

City of Richmond
Public Art Master Plan



Submitted by
Art Builds Community
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ACKNOWLEDGMENTS

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Water is Life, artist Masayuki Nagase, at Ookwe Park, City of Richmond Public Art Collection

RICHMOND PUBLIC ART MASTER PLAN

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Vision:

The City of Richmond supports arts and culture that celebrate the City, its people, and their stories.

EXECUTIVE SUMMARY

Background

The City of Richmond has integrated public art in its buildings since at least the 1950s including notable projects like *Pride and Purpose*, the Sargent Johnson enamel mural in the Richmond Memorial Auditorium Lobby. The City has funded art in public places since 1997 through its 1.5% for art program, and through the leadership of the Richmond Arts and Culture Commission (RACC). The City is home to significant permanent artworks that celebrate its history and culture, including artworks on public property and Redevelopment Agency-led projects. RACC has led the public art program, supported exhibits, provided grant funding, and developed arts policy. It has also supported community-based art through its Neighborhood Public Art Mini-Grants, reviewed art-based Love Your Block Mini-Grants, and provided financial support for arts organizations, festivals, and events.

Richmond boasts a strong and engaged community of artists and arts activists, and important community-serving arts institutions such as the Richmond Art Center, NIAD, RYSE, and East Bay Center for Performing Arts. Two cultural plans for the City, in 1994 and 2002, envisioned a cultural arts program that could significantly support and promote all art forms in a variety of ways. And while the arts thrive, the level of City support and funding has not entirely met their needs. However, when the State of California dissolved redevelopment agencies, many capital improvement projects came to a halt, reducing the available funding for public art.

Some of this changed with the advent of the 1% for art in private development. This policy was a RACC initiative, and was adopted in 2017 and revised in 2021 to include detailed procedures. Since its inception, this developer fee has brought over \$2 million dollars into the public art fund.

In 2022, RACC issued a Request for Proposals to develop a public art plan to help guide the use of this fund. They selected Art Builds Community (ABC), a women-led Bay Area-based public art planning team, to lead this effort. During the development of the plan, ABC studied City planning documents, toured existing public art, reviewed previous cultural plans, attended RACC and its Public Art Advisory Committee meetings, conducted interviews, focus groups, and public community engagement events. The team learned about the commitment and talent of Richmond's arts community, the City residents' appreciation for arts, and opportunities to infuse public art into Richmond's neighborhoods and business districts. They also learned about the challenges facing Richmond's artists and the arts community.

Existing Artwork

Significant projects completed since the inception of the City's 1.5% for art include the *Rosie the Riveter Memorial* by artist Susan Schwartzenberg and landscape architect Cheryl Barton, *Richmond Identities: Extraordinary Lives/Ordinary People* at the Richmond Senior Center by artist Judy Baca, *Water is Life* at Ookwe Park by Masayuki Nagase, and many others. The artists for each of these works conducted deep community engagement to create their art. The *Rosie the Riveter Memorial* project included interviews with over 200 original World War II women "home front" workers, to record their oral histories, and spurred the creation of the WWII Home Front National Historical Park and Visitor Center. For *Water is Life* at Ookwe Park, artist Masayuki Nagase partnered with Ohlone tribal members who guided him in the design, history, and landscaping of the project. Artist John Wehrle is well represented in the City's collection with his design for underpass entries and several other murals funded by 1.5% of the Redevelopment Agency's (RDA) capital improvement projects. The RDA also supported an impressive suite of Richmond-focused artworks in the renovated Civic Center Complex. Each of these artworks is part of the City's collection, and the City is responsible for its care.

Redevelopment Agency (RDA) projects also resulted in public art for the private sector at BART's parking garage and Metro Walk Transit Village. Beyond the artwork directly commissioned by RACC and RDA efforts, many private businesses have commissioned murals that are a significant element of neighborhood identities. Neighborhood Public Art Mini-Grants have also resulted in community-based public art, including contributing to the development of Harbor 8 Pogo Park and its adjacent *Yellow Brick Road*, community empowerment arts projects led by artist Toody Maher that includes children's activities, construction, classes, and artmaking. As new private development-based artwork is commissioned, Richmond's visual landscape will grow along with it.

Opportunities

The opportunity to fund the arts began to grow with the RACC-led 2017 creation of a 1% for art requirement in private development. While the City initiated its 1.5% for art requirement in its own Capital Improvement Projects (CIP) in 1997, the private arts fee employs the arts to beautify and activate commercial and residential development. This fee enables the City to extend the legacy of the RDA of integrating art in public spaces in private development. And, through its 'in lieu' option, funds can be employed by RACC to commission arts amenities and activities in City-owned spaces.

Several of the projects in process and on the horizon provide opportunities to integrate art in, or adjacent to, new developments. These include projects such as the ProLogis mixed use development in the Point Richmond area, and their Chef's Warehouse project on Cutting Boulevard in Point Richmond. Central Avenue will also provide opportunities for artwork development.

Challenges

The potential to fully plan for the use of the Public Art Fund has not been realized until now. Significant growth of the Public Art Fund since early 2020 occurred concurrently with the Covid-19 pandemic, a change in Arts and Culture staffing, and a reduction in the number of Arts and Culture Commissioners. During the pandemic, RACC meetings became virtual, and the size of the RACC shrunk, with no new commissioners appointed. By late 2022, the Commission included only five members, and the functions of the Public Art Advisory Committee (PAAC), normally a subcommittee of the Commission, were integrated into the work of the RACC. Concurrently, the City increased its administrative requirements for all contractors to promote greater accountability, making the task of issuing artists' contracts more cumbersome. The City Manager's Office and Arts and Culture Division are reviewing contract protocols to evaluate whether changes are needed to accommodate contracts with artists.

"Shelter in Place" pandemic rules prevented RACC's in-person meetings, and inhibited contact between Commissioners, artists, and the public. Some artists grew concerned that the City moved too slowly in implementing projects, although even with a limited number of Commissioners and a fairly new Arts and Culture Division Manager, the RACC continued to execute a full agenda of meetings, grantmaking, project contracts, maintenance of artworks, improvements to the Arts and Culture website, and other arts and culture activities during this period. This misunderstanding resulted from a lack of public real-time participation in the work of the RACC, the technical and equity challenges presented by virtual meetings, and inadequate channels of communication. While RACC meetings continued during the Covid-19 pandemic, information about their work was not reaching the public. The City's Arts and Culture website and its public art map were outdated, and information about recent public art projects and grants was not visible. This, along with increased administrative requirements, led to a lack of public confidence in the Arts and Culture Division and a desire for more transparency, challenges that can be remedied by targeted investments, and staff support.

Despite these challenges, work has continued in the public art program. New projects were initiated, conservation of artwork was completed, and new Neighborhood Public Art Mini-Grants and Covid Relief Mini-Grants were awarded. Arts and Culture and other City staff have been actively ensuring that private development funds were collected, and the Public Art Fund has continued to grow. This is money that the City can invest in public art and cultural activities, and it should be thoughtfully expended over time to ensure that all communities benefit, and that the fund is being replenished while it is being expended.

With new resources available, RACC can invest in the future of public art. The following vision and recommendations are offered for consideration:

Vision

The City of Richmond supports arts and culture that celebrate the City, its people, and their stories.

Mission

The City of Richmond's public art program commissions artworks that enrich people's experience of the City, and help drive its healthy development.

Recommendations

Many of the recommendations in this plan reinforce work already being done by RACC and Richmond's Arts and Culture Division. The purpose of these recommendations is to reinforce, expand, and continue RACC's successes.

1. Employ the arts to illuminate Richmond's many cultures and histories.
2. Commission art that activates business districts in Downtown and other neighborhoods.
3. Support art that connects people with nature.
4. Prioritize support of the arts in City buildings and public spaces.
5. Increase grants to arts and cultural programs.
6. Support artists of all ages and backgrounds.
7. Strengthen the Arts and Culture Division and Richmond Arts and Culture Commission.
8. Maintain the City's public art.
9. Promote Richmond's public art.
10. Build partnerships with local businesses and regional entities.
11. Update Richmond's Cultural Plan.

METHODOLOGY

Research

Research for this plan included interviews with City staff members, City Council members, current and past Arts and Culture Commissioners, and community leaders (Appendix B). The team hosted individual interviews, five community discussions in person and virtually, and mounted pop-up activities at three community events. ABC studied the Cultural Master Plan 1994, Cultural Master Plan Update 2002, the Arts and Culture element of the Richmond General Plan 2030, and documents including community plans, and public art policies, procedures, and guidelines. Site visits throughout Richmond also played a significant role in understanding current public art, neighborhoods, and City assets, including parks, non-profit locations, and ongoing annual events.

Interviews

ABC conducted virtual and in-person interviews with internal and external stakeholders. The Arts and Culture Manager identified key stakeholders to be interviewed by the consultants throughout the outreach process, including City department heads, business and civic leaders, City Councilmembers, and the Mayor. These conversations provided insight and background on the arts ecosystem in Richmond, funding, and City priorities and processes. They also illuminated community wishes and needs. With the recent election of a new Mayor and City Councilmembers, along with new administrators, there is momentum and energy to re-imagine the future of Richmond’s arts.

Community Engagement and Timeline

Information gathered from interviews, public webinars, and pop-up events helped shape the recommendations that will help guide the future of the public art program in Richmond. The project timeline is as follows:

August – September 2022

Project Initiation

September 2022 – February 2023

Interviews, Focus Groups, and Public Meetings

September 2022 - May 2023

Plan Framework Development and Review

March 2023

Emerging Themes Presented to RACC and Public

June – July 2023

Presentation of Draft and Final Plans to RACC

Surveys

A public art survey of 14 questions, including multiple choice, open-ended, and demographic questions, was available online between October 2022 to March 2023 (Appendix G). Seventy-five participants completed the survey. Many of the participants proudly identified themselves as residents and artists of Richmond. This was demonstrated in the top three roles they believed public art should uphold for their city:

1. Support the growth of local artists.
2. Provide opportunities for people to experience art that enriches their lives.
3. Promote pride in Richmond.

Pop-up Events

ABC facilitated community engagement activities at three local community events. The 2022 events included the 14th Annual Spirit and Soul Festival in downtown Richmond, the 60th Annual Holiday Arts Festival at the Richmond Art Center, and the 2023 Martin Luther King Jr. Day Celebration and Day of Service at the Greenway Trail. The tabling activities provided opportunities for community members to participate by filling out a survey, signing up for project updates around the public art master planning process, and answering the following prompt questions:

1. What types of public art and programming do you want to see in Richmond?
2. Where do you want to see public art and programming in Richmond?

The general outcome of the pop-up events was:

ABC staged one of several artmaking activities at the Annual Holiday Arts Festival event. In addition to inviting people to complete surveys and answer prompts, participants were encouraged to create art in the moment by finger weaving two communal tapestries. The yarn that they added to the tapestry were color coded to determine the type of public art they wanted to see more of in their city.

There were seven categories:

1. Murals
2. Kinetic Art
3. Functional Art
4. Environmental Art
5. Performances and Events
6. Sound/Digital/Light Art
7. Historical Art

The table below shows the outcome of the community tapestries. The activity gathered 69 people to collectively complete two completed small tapestry pieces that provided visual and informational insight on the wishes of the community around public art.

Public Art Type	Tapestry 1	Tapestry 2	Total Votes
Functional	9	6	15
Environmental	5	8	13
Sound/Digital/Light	4	5	9
Performance/Event	6	5	11
Historic	1	1	2
Kinetic	4	5	9
Murals	4	6	10
Total Participation	33	36	69

Focus Groups

Three focus groups were hosted to facilitate conversation and feedback from individuals who identified as BIPOC (Black, Indigenous, and People of Color), artists, and business owners. The artist focus group held on November 9, 2022 at the Richmond Art Center brought out the most participation with an attendance of 32 people across diverse crafts and disciplines. The BIPOC focus group was held online during the first week of March 2023 across multiple days to fit schedules of different community and cultural leaders that represented hard-to-reach groups from LGBTQIA+, youth, and collectives. The business focus group was held at the Richmond Mainstreet Initiative office on March 6, 2023, and resulted in the smallest gathering due to heavy weather and time constraints. The notes from these focus groups are in Appendix D.

FINDINGS

GUIDING PRINCIPLES AND EMERGING THEMES

The following guiding principles and emerging themes emerged from conversations with community, civic and arts leaders, surveys, community events, and focus groups. These principles and themes were extremely consistent, indicating consensus about the future direction of Richmond’s public art.

GUIDING PRINCIPLES

- Prioritize art that celebrates Richmond’s cultures and stories.
- Support local artists.
- Make art public.
- Promote community pride.

EMERGING THEMES

Types of Art

- Art that illuminates cultures and histories.
- Changing art.
- Interactive art.
- Placemaking art.
- Artist residencies.

Artwork Locations

- Art in nature: the Greenway, neighborhood parks, and trails.
- City buildings.
- Neighborhoods.
- Downtown districts.
- Waterfront.

Artist Support

- Opportunities for young people to practice and learn artistic skills.
- Technical assistance for artists.
- Grant support.
- Spaces for artistic creation.
- Simplify grant application process.

Administration and Procedures

- Encourage new development to include affordable places for artists to work, perform, and exhibit.
- Support Commission capacity building, including annual project planning and budget retreats.
- Add project management and community engagement staff.
- Encourage private developers to engage with surrounding communities.

RECOMMENDATIONS

The following recommendations embody the guiding principles developed during the community engagement process. They are firmly based on the community pride and activism that characterizes Richmond.

Community members, Arts and Culture Commissioners, and key stakeholders shared a common message: RACC does its best work when empowering community members to create and participate in the arts. As such, RACC can build on its existing programs and create new ones that place greater resources directly into the hands of artists and community organizations. RACC can support programs that enhance Richmond’s visual landscape, and engage community members in decision-making about the City’s arts investments, employing public art funds to support artist-initiated work that meets City standards and durability requirements, and stimulating creative placemaking at a grassroots level. This strategy defines the role of City staff and the RACC as facilitating public art rather than acting as gatekeepers.

The following recommendations place an emphasis on community engagement and leadership.

Recommendation 1:

Employ the arts to illuminate Richmond’s many cultures and histories.

Richmond is home to many cultural groups, each with its own story of triumph and trauma. From the time of the Ohlone, Richmond grew around its industries, infrastructure, railroads, and port, attracting waves of newcomers from other parts of the United States and other countries. Their stories add to Richmond’s identity, its arts, and its culture. RACC has sponsored or supported several institutions and projects that explore cultural heritage, and these projects have amplified communities and shared food, art, craft, and traditions among its residents. These programs have ranged from *Blossoms and Thorns*, an exhibit that explored both the Japanese incarceration and rose-growing tradition, to *Water is Life*, at Ookwe Park, which engaged the Ohlone community in its design, and Elm Playlot and the future Harbor 8 Pogo Park projects, artist-initiated parks that provide opportunities and services in the Iron Triangle community. These projects highlight the dignity and achievements of Richmond’s different communities, reinforcing the importance of their histories. RACC can build on these projects by launching a program that places artists “in residence” in communities, whether geographically or affinity based, to create artwork that stimulates civic engagement, and shares their stories with others.

The RACC has sought to build upon this with its recent large project grants. These grants sought participation by neighborhood councils that wanted to place art in their communities. The first project, *Living Room* at Kennedy Park, by artists Tiffany Conway and Ari Takata-Vasquez, was awarded in June 2023. Two other communities, Hilltop and Hilltop Green, are potential candidates for future projects. A suite of new public art at Shields Reid Park will also reflect community stories.

- Create an annual Artist-in-Community Residency program.
 - Develop and launch a Request for Qualifications to create a pre-qualified pool of Richmond-based community-engaged artists working in any media.
 - Invite communities to apply to host an artist in residence by demonstrating their leadership structure, project goals, and commitment to working with an artist in an open-ended way to develop a project.
 - Assist community leaders to select an experienced, Richmond-based artist from a pre-qualified pool, or a qualified artist of their own choosing.
 - Award selected artists \$7,500 for a 3-month's residency period to learn about the community and develop a project proposal.
 - Award up to \$150,000 to realize a permanent or temporary project for that community.
- Require private developers to engage surrounding communities for public art input.
 - Assist developers and their art consultants to connect with community leaders and research community history when developing a plan for on-site artwork.
 - Encourage the developer to reach out to community leaders and organizations, artists, and neighborhood councilmembers.
 - Promote art that enhances public space, providing value to each development and its surrounding neighborhood.
 - Encourage developers to include spaces where art can be created and/or presented.
- Expand support for public art projects that include special populations such as senior citizens, youth, and formerly incarcerated individuals through the Safe Return program.
 - Encourage artists to apply for NPA grants in partnership with organizations supporting underserved populations.

Recommendation 2:

Commission art that activates and connects business districts in Downtown and other neighborhoods.

Richmond sprawls in many directions and has several downtown business districts, large and small. These include business districts in North Richmond, Pt. Richmond, Richmond Annex, Hilltop, Parchester, Shields-Reid, and Marina Bay. Some of these neighborhoods have employed the arts to actively attract pedestrians to their shops, restaurants, and services; other areas would benefit from greater arts investments. Because all downtown districts were impacted by the Covid-19 pandemic, an increase in arts investments could be transformational.

There is one specific business district cluster that will benefit from increased investment in arts activities and amenities in particular: the Downtown arts and business district on Macdonald Avenue, beginning with RYSE at one end to the East Bay Center for the Performing Arts and Richmond Museum of History at the other, and intersected by 23rd Street, home to NIAD (Nurturing Independence through Artistic Development). This district is immediately adjacent to the Civic Center Campus, housing the Richmond Art Center, and close by the Greenway, which acts as the area's lungs. These intersecting districts will grow to be the heart of Richmond's cultural life with the help of continued City investment and partnerships with businesses and foundations.

- Create a matching grant program for nonprofit organizations to produce programming, and decorative and functional art in partnership with local businesses, artists, and arts organizations to attract people and enhance the public realm.
 - Provide grants to nonprofit organizations to commission artist-designed, temporary, permanent, and functional place-based artworks in neighborhood business corridors.
 - Launch four to six annual grants to support organizations that develop and maintain art in business corridors.
 - Encourage projects that populate empty storefronts and vacant lots.
 - Commission art that invites interaction (Instagram moments).
 - Commission artwork gateways at entrances to business districts.
- Build partnerships with the City Manager's Office, Public Works Department, and Recreation and Parks Department to support projects that improve pedestrian safety, create temporary and permanent art parks, and support bike and pedestrian safety.
 - Encourage streetscape projects such as banners, artist-designed crosswalks, and seating areas that enliven the pedestrian experience.
 - Create space for impromptu performances.

Recommendation 3:

Support art that connects people with nature.

Richmond has a wealth of open spaces ranging from small neighborhood parks to regional parks, the Bay Trail, and the Greenway. In fact, the City has 32 miles of continuous waterfront. While not all open spaces are City property, those that are managed by other entities present significant partnership opportunities. The inclusion of artworks whether historical, freestanding, wayfinding, temporary, or functional, will draw people outdoors and enhance their experiences of nature.

- Place art in settings where people enjoy nature, including the Greenway, neighborhood parks, and City trails.
 - Continue supporting grants for changing artworks by Richmond and other East Bay artists on the Greenway.
 - Create a grant program that includes artist-designed mile markers, crosswalks, and artist-designed seating areas to encourage walking on the Hilltop Loop.
 - Strengthen partnership with the City's parks department to identify key locations, and include art in neighborhood parks.
 - Integrate art into the renovation of Boorman Park.
 - Partner with regional entities such as the Metropolitan Transit Commission, which manages the Bay Trail, to support projects in open spaces within Richmond, but belong to other governments.

Recommendation 4:

Prioritize support of the arts in City buildings and public spaces.

- Promote partnerships to support arts activities and programming on the grounds of the Civic Center Complex. The Civic Center, built in the 1940s and renovated in 2000, is situated around a courtyard and surrounded by lawn areas. Because of its proximity to the Downtown arts district, and its home to the Richmond Art Center, it is the perfect venue for changing art, whether temporary displays, arts fairs, or performing arts. These will both enliven the Civic Center and bring people closer to City government.

Management of the Civic Center Complex open spaces is the responsibility of the Recreation and Parks Division, and arts activities will therefore require sponsorship to implement. Provide matching grants that require nonprofit organizations to seek sponsorship for noontime concerts and performances in the Civic Center Complex courtyard.

- Encourage City Council to begin monthly meetings with a poem curated by Richmond's poet laureate.

- Integrate art into City capital construction that welcomes the public – libraries, parks, community centers, etc. Artists can make significant contributions to the City’s capital construction and infrastructure, and can also help promote priorities, including sustainability, public safety, and Vision Zero. Integrating art to communicate city priorities – whether creating streetscape amenities or embedding an environmental message in an artwork, artists can be part of Richmond’s work. The Yellow Brick Road project in the Iron Triangle neighborhood is an excellent example of how art can promote pedestrian safety.

