

**City of Sonoma Cultural & Fine Arts Commission**  
**Public Art Policy and Procedures**

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PUBLIC ART POLICY AND PROCEDURES  
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## 1.0 Introduction and Overview

### 1.1 Introduction

This Public Art Policy and Procedures (Policy) sets forth a comprehensive framework for the administration and management of the City of Sonoma's Public Art Program. It defines the roles, responsibilities, and procedures involved in selecting, installing, maintaining, and deaccessioning public artworks while ensuring a transparent and equitable process. The Policy also outlines funding mechanisms, guidelines for accepting gifts and loans of artwork, and strategies for enhancing Sonoma's cultural and artistic identity.

The goal of this policy is to promote the integration of art into public spaces, foster community engagement, support artists, and enhance the quality of life for Sonoma's residents and visitors. Through collaboration with artists, City staff, and the Cultural and Fine Arts Commission, the Public Art Program aims to create a lasting cultural legacy that reflects the history, diversity, and creativity of Sonoma.

Key elements covered in this policy include:

- **Procedures for the selection of artists and artwork**
- **Evaluation criteria for public artworks**
- **Guidelines for gifts, loans, and acquisitions of artwork**
- **Maintenance and preservation of public art**
- **The deaccessioning process for artwork that is no longer suitable for display**

This Policy serves as a guide for all stakeholders involved in Sonoma's Public Art Program and emphasizes the City's commitment to becoming a recognized art destination while integrating art into the daily lives of the community. By broadening the scope to include temporary installations and programs, the City of Sonoma ensures that its public art offerings remain vibrant, diverse, and responsive to the evolving cultural landscape.

### 1.2 Policy Statement

The purpose of the Public Art Program is to serve as a catalyst for urban beautification, cultural enrichment, and social cohesion, enhancing the experiences of residents and visitors while promoting economic development and establishing Sonoma as a vibrant art destination. The Public Art Program will also actively engage the community and local artists to reflect the cultural diversity and identity of Sonoma.

To make public art an integral element of the City of Sonoma's built and cultural environment, the City will establish and maintain a program dedicated to the creation, acquisition, and integration of public artwork in collaboration with developers, artists, and community stakeholders.

The Cultural and Fine Arts Commission will report annually to the City Council on the status, impact, and achievements of the Public Art Program, including both temporary and permanent installations.

All temporary and permanent works of art installed within the City of Sonoma are subject to the City's Public Art policies, procedures, and guidelines.

### 1.3 Definitions

**Ad Hoc Committee:** A temporary committee established to address a specific task or project, solely comprised of members of a City Commission but limited to less than a quorum of the full Commission to facilitate focused work outside formal meetings. Ad hoc committees are formed for a limited duration and are dissolved once their assigned task is complete. Ad hoc committees are advisory and cannot make final decisions. These committees are exempt from Brown Act requirements, allowing for flexibility in meeting frequency and format to support efficient, task-oriented collaboration.

**Art Professional:** An individual who is respected in their field and knowledgeable about contemporary visual art, such as an artist, curator, art critic, art historian, architect, landscape architect, or urban designer.

**Artwork (Works of Art):** Original and unique creations in visual media produced by or under the control of practitioners generally recognized by their peers and critics as professional artists, including but not limited to:

- **Two-dimensional media:** Graphics, calligraphy, drawing, painting, photography, collage, and printmaking, including both portable and permanently installed work (such as murals).
- **Three-dimensional sculptural media:** Work in relief, in the round, assemblages, constructions, and landscape environments.
- **Fine Crafts:** Creations in clay, fiber, textiles, glass, wood, metal, stone, masonry, mosaics, and plastic.
- **Architectural and/or landscape features:** Grates, lights, floors, and seating produced in unique or limited editions under the control of an artist.
- **Electronic media:** Works such as film, video, photo projections, sound, light, and computer-generated artworks produced under the control of the artist.

**Artwork Inventory:** A catalog of permanent public art on City property. This inventory records essential details such as the title, artist, medium, dimensions, date of installation, commission amount, commissioning entity, and specific location. It serves as a resource for tracking, managing, and preserving the City's public art collection.

**Artist Selection Panel:** A panel established at the discretion of the City Manager and composed of voting members from a range of backgrounds to provide diverse perspectives and expertise. Membership should include representatives from the Cultural and Fine Arts Commission (less than a quorum), and may include relevant City departments, the project architect (if applicable), and members of the public with expertise in art, design, or community engagement. The panel's role is to evaluate and recommend artists or artworks for specific projects, following established criteria and reflecting community considerations in the selection process.

**City:** The City of Sonoma.

**Commission:** The City of Sonoma Cultural and Fine Arts Commission.

**Commissioner:** An individual appointed to serve on the Sonoma Cultural and Fine Arts Commission.

**Construction:** The installation, alteration, repair, or improvement of any public structure, road, building, or other public improvement. For City construction projects that do not involve the construction of buildings, such as sidewalks, "construction" shall have its usual and customary meaning.

**Construction Project:** Any construction project funded wholly or in part by the City.

**City Council:** The Sonoma City Council.

**Cultural and Fine Arts Commission:** The standing City of Sonoma Commission is responsible for matters relating to the enactment of the City of Sonoma Public Art Policy. The Commission's purpose and role are defined in the Sonoma Municipal Code.

**Deaccession:** Deaccessioning is the process of removing a public artwork from the City's collection due to deterioration, relocation needs, or changes in public sentiment.

