

NOTICE OF REGULAR MEETING

Pursuant to Section 54954.2 of the Government Code of the State of California, a Regular Meeting of the **TRACY ARTS COMMISSION** is hereby called for:

Date/Time: Tuesday, November 8, 2022, 7:00 p.m.
(or as soon thereafter as possible)

Location: Grand Theatre Center for the Arts, Visual Arts 1
715 Central Avenue, Tracy, CA 95376

THIS MEETING WILL BE OPEN TO THE PUBLIC FOR IN-PERSON PARTICIPATION. IN ACCORDANCE WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH GUIDELINES, UNIVERSAL MASKING IS RECOMMENDED FOR ALL PERSONS REGARDLESS OF VACCINATION STATUS.

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Tracy Arts Commission on any item, before or during consideration of the item, however, no action shall be taken on any item not on the agenda.

1. Call to Order
2. Roll Call
3. Items from the Audience - *In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2019-240, any item not on the agenda brought up by the public at a meeting shall be automatically referred to staff. If staff is not able to resolve the matter satisfactorily, the member of the public may request a Tracy Arts Commission member to sponsor the item for discussion at a future meeting.*
4. Approval of Minutes from the Meeting of October 11, 2022
5. Old Business
 - A. Continue Discussion of 2022 Annual Report for City Council
6. New Business
 - A. Review 2022-23 Work Plan
 - B. Review and Approve 2023 Civic Art Plan Draft
7. Correspondence
8. Items from the Commission
9. Items from Staff
10. Adjournment

POSTED: November 3, 2022

The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in public meetings. Persons requiring assistance or auxiliary aids in order to participate should call City Hall at (209) 831-6000, at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Tracy Arts Commission regarding any item on this agenda will be made available for public inspection in the Cultural Arts Division located at 715 Central Avenue, Tracy, CA during normal business hours.

TRACY ARTS COMMISSION
MEETING MINUTES
October 11, 2022, 7:00 p.m.

Grand Theatre Center for the Arts, 715 Central Avenue

Chair Reis called the meeting to order at 7:03 p.m.

Roll call found Commissioners Dhugga, Lees, Reis, Sandhu and Skinner present.

Staff Present: William Wilson, Cultural Arts Supervisor
Anna Cross, Cultural Arts Division Manager

Recorded By: William Wilson, Cultural Arts Supervisor

1. ITEMS FROM THE AUDIENCE

None.

2. APPROVAL OF MINUTES FROM THE REGULAR MEETING ON SEPTEMBER 13, 2022

ACTION Motion by Vice Chair Dhugga, seconded by Commissioner Lees to approve the minutes as submitted. Voice vote found all in favor; motion carried 5:0

3. APPROVAL OF MINUTES FROM THE SPECIAL MEETING (SPECIAL EVENTS) ON SEPTEMBER 19, 2022

ACTION Motion by Vice Chair Dhugga, seconded by Commissioner Skinner to approve the minutes as amended. Voice vote found all in favor; motion carried 5:0

4. APPROVAL OF MINUTES FROM THE SPECIAL MEETING (BUDGET) ON SEPTEMBER 19, 2022

ACTION Motion by Vice Chair Dhugga, seconded by Commissioner Skinner to approve the minutes as amended. Voice vote found all in favor; motion carried 5:0

5. RECEIVE 2022 GRANTING PROGRAM UPDATE

CAS Wilson provided the Staff Report and project updates for the awardees, Sister City Association of Tracy, Tiffanie Heben, and the Tracy Art League. CAS Wilson advised additional project updates will be provided in January.

6. REVIEW AND APPROVE FY2022-23 BUDGET AND PROGRAMMING RECOMMENDATIONS

CAS Wilson provided the Staff Report. Vice Chair Dhugga requested a correction to Participation in Arts Month – April 2023, clarifying the intended presentation of three workshops featuring the performing arts where not limited to youth participants. This

correction corresponds to edits made in Special Events and Budget Subcommittee minutes from the special meetings of September 19.

ACTION Motion by Commissioner Lees, seconded by Vice Chair Dhugga to approve the FY2022-23 Budget and Programming Recommendations as amended. Voice vote found all in favor; motion carried 5:0

7. REVIEW AND APPROVE MULTI-GENERATIONAL RECREATION CENTER CIVIC ART RECOMMENDATIONS

CAS Wilson provided the Staff Report and thanked the Commissioners for their efforts to craft recommendations for this high-profile and important project in a timely manner.