The City requires 1.5% for art to be set aside in its Capital Improvement Project budget. At present, the Arts and Culture Manager is working with the Building and Planning Divisions to review potential funding opportunities in the existing CIP budget. Identifying projects and fully implementing the program speaks to the need for the Arts and Culture Division to have a seat at the table during the early development of the CIP. This will ensure that funding for art enhancement projects can be identified, written into grant applications, and funds can be accumulated to support art in City facilities.

Short Term:

- Continue to review the City’s Fiscal Year 23/24 Capital Improvement budget to identify and request the transfer of 1.5% for art to the Public Art Fund from all eligible projects.
- Identify liaisons in each department with CIP projects, and identify projects to be included in a bi-annual Public Art Work Plan.
- Include visual art in City construction projects, and reinforce City priorities such as traffic calming and environmental stewardship.
- Integrate art into the City’s transportation infrastructure to promote pedestrian and bicycle safety.
- Provide public art funding to significant projects that are funded by an ineligible source.
 - Allocate Public Art Funds to include an artist teaching residency that results in a permanent artwork in the Main Library renovations.
 - Collaborate with the Library Department to commission temporary art on the construction fence during the renovation.

Recommendation 5:

Increase grants to arts and cultural programs.

The Neighborhood Public Art (NPA) Mini-Grant program provides an opportunity for emerging artists and arts organizations to experiment with new ideas, enhance their communities, and build toward larger projects. It is a model program that enables RACC Commissioners to provide mentorship to artists and learn about their communities. While the program has produced significant artworks, the grant amounts ranging from \$2500 To \$9000 are small, and the effort involved in administering them can be challenging for grantees. While the City provides \$65,000 in General Fund dollars, the program can be redesigned to provide greater value to communities and a more satisfactory experience for artists.

- Expand the NPA Mini-Grant program to increase grant funding for Mini-Grants and introduce NPA Enhancement Grants that support arts and cultural programming in community settings. Increase the smallest dollar amount for NPA Mini-Grants to \$4,999, and focus these grants on support for emerging artists and innovative projects.
- Match the amount of NPA Mini-Grant funding provided by the General Fund with similar dollars from the Public Art Fund.
- Use the Public Art Fund to create a new Public NPA Enhancement Grant category with grants of up to \$25,000 for experienced artists or those with a portfolio who can demonstrate that they have successfully completed projects in the past.
 - Encourage artists who have received NPA Mini-Grants in the past to apply for larger grants created through this master plan.
- Provide contractor and staff-led in-person and online technical assistance and support to artists developing and applying for projects.
 - Create brief online video workshops that explain the grant application process and that include frequently-asked questions and answers.
 - Make video presentations available for viewing on the City's website.
 - Create in-person workshops that employ online video and include question and answer periods.
 - Offer scheduled appointments with NPA Mini-Grant and Enhancement Grant applicants to review their applications with staff before submission.

Recommendation 6:

Support artists of all ages and backgrounds.

One of the biggest challenges for artists living in the Bay Area is a lack of affordable places to work and present their work. Equally frustrating is the limited funding to commission new works. The City can mitigate both of these challenges by building partnerships with developers, and devoting resources to employing artists.

In addition to supporting professional artists, Richmond must continue to support its youth artists. Young people are a significant portion of Richmond's population and an underappreciated resource. Engaging young people in arts activities assists with their academic achievement, mental health, and career paths. Youthful artistic expression also makes places more vibrant. Richmond's public art program can support these efforts in a variety of ways.

- Encourage new development that includes affordable places for artists to work, perform, or display their work.
 - Work with the City Manager's Office and business associations to incentivize the use of empty retail spaces by artists and arts institutions.
 - Advocate for the inclusion of artist live/workspace, studios, galleries, and rehearsal space in private development as a means of fulfilling the One Percent for Art in private development requirement.
 - Investigate the use of City surplus properties for cultural uses.
- Simplify the grant application process.
 - Develop online workshops that provide consistently accessible information about applying for grants, responding to RFPs (Request for Proposals), and working with developers.
 - Include links in all RFPs and grant material to City forms, such as business licenses, that applicants will need if awarded contracts.
 - Continue investigating ways to make City contracting and permitting processes more user friendly for artists.
- Invest in the next generation of Richmond artists by supporting arts programs for youth.
 - Support local arts organizations to offer free classes and job opportunities to underserved youth.
 - Encourage grantees and contractors to build partnerships with schools to support youth-led public art projects.
 - Encourage mentorship opportunities in public art projects that provide opportunities for young people to practice and learn artistic skills.

- Specifically include more interactions with youth in the duties and responsibilities of the Poet Laureate.
- Support a youth poet laureate program that parallels and is mentored by the City Poet Laureate.
- Explore partnerships between local arts organizations and businesses to create and manage designated legal, changing, graffiti art walls.
- Continue support for Academy of Art University four-year Presidential Scholarship and summer program.

Recommendation 7:

Strengthen the Arts and Culture Division and Richmond Arts and Culture Commission.

- Add project management and administrative staff to create a fully-functional Arts and Culture Division.

Although Richmond’s public art program began as one element of a full cultural support plan, its Arts and Cultural Division has been under-staffed and under-funded throughout its entire existence. The RACC, a group of motivated and community-oriented volunteers, has been deeply engaged as community experts to recommend and steward arts programs. However, fiscal management of the Arts and Culture Division is not the RACC’s role, and Arts and Culture has not been proactive in growing its financial resources. Tasks such as applying for grants, building partnerships, and monitoring CIP funding would increase arts resources and should be staff driven.

The City’s public art procedures allow a percentage of the fund to be employed to manage the program, and the addition of full-time or contract staff will help grow public art and cultural programming that fully takes advantage of the Public Art Fund, CIP projects, and partnerships.

- Create a new position of Arts and Culture Division Director position that:
 - Coordinates with RACC and PAAC to steward the public art program.
 - Ensures all eligible CIP projects contribute to the fund and/or include art in their designs when appropriate.
 - Builds relationships with developers, the business community, and community nonprofit organizations to advance RACC’s mission.
 - Leads efforts to market public art and the arts in general.
 - Supervises project management staff.

- Create a new position of Public Art Project Manager with the following duties:
 - Present public art projects to RACC and PAAC for review and approval.
 - Meet with developers to explain opportunities for on-site art possibilities and expectations.
 - Lead online training for developers who wish to integrate art or art spaces into their buildings.
 - Manage City-led public art projects, including community engagement, artist selection, and project oversight.
 - Support grant application process for artists and arts organizations.
 - Oversee public art inventory and maintenance program.
- Conduct outreach to Richmond artists.
- Provide administrative support for Support Division and Public Art Project managers including:
 - Grant application processing.
 - Contract management.
 - Commission support.
 - Purchasing and grant solicitation.

RACC Commissioners are city leaders, building a bridge between communities, the Arts and Culture Division, City Council, and the Mayor. RACC has historically supported arts community-centric projects through their grants program and public art initiatives. It is also a working commission, where members have taken active roles in writing policy, leading projects, joining panels to review proposals and projects, and mentoring artists. While Commissioners and Arts and Culture Manager were not able to meet community members and artists in person during the Covid-19 pandemic, they continued to work, administering \$50,000 in Covid Relief Mini-Grants, as well as NPA Mini-Grants, initiating new public art projects, and providing support for arts organizations and programming. However, the RACC’s meetings were held online and there were occasional technical challenges during the meetings. As a result, its work did not receive much public attention.

No new Commissioners were appointed under the previous administration, and because of the Commission’s reduced size, the PAAC, a subcommittee which normally reviewed physical artwork designs, was folded into the RACC. While this is a departure from RACC’s procedures, it allowed the Commission to continue its functions.

With the return to in-person meetings and the creation of a public art plan, RACC can prioritize its work over the coming years. It is essential that the Commission carefully considers its budget and upcoming projects, and that it expands to meet the challenge of reviewing grants and public art, and advocating for the arts. In rebuilding RACC, the

City can embrace the recommendations of the Public Art Master Plan, and ensure the wise expenditure of its funds.

- Rebuild the RACC, reactivate its Public Art Advisory Committee, and provide training and support for new Commission members.
 - Support the Mayor in recruiting and training a full complement of Commissioners with different skillsets and backgrounds, including those with the skills to participate as Public Art Advisory Committee members.
 - Provide commissioner training, and annual project planning and budget retreats.
 - Create a Commission-building subcommittee to define the characteristics needed in RACC and seek out applicants with those talents.
- Convene periodic meetings between Commissioners, staff, and artists to discuss opportunities and issues that have an impact on Richmond’s public art.

Recommendation 8:

Maintain the City’s public art.

Richmond’s public art collection and the arts events that take place in the City contribute to its vibrancy and economic health. The City’s public art collection exceeds 300 individual artworks inside public buildings and outdoors. Public art procedures establish protocols for the artwork inventory which is continually being updated (Appendix I, section on records and files). Public art in the collection demands routine maintenance and occasional conservation. The following recommendations outline steps that can be taken to ensure that Richmond’s art collection is maintained in good condition.

- Hire a professional conservator to review all the art in the City’s public art collection, recommend routine maintenance procedures and conservation needs.
- Hire a photographer to complete documentation of permanently-sited artwork in the City’s collection for use on the City’s website.
- Hire a registrar to research artwork in the City’s collection, and create a searchable database that includes complete information on each artwork.

Recommendation 9:

Market Richmond's public art and arts programming.

Although the RACC continued to award NPA grants and public art commissions in the last three years, there is little that tells that story on the City's website. While government websites are graphically limited, the stories of Arts and Culture grantees, and the public art collection, can be displayed on the City's website. Furthermore, the Arts and Culture Division can employ social media to build interest in the art programs supported by the City.

- Hire a contract employee to develop content for the Arts and Culture website to integrate onto the City's website.
- Update the public art map on the Arts and Culture website to include only public art projects funded by the City and provide consistent accurate information about the artworks.
- Hire a photographer to create professional photographs of all the outdoor artworks in the City collection.
- Add an Arts and Culture calendar that highlights City-funded arts activities taking place each month.

Recommendation 10:

Build partnerships with local businesses and regional entities.

While the RACC and the City's support for the arts can make a significant contribution to Richmond's beauty, health, and economic development, partnerships can multiply the impact. When developing ideas for new projects, RACC and Arts and Culture staff can build upon other Richmond assets. These include partnership with new and legacy businesses, nonprofit organizations, Metropolitan Transportation Commission, BART (Bay Area Rapid Transit), and Contra Costa County.

- Work with the Mayor and City Council to identify companies, such as Sims Metals, that can partner with the City to support arts programs and amenities.
- Include local nonprofit organizations and businesses in community advisory committees for public art projects to build on their leverage and support.
- Reach out to regional entities to learn about projects they are creating in Richmond.

Recommendation 11:

Update the Cultural Plan.

Richmond's cultural plan has not been updated since 2001, and Richmond's General Plan 2030, which includes an Arts and Culture element, was created in 2012. Neither of these plans resulted in adequate resources to support Richmond's vibrant arts and cultural life.

It is time for the City to update its cultural plan. A new cultural plan that examines opportunities, resources, and needs will become a powerful tool in Richmond's long-term growth, health, and well-being. This will enable the RACC and the Arts and Culture Division, as part of the City Manager's Office, to take a more active role in

ensuring that artistic activities are a central part of Richmond's economic development and community-building strategies.

APPENDIX A: RECOMMENDED IMPLEMENTATION PLAN

Fiscal Year 23-24

Name of Project	Public Art Fund	CIP % for Art	Private % For Art	General Fund	Budget	Notes
Main Library	\$50,000				\$50,000	On-site art and artist fee for construction fence art
Kennedy Park Project	\$100,000				\$100,000	City Council approved 6/20/23
Community Artist in Residence	\$15,000				\$15,000	Residency Only: Project in lieu of beginning new, large project grants
Downtown Project Grants	\$100,000	\$50,000			\$150,000	Requires CIP % for art advocacy
NPA Mini-Grants	\$25,000			\$35,000	\$60,000	
NPA Enhancement Grants	\$25,000				\$25,000	Initiate program with one new grant
Website Upgrade	\$30,000				\$30,000	
Collection Photography	\$10,000				\$10,000	
Chef's Warehouse Project			\$237,000		\$237,000	
Conservation Assessment	\$30,000				\$30,000	
Contract Registrar	\$50,000				\$50,000	
Maintenance/Conservation	\$75,000				\$75,000	
Project Manager	\$50,000	\$25,000	\$25,000		\$100,000	Requires CIP % for art advocacy
Totals	\$560,000	\$75,000	\$262,000		\$932,000	

APPENDIX A (CONTINUED): RECOMMENDED IMPLEMENTATION PLAN

Fiscal Year 24-25

Name of Project	Public Art Fund	CIP % for Art	Private % For Art	General Fund	Budget	Notes
Community Artist in Residence	\$250,000				\$250,000	Implementation
Downtown Project Grants	\$100,000	\$50,000			\$150,000	Requires advocacy for CIP % for art
NPA Mini-Grants	\$35,000			\$65,000	\$100,000	
NPA Enhancement Grants	\$75,000				\$75,000	
Website Maintenance	\$15,000				\$15,000	
Maintenance/Conservation	\$75,000				\$75,000	
Project Manager	\$50,000	\$25,000	\$25,000		\$100,000	
Totals	\$600,000	\$75,000	\$25,000		\$765,000	

APPENDIX B: INTERVIEW LIST

Bryan Alvarez, Director of School Partnerships, East Bay Center for the Performing Arts
Jenny Balisle, Former Richmond Arts and Culture Commissioner
Soheila Bana, City Councilmember
Lynson M Beaulieu, Chair, Richmond Arts and Culture Commission and
PAAC Chris Castanchoa, Building Official
Shasa Curl, City Manager
Deb Dyer, Former member Richmond Arts and Culture and Public Art Advisory Committee
Greg Hardesty, Parks and Landscaping Superintendent
Claudia Jimenez, City Councilmember
Shane Johnson, Office of City Manager
Diana Lopez, Former City Librarian
Eduardo Martinez, Mayor
Gail McLaughlin, City Councilmember
Philip Mehas, Current Richmond Arts and Culture Commissioner and PACC
Jose Moreno, Parks Supervisor
Andrea Portillo-Knowles, Executive Director, Richmond Main Street Virginia
Rigney, Former Public Art Manager
Doria Robinson, City Councilmember
Michele Seville, Former Public Art Manager
Lina Velasco, Director of Community Development
Flo Wiley, Former Chair Richmond Arts and Culture Commission
BK Williams, Former Richmond Arts and Culture Commissioner
Cesar Zepeda, City Councilmember

APPENDIX C: FOCUS GROUP PARTICIPANTS

Focus Group Participants

Tarnel Abbott	Tara Mallick
Bryan Alvarez	Ulan McKnight
Javier Arbowa	Erin McCluskey Wheeler
Lauren Arrie	Ronnie Mills
Ember Avalos	Nava Mizrahhi
Katherine Baches	Desi Mundo
Jenny Balisle	Richard Muro
Stella Breslin	Kenoli Oleari
Elishes Cavness III	Angeline Otis
Deirdre Cerkanowicz	Ellen Pechman
Sarah Chase	Andrea Portillo-Knowles
Jamie Chreszczyk	Jamin Pursell
Colleen Christie-Putnam	Mary Reid
Tiffany Conway	Virginia Rigney
Helen Paulette Cote	Doria Robinson
Chloe Delafield	Malik Seneferu
Layla Dima	Andres "AJ" Serrano
George Doerr	Michelle Seville
Bernadette Frank	Karen Sharp
Rebeca G.	Kate Sibley
Izzy Gallegos	James Shorter
Rebecca Garcia-Gonzalez	Reina
Kristen Gates	Riquelle Small
Archie Held	Paige Tashner
Terri Hinte	John Wehle
Laura Kamian McDermot	BK Williams
Christina Kenney	Louise Williams
Alfonso Leon	Linda Woody-Wood
Grace Liu	Kristen Zarembab
Dan Machink	Minoosh Zomorodinia

APPENDIX D: FOCUS GROUP NOTES

Artist Meetings: 11/02/22 and 11/14/22

- Remove fees that City requires artists to pay when creating projects.
- Improve City Arts and Culture website.
- Create a safe place to create public art.
- Commission interactive public art for everyone.
- Engage young people in arts and culture.
- Provide access for children to travel to Richmond Art Center.
- Provide services to connect people to performing arts.
- Provide more communication between arts organizations and venues.
- Address the need for artists' workspace.
- Provide LGBTQIA resources.
- Improved awareness, support, and resources for the arts.
- Initiate artist advocacy.
- Develop partnerships to support the arts.
- Support the cost of studio space.

Community Meeting: 01/23/23

- Commission public art with natural environmental theme.
- Acknowledge the deep creativity in Richmond.
- Commission a kiosk that talks about Indigenous People.
- Represent the many cultures in Richmond.
- Provide an arts and culture calendar that is accessible and user friendly.
- Establish an arts district.
- Create art about Richmond's history.
- Place interactive art in parks that tells stories.
- Establish a playhouse in the park with free performances.
- Place art in high places that people can see from far away.
- Consider art forms beyond visual art.
- Commission public art that engages with youth, seniors, and veterans.
- Commission art that shows Richmond's diversity.
- Show artist at work.
- Place poetry in unexpected areas.
- Employ art to address environmental concerns.

- Commission art that celebrates community.
- Commission art that celebrates music and the blues.
- Stimulate more buy-in from City departments where artists can work and learn.
- Stage performances at Civic Center.
- Commission banners that talk about Richmond.
- Highlight local artists.
- Commission interactive art.
- Simplify the grant process.
- Place art at intersections.
- Streamline the City's grant application process.
- Initiate a dance festival.
- Update Richmond's history map.
- Place art in the landscape.
- Employ art therapy to address mental health.
- Commission kinetic sculptures.
- Commission interactive play structures using organic materials.
- Create a youth art app.
- Potential artwork locations:
 - 23rd Street
 - Civic Center
 - Iron Triangle

Community Leaders 03/01/23

- Employ art as storytelling that communicates values.
- Stage events that engage imagination.
- Develop space for community authors.
- Engage with alternative art forms that represent different cultures.
- Foster local artists.
- Work with the different historically Black, Latino, and Asian communities.
- Support art that builds community.
- Support food fairs that bring community together.
- Create barrier-free art spaces.
- Commission popup art throughout the City.
- Potential artwork locations:
 - Macdonald Avenue
 - local parks

Business Group Members 03/06/23

- There's too much red tape involved in working with the City.
- Promote greater equity when supporting projects created by community members.
- Preserve cultural history.
- Revitalize downtown without gentrification.
- There are micro communities, and all operate in different ways.
- Promote safety by connecting downtown areas with creative lighting and signage.
- Promote intersectionality both in culture and age.
- Commission gateway and wayfinding for the neighborhoods.
- Commission art signage at Market Square Mall.
- Downtown is the last to get attention.
- Support marketing.
- There are a lot of performing artists in Richmond.
- Create a nonprofit rate for permitting.
- Use projection artwork to provide a source of lighting.
- Integrate art in architecture.
- Support music in parks.
- Art will stimulate business.
- Embed art in sidewalks.
- Potential locations:
 - Macdonald Avenue
 - Market Square Mall

APPENDIX E: MAYOR AND CITY COUNCIL MEMBER NOTES

Mayor and City Councilmembers

- Commission artwork that helps to advance traffic safety, such as artistic crosswalks.
- Employ art to enhance busy traffic corridors, parkways, and medians.
- Engage youth artists in developing art addressing environmental issues such as air quality.
- Support the creation and maintenance of public art.
- Publicize Richmond's public art.
- Build equity by commissioning art in all areas of Richmond.
- Engage community members and youth in creating public art.
- Embed art in all the City's work.
- Place art at bus stops and on buses.
- Promote artmaking at all community events.
- 39% of Richmond's residents are foreign born. Employ art to honor and share the immigrant experience including their connection to the land, and to the City, to build community.
- Connect residential and business areas through art.
- Initiate poetry nights and workshops.
- Place art at schools.
- Art is more than murals. Place performing art spaces in vacant lots.
- Place art in places where people go regularly, whether walking their dog, or where people work.
- Art can be a major force in changing society.
- Art should convey a message about ideas that are socially important.
- Support music and performing arts.
- Build a partnership with Sims Metal.
- Create an iconic bridge at 23rd Street.
- Enlist the imagination of Richmond's artists.
- Install art to help activate neglected parks.
- Potential artwork locations:
 - Crescent Park playground.
 - Richmond Annex.
 - Marina Bay.
 - Park off the beaten trail on the other side of Chevron Refinery at Point Molate.

- Nystrom School.
- Right off the freeway before Richmond San Rafael bridge with great views.
- Civic Center Plaza and outside the Main Library.
- Bay Trail.
- The Greenway.
- The South Side and at Pullman Apartments.

