. At staff's discretion, certain short-term projects may be required to obtain City Council approval, depending on project impact.

The Public Art Advisory Committee's responsibilities shall be in accord with these Bylaws, as amended from time-to-time by the City Council.

The responsibilities and duties of the Public Art Review Board shall be as follows:

1. Work with Staff in the review and approval of public art projects.
2. Review all proposals for public art and recommend select projects to City Council for approval.
3. Monitor the overall development of public art projects, encouraging balance over time with respect to background, gender, and other identities of artists selected and also with respect to styles of expression, media, and genre.
4. Provide opportunities for community input and resident participation.
5. To use the following Public Art Review Criteria in evaluating all public art proposals:
 - a. Project Readiness: Projects can demonstrate readiness through completeness of design, skill/experience of the artist(s) or project manager(s), secured funding for art piece and cost of installation, successful community engagement, identification of an appropriate site, and proposed schedule. The Public Art Review Board may encourage an applicant to reapply, if they deny a proposal as not sufficiently ready but with specific promise to demonstrate future readiness.
 - b. Qualifications: Artists, artist teams, or project manager must be able to demonstrate, through past work – as evidenced in a resume, portfolio, and reference – their ability to create quality artwork and act with the utmost professionalism. In most cases, artists have considerable training and experience working professionally at and have been

- compensated for their art. For certain projects, the City will consider emerging or non-professional artists, who are working under the guidance of a professional mentor or art teacher.
- c. Funding: Projects should have a funding source identified and project implementation will be contingent upon receipt of full funding for the project. The City does not provide project funding for public art.
 - d. Community Engagement: Proposed projects that have completed their own public engagement process will be prioritized.
 - i. For long-term projects (installation planned for more than one (1) year): A minimum of one (1) public meeting and three (3) letters of support are recommended. Successful public meetings might involve the local homeowner's association (HOA), neighborhood associations, or business owners. The Public Art Review Board must be informed of these meetings ahead of time and allowed to opportunity to attend.
 - ii. For short-term projects that are viewable within the public right-of-way: A minimum of two (2) letters of support is recommended.
 - iii. In both instances, it is recommended that one of the letters of support be from the local homeowners' association (HOA) or neighborhood association, if applicable.
 - iv. Short-term projects inside a public facility are not required to conduct community engagement, outside of that undertaken through the Public Art Review Board process.
 - e. Maintenance: Works of art will have reasonable maintenance requirements and these requirements shall be compatible with routine City maintenance procedures. For projects that require more maintenance than current City budgets and staffing allow or a specific expertise, the project must set aside sufficient maintenance funding for the duration of the project and must develop an agreement for maintenance to be performed by private parties, as approved by City staff.
 - f. Design: Works of art will be designed in consideration of the relevance and appropriateness of the work to the context of the site and in alignment with public safety and decency.
 - i. The artwork will not portray themes that may be interpreted as derogatory as to race, religion, sexual orientation, natural origin, or physical or mental disability. The artwork will not contain content, signage, names, logos, or subject matter that could be construed as advertising or as religious or sexual in nature nor will it promote a political candidate or include political text. Any content considered obscene or indecent by community standards will be denied.
 - ii. The design of the artworks will take into consideration issues associated with public spaces such as security, theft, vandalism, etc.
 - iii. The design of the artworks will consider the specific needs and use patterns of the public space in which they will be located. For example, in parks, works of art will not block critical view corridors

- or impede public usage of key open space.
- g. Diversity: Artists and the City's public art collection should reflect the diversity of San Rafael's community. The Public Art Review Board shall monitor the overall development of public art projects, encouraging balance in the City's collection over time with respect to background, gender, and other identities of artists selected and also with respect to styles of expression, media, and genre.

ARTICLE II. MEMBERSHIP

Section 2.1. Number of Members. The Public Art Review Board shall consist of five (5) voting members as follows: three (3) at-large members, one (1) representative from the Design Review Board, and one (1) representative from the Park and Recreation Commission. The Councilmember in whose district the public art is proposed will participate as a non-voting liaison to the City Council as part of the selection process.

Section 2.2. Eligibility. Members of the Committee shall be at least 18 years of age and reside within the City limits. The three (3) at-large members shall reflect the diversity of San Rafael, with professional qualifications in the visual arts and/or civic design, such as artists, architects, landscape architects, arts educators, arts administrators, urban designers, urban planners, or owners/managers of a creative business.

