



## CIVICS ARTS COMMISSION AGENDA REPORT

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August 2, 2021  
Item 6

**TITLE:           REVIEW THE CURRENT PUBLIC ART APPROVAL PROCESS**

### **SUMMARY**

City staff will be updating the Firehouse Arts Center website to include the public art process. In advance of this update, staff is presenting the public art process to the commission.

### **RECOMMENDATION**

Review the current public art approval process.

### **FINANCIAL STATEMENT**

There is none.

## **BACKGROUND**

The City of Pleasanton public art acquisition process has been used consistently for 10 years. The City has three documents that help to guide the City's public art program: the Cultural Arts Plan (Attachment 1), the Pleasanton Downtown Public Art Master Plan (Attachment 2), and the Pleasanton Municipal Code (Muni Code).

The Cultural Arts Plan was adopted in 2014 and states that the "public art program should evolve to better serve the needs of the community, match the aesthetic standard of the City, and enhance the artistic reach [within the Pleasanton community]" (Cultural Arts Plan, page 3). The Pleasanton Downtown Public Art Master Plan was approved in 2007 and provides examples of how "existing public art can be integrated into community programs" (Pleasanton Downtown Public Art Master Plan, page 3).

The Muni Code outlines the process for public art and explains how new pieces of public art are approved. Per the Pleasanton Municipal Code 13.16.050 and 13.16.070, all pieces of public art whether on public property or private property, are to be reviewed by the Civic Arts Commission and recommended to City Council for placement.

### **13.16.070 Gifts and loans of public art.**

A. The civic arts commission shall review any proposed donation or loan of public art for artistic merit, site appropriateness, liability questions, and installation and maintenance costs and considerations. The review shall include consultations with all affected city departments.

B. Upon completion of its review the civic arts commission shall make its recommendation for acceptance or rejection of the offer to the city council.

C. A donor who wishes to make an offer of a gift of public art shall provide for review:

1. Documented materials for the artwork being offered for donation including photographs, slides, renderings, descriptions of size, weight, medium, title, year of creation, and a resume of the artist, if possible;

2. Documentation establishing the donor as the clear and unencumbered title holder of the artwork.

3. A release letter by the donor should the city decide to deaccess the artwork in the future.

D. The city will acknowledge receipt of the donated artwork without valuation for tax purposes. The donor must find other means of establishing the value of the artwork. (Ord. 1676 § 1, 1996)

### **13.16.050 Public art in private places program.**

A. The city strongly encourages private individuals or corporations to participate in the public art in private places program by placing original works of art in publicly accessible areas in new commercial, office or industrial developments.

B. The public art in private places program is optional to developers with commercial, office or industrial projects in the city of Pleasanton. During the

development review process, developers of major new projects are encouraged to provide appropriate art, commensurate with the scale of the proposed building(s), which would complement and enhance their projects. The civic arts commission shall review and make recommendations regarding any public art which is proposed as part of a development.

C. Developers may choose to:

1. Acquire and install original works of art in publicly accessible areas of their developments.

2. Make a cash contribution for a city-sponsored public art project; make a sponsorship matching contribution for a work of art, if the city approves; or

3. Make a cash contribution to the city's art in public places fund.

D. It is not intended that an agreement on the part of a developer to provide artwork will slow or delay processing the development application. During the development review process, an applicant may indicate a willingness to provide such artwork or may provide a conceptual drawing of the artwork; however, the proposed artwork shall not be reviewed by the civic arts commission until after the project has received all necessary discretionary approvals, except if the proposed artwork were an integral part of the building or site design. In this case, as soon as it is identified that such artwork is proposed to be included as part of a development project, the civic arts commission would be called to review the artwork portion of the project as soon as is practical. A special meeting of the commission may be called to keep the development project on schedule.

E. The civic arts commission will be available to developers, the community development department and other affected city departments to provide policy guidelines, advice, expertise and assistance for public art in private places projects. (Ord. 2000 § 1, 2009; Ord. 1676 § 1, 1996)

## **DISCUSSION**

The Firehouse Arts Center website does not currently provide comprehensive information that outlines the process of public art acquisition, placement and installation in the City of Pleasanton. Adding this information to the website will make the process more easily accessible, informing the community how public art pieces are added to the City's collection. The website will feature a flow chart of the Muni code steps and be a landing page for public art inquiries.

Submitted by:

A handwritten signature in black ink, appearing to be the initials 'TW' in a cursive style.

Tamara Whitney  
Recreation Manager, Civic Arts & Community Programs

Attachment:

1. [City of Pleasanton 2014 Cultural Plan](#)
2. [Pleasanton Downtown Public Art Master Plan](#)