APPENDIX F: POTENTIAL ARTWORK LOCATIONS

Potential Artwork Locations

The following locations and location types were suggested in focus groups, pop-up events, interviews, and community meetings:

General Locations

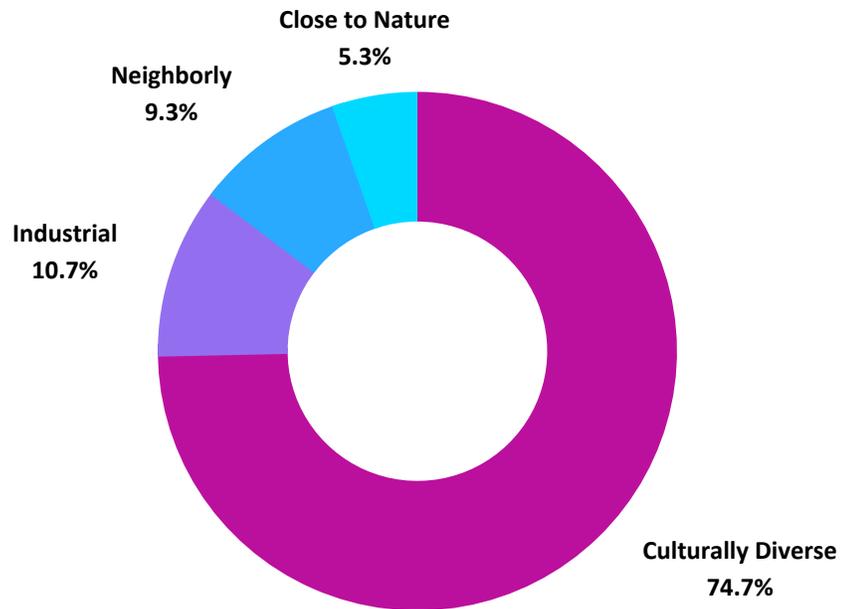
- Parchester
- Richmond Annex
- Marina Bay
- Bay Trail
- The Greenway
- The South Side
- Iron Triangle
- 23rd Street
- Macdonald Avenue
- North Richmond
- On buildings
- Parks and trails
- In neighborhoods
- On the waterfront

Specific Places

- Crescent Park Playground.
- Park off the beaten trail on the other side of Chevron Refinery at Point Molate.
- Nystrom School.
- Civic Center Plaza and outside the Main Library.
- Pullman Apartments.
- Miraflores Greenbelt.
- Boorman Park.
- Greenway Gap Closure near Temple Avenue.
- Right off the freeway before Richmond San Rafael bridge with great views.

Q1. WHAT IS THE FIRST THING THAT COMES TO MIND WHEN YOU THINK OF RICHMOND?

75 out of 75 people answered this question

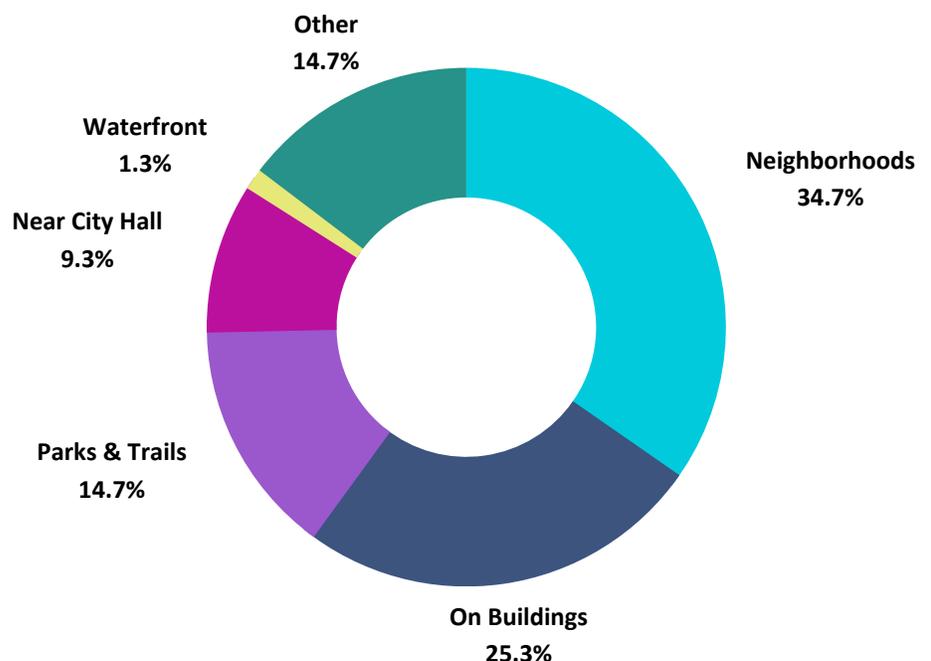


Q2. WHERE WOULD YOU LIKE TO SEE PUBLIC ART IN RICHMOND?

75 out of 75 people answered this open-ended question. These answers in "OTHER" have been consolidated and displayed exactly how participants have written in their answers.

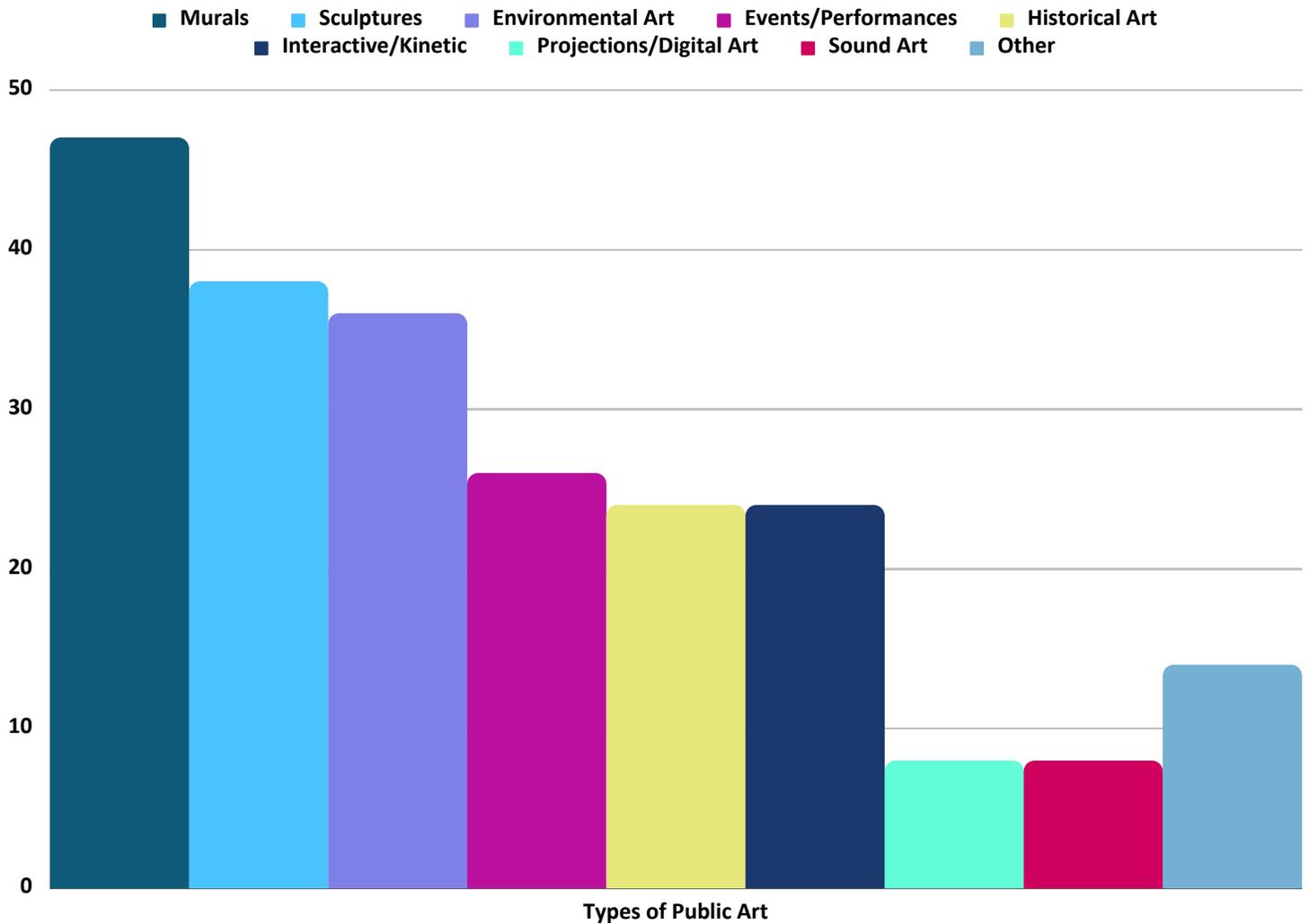
Other:

- Everywhere x3
- Everywhere, especially retail zones
- All of the Above x6
- Filming Locations



**Q3. WHAT TYPE OF ART WOULD YOU LIKE TO SEE IN PUBLIC PLACES?
(CHOOSE 3)**

75 out of 75 people answered this open-ended question. These answers in “OTHER” have been consolidated and displayed exactly how participants have written in their answers.



Other:

- All artistic forms of expression
- All types x6
- Murals
- Mosaics
- No more murals.
- Films
- Street art (Reparation sign by city hall & Urban Tilth community street drawings)
- All of the above - varied art forms would be ideal
- Cultural & Performance

APPENDIX G: RICHMOND PUBLIC ART MASTER PLAN ONLINE SURVEY RESULTS

Q4. WHAT ARE SOME PLACES YOU'VE VISITED WHERE THE ARTS LEFT A LASTING IMPRESSION?

75 out of 75 people answered this open-ended question. These answers have been displayed exactly how participants have written in their answers.

- New Orleans location art functions SF Art Museum
- San Francisco
- Richmond Art Center, Point Richmond, City Museums, Galleries, Schools, Libraries, Museum stores, Institutions, Sculptural gardens, Louvre online, small neighborhood murals and large building murals
- Point Richmond
- Palace of Fine Arts dome, RYSE's new large mural inside their open area, Gaudi's Sagrada Familia and Parc Güell. Also check out this: https://vimeo.com/99576151?embedded=true&source=video_title&owner=9705102 and this: <https://www.youtube.com/watch?v=2lXh2n0aPyw>
- Richmond Art Center, Legion of Honor, DeYoung Museum, etc.
- SF light projections, Craneway Oakland Symphony, dance and sculpture at Richmond Ferry terminal, Diego Rivera murals, SF MOMA, Burning Man sculptures at Point Molate
- Point Richmond
- The RYSE Center
- San Francisco Mission District
- San Francisco Hearts and murals, Miami Beach Lifeguard Stations, Paris Museums
- Boston, Chicago, places where preserving history is a priority and reflected in the public art
- Chicago
- Point Richmond
- Europe, Massachusetts, New York City, The Hudson Valley NY, New Mexico, LA, SF, and many towns I've not visited in the US that are expanding art in public space.
- Point San Pablo Harbor and Nantes, France
- The housing near Richmond BART, recent subsidized buildings, Point Richmond Banners including Washington School students' banners, and Rosie the Riveter art.
- Richmond Art Center, Arts of Point Richmond exhibits, local murals
- San Francisco
- Richmond Art Center, art at Richmond Ferry Terminal
- Communities in which wall murals on buildings are created by and speak the voices of the community members - all over the world I've seen such murals, and Richmond stands tall on this score.
- Richmond Art Center
- Oakland (Jingletown), SF (South of Market, Near Minnesota, all over), Treasure Island
- Viet Nam Memorial, DC Ground Zero Memorial, NY Sculptures on Crissy Field, SF, Richmond Ferry Terminal sculpture, Wave sculpture on south side of Buchanan St. at entrance to Albany
- Asheville, NC; Fort Collins, CO, Anchorage, AK
- NYC subways and other public transit stations, murals in many different neighborhoods

APPENDIX G: RICHMOND PUBLIC ART MASTER PLAN ONLINE SURVEY RESULTS

Q4. WHAT ARE SOME PLACES YOU'VE VISITED WHERE THE ARTS LEFT A LASTING IMPRESSION?

75 out of 75 people answered this open-ended question. These answers have been displayed exactly how participants have written in their answers.

- Business section of Point Richmond
- Point Richmond art displays and banners
- Paris, France
- Richmond Art Center
- All the art I've experienced has left a lasting impression of some kind, but I am especially moved and changed by art I encounter in unexpected places, art made by people who are not concerned about fame, who aren't building a "brand", and who create because they must and they can.
- Chicago for large public sculpture. Silver Spring, MD for fountains that kids play in.
- Santa Fe, New Mexico
- The Richmond Marina, City Hall, The Plunge, The Richmond Bart Transit Center, Street Art and murals, RAC, city tunnels and overpasses
- Las Vegas
- New York City
- Ferry building/murals
- RAC, city hall street activism art "reparations", "BLM", mural by the factory & under the bridge to the marina
- The Mission Murals in San Francisco
- Davis, CA and San Pablo Harbor
- Paris, Mexico City, Los Angeles, murals in Exeter, CA
- Iceland, Paris
- Richmond Art Center, City murals, City Hall, Richmond Marina, Ferry Landing, Street trash bins, Bridge Storage & Art Space
- Richmond RYSE Center
- Richmond Ferry, murals in SF, Black Panther murals in Oakland
- Point Richmond Taking it Outdoors Project
- NYC subway stations
- DC/New York/Vienna/Zurich
- Philadelphia; NYC; Los Angeles; Telluride, CO; Denver; Seattle; Flagstaff, AZ; Santa Fe, NM
- Street art/murals alleyways in the Mission District in SF, murals in Oakland celebrating pride for the city
- Rosie the Riveter, Richmond Ferry Terminal (love it), Sather Gate on UC Berkeley Campus, Richmond Art Center,
- Vietnam Memorial in DC, Signage for Point Richmond at Cutting and Gerrard Blvd
- The murals on buildings in Oakland, Pompidou in Paris
- Pittsburgh, PA has great museums and public art. Brooklyn and Baltimore have great art scenes.
- Highline in NYC, Crane Cove Park in SF, Sutro Baths/Lands End
- NIAD Art Center

Q4. WHAT ARE SOME PLACES YOU'VE VISITED WHERE THE ARTS LEFT A LASTING IMPRESSION?

75 out of 75 people answered this open-ended question. These answers have been displayed exactly how participants have written in their answers.

- Oakland
- Mombasa Kenya East Africa
- San Francisco, Albany Bulb Murals, downtown Oakland, and beyond, Burning Man, New York City, Europe, Amsterdam - <https://www.ndsm.nl/en/practical-information/> Straat Museum Portugal Murals London
- Oakland, Chicago, Seattle
- I am Speaking, Are you Listening - Legion of Honor Brick House - NYC Any Jenny Holzer Hot Dog Bus - NYC I Lift My Lamp Beside the Golden Door- NYC Hidden Garden - Mosaic Steps - SF Andy Goldsworthy - Presidio, SF - spire and wood line Ruth Asawa Fountain - SF Language of the Birds - Chinatown, SF
- Urban Tilth Gardens
- NYC subway stations
- Hollywood
- Philadelphia
- RYSE Center mural
- Downtown Knoxville (sculptures), Downtown Oakland (sculptures + murals), Route 66 (playful, themed stores and sites), Barcelona (Gaudi's amazing architecture), Denver (BIG sculptures that were surprising in public venues)
- n/a
- Mission District San Francisco, Sculpture Trail Sonoma County, Field of Lights in Paso Robles
- Museums, murals in SF Mission District, outdoor sculptures on the Embarcadero, sculpture gardens at various museums
- Richmond art center - whale painting
- Murals on the Richmond Greenway
- Oakland
- RACC, East Bay Center for Performing Art, RYSE, Richmond Rainbow Pride, Open Studios, Art of Black Diaspora, local film festivals and screenings.
- New York, Mexico City

APPENDIX G: RICHMOND PUBLIC ART MASTER PLAN ONLINE SURVEY RESULTS

Q5. WHERE DO YOU LIKE TO TAKE VISITORS WHEN THEY VISIT RICHMOND?

75 out of 75 people answered this open-ended question. These answers have been displayed exactly how participants have written in their answers.

- N/A
- Kaleidoscope Coffee
- Point Richmond, Richmond Art Center, Waterfront
- Point Richmond Marina
- East Bay Center for the Performing Arts RYSE Center Richmond Art Center the waterfront
- Parks
- Point Richmond, Rosie the Riveter, Miller Knox Park/ Marina Bay/ Nichol Knob/ Point Molate
- Point Richmond, Marina Way walking/bike path
- Miller/Knox
- Point Richmond
- Rosie the Riveter, the Marina Waterfront
- Point Richmond, Marina
- Point Richmond
- Downtown Point Richmond, out to RYC
- Richmond Art Center, Point Richmond, Rosie the Riveter, San Pablo Harbor.
- Parks, Bay Trail
- Point Richmond
- Craneway and waterfront
- San Francisco by the Richmond Ferry
- Point Richmond, Miller-Knox Regional park and trails, Bay Trail
- The Marina Waterfront, the Rosie the Riveter Museum, and the Greenway
- Bay Trail
- Point Richmond, Point Molate, Richmond Art Center, Rosie the Riveter, Ferry Waterfront, Miller Knox, Point Pinole,
- Keller Beach, Rosie the Riveter, San Pablo Harbor, NIAD Art Center
- Point Richmond historic district--charming surprise Miller Knox Park, Ferry Point, Rosie the Riveter Park, waterfront and museum
- Point Richmond
- Regional parks, smaller ethnic restaurants
- Lara
- Point Richmond, Rosie the Riveter/Ford Plant area
- Waterfront, Point Richmond, Craneway
- Richmond Art Center
- Point Richmond, Miller/Knox Park and Point Pinole Regional Shorelines, Point Molate (especially when there are interesting installations), the Richmond Art Center, NIAD, events at the Craneway, the Richmond/San Rafael Bridge
- Rosie the Riveter Visitor Center, East Brothers Brewery
- Rosie, Miller Knox, the Point
- The Transit Hub, Richmond Art Center, Rosie the Riveter Museum, Point Pinole, Richmond Marina, City Hall, The Ford Building
- Waterfront and hiking trails and also 23rd street for food and mural spotting.
- Point Richmond
- Marina, art center, factory bar, plunge
- Richmond Art Center, El Tucan, Catahoula, Armistice, Keller Beach area
- Along the Bay Trail and to the Richmond Art Center
- Restaurants and bars in neighborhood or on waterfront
- Richmond Art Center

APPENDIX G: RICHMOND PUBLIC ART MASTER PLAN ONLINE SURVEY RESULTS

Q5. WHERE DO YOU LIKE TO TAKE VISITORS WHEN THEY VISIT RICHMOND?

75 out of 75 people answered this open-ended question. These answers have been displayed exactly how participants have written in their answers.

- Local Regional Parks - Alvarado Park, Point Pinole, The Marina, Rosie the Riveter Museum, Ford Building, Richmond Art Center, Richmond Transit Hub (to see mural), Point Molate
- Point Richmond & Rosie the Riveter Museum
- Bay trail, Wildcat/Alvarado Parks, Breweries, Rosie the Riveter Museum
- Point Molate, Miller Knox Park, Dotson Marsh, Point Pinole
- Miller Knox Park/ the Assemble Complex/ Point San Pablo
- Regional Parks, ethnic restaurants, 23rd St, Marina
- Unity Park; Rosie National Park & Sculpture; AOPR displays all around Point Richmond and at Lara's; Wall sculpture at Bart Parking lot; Bridge Arts. Murals all around Richmond. Richmond Museum of History.
- Civic Center driving tour of murals Rosie the Riveter Monument (and Visitor Center) Richmond Art Center Waterfront Eel Grass Sculpture (by ferry terminal)
- Point Pinole Regional Shoreline, Point Isabel, Marina Bay Trail, Wildcat Canyon, Catahoula Coffee
- Rosie the Riveter
- Ferry area
- Point San Pablo, the Marina, the Bay Trail, Shimada Friendship Park, East Brother and Armistice brewing, The Factory Bar and El Tucan Tacos, the ferry (to SF), NIAD Art Center
- Craneway Pavilion, Miller Knox Park, Point Molate, Bay Trail
- Point Richmond
- The Marina
- Keller Beach
- Black Star Pirate BBQ Wild Cat Canyon - Alvarado Park Richmond Art Center Craneway Pavilion and surrounding area Miller/Knox Regional Shoreline Point Richmond
- Robots and Butterflies mural, Rich City Rides, the Greenway
- Point Richmond waterfront, Richmond Art Center, NIAD Art Center, Wildcat Canyon, The Factory Bar
- N/A
- Regional parks and ethnic eateries and neighborhoods
- Craneway, Golden Gate Bistro, My Penthouse
- Sculpture at the Ferry Terminal
- RYSE, Shoreline, 23rd street
- Craneway Bay Trail, Point Pinole, Miller Knox El Garage The Factory Bar
- n/a
- Downtown in the Point, places along the bay, trails
- The Bay Trail in Marina Bay, Wildcat Canyon Regional Park, Crest Drive (Rd?) above Pt. Richmond, the hills to see the view.
- Sailing
- Waterfront
- CoBiz Ferry, MC bookstore, Richmond Art Center
- RACC
- Restaurants

APPENDIX G: RICHMOND PUBLIC ART MASTER PLAN ONLINE SURVEY RESULTS

Q6. WHERE DO PEOPLE TEND TO GATHER TO CELEBRATE SPECIAL EVENTS IN RICHMOND?