**Estimated Construction Costs:** The estimated value of construction contracts for a City construction project, as included in the budget submitted to the Sonoma City Council. The "Estimated Construction Costs" shall not include costs for sales tax, demolition, site preparation, property acquisition, financing, furnishings, fixtures, and equipment, design services, environmental assessment and/or remediation, and other similar costs associated with the project.

**Public Art Fund:** A fund within the City of Sonoma into which all monetary contributions for public art shall be deposited. Should the Public Art Fund be discontinued by act of the City Council, all remaining funds shall be deposited into the General Fund of the City.

**Public Art:** Original visual creations sited in a manner accessible and visible to the public.

**Public Art Collection:** Any work of art accepted by the Sonoma Cultural and Fine Arts Commission into the collective body of artwork owned by the City.

**Permanent Art / Permanent Installation:** Artwork or art placed with a permanent site, intended to last at least 20 years.

**Public Art Master Plan:** A planning document that includes public art policies and procedures, as well as recommended sites and expenditures for public art, and outlines public art's relationship to a City's General Plan.

**Public Art Projects:** Projects involving visual artists working through the public art process to create original works in public spaces. These projects may include but are not limited to, paintings, murals, stained glass, fiber work, statues, reliefs, or other sculptures, monuments,

fountains, arches, or other structures intended for ornament, commemoration or practical use (such as bike stands, playground equipment,) carvings, frescos, mosaics, mobiles, photographs, drawings, collages, prints, and crafts made from materials such as clay, fiber, wood, metal, and plastics. Public art also includes media works such as film, video, photo projections, and computer-generated artworks. Works of art may be temporary or permanent. Public art projects also include artists serving on design and development teams to identify opportunities to incorporate art in public spaces.

**Public Art Annual Plan:** A prioritized list of visual arts projects to be undertaken in any given year, including budgets and recommended sites and design approaches, developed by the Cultural and Fine Arts Commission in conjunction with City staff.

**Public Places:** All publicly and privately owned spaces, indoor and outdoor, that are generally accessible to the public.

**Schematic:** The initial phase of a design process where the basic concept and layout of a project are developed. In this stage, the project's overall structure, form, and key elements are outlined, providing a general framework for the final design. For public art, the schematic phase includes identifying potential locations for installations, conceptualizing how the artwork will integrate with the surrounding environment, and ensuring alignment with functional and aesthetic goals. It serves as a foundation for more detailed design work in subsequent phases.

**Temporary Artwork / Temporary Installation:** Artwork installed in a given place for a limited time.

## 2.0 Types of Art Installations

### 2.1 Permanent Art Installations

Permanent public art installations are artworks intended for long-term or indefinite display in public spaces. These pieces contribute to the cultural and aesthetic landscape of the City and may include sculptures, murals, monuments, and other enduring forms of art. Permanent artworks are funded through the Public Art Fund and follow a structured approval and installation process to ensure they align with the City's public art goals.

#### 2.1.1 Conditions Governing Permanent Art Installations

- a. **Approval Process:** Artworks proposed for City-owned property must be reviewed by the Commission and approved by the City Council. The review process includes assessing the artwork's alignment with City goals, aesthetic values, and public safety.
- b. **Installation and Maintenance:** The City is responsible for the installation of artworks on City-owned property, with ongoing maintenance covered under Section 4.0: Ownership and Maintenance. Maintenance plans are developed during the installation phase and reviewed periodically to ensure the artwork remains in good condition.
- c. **Site Selection:** The identification of potential sites follows the criteria outlined in Section 7.0: Site Selection. Considerations include visibility, public access, and integration with existing infrastructure.
- d. **Deaccessioning:** Should a permanent artwork become unsuitable for display due to damage, obsolescence, or other factors, the deaccessioning process as outlined in Section 4.0: Ownership and Maintenance will be followed. This process involves evaluating the artwork's condition, considering alternatives, and making recommendations for removal or replacement.

### 2.2 Temporary Public Art Installations

Temporary public art installations are works intended for display over a limited time period, typically ranging from a few weeks to one year, but may remain in place for up to 19 years. These installations include sculptures, murals, digital or performance-based art, and site-specific interventions designed to engage the public. Temporary artworks may be loaned to the City, commissioned by the Public Art Program, or created with the intention of natural decomposition or scheduled replacement.

#### 2.2.1 Conditions Governing Temporary Public Art

All temporary public art installations must adhere to the following conditions:

- a. **Proposal Submission:** Artists or organizations must provide the necessary documentation and information as determined by the City and Public Art Program, including any required applications or forms developed by the City.



This may include, but is not limited to, visual documentation and a detailed description of the proposed installation, including location and installation method.

- b. **Site Approval:** The City must approve the proposed location, ensuring safety and public accessibility.
- c. **Costs and Responsibilities:** Artists or sponsors are responsible for costs related to transportation, installation, maintenance, and removal unless otherwise arranged with the City.
- d. **Risk and Liability:** The artist or sponsor assumes all risks related to the artwork and must hold the City harmless from any damage or liability.
- e. **Educational Materials:** An educational label or informational materials about the artwork may be required for public engagement.
- f. **Removal and Site Restoration:** Upon completion of the display period, the artist or sponsor is responsible for removing the artwork and restoring the site to its original condition unless other arrangements are made.

### 3.0 Special Situations and Considerations

#### 3.1 Conflict of Interest of Panelists and Committee Members

Any persons who would receive financial gain from the selection of artists or artworks are ineligible to serve on an Artist Selection Ad Hoc Committee or Panel. Such persons include gallery dealers, artists' agents, and brokers. Relatives of the Commission, or any persons who have a personal relationship with competing artists that could be identified as a conflict of interest, are not eligible to serve on Artist Selection Ad Hoc Committees or Panels. Any artist selected to serve on the Artist Selection Ad Hoc Committee or Panel is precluded from having his/her work considered for any public art project during his/her time of service. City of Sonoma staff is ineligible to apply for public art projects or commissions.

