MEMORANDUM

TO: CITY COUNCIL
FROM: TERESA MCCLISH, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: CONSIDERATION OF A PUBLIC ART MURAL AT 303 E. BRANCH STREET; APPLICANT ARROYO GRANDE IN BLOOM – PUBLIC ART COMMITTEE (STAFF PROJECT NO. 14-001)
DATE: APRIL 22, 2014

RECOMMENDATION:
It is recommended the City Council allow public comment and provide input on the proposed mural.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:
There is no fiscal impact projected or recommended. The proposed public art is funded exclusively from a private donation.

BACKGROUND:
In 2002, the City Council approved staff recommendations for an Art in Public Places Program and Process. The recommendations were prepared with the assistance of the San Luis Obispo County Arts Council. It was largely in response to a community controversy that was generated by public art that was displayed by a private developer in the Village. An Art Donation Program was approved by the City Council in 2006. In 2011, the Public Art Guidelines were amended regarding the Art in Public Places Program and limited the process only to private projects. The City's current Guidelines are included in Attachment 1.

ANALYSIS OF ISSUES:
In January 2013, a Public Art Committee was formed by Arroyo Grande In Bloom, called Arroyo Grande Public Art (AGPA). In February 2014, they sent out a Request for Proposals (RFP) for a mural at 303 E. Branch Street sponsored by the building owner, NKT Commercial (Attachment 2). The RFP was posted with the California Art Council, many city and county art councils across California, and a number of well known muralists in California. Over 20 artists submitted inquiries and four artists submitted complete proposals including a sketch.

The mural proposals were reviewed and ranked by a subcommittee in compliance with the RFP and submitted to the property owner for selection of the proposal.
winning proposal is from Coleen Mitchell-Veyna, who is from Visalia. According to the AGPA, she is a well known muralist and has created many murals across California and in Reno. Her work can be viewed at http://veynadesignstudios.com/cities.html. The proposal is a sketch at this time and it is anticipated that the final mural will have more detail. Historical research was done to make sure elements in the mural are historically accurate.

In accordance with the City's Public Art Guidelines, the art project decision is made by the panel after a City Council public hearing. The panel selection for this project includes the following to date:

- Two representatives from the property owner: Nick Tompkins and one other person of his choice
- Two representatives from the County Art Council: Kathy Teuffel and Jim Trask
- One representative from the ARC: to be selected at the April 21, 2014 ARC meeting
- One representative from the Chamber or VIA: Judith Bean
- One representative from the South County Historical Society: Jan Scott

The intent of establishing the process was to ensure that public art projects were sensitive to community concerns, but to avoid government censorship of art. The primary focus was on private projects in public view. Therefore, the Council cannot take action, only provide input.

The following are criteria to be used in the selection of public art, which were also developed by the County Arts Council:

- Relationship to the social, cultural and historical identity of the area. If the public art is proposed to be located in the Village Core Downtown or Village Mixed Use Districts, the art piece shall be representative or evocative of the turn of the century historical period;
- Evaluation of artistic excellence;
- Appropriateness of scale, form, material, content and design relative to the immediate and general neighborhood;
- Relationship to the social, cultural and historical identity of the area;
- Appropriateness of proposed materials as regards to structural and surface integrity, protection against vandalism, public safety and weathering;
- Ease of maintenance;
- Appropriateness of proposed method of installation of artwork and safety and structural factors involved in installation;
- Artist's experience in working on comparable projects.
If approved by the Public Art Panel, work on the mural could start as early as the first week in May. It is anticipated that the work will take two months with completion projected in early July, 2014.

ALTERNATIVES:
The following alternatives have been identified:

➢ Review and provide an opportunity for public comment on the proposed mural prior to decision of the public art panel;
➢ Provide direction to staff.

ADVANTAGES:
Providing review and comment on the proposed mural maintains compliance with the procedures in the City’s Public Art Guidelines previously approved by Council. Art will enhance the Village and community.

DISADVANTAGES:
No disadvantages have been identified.

ENVIRONMENTAL REVIEW:
In compliance with the California Environmental Quality Act (CEQA), the Community Development Department has determined that this project is categorically exempt based upon section 15301 of the CEQA Guidelines.

PUBLIC NOTIFICATION AND COMMENTS:
The Agenda was posted in front of City Hall on Thursday, April 17, 2014 and on the City’s website on Friday, April 18, 2014. No comments were received prior to agenda distribution.