ACTION Motion by Vice Chair Dhugga, seconded by Commissioner Sandhu to approve the Multi-Generational Recreation Center Civic Art Recommendations as submitted. Voice vote found all in favor; motion carried 5:0

8. DISCUSSION OF 2022 ANNUAL REPORT FOR CITY COUNCIL

CAS Wilson provided the Staff Report. Commissioners agreed to include Tracy Arts Month – April 2022, the Downtown Tracy Artwalk – June, July & September 2022, Civic Art projects, the 2022 Granting Program, 2022-23 Open Mic Night event series, and a look ahead for 2023 in the Annual Report.

Commissioners agreed that programming collaborators should be invited to be publicly acknowledged at the presentation to City Council. CAS Wilson will provide a contact list to Chair Reis and Commissioner Skinner. Commissioner Skinner will work to create a short video to be incorporated into the Annual Report. CAS Wilson requested Commissioner and event photos be emailed to him for use in the project.

9. ITEMS FROM THE COMMISSION

Commissioners Lees, Dhugga, and Reis gave brief summaries of their activities relating to arts and culture within the last month.

10. ITEMS FROM STAFF

CAS Wilson advised a Work Plan for 2022-23 programming and projects will be presented at the meeting of November 8. CAS Wilson inquired if all Commissioners intend to be present at the meeting of December 13, with Commissioners confirming their availability.

11. ADJOURNMENT – Time: 8:14 p.m.

ACTION Motion by Commissioner Sandhu, seconded by Vice Chair Dhugga to adjourn. Roll call vote found all in favor; passed and so ordered.

The above agenda was posted at the Tracy City Hall on October 6, 2022. The above are action minutes. Materials distributed to the majority of the Tracy Arts Commission, staff records and/or audio recording is available in the Cultural Arts Division located at 715 Central Avenue.

**CITY OF TRACY
TRACY ARTS COMMISSION MEETING
NOVEMBER 8, 2022**

AGENDA ITEM 5.a.

REQUEST

CONTINUE DISCUSSION OF THE 2022 ANNUAL REPORT FOR CITY COUNCIL

DISCUSSION

The Tracy Arts Commission (TAC) presented its first Annual Report to the City Council in February, 2022. This inaugural report provided an overview of programming for 2019, 2020 and 2021, as well as projected goals for FY2021-22. Originally the TAC intended to present the 2021 Annual Report in-person at the City Council meeting, however the presentation was modified as the meeting was moved to remote viewing and participation due to COVID-19 safety protocols.

It is anticipated that the TAC will present the 2022 Annual Report featuring programming highlights from calendar year 2022, as well as goals for FY22-23, in-person at a City Council meeting in February 2023. CAD Staff will prepare a Staff Report and presentation in the form of a slide show. The TAC Chair, or other designated representative, will present the information at the City Council meeting.

2022 Annual Report content will be identified through TAC discussion in October and November, with review and approval at the meeting on December 13.

FISCAL IMPACT

Staff costs related to support of the Tracy Arts Commission are included in the Cultural Arts Division Administrative General Fund budget.

RECOMMENDATION

Continue Discussion of the 2022 Annual Report for City Council

Prepared By: William Wilson, Cultural Arts Supervisor

Reviewed By: Anna Cross, Cultural Arts Division Manager

Approved By: Anna Cross, Cultural Arts Division Manager

**CITY OF TRACY
TRACY ARTS COMMISSION MEETING
NOVEMBER 8, 2022**

AGENDA ITEM 6.a.

REQUEST

REVIEW 2022-23 WORK PLAN

DISCUSSION

Periodically Cultural Arts Division Staff will develop a time-based Work Plan to assist the planning and execution of Tracy Arts Commission programming. At the meeting of October 11, the Tracy Arts Commission reviewed and approved FY2022-23 Budget and Programming Recommendations. The 2022-23 Work Plan outlines meeting agenda items, programming and projects, and the associated tasks for Staff and Commissioners to complete.

ATTACHMENT A

2022-23 Work Plan

FISCAL IMPACT

Appropriation of Tracy Arts Commission funding in the Cultural Arts Division FY2022-23 budget in the amount of \$11,447 has been approved for programming.