#### 3.2 Artwork on Private Property/Public-Private Partnerships

Public art placed on private property as part of public-private partnerships must comply with specific agreements between the City and the property owner(s). These partnerships can expand the reach of public art but require clear legal and operational guidelines to ensure public access and proper maintenance.

- a. **Public Access:** Any public art placed on private property must be accessible to the public during agreed-upon hours. Signage indicating public accessibility should be installed when appropriate.
- b. **Maintenance Responsibility:** A written agreement will outline the responsibilities for ongoing maintenance, repair, and conservation of the artwork. In most cases, the property owner will bear these responsibilities, with periodic inspections conducted by the appropriate City department(s) or a designated party to ensure compliance.
- c. **Ownership and Liability:** Ownership of the artwork will be clearly defined in the agreement, along with terms for insurance, liability, and damage. If ownership is transferred to the private entity, clauses will cover future removal, sale, or relocation.
- d. **Legal Agreements:** All parties must sign a formal agreement that outlines these conditions, ensuring that the artwork will remain publicly accessible and maintained to agreed standards. The agreement will also specify conditions for terminating the partnership.

#### 3.3 Deaccession or Removal of Artworks

This process ensures that decisions are made transparently and with due consideration for the cultural, historical, and artistic value of the work.

- a. **Criteria for Deaccession:** Artwork may be considered for deaccession if it:
  - i. Is irreparably damaged or deteriorated.
  - ii. Poses a safety risk to the public.
  - iii. No longer aligns with the values or needs of the community.
  - iv. Needs to be relocated due to development or significant site changes.

- b. **Evaluation Process:** The Commission will review and evaluate any proposal for deaccession, with input from stakeholders, including the artist (if possible), the community, and other City departments.
- c. **Public Involvement:** When appropriate, public input will be solicited before the final decision on deaccession or removal is made. The Commission will facilitate this process through public hearings or forums.
- d. **Disposal or Relocation:** If deaccession is approved by City Council, the City will determine the appropriate method for removing the artwork. Options may include selling, donating, returning to the artist, or relocating the artwork to another site. The method of disposal will align with City policies and legal requirements.

### 3.4 Emergency Removal or Temporary Relocation

In the event of an emergency, public art may need to be removed or temporarily relocated to protect the artwork or ensure public safety. Emergency removal is guided by the need to preserve the integrity of the art while addressing urgent conditions.

- a. **Emergency Criteria:** The City may authorize the emergency removal or relocation of artwork in cases such as:
  - i. Natural disasters (floods, earthquakes, fires, etc.).
  - ii. Construction or development that threatens the safety or visibility of the artwork.
  - iii. Immediate safety hazards to the public or the artwork itself.
- b. **Notification and Coordination:** City staff will coordinate with the necessary City departments to ensure that emergency removal or relocation is carried out safely and efficiently. When possible, the artist will be notified and consulted during the process.
- c. **Restoration and Reinstallation:** Once the emergency conditions have been resolved, the artwork will be restored and reinstalled if feasible. If the artwork cannot be restored or the original site is no longer viable, a new location may be selected following the criteria in Section 7.0: Site Selection.

### 3.5 Controversial or Challenging Content

Public art is a reflection of diverse artistic expression and public values. However, some artworks may elicit controversy due to their content or subject matter. This section establishes the guidelines for addressing public concerns and ensuring that public art serves the community in a thoughtful and inclusive manner.

- a. **Public Feedback:** When public concerns or objections are raised about specific artworks, the Commission will provide an open forum for discussion. Public hearings or community feedback sessions may be organized to gather input from residents and stakeholders.
- b. **Criteria for Evaluation:** In cases of controversy, the artwork will be evaluated based on:
  - i. Alignment with the City's mission and values.
  - ii. The artistic merit and integrity of the work.

- iii. The potential impact on the community, including cultural sensitivity and historical context.
  - iv. Input from the artist and art professionals.
  - v. Consideration of site appropriateness and thoughtful integration into the surrounding environment.
- c. **Conflict Resolution:** The City will strive to resolve conflicts through dialogue and community engagement. If necessary, the Commission will develop recommendations for the City Council to address the controversy.
- d. **Final Decision:** The City Council, upon reviewing the recommendations, will make the final decision regarding the retention, modification, relocation, or removal of the artwork. The decision will be based on a balanced consideration of public sentiment, artistic freedom, and the City's broader cultural goals.

## **4.0 Ownership and Maintenance**

### **4.1 Ownership of Permanent Artwork**

- a. Once installed, all permanent public works of art become the property of the City of Sonoma.
- b. The City may remove the artwork from public display, deaccession the artwork, or destroy the artwork.
- c. If the City decides to destroy the artwork, the City shall offer the artist a reasonable opportunity to recover the artwork.
- d. If the City causes distortion, mutilation, or other modification of the artwork that would be prejudicial to the artist's honor or reputation, the artist shall have the right to prevent the City from attributing the authorship of the artwork to the artist.
- e. If the City proposes to alter the site of the artwork materially, and the alteration affects the intended character and appearance of the artwork, the City shall consult with the artist in the planning and execution of any such alteration and shall make a reasonable effort to maintain the integrity of the artwork.