Attachments:

1. City of Arroyo Grande Public Art Guidelines
2. RFP and Mural Artist Selection Process
3. Proposed Mural sketch
Public Art Guidelines

And

Public Art Donation Program

Adopted by City Council
Resolution No. 3787
October 12, 2004

Ordinance No. 557
October 26, 2004

Amended by City Council
Resolution No. 4411
November 8, 2011

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PUBLIC ART GUIDELINES

Purpose
The purpose of these Guidelines is to create a framework to facilitate and encourage property owners to provide outdoor public art on their property, or, if approved by the Director of Community Development, in the adjacent public right-of-way. For purposes of these Guidelines “Public Art” shall mean art located on private property that is displayed in an open area that is freely available to the general public or public accessibility is provided based upon the characteristics of the artwork or its placement on the site. Artwork may include free-standing pieces (e.g. a sculpture or water fountain) or may be integrated into its surroundings as an architectural element (e.g. relief sculpture embedded in pavement or a wall, a mosaic or mural on a wall, decorative railings or lighting.

These Guidelines are intended to assist artists, citizens and city officials and staff to understand the City’s goals regarding art that is displayed in a manner that is available and accessible to the general public. The City recognizes that art and artistic expression is a protected activity and these Guidelines are not intended to unduly restrict creative expression or limit the types of public art possible. Rather, they are intended to facilitate and encourage the best possible combination of sites and artwork, and help to guide what is essentially a form of communication between the artist and the community.

Process
These Guidelines are applicable to public art projects proposed to be located on private property or by a private owner in the adjacent public right of way. The guidelines and criteria contained herein shall also apply to public art projects on City property, which shall be considered and approved by the City Council, in consultation with the San Luis Obispo County Arts Council, and with the recommendation of the Parks and Recreation Commission if art is proposed to be placed on park property, and are subject to the Public Art Donation Program to the extent applicable.

Public Art Panel
In order to solicit community input and involvement for the consideration and promotion of public art on private property in the City, a Public Art Panel has been established to review all public art. The 7 member panel is made up of the following representatives to be convened as needed (a minimum of 6 members shall be residents or business owners in Arroyo Grande):

- 2 representatives from the property owner.
- 2 representatives designated by the County Arts Council
- 1 representative from the Architectural Review Committee.
- 1 representative from the Chamber of Commerce or 1 representative from the Village Improvement Association if the project is within the Village Districts.
- 1 representative from the Historical Society.
The Public Art Panel will convene to approve public art by a majority vote after the piece or plans are presented at a public hearing held by the City Council for the purpose of obtaining community input. The San Luis Obispo County Arts Council shall act in an advisory capacity to the Public Art Panel.

Guidelines
The following guidelines developed by the San Luis Obispo County Arts Council are intended to facilitate and encourage Public Art that is proposed to be placed on private property or by a property owner on adjacent public right of way within the City:

1. Public art shall be of high artistic quality.

2. Public art shall be compatible with the immediate site and neighborhood in terms of social and cultural characteristics, architectural scale, materials, land use and geographical and environmental context.

3. Public art shall not impede pedestrian or vehicle traffic or conflict with public or private easements.

4. Consideration shall be given to any public safety or public health concerns related to, or created by, the artwork.

5. Public art shall be constructed of durable, high-quality materials and require minimal or no maintenance.

6. Public art shall be securely installed.

7. A wide variety of artistic expression is encouraged. However, expressions of profanity or vulgarity are inappropriate.

Selection Criteria
The following are considerations for the selection of public art

1. Relationship to the social, cultural and historical identity of the area

2. Evaluation of artistic excellence;

3. Appropriateness of scale, form, material, content and design relative to the immediate neighborhood;

4. Appropriateness of proposed materials as regards to structural and surface integrity, protection against vandalism, public safety and weathering;

5. Ease of maintenance;
6. Appropriateness of proposed method of installation and artwork and safety and structural factors involved in installation;

7. Artist's experience in working on comparable projects.

The City or Public Art Panel may consider a revolving art program for a proposed location on an ongoing basis.

Location
Public art is allowed in any district and is strongly encouraged in the Village Downtown, Village Mixed Use, Gateway Mixed Use, Fair Oaks Mixed Use and Public Facility Districts. Promotion of public art visible from intersections within these districts as well as proximate to public gathering areas, plazas and public parking areas is highly recommended.

PUBLIC ART DONATION PROGRAM

Purpose
Public art can provide aesthetic, cultural and economic benefits to the community. The City of Arroyo Grande Public Art Donation Program is a means by which an artist, or an individual or group commissioning an artist, may donate, gift or bequeath public art to the City of Arroyo Grande for location in a city owned public place.