75 out of 75 people answered this open-ended question. These answers have been displayed exactly how participants have written in their answers.

- Not sure
- Kaleidoscope coffee, waterfront
- Richmond Art Center, Point Richmond Art Stroll, Lara's Restaurant, Kaleidoscope Cafe
- Point Richmond Street Fairs
- I don't know.
- Richmond Art Center
- Parks
- I don't know
- The RYSE Center
- Little Louie's, Sao Karn, Miller Knox Park
- Civic Center, Nevin Park, Craneway
- Pt. Richmond, Marina
- I don't know
- downtown Point Richmond
- Point Richmond Music Festival, The Masquers.
- Downtown Point Richmond
- Many places
- Civic Center, Pt. Richmond, Nevin Park and more recently select neighborhoods
- Marina Bay
- Music events and Art strolls in Point Richmond
- Many sections of town - depending on your community - I live on Marina Bay but I've participated in events all over the City.
- Point Richmond
- Point Richmond especially on Music days, July 4, etc.
- Pt. Richmond summer music concerts
Craneway Waterfront Rosie the Riveter Park and Museum
- Point Richmond
- Schools, houses of worship, streets like 23rd for Cinco de Mayo and music festivals
- Parks, Civic Center
- Craneway, City Hall Plaza
- Downtown PR, parks
- Nicholl Park, Civic Center, Pt Richmond
- Miller/Knox Park
- 23rd Street
- Miller Knox Park
- Alvarado Park, Point Pinole, The Marina, Restaurants and Bars, Miller Knox
- Bridge Storage and art space
- Outdoors
- Alvarado Park, Marina
- Keller Beach "kayaktivism" & BBQ, Urban Tilth
- At the Marina for fireworks, At the Civic Center
- My home!
- Nicholl Park, Keller Beach, Richmond Art Center, Miller/Knox
- Nicol Park
- Richmond Parks, Local eateries, Local Halls and Salons for rent
- Parks
- Parks, breweries, bars, restaurants
- Bridge Arts Storage, Miller Knox Park, Nicholl Park
- Miller Knox Park
- Nicholl Park, City Hall, Marina
- Pt Richmond; Unity Park; Downtown - Mainstreet; Craneway
- I'm not sure--depends on the event. If it's a personal special event, I think there's a paucity of options.

Q6. WHERE DO PEOPLE TEND TO GATHER TO CELEBRATE SPECIAL EVENTS IN RICHMOND?

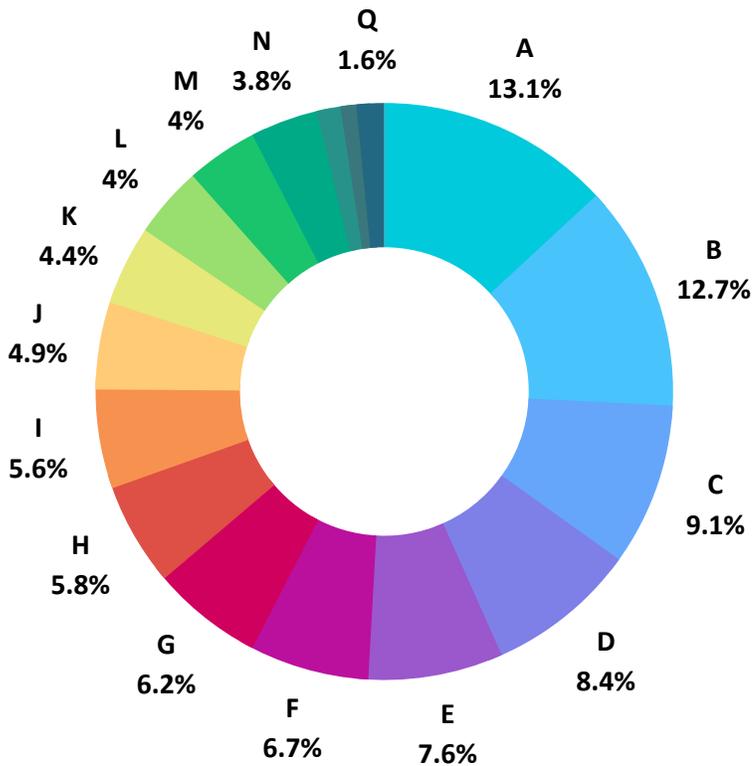
75 out of 75 people answered this open-ended question. These answers have been displayed exactly how participants have written in their answers.

- Not sure- I'd like to know!
- Craneway Pavilion Civic
- Ferry area
- The bars and breweries in Richmond (Armistice, East Brother, The Factory Bar)
Also the parks - Shimada, Point Pinole, Huntington Park
- Marina Park, Lucretia Edwards Park, Miller Knox Park
- Downtown
- CoBiz
- Keller Beach
- Their homes parks streets parking lots restaurants bars Craneway Civic Auditorium
- Harbour
- Not sure
- Parks and Community Centers
- Parks like Nicholl, neighborhood centers/central areas
- Richmond Yacht Club
- No special place
- RYSE, East Bay Center for the Arts
- Miller Knox - family stuff Big Park on MacDonald (Juneteenth) Smaller Parks - PowWows Marina Bay Park - BBQs Picnics - Pride
- olive garden
- parks, restaurants
- Craneway Pavilion, Miller Knox Park, Civic Center Plaza
- Point Richmond events
- Civic Center Plaza
- CoBiz Richmond Art Center
- Civic Center, The Factory Bar, Riggers Loft, Catahoula's,
- I don't know

APPENDIX G: RICHMOND PUBLIC ART MASTER PLAN ONLINE SURVEY RESULTS

Q7. WHAT DO YOU THINK IS THE ROLE OF PUBLIC ART IN RICHMOND (CHOOSE 6)

75 out of 75 people answered this open-ended question. These answers in “OTHER” have been consolidated and displayed exactly how participants have written in their answers.



LEGEND:

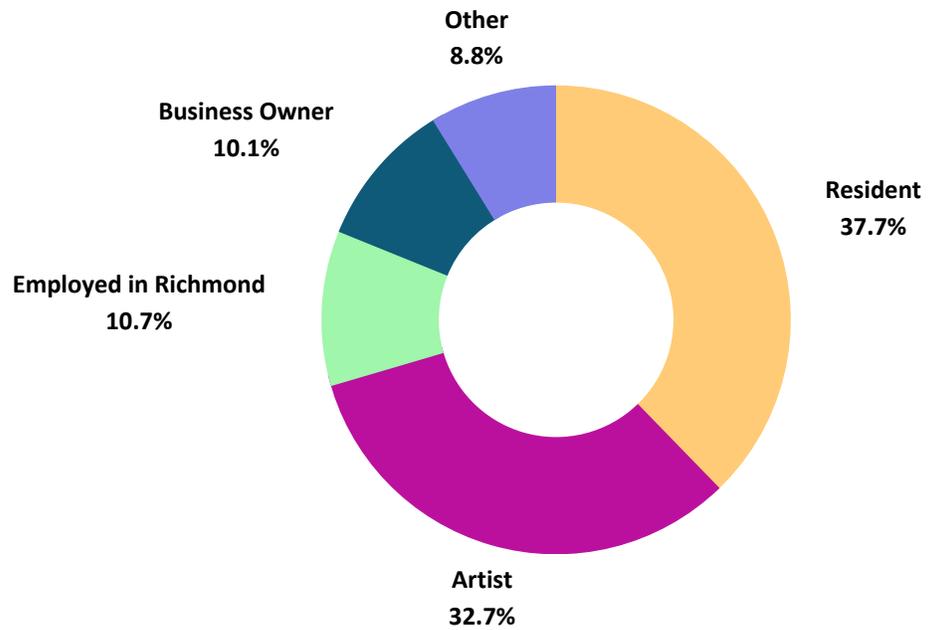
- A** Support the growth of the local arts community
- B** Provide opportunities for people to experience art that enriches their lives
- C** Promote pride in Richmond
- D** Bring a sense of whimsy and delight to everyday spaces
- E** Position Richmond as an arts destination
- F** Help build and reinforce the City of Richmond's identity
- G** Create community interaction and strengthen social networks and connections
- H** Welcome people to Richmond
- I** Anchor community gathering places
- J** Help build and reinforce distinct neighborhood identities
- K** Draw attention to the natural environment & environmental issues facing Richmond
- L** Explore and provide information about facets of Richmond's history
- M** Open up conversations about issues facing the community
- N** Encourage economic development
- O** Enhance identity of community institutions and civic buildings
- P** Support tourism
- Q** Other

OTHER:

- All of the above x2
- support local artists
- With “D”, help build and reinforce the city of Richmond's identity...as a safe place for Black and Brown families to feel safe, prosper, and express their creative freedom. I kind of don't want to draw a lot of outside attention to Richmond. I would rather that we strengthen and empower our communities internally to avoid gentrification. If Newsom passes that reparations bill and provides money to Black families, security for Black businesses, a Black studies program in schools, etc it would allow Black families to keep their homes in Richmond and more to move (back) in. How can this art be cultivated and held within the Black and Brown Richmond families and become a beacon of wealth and history for our normally underserved communities?
- provide jobs, especially for youth
- Please research Chicago's Pullman neighborhood and then look at ours. There's lots of work to be done.
- Make Richmond more beautiful

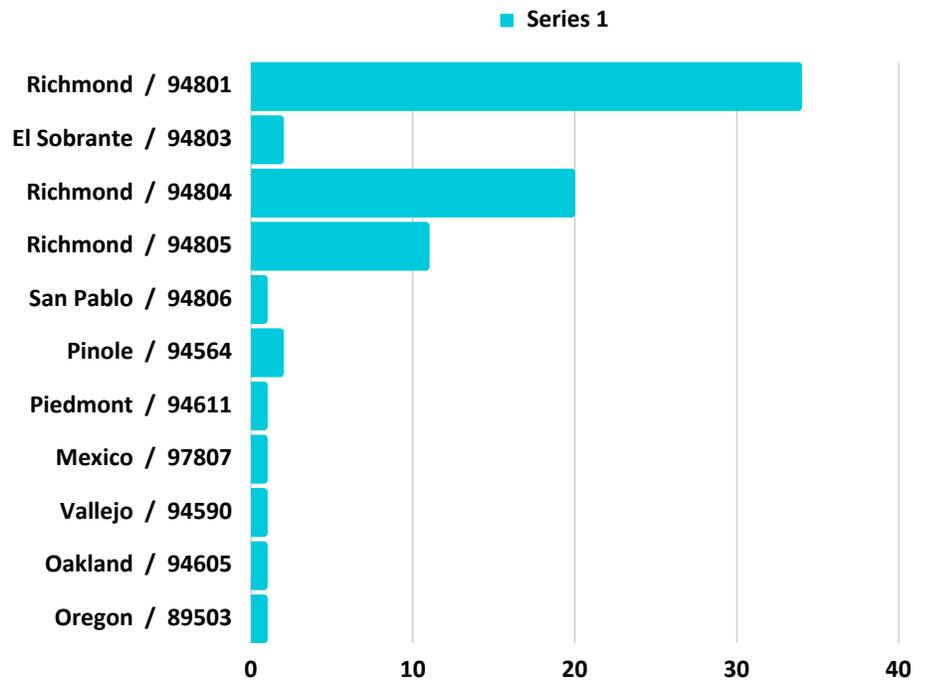
Q8. PLEASE TELL US ABOUT YOURSELF

74 out of 75 people answered this multiple choice question



Q11. ZIP CODE

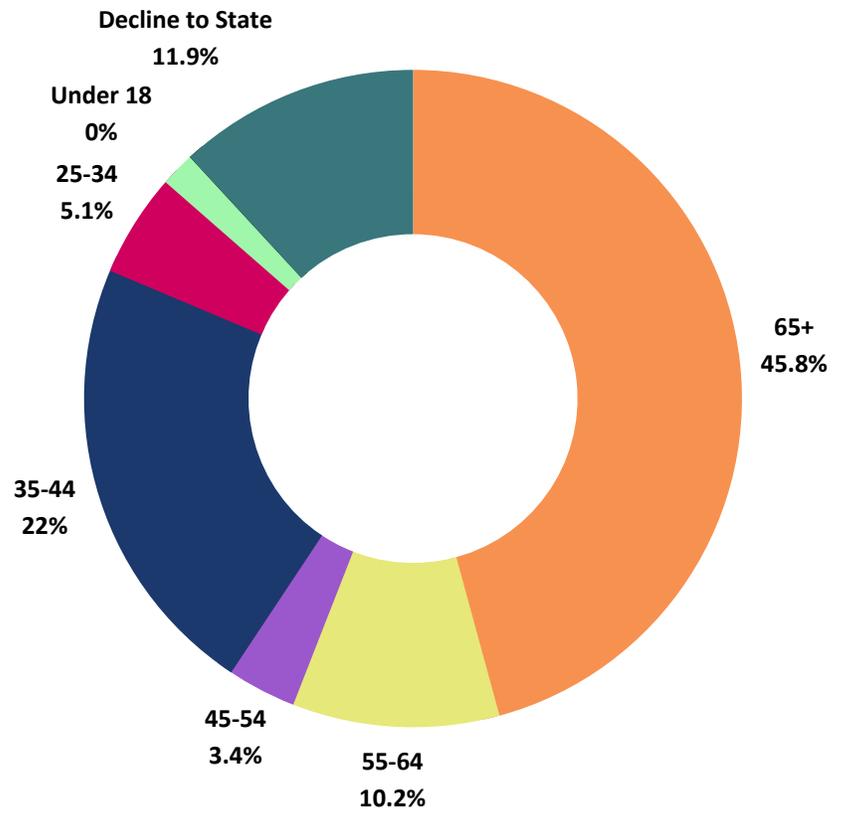
75 out of 75 people answered this question



APPENDIX G: RICHMOND PUBLIC ART MASTER PLAN ONLINE SURVEY RESULTS

Q12. AGE RANGE

59 out of 75 people answered this multiple choice question



APPENDIX H: MUNICIPAL CODE SECTION 6.50 PUBLIC ART PROGRAM

6.50.010 - Definitions.

For purposes of this chapter, the following definitions shall apply:

- (a) "Artist" means an individual generally recognized by critics and peers as a professional practitioner of the visual, performing, or literary arts, as judged by the quality of that professional practitioner's body of work, educational background, experience, performances, commissions, exhibition record, publications, and production of artwork. For the purposes of this chapter, "artist" shall not include: (i) persons primarily working in the professional fields of architecture, engineering, design or landscaping; (ii) an employee or relative of the private development project architect, landscape architect, engineer or project manager; (iii) any person with a business interest in a private development project or with respect to individuals or entities serving as project architects, landscape architects, engineers or project managers; or (iv) a relative of or anyone with a financial interest with respect to an individual or entity serving on an art selection panel for the private development project.
- (b) "Artwork" that may be used to satisfy the requirements of this chapter includes, but is not limited to, the following:
 - (1) Sculpture. Of any material or combination of materials; freestanding, wall-supported, suspended, mounted, installed, kinetic, electronic, or mechanical.
 - (2) Murals or paintings. Made of any material or variety of materials including traditional or non-traditional materials and means.
 - (3) Earthworks, neon, glass, organic materials (i.e., fiber, clay, wood, etc.), mosaics, photographs, prints, books, literary and performing arts, calligraphy, found objects, any combination of media, including audio, video, film, DVD, holographic or computer-generated technologies, or other genres currently known or which may come to be known at the sole discretion of the City.
 - (4) Artwork may be permanent, temporary, fixed, or portable; may be an integral part of a building, facility, or structure; and may be integrated with the work of other design professionals.
 - (5) For the purposes of this chapter, the following, unless specified or designed by an artist, are not considered artwork:
 - (A) Reproductions, by mechanical or other means, of original artworks; however, limited editions controlled by the artist, or original prints, cast sculpture, or photographs, may be included.

- (B) Decorative, ornamental, or functional elements that are not designed by an artist.
 - (C) Elements generally considered to be components of architecture or landscape design, such as vegetative materials, pools, paths, benches, receptacles, fixtures, planters, etc., which are not designed by an artist.
 - (D) Art objects that are mass-produced, ordered from a catalog, or of standard design (such as benches or fountains), directional items or other functional elements such as graphics, signage, or maps.
 - (E) Corporate logos.
- (c) "Arts and Culture Manager" means the City of Richmond's Arts and Culture Manager, or a designee of the Arts and Culture Manager, who is the head of the Arts and Culture Division in the Richmond City Manager's Office, Economic Development.
 - (d) "Building development costs" means the construction costs as declared on all private development project building permit applications, and as accepted by the City's Building Official, but shall not include costs solely attributable to design fees, land acquisition costs or the cost of off-site improvements required as a condition of approval. Costs incurred and/or attributed to compliance with the identification and/or mitigation of seismic hazards, environmental conditions, including hazardous or toxic materials, or retrofitting for solar energy or other energy-saving facilities relating to existing structures shall not be included in calculating a project's building development costs. In the case of phased projects, the building development costs of the project for purposes of this chapter shall be determined based upon the total projected costs for all phases combined, but will be payable prior to issuance of building permits.
 - (e) "Building permit applications" includes, but is not limited to, all grading, building, landscaping, plumbing, mechanical, and electrical permit applications for the private development project.
 - (f) "City capital improvement projects" means any capital improvement project, construction project, or tenant improvement project with a budget or anticipated costs of \$300,000.00 or more, including any acquisition, leasing, rental, construction or remodeling of any building, structure, park, utility, street, sidewalk, or parking facility, or any other type of capital project or any portion thereof within the geographical limits of the City, paid for wholly or in part by the City or by any board, commission, agency or department of the City.
 - (g) "City property" means any property owned by the City of Richmond, which may include, but is not limited to, city-owned buildings, facilities, structures, plazas, and parks. For purposes of this chapter, this definition shall not include the City's right-of-way.
 - (h) "Commission" or "Arts and Culture Commission" means the City of Richmond Arts and Culture Commission (and by extension the Public Art Advisory Committee, a subcommittee of the Richmond Arts and Culture Commission), established under Chapter 3.59 of the City's

Municipal Code.

- (i) "Designated public art space" means a rotating art gallery, open to the public free of charge and/or at least 500 square feet of space within the private development project, to be made available to the public for the primary use of arts and cultural programming.
- (j) "On-site publicly accessible art" or "on site art" means artwork by an artist that is on or incorporated into a private development project and that is in a location that is accessible to and available for use by the general public during normal hours of business operation consistent with the operation and use of the premises.
- (k) "Performing arts" means art that is performed on city property (other than in the city's right-of-way) which may include, but is not limited to, vocal and instrumental music, dance and theatre, pantomime, and/or sung verse, as further discussed in the Public Art Policies and Procedures.
- (l) "Permanent artwork" means public art intended to remain or remaining for one year or more in its installed location.
- (m) "Private developer" means any person or entity that is financially and legally responsible for the planning, development and construction, or maintenance and operation of a private development project.
- (n) "Private development" means a building project that is funded by private funds, except where the private developer is in partnership with the City.
- (o) "Public art" means any artwork installed on, placed in, or integrated into or about publicly accessible places, which shall include, but not be limited to:
 - (1) City-owned property, buildings, or facilities;
 - (2) City parks, or other areas designated as a public area, lobby, or public assembly area;
 - (3) The site of a City capital improvement project;
 - (4) Private development project that is located in a place accessible to the general public for two weeks or more;
 - (5) Non-city property if the artwork is installed or financed, either wholly or in part, with city funds or grants procured by the City.
- (p) "Public Art Master Plan" or "Master Plan" means a plan which identifies specific public art projects to be accomplished with the City's public art allocations.
- (q) "Public Art Program" means a program of the City Manager's Office, Economic Development, Arts and Culture Division addressing matters of public art in the City and administered by this [Chapter 6.50](#) of the Richmond Municipal Code.
- (r) "Public Art Projects Account" means a separate account established in the City Treasury established under [Section 6.50.040](#) below.

- (s) "Public Art Policies and Procedures" means the public art policies and guidelines adopted by the City Council, consistent with this chapter.
- (t) "Selection panels" means ad-hoc panels assembled for specific public art projects. The role of the selection panel is to assist the Public Art Program in identifying qualified artists to be considered for a public art project commission. A selection panel shall be comprised of a minimum of three members, shall always be an odd number, and shall include at least one artist or arts professional (curator, educator, etc.) and one representative of the neighborhood in which the artwork will occur.
- (u) "Structure" means a building designed and constructed for human occupancy.
- (v) "Temporary art" or "temporary installation" means public art to be placed on city property (other than the City's right-of-way) for less than one year, and may include visual artworks, projections, digital media, virtual reality, lights, sounds, and other artistic media.