### **4.2 Ownership of Temporary Artwork**

#### **4.2.1 Artwork Retained by the Artist or Sponsoring Organization**

These installations are either on loan or sponsored by an artist or an organization, with the artist or organization retaining ownership and full responsibility for maintenance, de-installation, and site restoration upon removal. However, in certain circumstances, these installations may be eligible to receive Public Art Funds to help offset associated costs, particularly if they align with the goals of the City's Public Art Program.

- a. Ownership of the artwork remains with the artist or sponsoring organization throughout the installation period.
- b. The artist or sponsoring organization is generally responsible for all associated costs, including transportation, installation, maintenance, insurance, and removal. However, the use of Public Art Funds to offset these costs may be recommended by the Commission and is subject to approval by the City Council.
- c. The artist or sponsoring organization is responsible for addressing any damage or required repairs to the artwork or the installation site, including any impact on infrastructure such as irrigation systems, underground electrical components, sidewalks, or similar facilities during the display period.
- d. After the installation period ends, the artist or sponsoring organization must promptly remove the artwork and restore the site to its original condition unless otherwise arranged with the City.

#### **4.2.2 Artwork Fabricated with the Intention for Replacement or Decomposition**

This category covers temporary installations that are meant to be periodically updated, replaced, or naturally degrade. Examples include chalk art, utility box art wraps or paintings, or temporary outdoor sculptures designed to decompose over time.

- a. Ownership of the artwork transfers to the City upon installation.
- b. The City determines the lifespan of the artwork, which could range from a few days to several years, depending on the material and context.
- c. Once the artwork is deemed no longer suitable for display—due to wear, weathering, or planned replacement—it will either be removed or refreshed based on pre-established timelines.
- d. The City may choose to update or replace the artwork at regular intervals to maintain a vibrant and evolving public art presence.
- e. Maintenance responsibilities during the display period may be shared with the artist, depending on the terms of the contract or agreement.

#### 4.3 Durability and Maintenance Requirements

- a. All temporary and permanent public art must be durable and require minimal maintenance.
- b. All permanent works of art must have a life expectancy of 20 years or more.
- c. The projected annual maintenance cost must not exceed five percent (5%) of the replacement value of the artwork.
- d. An analysis of anticipated maintenance requirements will precede the selection of each public artwork, with specific criteria for temporary and permanent installations:
  - i. **Permanent Installations:** Emphasis on long-term maintenance and material durability, including regular inspections, conservation efforts, and repairs as needed.
  - ii. **Temporary Installations:** Focus on the temporary nature of materials, ease of installation and removal, and site restoration. Sponsoring organizations or artists must provide a clear plan for how the site, including any affected infrastructure such as irrigation systems, underground electrical components, sidewalks, or similar facilities, will be restored to its original condition upon removal of the artwork.

#### 4.4 Routine Maintenance of Permanent Artwork

- a. Unless otherwise agreed, routine maintenance of permanent artwork shall be determined by the City Manager in consultation with the Public Works Director.
- b. Routine maintenance shall include tasks such as dusting, sweeping, cleaning, and other similar activities.
- c. The Commission may notify the City Manager of recommended procedures for routine maintenance.

## 4.5 Extraordinary Maintenance

- a. Any proposed work of art that is deemed by the Commission to require extraordinary operations or maintenance on the part of the City is subject to review by the City Manager.
- b. Assigned staff, in consultation with the City Manager and Public Works Department staff, shall develop an annual maintenance needs survey of the public art collection.
- c. The appropriate budgets and procedures for the care and maintenance of the collection shall be determined through this survey.

## 5.0 Funding and Financial Guidelines

### 5.1 Public Art Fund

A special fund, designated as the "Public Art Fund," is established for the deposit of gifts, bequests to the City for public art, and other funds for works of art in accordance with the Public Art Program. The Public Art Fund is used exclusively as a means of isolating and identifying all monetary transactions pertaining to the City Public Art Program.

The City Manager, or their designee, is the custodian of the Public Art Fund.

A portion of the Public Art Fund shall be appropriated for administrative costs associated with the selection of public art and for maintenance of works of public art.

Staff salaries will not be funded from the Public Art Fund, except for repair and maintenance costs, as noted in the Appropriate Use of Public Art Program Funds Section 5.6 of this Policy if performed by City employees, and as otherwise authorized by the Commission in consultation with the City Manager.

Appropriation of funds to support the Public Art Program shall be made to the Public Art Fund, consistent with the City's budget cycle, Capital Improvement Plan, and major capital projects identified by the City Council.

### 5.2 Funding Basis

**Public Development Projects:** For all public city-owned development projects with a total building permit valuation cost exceeding \$250,000, the City shall allocate an amount equal to 1% of these costs for the acquisition of public art for placement within the City. In the case of public projects with federal and/or state matching requirements or grant funding, the 1% allocation will apply solely to the City's portion of the project funding.

**Annual City Allocation:** Each fiscal year, an amount equal to one-quarter of one percent (0.25%) of the City of Sonoma's budgeted General Fund expenditures shall be appropriated to the Public Art Fund. This allocation will be capped at \$25,000 per fiscal year. If the City's financial situation does not allow for this allocation, the City Council reserves the right to waive or reduce it, with such a decision requiring the adoption of a resolution detailing the findings for the waiver.

### 5.3 Calculation Base

The amount of the annual appropriation for art shall be equal to 0.25% of annual General Fund expenditures, capped at \$25,000 per fiscal year, plus one percent (1%) of the estimated construction costs for eligible City-owned construction projects with total building permit valuation costs exceeding \$250,000, if allowed by the specified project funding source(s).