Definition
Public art can be defined as "The engagement of an artist with public place involving original, creative work by an individual or a group." This includes functional and original works of art that also serve as capital improvements, such as, but not limited to seating, fountains, lighting, and free standing art forms. Pre-fabricated manufactured items such as benches, fountains etc. are not considered public art.

Proposal
Proposals should include:

1. A donor application form (See Attachment 1)
2. The artist or donor’s name,
3. Title of the work and artist statement
4. Description of the work (such as a photograph, artist’s rendering or computer generated image)
5. The materials and size of the work
6. A preferred public location
7. A statement from the donor and artist that the art is free of encumbrances
8. The artist's resume if available
9. Estimated value of donated work
10. Recommended manner of installation
11. Estimated maintenance cost

**Process**
The following steps will result in the review and decision regarding a proposal:

1. The proposal would be submitted to the Community Development Department to review it to:
   a. Determine ongoing and General Plan consistency, accuracy and appropriateness.
   b. Insure it would not create an undue risk or a safety problem.
   c. Consider maintenance requirements
   d. Determine durability
   e. Identify any engineering concerns
2. The proposal will be reviewed by the Parks and Recreation Commission if proposed to be placed on a park property.
3. Recommendations will be forwarded to the City Council for review and action during a public hearing. The Council would have final approval of the donation.

**Guidelines for Review of the Proposal**
The following guidelines would be used for review of art donations:

1. Public art shall be of high artistic quality.
2. Public art shall be compatible with the immediate site and neighborhood in terms of social and cultural/historical characteristics, architectural scale, materials, land use and geographical and environmental context.
3. Public art shall not impede pedestrian or vehicle traffic or conflict with public or private easements.
4. Consideration shall be given to any public safety or public health concerns related to or created by the artwork.
5. Public art shall be constructed of durable, high-quality materials and require minimal or no maintenance.
6. Public art shall be securely installed.

7. A wide variety of artistic expression is encouraged. However, expressions of profanity or vulgarity are inappropriate.

**Display of Public Art**

1. A contract shall be executed between the artist and the City establishing the terms of the proposed installation.

2. Artwork shall be displayed to include the artwork title, artist's name, patron's name if applicable and date of completion. The materials used and a short explanation of the work could be included as an option. Plaques will not be used for advertising purposes.

3. Prior to accepting the project, the Community Development Department shall receive from the artist or donor a set of plans, specifications, and a copy of a maintenance record, which identifies maintenance, installation and removal instructions. The transportation, installation and adjunct costs (such as engineering, a base for the artwork or other installation elements) related to artwork are the responsibility of the donor.

4. Once the art piece is installed (by the donor under the supervision of City staff with the artist's installation direction and donor installation funding), it will require inspection and sign off by a City Building Inspector.

5. Following inspection, the artwork shall become the property of the City. A publicized dedication ceremony shall be held to present the art piece to the community.
ARROYO GRANDE PUBLIC ART
REQUEST FOR PROPOSALS

THE ARROYO GRANDE AGRICULTURAL HISTORY MURAL

REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES FOR MURAL TO BE LOCATED AT 303 E. BRANCH STREET, ARROYO GRANDE, CA

Proposal Request: February 3, 2014
Proposals Due: March 5, 2014

Arroyo Grande Public Art, in conjunction with NKT Commercial, is seeking proposals from qualified professional muralists to create an historical mural related to the agricultural history of Arroyo Grande on the east side of the building located at 303 Branch Street, Arroyo Grande, CA.
Project Goals
The goal of the Arroyo Grande Agricultural History Mural is to select a qualified muralist or artist team who can demonstrate artistic excellence and create a mural consistent with the following theme:

The City of Arroyo Grande has rich agricultural history. The mural is to depict the agricultural history of Arroyo Grande, with images reflecting farming, agriculture, and shipping of produce using a narrow gauge railroad. It could incorporate vegetables, vineyards, horses and cattle, as well as images of the growers/shippers from the early days of the community. The artist should also consider incorporating a three dimensional element into the artwork.

The area also has historically been farmed by agricultural families with deep roots and history in the community and who came from many different cultures, including the Japanese-American community, the Filipino-American community and the Portuguese-American community. This diversity of cultures would also be appropriate to depict in the mural. For example, the Pismo Oceano Vegetable Exchange consists of many of the old Japanese-American farming families that have been in the region for generations and there are many fine images available of them and their farming activities that can be incorporated into a mural artwork (see for example http://pove.net/our-history/). The South County Historical Society has many old photographs, and other graphics that can be accessed as inspiration for the mural project, and we also have secured other historic images that will be made available to muralists to review. We are attaching a few representative images to this RFP for reference.