(Ord. No. 08-21 N.S., § II, 5-18-2021)

6.50.020 - Public art appropriation for City capital improvement projects.

- (a) Percent Allocated and Applicability. All City capital improvement projects, including all City bond measure projects and all other City capital projects funded from outside granting authorities, shall contribute an amount equal to one and one-half percent of the total development costs of the City capital improvement project, to be set aside for public art. A non-comprehensive list of City capital improvement projects subject to this requirement is included in the City's Public Art Policies and Procedures. If the project is deemed ineligible for this public art appropriation, the City's Finance Director and any other participating bodies, including but not limited to other City departments and funding agencies, must submit a letter of explanation to the Commission explaining why the project has been deemed ineligible, or why funds must be restricted to a specific site.
- (b) Method of Calculation. For purposes of calculating the public art appropriation required in subsection (a), the total development costs of a City capital improvement project may include, but is not limited to, any and all construction costs, architectural and engineering fees and site work expenses. The total development costs of a City capital improvement project shall not include any budgeted costs of real property acquisition, demolition and financing, or any salaries and benefits of public employees supporting a City capital improvement project.

If any applicable law or the source of funding (such as, for example, FEMA) with respect to any particular City capital improvement project prohibits or restricts the use of funds for the arts, such funds shall be excluded from the total cost for the purpose of calculating the expenditure for arts.

(c)

Nothing in this section is intended to prohibit the City Council from adopting an ordinance or resolution establishing a public art appropriation for any project otherwise excluded from this policy or setting the public art contribution for any project at greater than one-half percent of the City capital improvement project budget.

(Ord. No. 08-21 N.S., § II, 5-18-2021)

6.50.030 - Public art contribution requirement for private development projects.

(a) Applicability. This section applies:

- (1) In all zoning districts in the City;
- (2) To all new commercial structures;
- (3) To all new industrial structures;
- (4) To all new residential projects of ten or more dwelling units; and
- (5) To all construction of building additions, and/or renovations and/or tenant improvements exceeding \$500,000.00 in building development costs.

(b) Contribution Requirements. Any private developer subject to this section shall satisfy the City's private development public art contribution requirement pursuant to the requirements of this section and the Public Art Policies and Procedures. A private developer may satisfy the City's public art contribution requirement by one of the following methods:

- (1) Include on-site publicly accessible art valued at one percent of the building development costs as further provided in Section 6.50.030(c) below;
- (2) Pay an in-lieu contribution of one percent of the building development costs to the City's Public Art Projects Account as set forth in Section 6.50.030(d) below; or
- (3) Include a designated public art space by special process as set forth in Section 6.50.030(e) below. For subsections (1) and (3) above, approval from the Arts and Culture Commission is required prior to obtaining a building permit for the private development project. In special cases, with the written permission from the Arts and Culture Manager, private developers who intend on adding onsite art but are not able to seek public art approval prior to obtaining building permits may place one percent of building development costs into an escrow account in the Public Art Projects Account, as further provided in the Public Art Policies and Procedures. For subsection (2), in-lieu contribution fees shall be paid at the same time as other fees due at building permit issuance for the private development project.

(c) On-Site Publicly Accessible Art. A private developer may satisfy the requirements of this chapter by constructing or installing on-site art valued at one percent of the building development costs of the applicable private development project, adjusted as described in subsection (2) below.

- (1)

Method of Calculation. For purposes of budgeting and planning for on-site art, an initial estimate of the on-site art contribution shall be calculated based on estimated building development costs at the time of application for entitlements. The on-site art contribution shall be finally determined based on the building development costs determined at the time the building permit application for the private development project is submitted. If the market value of the on-site art is greater than the art contribution provided in this subsection (c), the City shall have no obligation to refund the excess amount. If expenditures do not utilize the entire amount provided in this subsection (c), the remainder shall be deposited into the Public Art Projects Account.

- (2) Eligible Expenditures. In satisfying the public art contribution requirement of this section, a private developer may only expend costs on the selection, acquisition, purchase, commissioning, design, fabrication, placement, installation, exhibition of the on-site art, or as further detailed in the Public Art Policies and Procedures. Additionally, the one percent private development public art contribution shall include a required administrative costs fee to the Arts and Culture Staff and Community Development staff for administrative costs associated with the on-site art project, as further provided in the Public Art Policies and Procedures.
 - (3) Planning and Review Process. A private developer shall comply with all application, planning, and meeting requirements for on-site art as further provided in the Public Art Policies and Procedures.
 - (4) Compliance with Laws. On-site art shall be subject to, and shall comply with, all applicable City ordinances and laws and regulations of other governmental agencies. Prior to construction of the on-site art, the private developer shall identify and secure all applicable permits from the City's Community Development Department, Planning and Building Divisions, the City's Public Works Department, and other affected City divisions and departments.
 - (5) Additional Requirements for On-Site Art. The private developer shall comply with any and all additional requirements or guidelines for on-site art as further provided in the public art policies and procedures.
- (d) In-Lieu Contribution. A private developer may satisfy the requirements of this section by electing to pay an in-lieu contribution fee to the City as set forth herein.
- (1) The in-lieu contribution fee shall amount to be one percent of the building development costs.
 - (2) Time of Payment of Contribution. The in-lieu contribution fee shall be paid at the same time as other fees due at building permit issuance for the private development project.
 - (3) The in-lieu contribution fee shall be deposited into the Public Art Projects Account as further provided in the Public Art Policies and Procedures.
 - (4)

Additional Requirements for In-Lieu Contribution. The private developer shall comply with any and all additional requirements or guidelines for the in-lieu contribution fee as further provided in the Public Art Policies and Procedures.

(e) Designated Public Art Space by Special Process.

(1) A private developer may satisfy the requirements of this section by special process and review by the Public Arts Advisory Committee and approval by the Commission, by:

(A) Dedicating space within the private development project to be used as a rotating art gallery, free of charge and/or with the private developer and/or property owner's provision, that will be generally open to the public during regular business hours; or

(B) Designing and committing at least 500 square feet of space within the private development project, to be made available to the public for the primary use of arts and cultural programming.

(2) Expenditures for satisfying the City's public art contribution requirement under this section shall amount to at least one percent of the building development costs. If the expenditures do not utilize this full amount, the remainder shall be deposited in the Public Art Projects Account. If the expenditures are greater than this one percent amount, the City shall have no obligation to refund the excess amount.

(3) Additional Requirements for Designated Public Art Space. The private developer shall comply with any and all additional requirements or guidelines for a designated public art space as further provided in the Public Art Policies and Procedures.

(f) Inspection and Final Approval. Before a certificate of occupancy is issued or final inspection is approved for the private development project, the Arts and Culture Manager shall inspect and confirm that either: (i) on-site art has been installed in accordance with the requirements in this chapter, the Public Art Policies and Procedures, and the Commission's approval; or (ii) an in-lieu contribution fee has been paid in full in compliance with this chapter; or (iii) a special process and review by the Public Arts Advisory Committee has been completed and approval from the Commission has been obtained for a designated public art space on the private development project site. In addition, before a certificate of occupancy is issued or final inspection is approved, the Arts and Culture Manager shall confirm that the private developer has executed and recorded a covenant as required by subsection (g) below.

(g) Covenant; Recordation. If a private developer chooses to satisfy the requirements of this chapter by installing on-site art pursuant to subsection (c) or by providing a designated public art space pursuant to subsection (e), the private developer shall also ensure that a declaration of covenants, conditions and restrictions shall be recorded against the private development project property, binding on all successors and assigns, in favor of the city, and in a form approved by the City Attorney. The declaration shall include: (i) the property owner's obligation to protect the on-

site art or designated public art space from destruction or damage, and to provide all necessary maintenance of the on-site art or the designated public art space, in compliance with all maintenance requirements in the Public Art Policies and Procedures; (ii) the property owner's obligation to ensure that the on-site art or designated public art space is accessible to the public as required by this chapter; and (iii) any other terms reasonably necessary to implement this chapter.

- (h) Ownership of On-Site Art or Designated Public Art Space. The on-site art or a designated public art space shall be the property of the private developer and/or the private development project site property owner, or any successor(s) in interest of the property. The on-site art or designated public art space shall not be sold or transferred other than to a subsequent successor in interest of the private development property site. As such, the ownership of the on-site art or designated public art space will be transferred with the property.
- (i) Penalties. In addition to other fines or penalties provided by state or municipal law, the City may revoke or suspend any discretionary permit granted to any owner or private developer who violates the provisions of this chapter, or may, by legal action, seek recovery of the applicable in-lieu contribution.

(Ord. No. 08-21 N.S., § II, 5-18-2021)

6.50.040 - Public art funds.

- (a) Public Art Projects Account Funds. The Public Art Projects Account is a non-general fund account into which will be deposited funds as contemplated by Section 6.50.020 above from City capital improvement projects, and in-lieu contribution funds as contemplated by Section 6.50.030 above from private development projects, together with such other funds as the City Council may from time to time appropriate for expenditures related to public art in the City and any gifts or grants received by the City for the purpose of acquiring, creating, installing or maintaining public art.
- (b) Procedures and Payments into Public Art Projects Account.
 - (1) Except as provided in subsection (c) below, no board, commission, agency or department of the City shall permit or cause work to be commenced on any City capital improvement project prior to depositing the amount required by Section 6.50.020 into the Public Art Projects Account. The requirements of this section shall apply to City capital improvement projects, whether or not a final inspection or a certificate of occupancy is required for the project.
 - (2) In-lieu contributions from private development projects shall be deposited into the Public Art Projects Account at the same time as other fees due at building permit issuance for the private development project and in accordance with the Public Art Policies and Procedures.
- (c) Public Art Master Plan. The Arts and Culture Manager, with the advice of the Arts and Culture Commission, shall develop a Public Art Master Plan. Within 30 days after approval of the City's annual operating budget by the City Council, the Finance Director shall submit the authorized

annual budget for City capital improvement projects to the Arts and Culture Manager, specifying the total appropriation dedicated to the "Richmond Public Art Projects Account" for the current fiscal year. Based upon this submission, the Arts and Culture Manager, with the advice of the Arts and Culture Commission and based on any meetings with project managers of City capital improvement projects, shall update the public Art Master Plan and shall submit this Public Art Master Plan update to the City Council for its approval within six months of the date of approval of the City's annual operating budget. The funds placed into the Public Art Projects Account shall be administered by the Arts and Culture Manager in accordance with the Master Plan as approved by the City Council. The Master Plan shall reflect the policies established by this chapter with respect to City capital improvement projects.

- (d) Use of Public Art Projects Account Funds. Funds from the Public Art Projects Account may be used in accordance with the Public Art Policies and Procedures.
- (e) Review of Disbursements. Each proposed appropriation for the City's Public Art Program and each disbursement from the Public Art Projects Account shall receive the prior review and/or advice of the Public Art Advisory Committee and Arts and Culture Commission.
- (f) Additional Funding. The Arts and Culture Manager shall explore on a continuing basis the availability of funds for the City's Public Art Program from such organizations as the National Endowment for the Arts, the California Arts Commission, and other public and private agencies.

(Ord. No. 08-21 N.S., § II, 5-18-2021)

6.50.050 - Artwork on the City right-of-way.

No person or entity shall install, or cause to be installed, artwork on the City's right-of-way, including but not limited to streets, curbs, pavements or sidewalks within the City. This section shall not apply to the agents, servants, and employees of the City acting under the expressed designated authority of the City.

(Ord. No. 08-21 N.S., § II, 5-18-2021)

6.50.060 - Artwork on City property.

- (a) Ownership of Artwork on City Property. All artwork, including design elements, and other objects acquired and funded by the City pursuant to this chapter shall be acquired in the name of the City of Richmond and title shall vest in the City of Richmond. Copyright shall be maintained by the artist.
- (b) The criteria and process for identifying and selecting public art to be installed on City property is further provided in the Public Art Policies and Procedures.
- (c) Performing Arts and/or Temporary Artwork. The City may initiate, or individuals or community organizations may request City consideration of, performing arts or temporary artwork on city property in accordance with the requirements and processes provided in the Public Art Policies

and Procedures.

(Ord. No. 08-21 N.S., § II, 5-18-2021)

6.50.070 - General rules for public art.

- (a) Inventory of Public Art. The Arts and Culture Manager shall maintain a detailed record of all public art in the City, including site drawings, photographs, designs, names of artists, and names of architects, whenever reasonably feasible.
- (b) Recognition. The Arts and Culture Manager shall attempt to give appropriate recognition to the artists in publicity and promotion regarding public art, whenever reasonably feasible.
- (c) Database of Artists. The Arts and Culture Manager shall maintain a database of artists available for public art projects.
- (d) Private Sites for Public Art. No Artwork financed or installed either wholly or in part with City funds or with grants procured by the City shall be permanently installed on privately owned property without a written agreement between the City and the owner of the private property, specifying the proprietary interests in the artwork, binding the owner to the City's general rules for public art, and specifying other provisions deemed necessary or desirable by the City Attorney.
- (e) Consultation with the Artist. Installation, maintenance, alteration, refinishing, and moving of public art shall be done in consultation with the artist, whenever reasonably feasible and in the City's sole discretion.

(Ord. No. 08-21 N.S., § II, 5-18-2021)

6.50.080 - Role of Arts and Culture Manager, Arts and Culture Commission, and City Council in artistic matters for Public Art Program.

Recognizing that professional expertise is necessary and desirable in artistic matters, such as the selection of artists and the selection of artwork, the final approval of all designs and plans for artwork under the City's Public Art Program shall be made by the Commission (or by City Council under limited circumstances as provided in the Public Art Policies and Procedures), and not by any other City board or commission. In addition, it is the policy that:

- (a) Decisions on artistic matters will be made by the Arts and Culture Manager and the Commission;
- (b) The City Council will not exercise its independent judgment on artistic matters except for as provided in the Public Art Policies and Procedures;
- (c)

Unless the City Council determines to exercise its independent judgment as provided above, sketches, designs, photographs, precise plans, art examples, and similar items on artistic matters will not be transmitted to the City Council as a matter of course in conjunction with projects before the City Council; and

- (d) The City Council will refer questions, suggestions, requests, complaints, and similar items pertaining to the Public Art Program to the Arts and Culture Manager and the Commission for their review and response.

(Ord. No. 08-21 N.S., § II, 5-18-2021)

6.50.090 - Implementing guidelines.

The City Council authorizes the Arts and Culture Manager, with the advice of the Arts and Culture Commission, to establish procedures and guidelines to administer this chapter, including procedures for selecting sites, artists and artwork. Such guidelines shall include the Public Art Policies and Procedures, adopted by the City Council, consistent with this chapter.

(Ord. No. 08-21 N.S., § II, 5-18-2021)

APPENDIX I: PUBLIC ART POLICIES AND PROCEDURES

Attachment A: Public Art Policies and Procedures



"Richmond at Dusk" by Rob Badger. Color Photograph, Archival Ink on Paper 19 x 58"

Richmond, CA
City Manager's Office, Economic Development
Arts and Culture Division
May 4, 2021

Updated July 16, 2021 to reflect change in meeting times and fix spacing on Exhibit A

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I. BACKGROUND AND PURPOSE

The City of Richmond’s Public Art Program aims to enliven and beautify the City environment and create community pride for City residents by encouraging and promoting awareness of the City’s rich racial, ethnic, social, and cultural diversity as expressed through visual, literary, performing, and design arts. Moreover, the intent of the City’s Public Art Program is to create a diverse and stimulating cultural environment for citizens of, and visitors to, the City of Richmond, and to promote greater economic vitality through the aesthetic enhancement of the City’s public spaces, thereby making Richmond a more attractive environment for regional and local businesses. In addition, the Public Art Program aims to increase public access to works of art in Richmond by imposing certain requirements on Private Development Projects.

In recognition of the value of Public Art, Richmond’s City Council adopted Chapter 6.50 of the Richmond Municipal Code, “Public Art Program” (hereinafter referred to as the Public Art Program Ordinance). The abbreviations, phrases, terms and words used in these Public Art Policies and Procedures will have the same meanings assigned to them in Chapter 6.50 of the Municipal Code.

The purpose of this Public Art Policies and Procedures document is to establish requirements, policies, procedures and standards for Public Art in the City consistent and in furtherance of the underlying Public Art Program Ordinance.

II. PUBLIC ART IN PRIVATE DEVELOPMENT PROJECTS

As required by Section 6.50.030 of the Public Art Program Ordinance, Private Developers subject to the requirements of the Chapter are required to provide 1% of the Building Development Costs as a public art contribution in one of three ways:

- (1) by including On-Site Publicly Accessible Art as further provided in RMC Section 6.50.030 (C);
- (2) by paying an in-lieu contribution fee as set forth in RMC Section 6.50.030 (D); or
- (3) by dedicating a Designated Public Art Space by special process as set forth in RMC Section 6.50.030 (E).

The following section shall provide details into the application and review process for meeting these requirements.

A. Application Submittal

Private Developer applicants shall use the Public Art in Private Development Application Form, attached hereto in Exhibit A. The applicant will have to indicate whether they choose to provide On-Site Publicly Accessible Art, pay the in-lieu contribution fee to the Public Art Projects Account, or if they are interested in completing the special process and review for providing a Designated Public Art Space. Private Developer submits the Application Form to Arts and Culture Manager within 60 days of submitting the Planning Application. Public Art approvals for Private Development Projects shall be obtained as early as possible in the project application process.

B. Administrative Costs Fee

Regardless of which of the three options the Private Developer chooses to satisfy the 1% Private Development art contribution requirement (i.e. On-Site Art, in-lieu contribution fee, or Designated Public Art Space), five percent (5%) of the required Private Development art contribution amount (i.e. 5% of 1% of the Building Development Costs) shall be paid to the City as an administrative costs fee. The administrative costs fee shall be divided up and used by the Community Development Department (2%) and the Arts and Culture Division (3%) for administrative costs associated with the Private Development art contribution.

For On-Site Art and Designated Public Art Space, the 5% administrative costs fee payment shall be submitted alongside all other fees due at building permit issuance. For the in-lieu contribution option, the administrative costs fee will be paid as part of the total in-lieu contribution alongside all other fees due at building permit issuance.

C. On-Site Art Project Management Options

A Private Developer may choose from the following On-Site Art project management methods to assist in the selection, installation and project management process:

1. Delegate On-Site Art project management process to the City of Richmond Arts and Culture Staff. If the Private Developer chooses this option, they shall pay the City an additional project management fee of fifteen percent (15%) of the required Private Development art contribution amount (i.e. an additional 15% of the 1% of the Building Development Costs). The Private Developer shall pay five percent (5%) of the required 1% art contribution amount to the Arts and Culture Staff and Community Development staff to cover the administrative costs fee described above in Subsection (B). The Private Developer shall pay the City the full 1% art contribution amount and the additional 15% project management fee to an escrow account within 30 days of signing a project management agreement between the City and the Private Developer. This payment shall initiate the City's project management of all phases of the project on behalf of the Private Developer. The City will be responsible for all aspects of the projects, including negotiating and entering into contracts with the Artists.
2. Employ a private art consultant whose services would be used to solicit or identify Artists that meet the City's criteria for Public Art. The art consultant may also manage the On-Site Art selection and installation process from start to finish. The fee for the use of an art consultant may not be included in the City's required 1% art contribution amount. The Private Developer shall pay five percent (5%) of the required 1% art contribution amount to the Arts and Culture Staff and Community Development staff to cover the administrative costs fee described above in Subsection (B). The Private Developer shall have separate contracts with the art consultant and Artists.
3. Although not recommended, the Private Developer may directly propose an Artist or On-Site Art. The Private Developer shall pay five percent (5%) of the required 1% art contribution amount to the Arts and Culture Staff and Community Development staff to cover the administrative costs fee described above in Subsection (B). The Private Developer shall have contracts with Artists.

D. Review Process and Material Checklists for On-Site Publicly Accessible Art

1. Meeting with Arts and Culture Manager

Private Developer applicants must first meet with the Arts and Culture Manager within 60 days of submitting an application to the Planning Department for the Private Development Project, and submit a Public Art in Private Development Application Form (in compliance with Subsection (A) above) prior to the preliminary review by the Public Art Advisory Committee (PAAC). At this meeting, the Private Developer will get more detailed information on the process, resources available, and discuss the possible types of Artwork that the Private Developer is interested in commissioning.

2. Selection of On-Site Art Project Management Option

The Private Developer shall select one of the On-Site Art Project Management Options as noted in Section II.C above as soon as possible and inform the Arts and Culture Manager.