Section 2.3. Compensation. Committee members serve without compensation.

Section 2.4. Appointment of Committee Members. The representatives from the Design Review Board and the Park and Recreation Commission will be selected by the Design Review Board and the Park and Recreation Commission, respectively, on a biannual basis. The at-large members will be selected by the City Council.

Section 2.5. Terms of Appointment. The at-large Board members will serve a maximum of two (2) four (4) year terms. The representatives from the Design Review Board and the Park and Recreation Commission shall serve a term of two (2) years, but not more than two consecutive terms. However, if there is a vacancy, the Design Review Board and the Park and Recreation Commission have the authority to extend the current representative's term at their discretion. Board Members serve at will and are subject to appointment and/or removal at the discretion of City Council.

Section 2.6. Absence and Removal. An unexcused absence from two (2) consecutive Committee meetings without notification to the Staff Liaison, or six absences (whether excused or unexcused) in any term, shall be considered a voluntary resignation from the Committee. Committee members who had previously resigned may be eligible for reappointment to the Committee.

Section 2.7. Conflict of Interest. A member of the Board who has a financial, business, familial or romantic relationship regarding a matter coming before the Board

shall disqualify themselves from all participation in that matter.

ARTICLE III. MEETINGS

Section 3.1. Time and date of Regular Meeting. Notification of meeting place, date, and time shall be rendered to the public through posting on the City of San Rafael website. Public meetings shall be held a minimum of four (4) times per year but may meet more frequently or on an ad hoc basis, as needed. Quarterly meetings shall be scheduled annually with the quarterly meeting schedule for the upcoming year will be set by November of the previous year.

City of San Rafael

Public Art Review Guidelines

DRAFT

Introduction

The City of San Rafael recognizes the critical value that public art provides to our community. Public art is accessible and free for all to enjoy. From providing cultural enrichment to driving economic development, public art plays an important role in developing thriving, vibrant communities. In 2017, the City of San Rafael's Downtown corridor was selected as one of ten California Cultural Districts by the California Arts Council. The arts district provides a unique place to create and appreciate arts and culture – San Rafael arts partners provide programming for people to come together, make connections, and get involved in the larger community.

Recently, the City has experienced an increase in interest in public art projects from the community, with individuals and groups across the City exploring opportunities to develop public art projects. In response to this increase in demand, the City of San Rafael is looking to partner with and support those interested in pursuing public art projects.

To facilitate the public art approval process, the City has developed a Public Art Review Board (Board) and a streamlined Public Art Review Process. This document outlines the roles and responsibilities of the Board, along with the process and selection criteria for those interested in partnering with the City on a public art project. As the City moves forward with this new program, there will be ongoing review and iteration to build a strong program that is responsive to community needs and that incorporates lessons learned.

Definitions of Public Art

Art, Work(s) of Art or Art Works

The objects or activities resulting from the application of skill and taste to production of tangible objects, designs, performances, and/or environments according to aesthetic principles, including, but not limited to: painting, sculptures, engravings, carvings, frescoes, murals, collages, mosaics, statues, tapestries, photographs, drawings, crafts, installations, digital and light-based works, fabric, and textile works, earthworks, performance art, and conceptual works.

Public Art

Works of art, both publicly and privately owned, which are located on property that is owned, occupied, or managed by the City.

Public Art Review Board

The Public Art Review Board (the Board) is the entity appointed by the City Council to help administer the public art review process and to advise the City Council on public art installations.

Role and Responsibilities

The Public Art Review Board will:

- Work with Staff in the review and approval of public art projects.
- Review all proposals for public art and recommend select projects to City Council for approval.

- Monitor the overall development of public art projects, encouraging balance over time with respect to background, gender, and other identities of artists selected and also with respect to styles of expression, media, and genre.
- Provide opportunities for community input and resident participation.
- Use the criteria established in the City’s Public Art Review Process to:
 - Provide recommendations to City Council regarding long-term (greater than one year) public art installations.
 - Approve applications for short-term (one year or less) public art exhibitions. At staff’s discretion, certain short-term projects may be required to obtain City Council approval, depending on project impact.