Scope of Work and Location
The location of the mural will be a wall on the east side of the building located at 303 E. Branch Street in Arroyo Grande, CA. As noted, the goal is to create a mural related to Arroyo Grande's agricultural history, incorporating themes reflecting the many cultures who have contributed to the history and development of the community.

The successful artist proposal will be responsible for the preparation of the design including, but not limited to, design, layout, and art production. The space is rectangular, 79 feet long by 22 feet high. The wall is terminated at the ground meeting the parking lot at a ninety degree angle. A photograph of the wall is provided with this Request for Proposals, but interested muralists are encouraged to visit the site to further evaluate the wall in relation to their proposal.

Arroyo Grande Public Art and NKT Commercial seek experienced muralists, including individuals or an artist team, with an excellent mural proposal that is novel, creative and engaging. Prior experience creating large murals, including work on scaffolding on a large building wall is required.
Proposal Submission Requirements
To be considered for the work, interested muralists must submit a proposal to Arroyo Grande Public Art and NKT Commercial to include:

1. A narrative and drawing illustrating the concept, including supplemental information such as medium, and approximate dimensions of the proposed mural. The narrative should convey the artistic intent, colors, style of work, etc.

2. A suggested method and cost estimate for a protective coating that will be applied to the mural after completion. The artist will be required to apply the protective coating.

3. An itemized budget and cost proposal.

4. A timetable for the Project (the mural must be completed within 60 days of execution of the Professional Services Agreement).

5. A maintenance plan describing the material and processes used (so that repairs can be made) and a schedule of required maintenance (such as the replacement of an anti-ultraviolet coating), consistent with the following:

   --Periodic inspections, at intervals recommended by the artist, should be made of the surface of the mural for cracks caused by changes in the substrate below. Repairs should be made so moisture cannot get under the surface and cause blistering due to temperature changes affecting the surface.

   --Any repairs to the painted surface must be re-coated according to the manufacturer’s instructions or as necessary to preserve the anti-ultraviolet coating.

   --Anti-graffiti anti-ultraviolet coating, with a minimum number of coats recommended by the coating manufacturer, should be applied on a specified schedule, according to the manufacturer’s recommendations. The art piece should be cleaned and thoroughly dry before any application of the recommended protective coating.

   --If it is determined that it is desirable to clean the surface of the mural, washing instructions shall be included. For example, this could include washing with cool water (under 90 degrees Fahrenheit), and Joy Dishwashing liquid or any dishwashing liquid that does not contain chlorine, or a mild solution of Tri-sodium Phosphate and water (diluted to the recommendations of the manufacturer), which could also be used to clean the surface of the mural, along with thorough rinsing. Use of any cleaning products with bleaches or oils would not be appropriate and should not be recommended.
6. A detailed resume, contact information and artist statement.

7. Supporting material such as examples of other works and/or reviews of similar work. Examples should describe size, materials, cost and location of other public art projects.

8. Artists shall submit their qualifications, consistent with the Artist Selection Considerations set forth below, to Arroyo Grande Public Art and NKT Commercial with their proposal.

9. Three (3) copies of the proposal shall be submitted which must be printed one-sided.

10. A statement describing the artist's or art firm's experience in all tasks associated with producing a quality product. This must include murals of a comparable scale created by the artist;

11. Samples of the artist or firm's work and a draft sketch of the proposed mural.

12. At least three recent references with telephone numbers;

Qualifications

ARTIST SELECTION CONSIDERATIONS

The selection of an artwork proposal to be implemented for the project will be based on the following criteria:

1. The aesthetic quality of the proposed work. Artwork examples submitted must represent the artist's own original creative work. The artist's work should reflect artistic excellence, innovation and originality, as evidenced by professional quality of craftsmanship and mastery of skills, techniques; professional approaches to processes and presentation, and/or communicate a unique vision or perspective.

2. The artist's work will be judged on the basis of being appropriate to the goals of the project and the demonstrated maintainability and durability of the artwork's design, materials, fabrication and installation methods.

3. The artist's professional experience must be appropriate to meet the demands of the project. Qualifying activities should include some combination of the following: education and training as an artist; an exhibition record in museums; commercial art galleries, and/or non-profit art spaces; previous public or private commissions; participation in artist-in-residency programs; or other related activities indicative of a professional art practice. **Artists must have experience creating large**
mural artworks, preferably on large exterior walls, and must also have experience using scaffolding during the creation of such mural artworks.