3. PAAC Preliminary Review

A preliminary review meeting with PAAC is required and will take place within 90 days of the City's receipt of the Public Art in Private Development Application. The Private Developer applicant shall submit all required application materials, as further provided below, for the preliminary review meeting with PAAC. PAAC meets on the 2nd Thursday of the month at 7:00 pm. The meetings are held on Zoom and were held at the Point Molate Conference Room, 450 Civic Center Plaza, 2nd Floor prior to the COVID-19 pandemic. Meetings may resume in this room after the COVID-19 pandemic.

Applicants must submit the following materials electronically one week prior to the PAAC preliminary review meeting to the Arts and Culture Manager:

1. A written summary of the On-Site Art project: this should include the approximate art budget, the art selection plan and consultant, timeline for the project, and an overview of the development.
2. PDF files of the overall site and existing drawings.
3. A PDF of the powerpoint presentation of the project that will be given at the meeting.
4. Name and contact information for the person who will be presenting the project to the Commission.

Items 1-3 above will be distributed to PAAC in advance of the preliminary review meeting. The Private Developer applicant will have 15 minutes to present the project to PAAC. PAAC will then have the opportunity to ask questions and make recommendations regarding the possible placement of Artwork, types of Artwork or Artists that may be appropriate to the site, and point out areas of concern. Preliminary review is not an action item with an approval, but an opportunity for the applicant to get input that will help make the final Artwork more successful.

4. Additional PAAC Meetings

The Private Developer applicant may return to PAAC additional times before PAAC's Final Review if PAAC input would be beneficial for the project, however it is not required. It is highly recommended that the Private Developer applicant's art consultant stay in close contact with the City's Arts and Culture staff or that the applicant utilizes the City's Arts and Culture staff to manage the process.

5. PAAC Final Review

Once the Private Developer applicant has met with the Arts and Culture Manager, submitted a Public Art in Private Development Application Form, and completed a Preliminary Review with PAAC, the applicant may submit all required materials for the Final Review by PAAC. Private Developer applicants must submit the following materials electronically one week prior to the Final Review PAAC meeting to the Arts and Culture Manager:

1. A written summary of the art selection process (how the Artwork(s)/ Artist were selected).
2. Samples of the Artist's previous work and a resume.
3. Description of the proposed Artwork, including dimensions, materials, method of construction.
4. Detailed drawings or photographs of the proposed Artwork, including a rendering in-situ.
5. A rendering showing the Artwork, along with the locations for any lighting, the identification plaque, and other elements included in the proposal associated with the art installation.
6. A detailed timeline for installation of the On-Site Art and an itemized budget, including installation, Artist fees, art consultant fees.
7. A maintenance plan for the On-Site Art in compliance with Section II. J below, detailing how often and in what manner the Private Developer plans to conserve and maintain the On-Site Art in good condition. If feasible, the Private Developer shall include any specific maintenance instructions from the Artist.
8. A VARA/CAPA waiver signed by the Artist. (See Exhibit B). Artist shall maintain copyright.

Items 1-7 will be distributed to PAAC in advance of the meeting. The Private Developer applicant will have 20 minutes to present the art plan to PAAC. PAAC will then have the opportunity to ask questions and make recommendations regarding the On-Site Art and point out areas of concern. Final review is an action item requiring PAAC to either approve or deny the Public Art in Private Development proposal, and provide a recommendation to the Richmond Arts and Culture Commission.

6. Richmond Arts and Culture Commission Approval

Once a Private Developer applicant has the recommendation from PAAC, the applicant must then obtain approval of the Artwork proposal from the Richmond Arts and Culture Commission. No presentation is required for Arts and Culture Commission approval.

The Arts and Culture Commission meets on the 4th Thursday of every month at 7:00 p.m. The meetings are held on Zoom. Prior to the COVID-19 pandemic, meetings were held at 450 Civic Center Plaza, Richmond Conference Room. Meetings may resume in this room after the COVID-19 pandemic.

In general, the Commission shall reject the PAAC's recommendation for the selection of an Artist, Artwork, or design proposal only if there are compelling reasons to do so. Compelling reasons shall be limited to if the Commission determines and substantiates that the Artwork or design proposal: (i) constitutes a public safety threat; (ii) presents long-term maintenance problems; or (iii) creates a negative image or depiction of Richmond's residents, visitors, or neighborhoods.

7. City Council Information Item and/or Approval of Contracts

All approved On-Site Art projects will go to City Council as an information item.

City Council shall approve any contracts over \$10,000 related to Public Art on Private Development, and shall authorize the City Manager to enter into such contracts on behalf of the City. This may be the case if a Private Developer chooses to use the City as the project manager for the On-Site Art, as the City would be responsible for contracting directly with the Artist.

In general, the City Council shall reject the Commission's recommendation for the selection of an Artist, Artwork, or design proposal only if there are compelling reasons to do so. Compelling reasons shall be limited to if the City Council determines and substantiates that the Artwork or design proposal: (i) constitutes a public safety threat; (ii) presents long-term maintenance problems; or (iii) creates a negative image or depiction of Richmond's residents, visitors, or neighborhoods.

8. Final Steps

At the City's sole discretion, physical artwork may require stamped engineering drawings and permits and have specific insurance requirements, environmental review and a plan to obtain permits.

Once the Artwork application has been approved by the Arts and Culture Commission, the Private Developer may submit the building permit for the Private Development project.

Prior to construction or installation of the Public Art, the Private Developer applicant shall identify and secure all applicable permits from affected City divisions and departments.

The Artwork and required identification plaque must be installed as approved by the PAAC and Arts and Culture Commission, and verified by the Arts and Culture Manager prior to the issuance of any Certificate of Occupancy or Final Inspection for the Private Development project.

E. Special Delayed Option for On-Site Art Contribution and Designated Public Art Space

Private Developers who are interested in commissioning On-Site Art but are not able to complete the process in the required timeline described in Section II.D, may request permission from the Arts and Culture Manager to place the non-refundable public art contribution (1% of Building Development Costs of the Private Development) in an escrow account pursuant to special instructions from the Arts and Culture Manager. This will satisfy the 1% for Public Art in Private Development requirement contingent on the commissioning of On-Site Art within a reasonable time frame. Developers who place their money in an escrow account are able to acquire building permits prior to receiving approval from the Public Art Advisory Committee and Commission for Public Art in Private Development proposal. Affordable housing developments are more likely to be granted permission to place the Public Art contribution in an escrow account. By placing the money in the escrow account after selection of the On-Site Art option, the Private Developer will also have automatically selected the On-Site Art Project Management Option Section II.C.1 to delegate the project management process to the City of Richmond Arts and Culture Staff. In this case, the Private Developer shall pay the City the full 1% art contribution amount and the additional 15% project management fee to an escrow account within 30 days of signing a project management agreement between the City and the Private Developer.

Private Developers who are interested in pursuing Designated Public Art Space at a later date and under a separate building permit may request permission from the Arts and Culture Manager to develop

Designated Public Art Space in a delayed, yet still reasonable, timeline. In the case that permission is granted, an agreement must be signed between the City and the Private Developer detailing the specific condition(s) and requirements for the development of the Designated Public Art Space.

F. Eligible and Ineligible Expenditures for On-Site Publicly Accessible Art

Eligible Expenditures. For On-Site Publicly Accessible Art, a Private Developer may only expend costs associated with the selection, acquisition, purchase, commissioning, design, fabrication, placement, installation or exhibition of the On-Site Art. At the City’s sole discretion, eligible expenditures may include:

1. Artist fees;
2. Labor costs for assistants, materials, and contracted services required for design, fabrication, engineering and installation of the On-Site Art;
3. Any required permit or certificate fees and reasonable business and legal costs directly related to the On-Site Art;
4. Communication, utilities, insurance and other indirect costs associated with the creation but not the operation of the On-Site Art;
5. Transportation of any On-Site Art to the Private Development site;
6. Preparation of the Private Development site specifically required for the On-Site Art, such as fabrication of platforms or pedestals;
7. Costs associated with the installation of the On-Site Art;
8. Mountings, anchorages, containments or other materials necessary for installation of the On-Site Art;
9. Five percent (5%) administrative costs fee paid to the City;
10. A plaque or plaques identifying the On-Site Art; and
11. Contingency fund for unplanned expenses; no more than 10% of the total art contribution amount.

Ineligible Expenditures. Expenditures that are ineligible to be counted toward the On-Site Publicly Accessible Art contribution include:

1. Labor of assistants, materials, and contracted services not required for design, fabrication, engineering and installation of the On-Site Art;
2. Promotional materials or activities for any Artist, the On-Site Art, the Private Development project, the Private Developer or other parties involved in the Private Development project;
3. Opening, dedication or other costs of events for the On-Site Art, Artist, Private Developer or Private Development;
4. Services, materials, utilities or other expenses associated with the ongoing operation or maintenance of the On-Site Art;
5. Land costs or any other costs associated with the Private Development that are not part of and solely attributable to the On-Site Art; and
6. Any art consultant fees if a Private Developer chooses to employ a private art consultant for project management.

G. Criteria for PAAC Review of On-Site Art

The Public Art Advisory Committee will evaluate the submitted On-Site Art project proposal based on the following criteria:

1. Context. Artwork must be compatible in scale, materials, form and content with their surroundings. Consideration shall be given to the architectural, historical, geographical, and social/cultural context of the proposed site;
2. Artistic Quality. Quality shall include excellence in the Artwork's craftsmanship, originality in conception and integrity of materials used;
3. Media. All forms of media may be considered. Artwork may be portable, permanently affixed, or incorporated in the design and/or function of a public space;
4. Permanence. For permanent Artwork, due consideration shall be given to the Artwork's structural and surface soundness, and to inherent resistance to theft, vandalism, weathering, and excessive maintenance or repair costs;
5. Public Safety. All Artwork or design elements shall be evaluated to ensure their compliance with public safety laws, regulations or requirements;
6. Diversity. The Public Art Program recognizes the cultural, racial, ethnic, and social diversity of Richmond's population, as well as that of the greater Bay Area, and shall incorporate diversity in every aspect of the Program. PAAC may realize this goal as follows:
 - Achieving an equitable distribution of commissions and acquisitions from Artists who represent Richmond's multi- ethnic, multi-cultural population.
 - Commissioning Artwork throughout Richmond's various neighborhoods.
 - Emphasizing and encouraging the acquisition of Artwork which include a wide variety of styles, scale, and media.
 - Encouraging community participation in the Public Art process, when appropriate.
 - Encouraging the exploration and understanding of new and experimental art forms as well as established and traditional art forms.
7. Feasibility. Before a Public Art proposal is given final approval, it shall be evaluated for its feasibility relative to:
 - The project budget and its estimated timeline.
 - Convincing evidence that the Artist can complete the Public Art project on time and within the proposed budget.
 - Approval of the project by the appropriate City agencies, relative to safety, maintenance, and code requirements.
9. Visibility and accessibility of On-Site Art:
 - Compliance with any American Disabilities Act (ADA) requirements.
10. Engagement or interactive elements.

H. Designated Public Art Space by Special Process

Private Developers interested in creating a Designated Public Art Space, as described in RMC 6.50.030.E Designated Public Art Space by Special Process, must follow the following process after submitting the application described in Section II.A above.

Private Developers shall meet with the Arts and Culture Manager within 60 days of submission of the Planning Application with a preliminary proposal of the Designated Public Art Space. If the Arts and Culture Manager determines the proposal meets the requirements of the Public Art Program (RMC

6.50.030.E), the Private Developer will receive instructions on documentation and requirements for next steps.

I. Compliance with City laws and ordinances

On-Site Art and Designated Public Art Space is subject to, and shall comply with, all applicable City ordinances and laws and regulations of other governmental agencies. Prior to installation or construction of the On-Site Art or the Designated Public Art Space, the Private Developer shall identify and secure all applicable permits from affected City divisions and departments. Below are links to some applicable departments:

- [Planning](#) (Community Development Department)
- [Building](#) (Community Development Department)
- [Public Works](#)

J. Maintenance of On-Site Art and Designated Public Art Space

The Private Developer and/or property owner of the Private Development project site, shall be responsible for the ongoing and regular maintenance to preserve the On-Site Art or Designated Public Art Space in good condition. As provided in Section 6.50.030 (G) of the Municipal Code, the Private Developer shall ensure that a declaration of covenants, conditions and restrictions is recorded against the Private Development project property site, in favor of the City, and it shall include the property owner's maintenance obligations as required herein. If and when the Private Development Project site is sold, the maintenance obligations shall be transferred to the new property owner.

The Private Developer and/or the property owner, shall maintain the On-Site Art following any special instructions provided by the Artist, and shall promptly perform any and all necessary repairs to the satisfaction of the City. The obligation to maintain and preserve the On-Site Art or a Designated Public Art Space includes the obligation to take reasonable steps to protect the On-Site Art or Designated Public Art Space against destruction, damage or modification.

The City shall not be responsible for any maintenance of the On-Site Art or a Designated Public Art Space.

If the Private Developer and/or property owner fails to maintain the On-Site Art or Designated Public Art Space within 90 days of notice from the City, the City may perform all necessary repairs and maintenance, and the Private Developer and/or property owner shall be responsible for reimbursing the City for such costs. If the Private Developer and/or property owner fails to reimburse the City, the City may impose a lien against the real property.

K. Relocation of On-Site Art or Designated Public Art Space

The Private Developer and/or property owner of the Private Development project site shall maintain the On-Site Art and/or Designated Public Art Space in the location approved by the Arts and Culture Commission. The Private Developer and/or property owner may submit a written request to the Arts and Culture Commission to relocate the On-Site Art and/or Designated Public Art Space within the Private Development project site.

If the Private Development project or the Private Development project site where the On-Site Art and/or Designated Public Art Space is located is sold, the On-Site Art and/or Designated Public Art Space must remain at the location approved by the Arts and Culture Commission. The Private Developer and/or property owner may not remove the On-Site Art and/or Designated Public Art Space from the site.

In the case where the Private Development project is to be demolished, the Private Developer and/or the property owner must relocate the On-Site Art and/or Designated Public Art Space to another publicly accessible permanent location approved in advance by the Arts and Culture Commission.

L. Ownership of On-Site Art or Designated Public Art Space

The On-Site Art or a Designated Public Art Space shall become the property of the Private Developer and/or the property owner, and successor(s) in interest. On-Site Art or a Designated Public Art Space shall not be sold or transferred other than to a subsequent successor in interest of the property. As such, the ownership of the On-Site Art, along with any maintenance obligations, will be transferred with the property.

M. Modification to or Removal of On-Site Art or Designated Public Art Space

If the Private Developer and/or property owner wishes to sell, deaccession, modify or remove the On-Site Art or Designated Public Art Space from the project site approved by the Arts and Culture Commission, the Private Developer and/or property owner must notify the Arts and Culture Manager a minimum of 90 days before the intended date to remove the On-Site Art or Designated Public Art Space. They must receive prior approval from Public Art Advisory Committee and the Richmond Arts and Culture Commission before doing so. The Private Developer and/or property owner will be required to replace any sold or deaccessioned On-Site Art with an alternative Artwork of equivalent or greater value, as determined in the sole discretion of PAAC and the Commission. In the alternative, and with prior approval of the City, the Private Developer can choose to pay an in-lieu contribution fee in accordance with the Public Art Program Ordinance.

Private Developers and/or property owners shall be solely responsible for complying with all requirements of the Visual Artists Rights Act (VARA), and the California Art Preservation Act (CAPA). As provided in Section II. D (5) above, the Private Developer shall obtain a signed copy of a VARA/CAPA waiver from the selected Artist prior to the installation or creation of the On-Site Art, as provided in Exhibit B.

Private Developers and/or property owners agree that the City has an absolute right to require the Private Developer, Artist, and/or property owner to change, modify, remove, relocate, repair, or restore the On-Site Art, or portions of the On-Site Art, where it is in the public's best interest.

N. City Inspection of On-Site Art or Designated Public Art Space

On reasonable advance notice, City staff shall have the right to inspect the On-Site Art or Designated Public Art Space to ensure compliance with all City requirements.

O. In-Lieu Contribution

In-lieu of On-Site Art or Designated Public Art Space, a Private Developer may pay an in-lieu contribution of 1% of the estimated Building Development Costs to the City’s Public Art Projects Account. Private Developers submit the payment alongside all other fees due at building permit issuance. No presentations to the Public Art Advisory Committee or meeting with the Arts and Culture Manager will be required. To verify that it has been paid, the Arts and Culture Manager shall sign the building permit card. The Arts and Culture Manager confirms the receipt of contribution to the Public Art Projects Account in-lieu of providing On-Site Art or Designated Public Art Space prior to the final Certificate of Occupancy issuance or Final Inspection approval.

P. Public Art In Private Development Process Chart and Payment Schedule – On-Site Art, In-Lieu Contribution, Designated Public Art Space

The Public Art in Private Development Process Chart can be seen in Exhibit C and the Public Art in Private Development Payment Schedule chart can be seen in Exhibit D.

III. PUBLIC ART ON CITY PROPERTY

The procedures, requirements, and policies in this section apply to Public Art purchased or commissioned to be placed on City Property with resources from the Public Art Projects Account.

A. Ownership of Artwork on City Property

All Artwork, including design elements, and other objects acquired for or by the City, and/or funded by the City, pursuant to this section, shall be acquired in the name of the City of Richmond and title shall vest in the City of Richmond. All Public Art placed on or in City Property, either by gift, donation, or City funds, shall be owned by the City. Copyright shall be maintained by the Artist.

B. Criteria for selecting or acquiring of Public Art on City Property

Criteria to be used by PAAC and Selection Panels (as defined below) for the acquisition of Public Art, shall include, but not be limited to, the following:

1. Context. Artwork must be compatible in scale, materials, form and content with their surroundings. Consideration shall be given to the architectural, historical, geographical, and social/cultural context of the proposed site;
2. Artistic Quality. Quality shall include excellence in the Artwork’s craftsmanship, originality in conception and integrity of materials used;
3. Media. All forms of media may be considered. Artwork may be portable, permanently affixed, or incorporated in the design and/or function of a public space. Temporary exhibits or installations may also be considered for commissions;
4. Permanence. For permanent Artwork, due consideration shall be given to the Artwork’s structural and surface soundness, and to inherent resistance to theft, vandalism, weathering, and excessive maintenance or repair costs;
5. Public Safety. All Artwork, design elements, or temporary installations shall be evaluated to ensure their compliance with public safety laws, regulations or requirements;

6. Diversity. The Public Art Program recognizes the cultural, racial, ethnic, and social diversity of Richmond’s population, as well as that of the greater Bay Area, and shall incorporate diversity in every aspect of the Program. PAAC and the Commission may realize this goal as follows:
 - Achieving an equitable distribution of commissions, acquisitions, and temporary exhibitions from Artists who represent Richmond’s multi- ethnic, multi-cultural population.
 - Commissioning Artwork throughout Richmond’s various neighborhoods.
 - Emphasizing and encouraging the acquisition of Artwork which include a wide variety of styles, scale, and media.
 - Encouraging community participation in the Public Art process, when appropriate.
 - Encouraging the exploration and understanding of new and experimental art forms as well as established and traditional art forms.
7. Feasibility. Before a Public Art proposal is given final approval, it shall be evaluated for its feasibility relative to:
 - The project budget and its estimated timeline.
 - Convincing evidence that the Artist can complete the Public Art project on time and within the proposed budget.
 - Approval of the project by the appropriate City agencies, relative to safety, maintenance, and code requirements.
8. Visibility and accessibility of Artwork:
 - Compliance with any American Disabilities Act (ADA) requirements.
9. Engagement or interactive elements;

C. Criteria for the Site Location of Public Art

Prior to recommending a site for a Public Art project, the Arts and Culture Manager, in collaboration with appropriate City agencies, the Public Art Advisory Committee, and the Commission, shall evaluate the proposed Public Art site using the following factors:

1. Visibility and public access.
2. Public safety.
3. Interior and exterior traffic patterns.
4. The relationship of the proposed Public Art project to the site’s existing or future architectural features and to its natural features.
5. The function and uses of the facility or site.
6. The nature of the site’s surrounding neighborhood and potential impact of the Public Art project on residences or businesses.
7. Future development plans for the area which may affect the Public Art project.
8. The relationship of the proposed Public Art project to existing works of art or design elements within the site’s vicinity.
9. The proposed Public Art project’s impact on the surrounding environment.
10. The social or cultural context of the proposed Public Art or design element relative to the site and its surrounding environment.

D. Public Art Reviewing Bodies (Selection Panels, etc.)

In addition to PAAC and the Arts and Culture Commission, Selection Panels and/or Ad-hoc Advisory Committees may be assembled to review certain projects, as further provided below.