RECOMMENDATION

Review 2022-23 Work Plan

Prepared By: William Wilson, Cultural Arts Supervisor

Reviewed By: Anna Cross, Cultural Arts Division Manager

Approved By: Anna Cross, Cultural Arts Division Manager

ITEM 6A – ATTACHMENT A

Tracy Arts Commission 2022-23 Work Plan

October Staff Tasks:

- Assemble 2022 artist contact list; email to Commissioners Reis and Skinner
- Build 2022-23 Work Plan for November TAC review
- 27th W. 10th St. Mural Project proposals due 10/24
- 2022 Annual Report Draft V1 Outline
- Complete CAP Revise; email (with 2003 CAP) to Alison Bouley, Harris & Associates

November 8, 2022 Agenda:

- Review 2022-23 Work Plan
- Review and Approve 2023 Civic Art Plan Draft
- Continue Discussion of 2022 Annual Report for City Council
- 27th W. 10th St. Mural Project RFP V2 Update

► November Programming & Projects:

- Open Mic Night 11/10 @ 7 pm
- 2022 Annual Report Draft V1 Comp

► November Commissioner Tasks:

- Commissioners to provide portrait photos to CAS Wilson for 2022 Annual Report
- Commissioners to provide event photos to CAS Wilson for 2022 Annual Report
- Chair Reis to contact TAC collaborators & invite to participate in 2022 Annual Report
- Commissioner Skinner to begin production of video short for 2022 Annual Report

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December 13, 2022 Agenda:

Begin Discussion of Tracy Arts Month Programming, April 2023

- Continue Discussion of 2022 Annual Report for City Council

► December Programming & Projects:

- 2022 Annual Report Draft V2 Comp

► December Commissioner Tasks:

- Chair Reis to confirm TAC collaborators invited to participate in 2022 Annual Report
- Commissioner Skinner to complete production of video short for 2022 Annual Report

January 10, 2023 Agenda:

- Subcommittee Appointments for 2023
 - Receive 2022 Granting Program Update (TH Final Report & TAL Project Update 03)
 - Review & Approve 2022 Annual Report for City Council
 - Continue Discussion of Tracy Arts Month Programming, April 2023
- January Programming & Projects:
- Open Mic Night 01/19 @ 7 pm
 - Master Plans to City Council including 2023 Civic Art Plan Draft, TBD
 - Release 2023 Granting Program RFP
 - Issue Invitations to Youth Arts Festival Community Committee Meeting #1
- January Commissioner Tasks:
- Commissioners & Staff to identify and invite Instructors for TAM Drama Workshops
-

February 14, 2023 Agenda:

- Continue Discussion of Tracy Arts Month Programming, April 2023
 - Continue Discussion of 2022 Annual Report for City Council
- February Programming & Projects:
- Open Mic Night 02/16 @ 7 pm
 - 2022 TAC Annual Report presentation to City Council, TDB
 - Tracy Art League presents Expressions! (2022 Granting Program Project)
 - Youth Arts Festival Community Committee Meeting #1, TBD
- February Commissioner Tasks:
- Commissioners & Staff to identify and invite Instructors for TAM Drama Workshops
-

March 14, 2023 Agenda:

- Continue Discussion of Tracy Arts Month Programming, April 2023
 - Youth Arts Festival Community Committee Report
- March Programming & Projects:
- 2023 Granting Program Application Deadline, TBD
 - Open Mic Night 03/16 @ 7 pm
 - TAM Drama Workshop Instructor confirmations and processing
- March Commissioner Tasks:
- TBD

April 11, 2023 Agenda:

- Receive 2022 Granting Program Update (TAL Final Report)
- Review & Approve 2023 Granting Program Proposals
- Begin Discussion of Downtown Tracy Artwalk Programming
- Continue Discussion of Tracy Arts Month Programming, April 2023

► April Programming & Projects:

- Tracy Arts Month
- Open Mic Night 04/20 @ 7 pm

► April Commissioner Tasks:

- TBD
-

May 9, 2023 Agenda:

- Continue Discussion of Tracy Arts Month Programming, April 2023
- Continue Discussion of Downtown Tracy Artwalk Programming

► May Programming & Projects:

- Open Mic Night 05/18 @ 7 pm
- 2023 Granting Program Agreements & Awards
- Artwalk Emerging Artists confirmations and processing

► May Commissioner Tasks:

- TBD
-

June 13, 2023 Agenda:

- Election of Chair & Vice Chair for 2023-24
- Continue Discussion of 2022-23 Open Mic Nights
- Continue Discussion of Downtown Tracy Artwalk Programming

► June Programming & Projects:

- Open Mic Night 06/15 @ 7 pm
- Downtown Tracy Artwalk 06/24 (tentative)

► June Commissioner Tasks:

- Commissioners to prepare and deliver Artwalk participant hospitality
-

Other:

- Multi-Generational Recreation Center Civic Art Projects, TBD

**CITY OF TRACY
TRACY ARTS COMMISSION MEETING
NOVEMBER 8, 2022**

AGENDA ITEM 6.b.