Membership

The Public Art Review Board membership will consist of:

- A total of 5 voting members including:
 - One Design Review Board voting member
 - One Park & Recreation Commission voting member
 - Three at large voting members that reflect the diversity of San Rafael, with professional qualifications in the visual arts and/or civic design, such as artists, architects, landscape architects, arts educators, arts administrators, urban designers, urban planners, or owners/managers of a creative business.
 - Members of the Board shall be at least 18 years of age and reside within the City limits.
- The Councilmember in whose district the public art is proposed will participate as a non-voting liaison to the City Council as part of the selection process.

The at-large members will be selected by the City Council and will serve a maximum of two (2) four (4) year terms. The representatives from the Design Review Board and the Park and Recreation Commission will be selected by the Design Review Board and the Park and Recreation Commission, respectively, and will serve a maximum of two (2) two (2) year terms. However, if there is a vacancy, the Design Review Board or Park and Recreation Commission has the authority to extend the current representative’s term at their discretion. Board Members serve at will and are subject to appointment and/or removal at the discretion of City Council. Board members will select a Chair and Vice Chair, who will serve two (2) year terms.

Meetings

The Board holds publicly noticed meetings on a quarterly basis but may meet more frequently or schedule ad hoc meetings, as needed. A member who fails to attend two (2) consecutive meetings without notifying the staff liaison, or six (6) absences in any term, shall automatically be removed from the board, and the City Council shall promptly fill that vacancy.

Conflict of Interest

A member of the Board who has a financial, business, familial or personal relationship regarding a matter coming before the Board shall disqualify themselves from all participation in that matter.

Public Art Review Process

The City of San Rafael welcomes proposals for the creation and display of public artworks and exhibitions on property that is owned, occupied, or managed by the City.

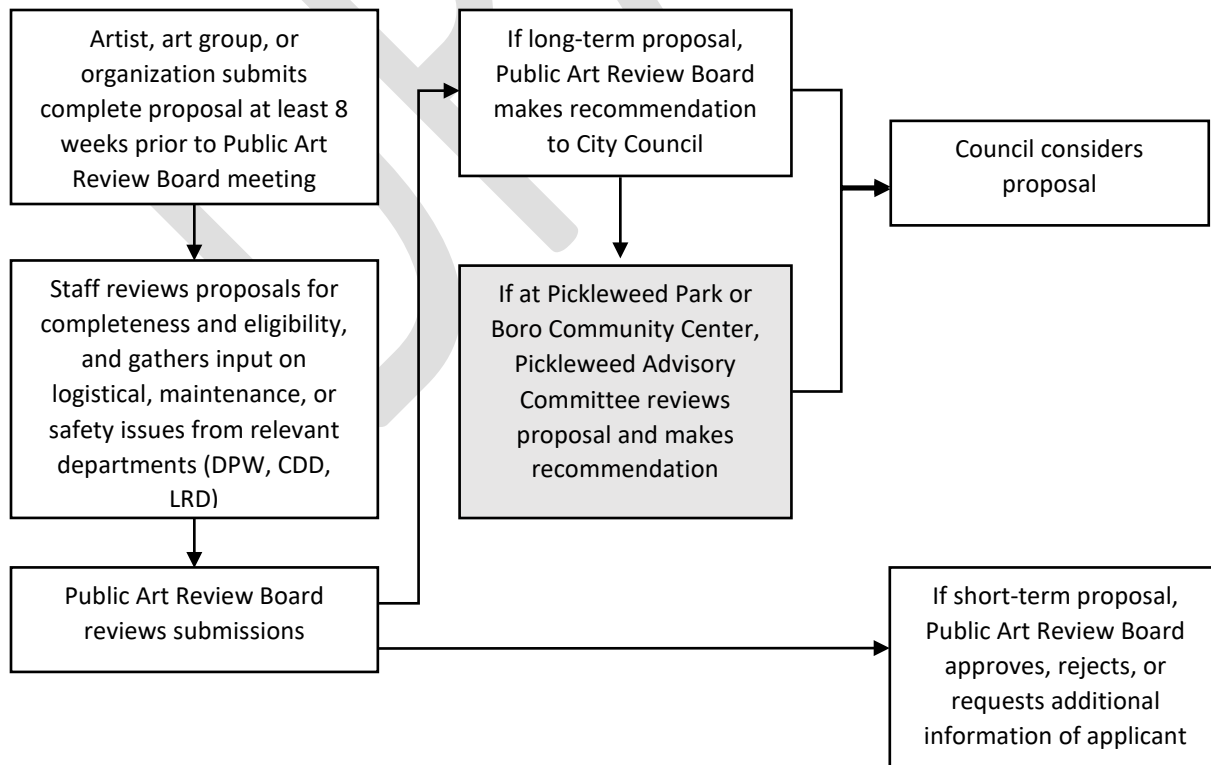
The Public Art review process is overseen by the Public Art Review Board, with support from the Library and Recreation Department. The process encompasses both short-term (one year or less) and long-term (more than one year) projects. Those seeking letters of support from the City for a project or grant application would also utilize this process.