1. **Selection Panels:** Selection panels are ad-hoc panels assembled for specific projects. The role of the selection panel is to assist the City in identifying qualified Artists to be considered for a Public Art project. The number of panelists and the composition of the panel appointed for projects will depend upon the size, location, and complexity of each project. In general panels shall comprise a minimum of three persons from the categories listed below. There shall be an odd number of voting members on the panel to remove the possibility of a tie.
 - a) **Voting Members**
 - (1) At least one Artist or arts professional (curator, educator, etc.)
 - (2). At least one representative of the neighborhood in which the artwork will occur.
 - b). **Non-voting advisors.**
 - (1). Includes members of the design team, such as the project architect

The Arts and Culture Manager shall recommend panelists and shall submit these recommendations to the PAAC for review. Selection of panelists shall be made based on an analysis of the following:

- Experience in implementing or administering Public Art projects;
- Knowledge of current trends and issues in Public Art;
- Knowledge of local, regional and national arts;
- Experience and interest in working with Richmond’s multi-cultural community;
- Ability to assess the creativity, design skills, and problem-solving abilities of Artists under review;
- Knowledge of materials and methods of fabrication used in Public Art projects and an ability to assess their appropriateness to a particular site;
- Ability to represent a particular neighborhood or area of Richmond in which the Public Art will be sited;
- Ability to work cooperatively and effectively in a panel process.

To expedite the recruitment and approval of panelists, City staff may develop a list of qualified panelists.

Any persons who would receive financial gain from the selection of Artists or Artworks are ineligible to serve on a Selection Panel. Any Artist selected to serve on the Selection Panel is precluded from having his/her work considered for any Public Art project during his/her time of service. Previous PAAC or Commission members who have served in the past two years may not serve on a Selection Panel.

In general, panelists shall be compensated for their time reviewing application materials and attending panel meetings. Compensation shall be paid at the rate of \$100 per day, or \$50 per half-

day. City employees and members of the PAAC and the Commission shall not be compensated for participation in the review and selection process.

2. **Ad-hoc Advisory Committees:** For certain Public Art projects, PAAC may elect, in its sole discretion, to establish an ad-hoc “advisory” committee. An advisory committee is an ad hoc group which provides staff and Artists with information regarding the physical parameters of the site, the site’s users or audience, the social, historical, or cultural history of the neighborhood where the Public Art will occur, and other types of information which may assist the Artist in preparing a design proposal.

Advisory Committee members shall be identified through existing community organizations and by referrals from other agencies, public or private, which are familiar with the neighborhood in which the Public Art project will occur. The Advisory Committee will represent residents or facility or site users who will be most affected by the Public Art project and who can provide the Artist with useful information in the development of their project. The Advisory Committee, as a whole, does not retain the right to vote, and should neither advise nor influence the Selection Panel during their deliberations. However, one or more Advisory Committee members may serve on a Selection Panel if requested by the PAAC to do so, if eligible as described in Section III.D.1 above. The Advisory Committee may consist of one or more of the following persons:

1. The design architect, if selected.
2. The project manager or designee from the City agency collaborating on the project.
3. Other design team members, if appropriate.
4. A member of the Public Art Advisory Committee.

E. Selecting Artists and Artwork for Public Art for City Property

1. Methods of Selecting Artists and Artwork

Artists may be selected for Public Art projects by one of the following methods as determined by the Arts and Culture Manager:

1. **Direct selection:** Artist(s) or completed Artwork(s) chosen directly by the Public Art Advisory Committee or by a Selection Panel.
2. **Limited competition or invitational:** Artists are invited by the Public Art Advisory Committee or by a Selection Panel to submit proposals, a completed Artwork, or otherwise participate in a Public Art project.
3. **Open competition:** any Artist is eligible to participate, subject to limitations established by the Public Art Advisory Committee.

2. Artist Recruitment Methods

1. **Direct Recruitment:** The City may utilize direct recruitment methods to solicit qualified Artists for a project. Direct recruitment shall be defined as the direct solicitation of qualified candidates by means of direct mailings of the RFQ or RFP, or through phone contact with Artists, arts organizations, galleries or other sources for the purpose of soliciting names of Artists to be considered for a project.

2. Competitive Processes: For competitive projects, the City shall develop a Request for Qualifications (“RFQ”) or a Request for Proposals (“RFP”). The RFQ or RFP shall be disseminated as widely as possible through local media, the arts media, and through direct mailings to Artists and arts organizations. The RFQ or RFP shall include the following information.
 - A description of the Public Art project, including its goals; the project parameters, including the site’s physical description, potential approaches to the project, and any physical or legal restrictions which may apply to the project.
 - The Artist’s potential scope of work.
 - Application procedures, including materials requested, eligibility factors, and timelines.
 - Selection procedures (if appropriate).
 - Criteria for the selection of Artist(s) and Artwork(s).
 - Project budget.
 - A Request for Proposals shall include an honorarium for the Artists to further develop the art concept design proposal.

3. Artist Selection Criteria

In general, any Artist may be considered for a Public Art purchase or commission. Specific eligibility requirements will be established by the Arts and Culture Manager at the initiation of each project and will be described on the RFQ/RFP. In general:

1. Artists will be considered for commission on the basis of their professional qualifications, as demonstrated by past work, relevant professional experience, the appropriateness of a specific proposal to the project goals and parameters, and the probability that the Artist can successfully complete the project given the proposed timeline or budget. Artwork or proposals submitted by the Private Development Project architect and/or members of the design team, and Artists who are members of or family members of the Arts and Culture staff, the PAAC, Commission, or the City Council, shall not be accepted. If a past member of PAAC, the Commission, or City Council wishes to propose Artwork, there must be at least a minimum of two years between serving on such governing bodies and consideration of Artwork or proposals.
2. Artists shall not receive more than two commissions from the City of Richmond in any five-year period, nor shall Artists receive more than one commission in consecutive years. These restrictions shall apply to individual Artists, Artists who are commissioned as part of a team, and/or any Artists who will receive credit for any commissioned project.
3. Artists may be selected on a regional or national basis. Though preference may be given to Richmond-based Artists for any given project, the Public Art Program shall encourage a wide diversity in style, scale and media in Public Art, and encourages the exchange of ideas and creative talent from all Artists.

4. Artist and Artwork Selection Procedures

1. Pre-Screening: The Arts and Culture Manager, and designated City staff, shall pre-screen Artist applications, and evaluate them relative to the minimum candidate criteria and qualifications outlined in the RFQ or RFP. City staff shall then present the slate of qualified candidates for review to a Selection Panel, as described below.

2. Selection Panel Review: The Selection Panel shall meet under the following process:
 - (a) The Selection Panel (and Ad-hoc Advisory Committee, where applicable) shall review the pre-screened lists of Artist applications. Along with the candidates recommended for review by the Arts and Culture Manager, the Selection Panel will receive a list of all project applicants. Panelists may request to review any Artist previously eliminated by the staff if they believe that the Artists on the pre-screened list do not meet the stated minimum qualifications.
 - (b) City staff shall issue written instructions to panelists detailing the duties and responsibilities related to the project before the first panel meeting.
 - (c) The Selection Panel shall review credentials, proposals, and/or materials submitted by Artists.
 - (d) The Selection Panel shall recommend to the Public Art Advisory Committee: an Artist or Artists to be commissioned for the Public Art project; an Artist or Artists to develop a design proposal for the Public Art project; or recommend an Artist or Artists whose existing work is to be selected for the Public Art project. In the case where an Artist or Artists have been asked to prepare a specific design proposal, the Selection Panel shall re-convene to review the proposals and shall select the Artwork following the same procedures as outlined in steps (a)-(c) above. If a consensus cannot be reached by the Selection Panel, then a vote shall be taken, with the majority carrying the decision. Panelists shall each have one vote, and no Panelist shall have the right of veto.
 - (e) The Selection Panel shall have the option of making no selection. In the event that no selection is made, the PAAC shall determine whether to: (1) initiate a new selection process; (2) revise the Public Art project; or (3) abandon the project.
 - (f) The Selection Panel's recommendation shall be recorded by the Arts and Culture Manager in the form of a written record to the Public Art Advisory Committee. If PAAC approves of the Selection Panel's recommendation, then the selected Artist's application will be given formal approval by resolution of the PAAC. If PAAC rejects the Selection Panel's recommendation, then an alternative process for project development will be determined.
 - (g) If PAAC approves of the Selection Panel's recommended Artist application, PAAC shall forward a recommendation to the Arts and Culture Commission for final approval. The Commission shall review and approve or reject the PAAC's recommendation. If the Commission rejects PAAC's recommendation, the Commission will provide a written report to the PAAC with the reasons for the rejection. PAAC shall then determine whether to: (1) revise or modify the project; (2) initiate a new review and selection process; or (3) abandon the project.
 - (h) For Public Art projects over \$10,000, the Commission shall forward approved Artist applications to City Council for final approval. If the City Council accepts the Commission's recommendation, City Council shall approve the selected Artist's proposal by means of a formal resolution authorizing the City to enter into contract with the selected Artist(s). If the City Council rejects the Commission's recommendation, the PAAC shall determine whether to: (1) revise or modify the project; (2) initiate a new review and selection process; or (3) abandon the project.

3. Commission and City Council's Review: In general, the Commission and the City Council shall reject the PAAC's recommendation for the selection of an Artist, Artwork, or design proposal only if there are compelling reasons to do so. Compelling reasons shall be if the Commission or

Council determines and substantiates that the Artwork or design proposal: (i) constitutes a public safety threat; (ii) presents long-term maintenance problems; or (iii) creates a negative image or depiction of Richmond’s residents, visitors, or neighborhoods.

4. Modified Panel Review: For some projects, such as those with budgets of \$50,000 or less, or where time is of the essence in recruiting, selecting, and commissioning an Artist, the PAAC shall retain the option of:
 - (a) Selecting one or more Artists to work on the project through direct invitation.
 - (b) Developing a short list of qualified Artists to present to a Selection Panel and/or convening a Selection Panel comprised of a staff representative, a representative of the client agency or facility, and one guest panelist. This panel will review the short list of qualified Artists and select one or more Artists for the Public Art project.

F. Public Art Project Management

1. Inter-Agency Procedures

1. The Arts and Culture Commission will negotiate a contract with the selected Artist and with other consultants as necessary, for the purchase or design, fabrication, and installation of the Public Art. Contracts will be executed by the City Manager, or their designee. The contract between the City and the Artist may include, but is not limited to: scope of services, insurance, Artist’s rights, indemnifications, the Artist as an independent contractor, removal or modification of the Public Art, risk of loss, and title.
2. Disbursements from the Public Art Projects Account shall be made only after authorization from the Arts and Culture Commission.
3. On-site activity related to the installation of the Public Art will be coordinated between the Arts and Culture Manager and the appropriate City official(s) within the Department having jurisdiction over the site and/or construction.
4. In the case of sites under development, the appropriate City official(s) within the applicable Department will coordinate the concurrent site development and the Public Art installation in the most efficient manner possible.
5. In the case of existing sites, staff and the appropriate City official(s) shall oversee and facilitate the installation of the Public Art. In such cases, the cost of necessary site alteration or restoration shall be borne by the Public Art Program unless otherwise agreed upon by the appropriate City official(s).
6. Unless otherwise agreed, routine maintenance of the Public Art shall be the responsibility of the Department having jurisdiction over the site where the Public Art is located. Routine maintenance shall include such tasks as dusting, sweeping, and other such activities. Extraordinary maintenance and/or conservation of the Public Art shall be the responsibility of the Arts and Culture Manager on behalf of the Arts and Culture Commission. No City agency or Department shall be responsible for the conservation of Public Art, and no conservation or repair work shall be performed by the applicable department without the prior written consent of the Arts and Culture Commission.
7. Any proposed Public Art, which is deemed by the Commission and the applicable Department head to require extraordinary operations or maintenance on the part of the host Department, shall be subject to review by the applicable Department head. The Arts and Culture Manager, in consultation with other City agencies, shall develop a maintenance needs survey of the

Public Art collection and shall determine appropriate budgets and procedures for the care and maintenance of the collection.

8. In general, the applicable Department staff and consultants hired by the Department in connection with a development project which includes a Public Art project shall not receive additional compensation for time spent in connection with the implementation of Public Art projects. However, where a specific technical or professional task is performed by such staff or consultant(s), solely in connection with the Public Art, and where the task is necessary to the execution or installation of the Public Art, and where it is not feasible to include it as the responsibility of the Artist under the terms of the Public Art Program, such Departmental staff and/or consultants may receive compensation for work performed provided that reimbursement is requested prior to establishment of the project budget and is approved by the appropriate City departments.

G. Maintenance, Removal, and Deaccession of Public Art on City Property

The City of Richmond is responsible for the maintenance and conservation of Public Art on City Property, unless otherwise agreed to with the Artist. When reasonable, the City may consult with the Artist(s) on how to properly maintain and conserve the Public Art.

The City of Richmond reserves the right to remove, relocate, deaccession, or replace any of the Public Art on City Property. The City may remove or replace Public Art if the Public Art: no longer retains its physical integrity or authenticity; the Public Art is damaged or of no value; the Public Art is no longer relevant or appropriate; the City can no longer properly preserve and maintain the Public Art; or for any other reason in the City's sole discretion.

All Artists selected to create and install Public Art on City Property shall be required to sign the VARA/CAPA waiver provided in Exhibit B of this document. Artist shall maintain copyright.

IV. PUBLIC ART GIFTS AND LOANS

The following section provides a process for the review of proposed gifts and loans of Artwork to the City of Richmond, and for the placement, care, and preservation of such Artwork.

A. Conditions Governing the Donation of Artwork to the City of Richmond

Potential donors of Artwork must submit the following information and materials to the City prior to gifting or donating Artwork:

1. Digital images of the Artwork which depict it from all sides;
2. A written description of the Artwork, including dimensions (height, width, depth and weight), materials used, and any frames, backings, mounts or anchoring systems to be used in the installation of the Artwork;
3. A site plan which identifies and describes the proposed site for the Artwork and which accurately depicts the Artwork in relationship to the surrounding environment;
4. A written description and/or drawing of the proposed method of installation and a timeline for the transportation and installation of the Artwork;
5. An estimated cost for transporting and installing the Artwork (to be done at donor's expense, unless otherwise agreed to by the City);
6. Written authorization from the City agency with jurisdiction over the site, approving the

- installation of the Artwork;
- 7. A VARA/CAPA waiver signed by the Artist. (See Exhibit B).

The Arts and Culture Manager will review the materials and, if the information is complete, will forward them to the Public Art Advisory Committee for review. The PAAC shall determine the feasibility of the proposed donation and shall forward a recommendation to the Arts and Culture Commission for review. If the Commission recommends acceptance of the proposed Artwork, a recommendation will be made to the City Council for final approval and acceptance of the Artwork.

B. Review and Acceptance Criteria for Donated or Gifted Artwork

Proposed gifts of Artwork shall be evaluated on the following criteria:

1. An analysis of the relationship of the proposed Artwork to its proposed location, and its relevance to its primary audience;
2. An evaluation of the Artwork's aesthetic quality, relative to its form, materials and craftsmanship;
3. The availability and appropriateness of an acceptable site for the Artwork;
4. An analysis of the financial impact of the proposed gift on the Public Art Program, including costs related to the insuring of the Artwork and to any long-term maintenance or conservation costs;
5. An analysis of the impact of the proposed gift on other City departments, to include any routine operations or maintenance requirements.

C. Conditions of Acceptance of Gifted or Donated Artwork

1. The Public Art Advisory Committee and the Arts and Culture Commission encourage clear and unrestricted gifts to the City of Richmond. Any conditions or restrictions attached to a gift or loan must be represented to the Public Art Advisory Committee for review and to the City Council for approval. No Artwork will be accepted with conditions deemed unacceptable by the Public Art Advisory Committee, Commission, or the City Council, nor will any Artwork be accepted with an attribution or circumstance guaranteed in perpetuity.
2. A legal document of transmittal, transferring title or loan of the Artwork, and defining the rights and responsibilities of all parties, must accompany all gifts of Artwork.
3. The City of Richmond requires the donor to obtain a signed copy of the VARA/CAPA waiver (attached hereto in Exhibit B) from the Artist of the donated Artwork.

D. Conditions Governing the Exhibition of Artwork on City Property

This section applies to Public Art that has been provided or loaned to the City free of charge for the City to exhibit temporarily on City Property.

1. Materials to be submitted by Artwork Lender:

Persons or organizations requesting to temporarily exhibit Artwork in or on City-owned property must submit the following to the Arts and Culture Manager:

1. Photographs, digital images, and/or slides of the Artwork to be exhibited.
2. A description of the location where the Artwork will be exhibited and a written authorization

from the City agency with jurisdiction over the site which approves the proposed loan of the Artwork in that location.

3. A written description and/or drawing of the proposed method of installation and a timeline for the transportation and installation of the Artwork.
4. A VARA/CAPA waiver signed by all Artist(s) of the exhibited work. (See Exhibit B).

2. Lender's Agreements:

When exhibiting Artwork on City Property, the Artwork lender (hereinafter the "Lender") shall enter into a written agreement with the City, as approved by the Arts and Culture Manager. As detailed in the agreement with the City, the Lender shall at a minimum agree to the following:

1. Unless otherwise agreed to in writing by the City, the Lender shall be responsible for all costs associated with the transportation, installation, de-installation, and insuring of the Artwork.
2. Upon removal of the Artwork, the Lender must return the site to its original condition and remove any debris caused by or resulting from the exhibition of the Artwork. Such debris includes, but is not limited to, any parts or materials from the Artwork which have been purposefully or not purposefully removed from the body of the Artwork.
3. Unless otherwise agreed to in writing by the City, the Lender must agree to exhibit the Artwork at his/her own risk and to bear the expenses of any losses or damages to the Artwork. The Lender must agree to indemnify, defend, and hold harmless the City and its employees, volunteers, and agents, from any and all liabilities, claims, demands, actions, damages, losses, and costs, in any way arising from or related to the Artwork, or the Lender and/or Artist's acts or omissions related to the Artwork. Additionally, the Lender shall include such indemnification requirements in any agreements between the Lender and the Artists, and ensure that the Artist(s) indemnifies the City and its employees, volunteers, and agents, from any and all liabilities and/or for any damages or losses to the Artwork.
4. The Lender must agree to produce and display an educational label for display next to or near the loaned Artwork.
5. The Lender must agree to remove the Artwork within three days' notice from the City to do so if the Artwork becomes damaged or destroyed and/or becomes a danger or visual impediment to the public, and/or for any other reason in the City's sole discretion.
6. The Lender must obtain a signed VARA/CAPA waiver (as provided in Exhibit B) for any Artist(s) whose Artwork will be included in the exhibition on City Property.

E. Acceptance of Monetary Gifts for the Acquisition of Artwork

Proposed monetary gifts or donations to the City for the purpose of acquiring Artwork shall be referred to the Arts and Culture Commission for review. All recommendations on the acceptance or rejection of proposed gifts of money shall be referred to the City Council for final approval and acceptance.

V. RECORDS AND FILES FOR PUBLIC ART PROJECTS

The Arts and Culture Manager shall, to the best of their ability, maintain records of each Public Art project, whether on City owned property or on private property. The records shall include, but not be limited to, the following:

1. Contract(s) with the Artist(s) and consultants participating in the Public Art project.
2. Records of City Council, Commission, and Public Art Advisory Committee actions bearing on the project.

3. Interdepartmental agreements relating to the siting or implementation of the project.
4. Correspondence, announcements, memoranda, and publicity information relating to the project.
5. Records of all billings made in connection with the project.
6. All proposals submitted and other visual or written materials relating to the Artist’s design or method of execution as they are submitted or become available.
7. Digital image(s) of the Public Art.

VI. CITY CAPITAL IMPROVEMENT PROJECTS APPROPRIATION FOR PUBLIC ART

As required by Section 6.50.020 of the Public Art Program Ordinance, all City Capital Improvement Projects (CIPs), including all City bond measure projects and all other City capital projects funded from outside granting authorities, shall contribute an amount equal to one and one-half percent (1.5%) of the total development costs of any Capital Improvement Project, to be set aside for Public Art. CIPs subject to this requirement shall include, but are not limited to, buildings, shelters, parking garages and lots, restrooms, small structures, parks, medians, landscaping, plazas, gateways, bridges, walls, tunnels, and street and road construction.

Salaries and benefits of public employees supporting CIPs may not be included in the CIP budget when calculating the City’s 1.5% appropriation amount.

VII. Neighborhood Public Art Mini-Grants

The Neighborhood Public Art Mini-Grant program (“NPA program”) is administered by the Arts and Culture Commission. It is funded through the City of Richmond General Fund. An application is released each year by the Arts and Culture Commission.

A. Background

The Neighborhood Public Art Mini grants are designated to stimulate arts and culture in the Richmond community, help emerging Artists of all ages and ethnicities, and fund local visual, literary and performing arts projects. Since 2010, the NPA program has been coordinated by the Arts and Culture Commission, and has engaged hundreds of community members in art projects all over the City of Richmond.

B. Purpose

What an NPA Mini-Grant does:

- Provides local Artists/non-profit arts organizations/community members with funding for their art projects.
- Assists applicants with meeting deadlines, making budgets, and contract compliance.
- Builds community and enables the Artists to pass on their skills by participating in the grants.