## 5.4 Appropriation

At the time an eligible construction project is proposed, the City staff shall calculate and include a budgeted line item for a contribution to the Public Art Fund. Fund transfers to the Public Art Fund will occur at the end of the project when all construction costs are known.

## 5.5 Combining Funds from Multiple Projects

In general, public art will be installed within or adjacent to the building or place for which the appropriation, bonds, or gift was received, if appropriate. Public art funds received from two or more capital projects may be combined or pooled to acquire or create a single artwork of higher quality or of greater City impact than could be achieved through two or more individual artworks. The Commission may recommend the combination of funds to the City Manager for approval.

Combining funds allows looking at the needs of the City as a whole and using the art monies only for those projects that may have the greatest impact on the community or offer the best opportunities for artist involvement. When appropriate, pooling allows the Commission to ensure that art projects are adequately funded. The Commission will recommend which City construction projects will include an art project to the City Manager.

## 5.6 Appropriate Use of Public Art Program Funds

Public Art Program funds may be used for the following purposes, whether the artwork is directly related to a specific City project:

- a. **Selection, acquisition, and installation of artworks:** Includes both temporary and permanent art installations, provided they meet the eligibility criteria outlined in Section 8.0: Selection Procedures.
- b. **Artist fees, design, planning, and pre-design services:** Including contracts and commissions for both project-based and standalone public artworks.
- c. **Technical assistance expenses:** Provided to artists by architects, engineers, or other professionals to design, document, and/or certify the artwork for both temporary and permanent projects.
- d. **Repair and maintenance of City public artworks:** Includes both permanent and temporary works of art that are part of the City's public art collection or displayed under the Public Art Program.
- e. **Public engagement and educational activities:** Citizen forums, workshops, or educational outreach efforts designed to promote understanding of public art, regardless of the nature or duration of the installation.
- f. **Documentation and public education materials:** Including materials related to the promotion, description, or interpretation of public art projects, whether tied to a City project or independent of one.

## 5.7 Ineligible Costs of Public Art Program Funds

Public Art Program funds may not be used for the following:

- a. **Directional elements:** Such as graphics, signage, or color coding, except where these are integral parts of a public art project created by an artist.
- b. **Mass-produced art objects:** Artwork that is mass-produced and lacks uniqueness or artistic integrity.
- c. **Reproductions of original works:** By mechanical or other means, except in cases where reproduction is integral to the artwork, such as in film, video, photography, printmaking, or other media-based artistic practices.
- d. **Decorative or functional elements:** Designed solely by a building architect or other project consultants, except when these elements are integrated into the overall artistic concept.
- e. **Landscape architecture:** Except when it is considered an integral part of the artist's concept and enhances the public art project.
- f. **Maintenance of artwork on private property:** Unless otherwise stipulated through an agreement with the City.
- g. **Artwork submitted by project consultants:** Such as architects, landscape architects, or other professionals, unless they are specifically commissioned under the Public Art Program as artists.
- h. **Costs not directly related to artwork:** Including unrelated project expenses or general building enhancements that are not part of a public art project.

## 6.0 Gifts and Loans

This section outlines the process for reviewing proposed gifts and loans of artwork or other artistic objects to the City of Sonoma for placement on public property. It also provides guidelines for the placement, care, and preservation of artwork acquired through this process.

### 6.1 Conditions Governing the Donation of Artwork to the City

Potential donors of artwork must submit the following information to the Commission for review. The Commission will evaluate the materials and determine the feasibility of the proposed donation. Any additional applications and/or guidelines established by the City must also be adhered to.

- a. **Visual Documentation:** Images of the artwork that depict it from all sides.
- b. **Description:** A written description of the artwork, including dimensions (height, width, depth, and weight), materials used, and any frames, backings, mounts, or anchoring systems for installation.
- c. **Site Plan:** A site plan identifying and describing the proposed location for the artwork, accurately depicting its relationship to the surrounding environment.
- d. **Installation Details:** A written description and/or drawing of the proposed method of installation, along with a timeline for transportation and installation of the artwork.
- e. **Cost Estimate:** An estimated cost for transporting and installing the artwork (to be borne by the donor unless otherwise agreed upon by the City of Sonoma).
- f. **Conservation and Maintenance Plan:** A conservation assessment describing the condition of the artwork and a maintenance plan detailing the expected lifespan and care required for the artwork in a public environment. This plan shall also address potential risks, such as vandalism, and how these will be mitigated.

### 6.2 Review and Acceptance Criteria

The Commission shall evaluate proposed gifts of artwork using the following criteria:

- a. **Location and Audience:** An analysis of the relationship of the proposed artwork to its location and its relevance to its primary audience.
- b. **Aesthetic Quality:** An evaluation of the artwork's aesthetic quality, including its form, materials, and craftsmanship.
- c. **Site Appropriateness:** In consultation with City staff, the availability and appropriateness of the proposed site for the artwork, including any potential impact on existing infrastructure such as irrigation systems, underground utilities, or walkways.
- d. **Financial Impact:** An analysis of the financial impact on the City, including costs related to insuring the artwork, long-term maintenance or conservation, and routine operations or maintenance requirements. The Commission may recommend that a maintenance endowment be provided by the donor to ensure adequate care for the artwork.

## 6.3 Review Process

The Commission will consider proposed gifts and loans at regular Commission meetings, which generally occur quarterly. Public involvement will take place during these meetings, with opportunities for community input on proposed donations.