Process Overview

For short-term proposals, the Public Art Review Board has the authority to approve exhibitions. For long-term projects, the Public Art Board will issue a recommendation to City Council to approve or reject a proposal. At staff's discretion, certain short-term projects may be required to obtain City Council approval, depending on project impact.

Completed proposals must be received no later than eight (8) weeks prior to the Public Art Review Board meeting at which they will be reviewed. Proposals will be deemed complete at the discretion of staff. The Public Art Review Board holds quarterly public meetings, with an annual schedule of meetings and proposal deadlines published on the City's website. The Board may meet more frequently or schedule ad hoc meetings, as needed.

This flow chart outlines the steps in the public art review process.



Public Art Selection Criteria

The Public Art Review Board will use the following criteria when reviewing and prioritizing submissions for art on public property.

Project Readiness: Projects can demonstrate readiness through completeness of design, skill/experience of the artist(s) or project manager(s), secured funding for art piece and cost of installation, successful community engagement, identification of an appropriate site, and proposed schedule. The Public Art Review Board may encourage an applicant to reapply, if they deny a proposal as not sufficiently ready but with specific promise to demonstrate future readiness.

Qualifications: Artists, artist teams, or project manager must be able to demonstrate, through past work – as evidenced in a resume, portfolio, and reference – their ability to create quality artwork and act with the utmost professionalism. In most cases, artists have considerable training and experience working professionally at and have been compensated for their art. For certain projects, the City will consider emerging or non-professional artists, who are working under the guidance of a professional mentor or art teacher.

Funding: Projects should have a funding source identified and project implementation will be contingent upon receipt of full funding for the project. The City does not provide project funding for public art.

Community Engagement: Proposed projects that have completed their own public engagement process will be prioritized.

For long-term projects (installation planned for more than one (1) year):

- A minimum of one (1) public meeting and three (3) letters of support are recommended. Successful public meetings might involve the local homeowner's association (HOA), neighborhood associations, or business owners. The Public Art Review Board must be informed of these meetings ahead of time and allowed the opportunity to attend.

For short-term projects that are viewable within the public right-of-way:

- A minimum of two (2) letters of support is recommended.

In both instances, it is recommended that one of the letters of support be from the local HOA or neighborhood association(s), if applicable. Short-term projects inside a public facility are not required to conduct community engagement, outside of that undertaken through the Public Art Review Board process.

Maintenance: Works of art will have reasonable maintenance requirements and these requirements shall be compatible with routine City maintenance procedures. For projects that require more maintenance than current City budgets and staffing allow or a specific expertise, the project must set

aside sufficient maintenance funding for the duration of the project and must develop an agreement for maintenance to be performed by private parties, as approved by City staff.

Design: Works of art will be designed in consideration of the relevance and appropriateness of the work to the context of the site and in alignment with public safety and decency.

- The artwork will not portray themes that may be interpreted as derogatory as to race, religion, sexual orientation, natural origin, or physical or mental disability. The artwork will not contain content, signage, names, logos, or subject matter that could be construed as advertising or as religious or sexual in nature nor will it promote a political candidate or include political text. Any content considered obscene or indecent by community standards will be denied.
- The design of the artworks will take into consideration issues associated with public spaces such as security, theft, vandalism, etc.
- The design of the artworks will consider the specific needs and use patterns of the public space in which they will be located. For example, in parks, works of art will not block critical view corridors or impede public usage of key open space.