4. The demonstrated feasibility of the preliminary proposal and the proposal budget.

5. The artist’s availability to participate in the design, approval and implementation of the project as required.

6. An assessment of the ability to meet project deadlines and to perform work in a timely and professional manner.

7. Results of reference checks.

Evaluation
Evaluation of proposals will be based on cost, as well as the ability of the artist or designer to produce a professional quality product. The most qualified respondent may be invited, at Arroyo Grande Public Art’s discretion to, to an interview with the representatives of Arroyo Grande Public Art and NKT Commercial. Funding for the project is through NKT Commercial. Artists submitting proposals are hereby notified that the successful proposal will also be required to go through the City of Arroyo Grande’s Public Art juried approval process, and the final award of the project shall be subject to approval through that process.

General
Arroyo Grande Public Art and NKT Commercial reserve the right to reject any or all proposals or to waive any irregularities or informalities in any proposal. The artist that is selected will be required to enter into a professional services agreement with NKT Commercial, the terms of which will be subject to negotiation by the parties. The agreement will include indemnification and insurance requirements to be provided by the artist. The agreement will also address issues of rights of reproduction, ownership and related matters consistent with the requirements of Arroyo Grande Public Art, NKT Commercial, and the provisions of the Federal Visual Artist Rights Act of 1990 (Title 17 U.S. Code et seq.) and the California Art Preservation Act (Civil Code Section 987 et seq.).

Individuals or firms desiring additional information, including questions regarding costs and budgets, and to request historical photos may contact Trudy Jarratt at 805- 709-6005 or at fjiarratt@charter.net.
Resources

Arroyo Grande Village
http://www.arroyograndevillage.org

South County Historical Society
http://www.southcountyhistory.org

Arroyo Grande In Bloom/Arroyo Grande Public Art

Submittal

Proposals must be received no later than **Wednesday, March 4, 2014** at 5:00 p.m. Proposals should be sent to the attention of Arroyo Grande Public Art, P.O. Box 231, Arroyo Grande, CA 93421.
Mural Artist Selection Process
The Former “JJ’s Market” Building
2014

Background

In February 2013 AGIB President Bob Lund and AG Public Art (AGPA)Chairperson Trudy Jarratt met with Nick Tompkins of NKT Commercial to suggest he consider including public art in a Arroyo Grande project. He expressed an interest in doing so. An opportunity presented itself during the development of the old JJ’s market building and the surrounding property.

In December 2013 a meeting was held with Nick Tompkins and a sub-committee of AGPA to discuss an RFP/Q for qualified artists to create a mural on the east wall of the old “JJ’s Market” building.

The subject was to be the agricultural history of the Arroyo area. Below is a paragraph taken from the RFP which defines the scope of the project:

“The City of Arroyo Grande has rich agricultural history. The mural is to depict the agricultural history of Arroyo Grande, with images reflecting farming, agriculture, and shipping of produce using a narrow gauge railroad. It could incorporate vegetables, vineyards, horses and cattle, as well as images of the growers/shippers from the early days of the community. The artist should also consider incorporating a three dimensional element into the artwork. . . .”

The RFP and Resulting Proposals

The RFP was released on February 3 to the California Arts Council, ARTS Obispo (the SLO County Arts Council) and other art councils across California, as well as several individual well known muralists in the state. It was also posted on the Linkedin muralist blog. Proposals were due to AGPA and NKT Commercial by March 5.

We received 20 inquires from artists and 4 artists submitted proposals. The AGPA sub-committee met on March 10 to go over the proposals to insure they met the basic requirements of the RFP/Q. The RFP/Q artist qualifications called for the artist’s professional experience be appropriate to meet the demands of the project. Qualifications included education and training as an artist; exhibition record; previous commissions etc. Experience creating large mural artworks was a must.
On March 18 the sub-committee met with Nick Tompkins of NKT Commercial to provide him with the proposals and our input which included a ranking of the proposals based on the RFP criteria. Mr. Tompkins was then given the proposals to review. On Thursday, March 27, Mr. Tompkins notified AGPA Chairperson Trudy Jarratt of his selection. Both the sub-committee and Mr. Tompkins chose the same proposal as the most appropriate for the job.

The winning artist is Colleen Mitchell-Veyna from Visalia. She has worked on numerous large scale murals throughout California and Nevada, including Exeter, California which is well-known for their outstanding murals. You can view some of her mural work on her website: http://veynadesignstudios.com/cities.html

It our hope that work can begin on the mural sometime in May. The project should take two months to complete.