## 6.4 Conditions of Acceptance

Conditions governing the acceptance of gifts and/or loans include:

- a. **Unrestricted Gifts:** The Commission encourages clear and unrestricted gifts to the City. Any conditions or restrictions attached to a gift or loan must be reviewed by the Commission and may also be reviewed by the City Attorney and/or City insurance entities with the ultimate decision for acceptance made by the City Council.
- b. **Acceptance Criteria:** No artwork will be accepted with conditions deemed unacceptable by the Commission, nor will any artwork be accepted with a guarantee in perpetuity.
- c. **Legal Documentation:** All gifts of artwork must be accompanied by a legal document of transmittal, transferring title or loan of the artwork, and defining the rights and responsibilities of all parties involved.
- d. **Artist's Rights:** The artist must waive any right to the artwork under the 1990 Visual Artist's Rights Act, the California Art Preservation Act, any other law similar law, and any moral right protecting the integrity of works of art, while retaining the right to disclaim authorship. The artist must also acknowledge in writing that the City may remove and/or destroy the artwork at its discretion. The artist will be given 30 days' notice if the City decides to remove or destroy the artwork, and may, at their own expense and with City approval, remove and retain the artwork instead. The artist will further grant City an unlimited, non-exclusive, irrevocable license to use, display, and make reproductions and photographs for distribution of the artwork.

## 6.5 Acceptance of Monetary Gifts for the Acquisition of Artwork

Proposed monetary gifts to the City for acquiring artwork, including any donor requests for restricted funds specifying that their contribution be used for the installation and/or maintenance of a specific artwork, shall be referred to the Commission for review, with the ultimate decision for acceptance made by the City Council. All monetary gifts shall be deposited into the Public Art Fund.

## 7.0 Site Selection

When identifying sites for artwork, it is important to consider both the specific project and broader public space needs. The process ensures that the artwork enhances its location, whether it is integrated into a City project or placed in a more general, public area. The Commission, the Artist Selection Ad Hoc or Panel (if formed), the selected artist(s), and City staff will collaborate to identify potential sites for the artwork. The Commission will utilize identified sites and relevant guidelines to assess the suitability of available public spaces on a case-by-case basis.

### 7.1 Process for Identifying Artwork Sites

- a. **Integration with Specific Projects:** When Public Art Program funds are associated with a particular construction project, efforts should be made to integrate or place the artwork in or near the project area. For these installations, the site selection and planning will occur during the schematic phase of the project, ensuring that the artwork is thoughtfully incorporated into the overall design and functionality of the space.
- b. **Broader Public Space Opportunities:** Public Art Program funds are not limited to sites directly associated with a specific construction project. Artwork can be placed in various public spaces throughout the City, based on availability and suitability. The goal is to select locations that will maximize the artwork's impact and accessibility to the community.
- c. **Site Selection:**
  - **Artist Selection Ad Hoc, Panel or Commission:** Leads the process of identifying possible sites for the artwork. If the artist(s) have been selected, they will provide input on site selection.
  - **City Staff:** Provides technical support and input regarding site feasibility, safety, and City requirements.
- d. **Evaluation Criteria:** The following criteria will be used to evaluate the site or alternative sites for the artwork:
  - a. Visibility and public access to the site.
  - b. Interior and exterior traffic patterns to and around the site.
  - c. Existing architectural and natural features adjacent to the site.
  - d. Existing works of art or design elements within the site's vicinity.
  - e. Potential impact of the artwork on the surrounding environment, including existing infrastructure.
  - f. Potential impact of the artwork on other City departments, residents, and businesses.
  - g. Future development potential of the site.
  - h. Public safety concerns.
  - i. Maintenance requirements.

- e. **Consultation with City Departments:** The Commission and City staff will consult with affected City departments to gather input on site suitability, development requirements, and any potential conflicts.
- f. **Recommendation for City Council Approval:** After evaluating potential sites and consulting with relevant stakeholders, the Commission will include the recommended site as part of their broader recommendation for a specific public art installation. This comprehensive recommendation, which encompasses both the site and the proposed artwork, will then be submitted to the City Council for final approval.

## 8.0 Selection Procedures

The Commission selects artists and artworks for public art projects—both temporary and permanent—through methods such as open competition, direct selection, limited competition/invitational approaches, or sponsored proposals. While some artworks may be integrated into specific construction projects, not all installations will be associated with such projects.

The selection process follows the outlined steps and incorporates specific criteria based on the type of installation and its context. For installations tied to construction projects, site selection and artwork integration occur during the schematic design phase. For other installations, the same evaluation and selection process applies, ensuring that all projects are reviewed for feasibility and artistic merit.

Temporary installations, including those proposed and sponsored by external entities, are subject to the same criteria. The recommendation and approval process will follow the Public Art Program's procedural guidelines, if applicable, to determine when a project proceeds to the Commission and then to the City Council. All selected artist(s) and installation plans are recommended by the Commission to the City Council for consideration and approval.

### 8.1 Methods of Selecting Artists or Artwork

#### a. Open Competition

- i. Any professional artist is eligible to participate, subject to limitations established by the Commission.
- ii. A Request for Qualifications (RFQ) or Request for Proposals (RFP) is developed and widely distributed through local media, arts media, and direct mailings to artists and arts organizations. The RFQ or RFP shall include:
  - A description of the project including its goals and the project parameters, including the characteristics of the site, potential approaches to the project and any physical or legal restrictions that may apply.
  - The anticipated scope of work for the artist.
  - Application procedures, including requested materials, eligibility factors, and timelines.
  - Selection procedures.
  - Criteria for the selection of artist(s) and artwork(s).
  - The project budget.