- Helps emerging Artists to pass on their skills to others: “each one, reach one, teach one”.

C. Eligible Art Forms

- Visual Arts: paintings, graphics, ceramics, mosaic, crafts, sculpture, murals, etc.
- Performing Arts: spoken word, music, dance, theater, etc.
- Literary Arts: Written fiction, non-fiction, poetry, prose, short stories, etc.

D. Eligibility Criteria for Applicants

Eligible: Richmond residents and Richmond-based arts organizations may apply as individuals, as a team with partners, or as a non-profit arts organization. Licensed "non-profit" organizations may serve as fiscal agents for individual mini grants. If someone is already engaged in a creative project and needs additional funding, they are eligible to apply for a *NPA Mini-Grant*. If anyone has received more than two NPA grants, the City requests that they please consider partnering with an emerging Artist to apply.

Ineligible: "For-profit" (corporate entities) do not qualify for this NPA Mini-Grant. City of Richmond employees, and/or a relatives of a Commissioner or any appointed official, may not apply for this grant, as this relationship represents a conflict of interest.

E. Grant Funding

Final awards will be disbursed in two parts. The first payment will be paid upon signing the contract and the second payment will be paid upon successful completion of the funded project.

F. Selection Process

All proposals received by the deadlines, will be reviewed for completeness and adherence to proposal submission guidelines. Proposals found to be eligible will be reviewed by the Arts and Culture Commission and ranked according to an established review process, using the established review criteria. Pre-qualified candidates will then be invited to make a presentation to the Arts and Culture Commission. From that group, the Arts and Culture Commission will identify a smaller group of semi-finalists, and after a final review, a group of finalists, who will be offered mini grant awards. Incomplete applications will not be evaluated.

G. Grant Duration

Once grantees have been selected, contracts with the City will be prepared and awarded. Projects must be concluded no later than the end of the fiscal year.

Upon completion of each project, and for their final payment, Artists will be required to report back to the Arts and Culture Commission with a written summary and photos as evidence of the process and

completion and results of their creativity. Each awarded project will be assigned a liaison from the Arts and Culture Commission to assist and support the awardee through each step that will lead to a successful project.

H. Additional Requirements

Any Artist who receives awarded funds, but is unable to provide evidence of completion of milestones (50% complete and 100% complete) will be asked to return the funds.

Any Artist who receives awarded NPA grant funds, shall credit the City of Richmond, and the Richmond Arts and Culture Commission as a sponsor for their public art project i.e. mural, social media, etc. A high resolution City of Richmond logo and the Richmond Arts and Culture Commission logo will be provided to each awardee to be used on all written and other published media associated with their project.

VIII. PERFORMING ARTS AND TEMPORARY ARTWORK

The City intends to activate publicly-owned spaces in parks, plazas, streetscapes, and other City-owned property by encouraging performing arts and temporary artworks. Performing arts and temporary artworks enliven communities, provoke conversations and refresh the public realm. Performing arts may be funded by the City through the Public Arts Project Account, the City's General Fund, and/or by private individuals or organizations. The City may initiate performing arts, or individuals or community organizations may initiate or request City consideration of performing arts.

A. Types of Performing Arts and Temporary Artwork Considered

All approaches and media may be considered by the City, in its sole discretion. Performing arts may include, but are not limited to, vocal and instrumental music, dance and theatre, pantomime, and/or sung verse to be performed on City Property (other than in the City's right-of-way). Temporary public art is defined as any art, including visual artworks, projections, digital media, virtual reality, lights, sounds, and other artistic media, to be placed on City Property (other than the City's right-of-way), that is not intended to be permanent and is not made a part of the permanent public art collection.

B. City's Goals for Performing Arts in the City

1. To encourage the temporary placement of thought-provoking, innovative works of high artistic merit that connect people to place;
2. To contribute to Richmond's sense of identity and pride;
3. To build on Richmond's identity as a diverse community and a center for innovation;
4. To engage Artists in projects that stimulate and encourage community interaction;
5. To create pilot projects in potential locations for permanent artworks;
6. To provide opportunities for emerging and established Artists.

C. Requirements for Performing Arts and Temporary Artworks

Temporary artworks and performing arts on any City Property may only be permitted if the City Department responsible for that site is willing to allow the temporary placement of art.

Any physical Artwork included as part of the Performing Arts and/or Temporary Artwork must be constructed to withstand outdoor placement during the City-designated display period. Temporary Artworks and Performing Arts must not create a nuisance in the community where the Artwork is

proposed, especially when employing light or sound. Artwork must not present any public safety hazards or violate City laws or codes. Physical artwork selected for temporary placement may require stamped engineering drawings and permits and have specific insurance requirements as approved in advance by the City. Additionally, environmental review may be required. All Temporary Artworks must be removed by the Artist after prior notice from the City or at an agreed upon time with the City. The Artist must restore the site to its original condition upon completion of the display.

D. Procedures and Program Management

The City may include the commission of City-funded Performing Arts and Temporary Artwork projects in its Public Art Master Plan as discussed in the Public Art Program Ordinance.

1. Artwork Proposed by a Private Individual/Organization

If Performing Arts or Temporary Artwork is being proposed by a private individual or organization, such individual or organization shall submit a proposal to the Arts and Culture Manager.

The proposal shall include the following information:

- The proposed location(s) for the art;
- The Artist's resume;
- The type of artwork and a written narrative describing the artwork;
- A minimum of two photographs of the work, if applicable;
- Where applicable, a description of the construction materials and methods of fabrication and anchoring details;
- A signed VARA/CAPA waiver from any Artist participating in the proposed artwork (as provide in Exhibit B herein).

Projects proposed by private individuals or organizations will be evaluated by Arts and Culture staff for compliance with City standards and requirements and overall program goals. Where appropriate, the Arts and Culture Manager may convene a review panel and/or forward the proposal to the Public Art Advisory Committee for recommendation and Richmond Arts and Culture Commission for approval.

2. Artwork Proposed by the City

For Performing Arts or Temporary Artwork proposed by the City, such projects may be selected through an open Request for Proposal (RFP) process, or by limited invitation, or by a curatorial process that invites Artist proposals. The RFP or invitation typically will indicate the available sites for art placement, the duration of the display, and the City's requirements for insurance, liability, safety, etc. At its discretion, the Arts and Culture staff may convene a panel to review proposals.

The City shall enter into a contract with a selected Artist that shall include, but not be limited to: the Artist's scope of services; the cost for design, fabrication, installation, maintenance and de-installation of commissioned temporary artwork or performing arts, or a fee for the loan and maintenance of pre-existing artwork; indemnification requirements; the Artist as an independent contractor; a signed VARA/CAPA waiver (as provide in Exhibit B herein).

The City may contract for the services of guest curators or non-profit arts organizations to select and curate Performing Arts and Temporary Artworks. When a contracted arts organization or curator is chosen by the City to implement the Performing Arts or Temporary Artworks, the City's Arts and Culture

Manager must be included in the Artist selection process as well as on the project team that reviews design development and implementation.

3. Selection Criteria for Performing Arts and Temporary Artworks

In general, the City may consider, but is not limited to, the following selection criteria when reviewing proposals for Performing Arts and Temporary Artworks:

- Artistic merit-the individual Artist or organization demonstrates high quality or promise through its artistic history and accomplishments;
- Appropriateness of the proposed artwork to site and goals articulated for the project;
- Community engagement or impact- The proposed public presentation is appropriate to the project goals and feasible in its potential to share the work with a defined Richmond audience;
- Feasibility and/or durability;
- The Artist's goals and processes for the proposed artwork are clearly defined, demonstrate originality, clarity and depth of concepts;
- Cultural Equity Impact - Demonstrated ability of the proposed artwork to support Richmond's diverse cultural traditions and values, including capacity to support the City's underserved communities;
- Visibility and accessibility of the performing art or temporary artwork, and compliance with any American Disabilities Act (ADA) requirements.
- Compliance with City codes and any all public art requirements and missions.

4. Review Process for all Performing Arts and Temporary Artworks

The Arts and Culture Commission will review and approve, deny, or suggest revisions to Performing Arts and Temporary Artwork proposals. City Council approval must also be obtained for any Temporary Artworks or Performing Arts projects that are funded through the Public Art Projects Account over \$10,000. In general, the City Council shall reject the Commission's recommendation for the selection of an Artist, Artwork, or design proposal only if there are compelling reasons to do so. Compelling reasons shall be if the City Council determines and substantiates that the Artwork or design proposal: (i) constitutes a public safety threat; (ii) presents long-term maintenance problems; or (iii) creates a negative image or depiction of Richmond's residents, visitors, or neighborhoods.

Temporary and Performing Arts based projects of less than 24-hour duration may be reviewed and approved by the Arts and Culture Manager.

5. Acceptance Conditions

1. The City reserves the right to manage City Property including the removal of the Artwork, for reasons that include but are not limited to matters of public safety, or where Temporary Artwork or Performing Arts elements have been left on City property beyond the agreed terms, or is damaged beyond repair.
2. If an Artwork is not completed within the timeline originally approved by the Arts and Culture Commission, or if changes in content, materials, form, presentation, or financing of the artwork occur, the artwork must be reviewed again by the Arts and Culture Manager and Arts and Culture Commission.
3. In accepting a Temporary Artwork, the City of Richmond requires that the responsible parties

enter into an agreement with the City for the duration of the display that outlines the maintenance responsibilities and agreement to remove the work at the agreed upon conclusion of the display, leaving the site in its original condition or better.

4. Neither the Arts and Culture Commission, nor the City of Richmond, nor any of its agents, will be held liable for any damage or state of disrepair of a Temporary Artwork or any Performing Arts elements or props.
5. The Artist(s) agree to indemnify, defend, and hold harmless the City of Richmond, and its employees, agents, and volunteers, from and against any and all liabilities, claims, demands, actions, damages, losses, and costs, in any way arising from or related to the approved Performing Arts or Temporary Artwork, or the Artist(s) acts or omissions related to the Performing Arts or Temporary Artwork.

6. Documentation

Artists shall assist the Arts and Culture Manager to collect or create documentation that includes the following information:

- Photographs or other documentation of the installed Temporary Artwork or the Performing Arts.
- Mention and/or reviews of the Performing Arts or Temporary Artwork in local press.

IX. PUBLIC ART FUNDS

A. Public Art Project Account

As provided in the Public Art Program Ordinance, the Public Art Project Account is established and maintained by the City for the purpose of funding public art programming consistent with the Public Art Program Ordinance and the Public Art Policies and Procedures.

B. Sources of Public Art Project Account Funds

Public Art Project Account funds shall be comprised of the following:

1. In-lieu contribution fees for Private Development Projects (as discussed in Section II herein);
2. Appropriations collected from City Capital Improvement Projects (as discussed in Section V herein);
3. Monetary donations and gifts to the City for Public Art use;
4. Any other appropriation amounts from the City.

C. Use of Public Art Project Account Funds

Approximately two-thirds of the funds in the Public Art Project Account shall be used for any fees and/or costs directly related to the selection of Artists or Artwork, for the fabrication and installation of Public Art, and for costs associated with displaying and identifying the Public Art. More specifically, Public Art Projects Account funds in this category may be used for, but are not limited to, the following:

1. Any honorarium fee to develop the Artist's design concepts;

2. To purchase or commission Artwork or design elements created by Artists to enhance Richmond’s public spaces and to be placed on City property;
3. Any costs associated with the placement, installation, and display of Public Art;
4. Any costs related to the selection of Artists or Artwork;
5. Selection panelist fees (not including City of Richmond staff or PAAC or Commission members);
6. To establish, create, install, or maintain a designated Public Art space that is generally open to the public during regular business hours, and which may be used as a rotating art gallery, free of charge, or as a designated space to be used for the primary purpose of arts and cultural programming. This does not include those items which contribute to the asset base and normal operating expenses of a resident agency, such as a city museum or gallery, or a private cultural institution.

Approximately one-third of the remaining Public Art Project Account funds shall be used as follows:

1. To maintain, conserve, repair, or relocate already existing and installed Public Art or design elements in the City;
2. To fund any staffing, administrative, and/or contingency costs for the implementation of the Public Art Program;
3. To defray such other expenses which are, or may become, an integral part of the Public Art Program, including community education and outreach, documentation, publicity, or promotion.

D. Ineligible Use of Public Art Project Account Funds

Public Art Project Account funds may not be used for the following:

1. Directional elements such as super-graphics, signage, or color coding except where these elements are integral parts of a Public Art project or are executed by Artists in unique or limited editions;
2. Art objects which are mass produced and of standard design, such as playground equipment or fountains;
3. Reproduction, by mechanical or other means, of original Artwork, except in cases of film, video, photography, printmaking or other media arts;
4. Decorative or functional elements that are designed by the building architect or landscape architect;
5. Landscape architecture, except when deemed to be an integral part of an Artist’s work and relevant to a project under consideration;
6. Those items which contribute to the asset base and normal operating expenses of a resident agency, such as a city museum or gallery, or a private cultural institution;
7. Artwork acquired through third party owners, such as private collectors or auction houses;
8. Architects’ fees, except in such cases where the public art component significantly changes a project architect’s scope of services.

X. EDUCATION AND OUTREACH

In order to stimulate and encourage public awareness of the visual arts, the Arts and Culture Commission will, to every extent possible, initiate events and activities designed to provide a greater understanding of Public Art in the City. The activities and events may include, but are not limited to, the following:

1. Conferences, symposia, workshops, Artists' lectures, Public Art tours;
2. Development of cooperative programs with educational and arts institutions and community organizations;
3. Regular distribution of promotional and publicity packets, to include press releases, public service announcements, and public art newsletter;
4. Educational material written specifically for Richmond schools at appropriate levels for elementary, middle and high school students.

EXHIBIT A Public Art in Private Development Application Form

Public Art in Private Development Application Form

To Be Completed by Private Developer (Applicant) and Submitted to Arts and Culture Manager

As required by the Public Art Program Ordinance in Section 6.50.030 of the Richmond Municipal Code, Private Developers subject to the requirements of the Chapter are required to provide 1% of the Building Development Costs (as defined in Chapter 6.50 of the RMC) as a public art contribution in one of three ways:

- (1) by including On-Site Publicly Accessible Art as further provided in RMC Section 6.50.030(C);
- (2) by paying an in-lieu contribution fee as set forth in RMC Section 6.50.030 (D); or
- (3) by designating a Public Art space by Special Process as set forth in RMC Section 6.50.030 (E).

Development Address:	Estimated Building Development Costs (Labor And Materials):
	Estimated Development Size (Square Feet):
Applicant / Architect Name:	Owner Name:
Address:	Address:
Phone:	Phone:
Email:	Email:

Final Building Development Costs will be confirmed at the time of the Private Development Building Permit application. Should the final Building Development Costs (labor and materials) submitted for the purpose of Building Permit application indicate a higher amount, then the 1% fee will be based on the higher Building Development Costs.

1% of Estimated Building Development Costs: \$ _____

Please choose one of the following options:

- A. Inclusion of On-Site Publicly Accessible Art
- B. Payment of in-lieu contribution
- C. Designating a Public Art space by special process

Applicant Signature: _____

Date: _____

For City of Richmond Arts and Culture Manager Use Only:

Building Permit Number: _____

Requirement Satisfied with Option A, B, or C:

Date of Building Permit Issuance: _____

Signature _____

Date _____



EXHIBIT B Waiver and Release of VARA, CAPA, and other Artists’ Rights

Waiver and Release of VARA, CAPA, & Other Artists’ Rights

In consideration for the City of Richmond (the “City”) selecting _____ (the “Artist”) to create artwork for a public art project as further described below (the “Artwork”), the Artist hereby acknowledges and agrees, on behalf of himself or herself, and his or her organization, employees, agents, and/or volunteers, to the following:

VARA/CAPA Release and Waiver

Artist hereby waives any and all rights Artist may have with respect to the Artwork (as further described below) under the federal Visual Artists Rights Act of 1990 (17 U.S.C. sections 106A and 113(d)), the California Art Preservation Act (Cal. Civil Code sections 987 et seq.), and any other local, state, federal or international laws that convey rights of the same nature as those conveyed under 17 U.S.C. § 106A, Cal. Civil Code § 987 et seq. The provisions of this paragraph shall apply to modify Artist’s rights of attribution and integrity as set out in the Visual Artists Rights Act, 17 U.S.C §§ 106A and 113(d) (“VARA”), the California Art Preservation Act, Cal. Civil Code §§ 987 and 989 (“CAPA”), and any rights arising under United States federal or state law or under the laws of another country that convey rights of the same nature as those conveyed under VARA and CAPA, as against the City of Richmond, its officers, officials, employees and agents. The City has the absolute right to change, modify, destroy, remove, relocate, move, replace, transport, repair or restore the images of the Artwork.

Title of Artwork or Public Art Project: _____

Location Of Artwork or Public Art Project: _____

Description of Artwork or Public Art Project:

Artist Name/Organization: _____

Artist’s Address: _____

Artist Signature:

Date:

Exhibit C: Public Art in Private Development Process Chart

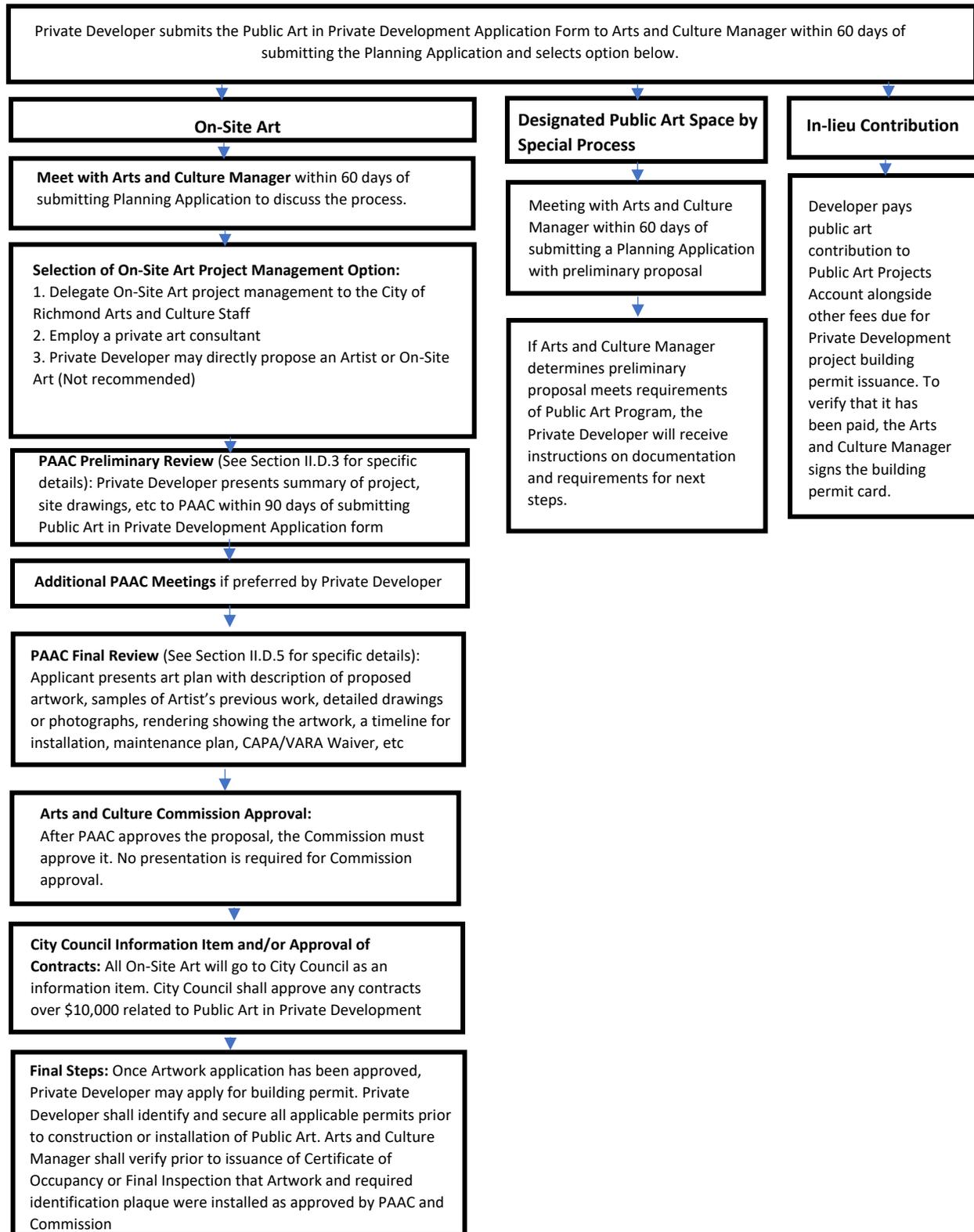


Exhibit D: Public Art in Private Development Payment Chart