Diversity: Artists and the City's public art collection should reflect the diversity of San Rafael's community. The Public Art Review Board shall monitor the overall development of public art projects, encouraging balance in the City's collection over time with respect to background, gender, and other identities of artists selected and also with respect to styles of expression, media, and genre.

Timeframe for Artworks

For artworks on City property, all works approved by the Public Art Review Board shall be considered temporary installations, with specific provisions regarding future disposition. The Board shall determine the timeframe for the artwork to be displayed with input from the artist, after which the artwork will be reviewed and the timeframe extended, the work purchased, donated, removed, or moved. It is anticipated that some artworks will have a timeframe of five or ten years, while others may be longer-term. Setting a timeframe allows for both artist and the City to define the terms of display and to reassess the work within its larger context, such as changes to the site/location, in the community, to the artwork itself, and other factors. The Board shall set review criteria for reviewing future actions in relation to the artwork at the end of the work's timeframe.

Criteria for Reviewing Artwork Upon Completion of Timeframe

When the negotiated timeframe for a work of art has expired, the City will act in accordance with the terms of the artist agreement. Under the agreement it may, in its discretion, choose to extend the time period of the work, make it a permanent part of the collection, accept it as a donation, or purchase, remove, or move it. The Board will decide according to the following criteria, which would support continuation of the artwork.

- The community supports the continued presence of the artwork.
- The artwork is of high artistic quality and/or offers alternative artistic value, such as an educational piece.
- The artwork and/or artist add to the diversity of the collection.

- Maintenance and conservation of the artwork are manageable.
- The site is and will continue to be City property and a suitable location for the artwork.

Criteria for Removal of Art Works

At any time, a work of art may be removed at City's sole discretion for one or more of the following reasons:

- The condition or security of the artwork cannot be reasonably guaranteed.
- There is an emergency event such as a fire, storm, or other climate-related event.
- The artwork is damaged, and repair is infeasible, or the cost of repair is disproportionate to the value of the artwork.
- The artwork requires unanticipated, excessive maintenance due to design flaws or other factors.
- The artwork endangers public safety.
- The site of the artwork is so severely altered or there are planned renovations/site improvements such that the artwork is no longer compatible or relevant.
- The property on which a site-specific artwork is located is no longer owned by the City of San Rafael.
- There has been sustained and overwhelming public objection to the artwork over a period of time.
- The artwork has been stolen or destroyed.

How to Apply

Please follow the steps below to apply for a public art installation on City public property. Your application can be submitted via email (publicart@cityofsanrafael.org) or mailed to the Library & Recreation Director at 618 B Street, San Rafael, CA 94901.

Proposal Requirements

The proposal must include the following components:

- Name of artist and/or proposer team
- Artist, Artist Team, or Project Manager Resume or Qualifications
- Detailed project description including:
 - Description of proposed concept
 - Illustrations, drawings, or samples of the proposed artwork
 - Materials and media
 - Proposed Site
 - Timeline for installation
 - Estimated budget for installation and funding source(s) including:
 - Artist Stipend (if applicable)
 - Artist Fee
 - Materials
 - Installation
 - Maintenance (if included)
 - Other project costs (insurance, permits, etc.)
 - Project maintenance details/instructions
 - Anticipated life of project (6 months, 1 year, 2 years, 10 years, etc.)
- Structural integrity and ADA compliance
- Community engagement/support documentation
- Applicant must agree to the general terms set forth in the City's license agreement, including insurance requirements

Selection Process

The artists will prepare and submit a completed proposal to the Public Art Review Board. Proposals will be deemed complete at the discretion of staff. Proposals must be received no later than eight (8) weeks prior to the meeting at which they will be reviewed. The Board holds quarterly public meetings, with an annual schedule of meetings and proposal deadlines published on the City's website.

The Board may ask for an in-person meeting/presentation. The final recommendation of the Board will be made to staff. For projects with an anticipated life of greater than one-year, final approval will be made by the City Council. At staff's discretion, certain short-term projects may be required to obtain City Council approval, depending on project impact. The City strives to provide a decision on projects within three to four months of receipt of an application.

All questions about the process can be submitted to publicart@cityofsanrafael.org.

The City of San Rafael reserves the right to reject any submission which fails to provide all information requested, or fails to meet the objectives of the Public Art Review Board.

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