#### b. Direct Selection: For some projects, the Commission may:

- i. Select one or more artists through direct invitation or solicitation of names from artists, arts organizations, galleries, or other sources.
- ii. Develop a shortlist of qualified artists for review by a selection ad hoc or panel, which may recommend artists or completed artworks directly to the Commission.

- iii. Any selection for professional services must comply with the City's Municipal Code and Procurement Policy.
- c. **Invitational:** Artists are invited by the Commission to submit proposals or completed artworks. Applicants may be pre-screened and evaluated based on the RFQ or RFP. The Artist Selection Ad Hoc or Panel (if formed) reviews the qualified candidates.
- d. **Proposals for Art Installations:** An entity (such as a business, organization, or community group) may propose an art installation that they sponsor. These installations may be fully or partially funded through the Public Art Fund or other sources identified by the Commission. Funding requests should be submitted as part of the proposal process.
  - i. **Proposal Submission:** The sponsoring entity submits a proposal detailing the artwork or exhibit, site suggestions, and sponsorship information.
  - ii. **Review and Coordination:** The Commission reviews the proposal and coordinates with City staff to ensure the site or sites are suitable and meets City requirements.
  - iii. **Approval Process:** If recommended by the Commission, the proposal is presented to the City Council for approval. If approved, the installation will proceed according to the agreed terms.

After an artist is selected through one of the methods outlined in this section, the feasibility of potential artwork sites will be evaluated. The process of identifying and evaluating potential sites will follow the steps and criteria outlined in Section 7.0: Identifying Sites for Artwork. Collaboration between the Artist Selection Ad Hoc or Panel, the selected artist(s), and City staff will ensure the selection of an appropriate site.

## 8.2 Artist Selection Criteria

Artists will be evaluated by the Commission, Artist Selection Ad Hoc Committee, and/or Panel based on the following criteria:

- a. Artistic quality, including craftsmanship, originality, and material integrity.
- b. Appropriateness of the artwork to the community, including scale, form, content, and design.
- c. Relationship of the artwork to the social and cultural identity of the community.
- d. Artist's proposed budget and ability to complete the project on time and within the budget.
- e. Proposed materials and their suitability regarding structural integrity, protection against theft and vandalism, public safety, weathering, and long-term maintenance needs.
- f. Proposed method of installation and evaluation of safety and structural factors.
- g. Durability of materials and projected maintenance cost.
- h. Additional factors, such as long-term maintenance and material durability, will be emphasized for permanent installations. Temporary works will be evaluated with a focus on the temporary nature of materials, ease of installation and removal, and site restoration.



- i. Professional qualifications demonstrated by past work and the likelihood of successful project completion.
- j. Exclusion of works by project architects, design team members, or artists related to the Commission, Artist Selection Ad Hoc Committee or Panel, or City employees.
- k. Artists may not receive more than two commissions from the City of Sonoma in any five-year period or more than one commission in consecutive years. These restrictions apply to individual artists, teams, and artists credited with commissioned projects.
- l. Artists may be selected nationally or internationally, though preference may be given to Sonoma County-based artists. The Commission encourages diversity in style, scale, media and the exchange of creative skills.

## 8.3 Competitive Selection

### 8.3.1 Artist Selection Ad Hoc Committee

The Commission may choose to create an Artist Selection Ad Hoc Committee (Ad Hoc) to assist in the evaluation and recommendation of artists for specific public art projects. This Ad Hoc will be formed based on a staff recommendation when a project warrants additional, focused review. Alternatively, the City Manager may choose to establish a separate Artist Selection Panel (Panel) if a project requires a more comprehensive selection process.

#### **Ad Hoc Committee Membership and Structure**

- The Ad Hoc must be composed of fewer than a quorum of the Commission to maintain flexibility and ensure adherence to non-Brown Act requirements.
- Assigned City staff, consultants and art professionals may serve as advisors, providing insight into site conditions, historical context, and technical requirements that may impact the artwork.

#### **Limitations and Scope**

- The Ad Hoc operates in an advisory capacity only, with the responsibility of providing recommendations to the full Commission. It does not have final decision-making authority.
- The Ad Hoc's purpose is limited to the specific project for which it is formed, and it will be disbanded once its recommendations are submitted to the Commission.

### 8.3.2 Artist Selection and Design Review Process

The selection process is as follows:

- a. **Method Selection:** The Commission, Ad Hoc, or Panel selects one of the methods of selecting artists or artwork listed in Section 8.1: Methods of Selecting Artists or Artwork.

- b. **Artist Evaluation:** The Commission, Ad Hoc, or Panel evaluates artists based on credentials, proposals, and/or materials submitted using the Artist Selection Criteria as listed in Section 8.2.
- c. **Voting Process:** If consensus cannot be reached, a vote is taken, with the majority carrying the decision. Each Commissioner, Ad Hoc Member, or Panelist has one vote; no Commissioner, Ad Hoc Member, or Panelist has the right to veto. The Commission, Ad Hoc, or Panel may also opt to make no selection.
- d. **Commission Review:** If an Ad Hoc or Panel has been formed, their recommendation is submitted to the Commission for consideration.
- e. **Direct Recommendation to City Council:** If the Commission acts as the selection panel, their recommendation goes directly to the City Council for consideration.
- f. **City Council Approval:** If approved by the City Council, the Commission directs the artist to commence the project.
- g. **No Selection Made:** If no selection is recommended, the Commission decides whether to:
  - i. Initiate a new selection process
  - ii. Revise the project
  - iii. Abandon the project.

## **9.0 Roles and Responsibilities**

### **9.1 City Council**

- a. Authorizes funds for public art.
- b. Accepts or rejects gifts, loans, or public art on behalf of the City.
- c. Approves temporary and permanent art installations.

### **9.2 City Manager**

- a. Approves the combination of public art funds from two or more projects.
- b. Recruits and retains program staff and/or consultants as needed.
- c. Authorizes expenditures from the Public Art Fund.

### **9.3 Cultural and Fine Arts Commission**

- a. Oversees the City of Sonoma's public art programs and provides strategic recommendations
- b. Advises on shaping and refining public art policy and guidelines.
- c. Recommends to the City Council on gifts, loans, and acceptance of public art.
- d. Reviews and makes recommendations on public art proposals and artist selections.
- e. Collaborates with City staff on overall public art strategy and implementation.
- f. Reviews and makes recommendations on the design, execution, and placement of art.
- g. Advises on financial assistance and external funding sources.
- h. Reviews project budgets to ensure financial accountability and sustainability.
- i. Provides annual reports to the City Council on public art program accomplishments and needs.
- j. Performs other duties as assigned by the City Council and/or City Manager.

### **9.4 Artist Selection Ad Hoc Committee or Panel**

- a. Recommends artworks or artists for commissioning.
- b. Evaluate and recommend artist design proposals.

### **9.5 Community Development Department**

- a. Collaborate with the Commission in the identification and evaluation of sites for exterior artwork.
- b. Works with selected artists to incorporate site requirements into project designs.

### **9.6 Public Works Department**

- a. Defines site restrictions for public artwork and incorporates them into project designs.
- b. Works with selected artists to incorporate site requirements into project designs.
- c. Coordinates artwork installation with building project implementation.

- d. Provides routine maintenance services for artwork, as recommended by the Commission and approved by the City Manager.
- e. Provides non-routine maintenance services for a fee, which may be charged against the Public Art Fund. Services to be charged to the Fund may include but not be limited to labor, materials, and vandalism repair as recommended by the Commission and approved by the City Manager.

## 9.7 City Manager Assigned Staff

Under the supervision of the City Manager, and with guidance from the Commission:

- a. Administers the City of Sonoma's public art programs, including recruitment and administrative support.
- b. Pre-screens artist applications and facilitates selection panel meetings.
- c. Coordinates public art project logistics, including design, fabrication, and installation.
- d. Maintains public art project files and prepares annual reports on program status.
- e. Manages community outreach, education, and promotion of the Public Art Program.

## 10.0 Review and Revision

This Public Art Policy and Procedures document is intended to be a dynamic framework, subject to periodic review and revision to ensure its relevance and effectiveness. The following guidelines apply to its ongoing maintenance:

- a. **Scheduled Reviews:** The City of Sonoma's Public Art Policy will be reviewed by the Cultural and Fine Arts Commission every three (3) years, or as needed, to ensure it aligns with the City's goals, budget, and community values, as well as to incorporate any future developments, such as a Public Art Master Plan.
- b. **Interim Revisions:** Revisions to the Public Art Policy may be initiated outside of the scheduled review period at the request of the City Council, City Manager, or Cultural and Fine Arts Commission, should changes in public art trends, funding, or City priorities arise.
- c. **Public Input:** Before any substantial revisions, public input will be sought through public meetings, workshops, or surveys to gather community feedback and ensure that the policy reflects local values and aspirations.
- d. **Approval Process:** Any proposed revisions to this document will be reviewed by the Cultural and Fine Arts Commission, with final recommendations submitted to the City Council for approval.
- e. **Documentation of Changes:** All approved changes will be documented and appended to the Public Art Policy, along with the date of the revision and a summary of the modifications made.

## 11.0 Appendices

### 11.1 Appendix 1: Existing Permanent Public Artworks in the City of Sonoma

*(Not limited to City ownership or responsibility)*

1. **Title:** Untitled  
**Artist:** Jan Hansen  
**Media:** Tile mural  
**Dimensions:** Not specified  
**Date:** 2002  
**Commission Amount:** \$25,000  
**Commissioned by:** City of Sonoma  
**Location:** Sonoma Fire Station, Second Street West
2. **Title:** Star of Honor  
**Artist:** Robert Behrens  
**Media:** Granite, water, concrete  
**Dimensions:** Various  
**Date:** 2004  
**Commission Amount:** \$500,000  
**Commissioned by:** Private donations  
**Location:** Veterans' Cemetery, First Street West
3. **Title:** Bear Flag Monument  
**Artist:** John A. MacQuarrie  
**Media:** Bronze  
**Dimensions:** Sculpture: 8' x 6' x 3'; Base: 9' x 9' x 9'  
**Date:** 1914  
**Commission Amount:** Unknown  
**Commissioned by:** Unknown  
**Location:** Sonoma Plaza
4. **Title:** General Vallejo Monument  
**Artist:** Jim Callahan  
**Media:** Bronze Sculpture and Bench  
**Dimensions:** Sculpture & Bench: 4'6" x 1'6" x  
**Date:** 2017  
**Commission Amount:** \$42,500  
**Commissioned by:** General Vallejo Monument Committee  
**Location:** Sonoma Plaza, North Side along Spain Street
5. **Title:** Bicycle Parking  
**Artist:** Bryan Tedrick

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**Media:** Powder Coated Bronze

**Dimensions:** Sculpture: 5' x 7'

**Date:** 2010

**Commission Amount:** \$4,000

**Commissioned by:** City of Sonoma

**Location:** Sonoma Plaza, Southwest Quadrant near City Hall