REQUEST

REVIEW AND APPROVE 2023 CIVIC ART PLAN DRAFT

DISCUSSION

The City of Tracy has made significant and innovative investments in the arts as essential services contributing to the quality of life and the local economy across the past three decades. Execution of the Civic Art Program is a complex process, requiring communication and active participation of the residents and leadership of a community. The goal is to craft a collection of art, creative projects, and offer experiences that reflect the interests and values of our community, as well as the unique characteristics of the City, over time. In Tracy, the process has been able to build upon a remarkable foundation through the extensive work undertaken by the community during the development of the Cultural Arts Master Plan in 1999 and the Tracy Tomorrow 2000 Report. Community members, the Tracy Arts Commission (TAC), and City Staff provided committed leadership and vision to launch the Civic Art Plan (CAP) in 2003. These collective efforts continued and supported the design, construction, and opening of the Grand Theatre Center for the Arts in 2007.

The Tracy Arts Commission, in collaboration with the Cultural Arts Division (CAD), has given significant attention to revision of the Civic Art Plan, as it is complementary and valuable to Tracy's history, diversity, growth, and downtown redevelopment. While the CAP of 2003 identified goals and recommendations to address priorities and reflect best practices, it did not contain dedicated sources of funding for projects or ongoing maintenance of the collection. Since 2007 with addition of CAD Staff support, the activated Civic Art Program has grown into a meaningful entity. The City Art Collection currently contains 11 large-format exterior works and 106 artworks and historic objects dedicated to interior display. 70 artists – from local acclaim to national prominence – are represented. Artworks and objects are added to the Collection in several ways including donations, gifts of state, and through City purchases from community arts programming. The Collection is a capital asset with an estimated value of at least \$600,000.

The CAP of 2023 reflects additional changes in our community including diverse population growth, new public amenities, ongoing downtown redevelopment, and a commitment to preserve historical context within. The CAP provides the goals, vision, and policies to build the Civic Art Collection and foster community partnerships to identify, fund, and facilitate public art going forward. The TAC has included recommended funding strategies for City Council to consider in order to maximize impact and avoid additional lost opportunities.

ATTACHMENT A

2023 CIVIC ART PLAN DRAFT

FISCAL IMPACT

Appropriation of Tracy Arts Commission funding in the Cultural Arts Division FY2022-23 budget in the amount of \$11,447 has been approved for programming.

With City Council's review and approval of the 2023 Civic Art Plan, the Civic Art Program could receive additional funding, estimated to begin in FY2024-25.

RECOMMENDATION

Review and Approve 2023 Civic Art Plan Draft

Prepared By: William Wilson, Cultural Arts Supervisor

Reviewed By: Anna Cross, Cultural Arts Division Manager

Approved By: Anna Cross, Cultural Arts Division Manager

ITEM 6B – ATTACHMENT A

CITY OF TRACY 2023 CIVIC ART PLAN DRAFT

- I. EXECUTIVE SUMMARY**
- II. OVERVIEW OF PLANNING PROCESS**
- III. CIVIC ART PROGRAM GOALS**
- IV. CIVIC ART PROGRAM RECOMMENDATIONS**
- V. FUNDING RECOMMENDATIONS**
- VI. IMPLEMENTATION & PROGRAM SUMMARY**
- VII. CIVIC ART PROGRAM GUIDELINES**

I. EXECUTIVE SUMMARY

Public art and creative placemaking contributes to the economic vitality of cities across the Nation through the enhancement of the urban environment, as well as by fostering a sense of community pride and identity. Civic or public art programs involve creatives in the development of a variety of environments. Artists and designers enhance public facilities and spaces by creating artworks that range from purely decorative to functional, including murals, sculptures, benches, lighting, bus shelters, wayfinding, and pathways. Efforts to extend, improve, and maintain infrastructure such as bridges, parks, or buildings present opportunities to make communities more appealing. Civic art programs, operating as part of these construction projects, enable the simultaneous enhancement of aesthetic and environmental qualities.

The City of Tracy has made significant and innovative investments in the arts as essential services contributing to the quality of life and the local economy across the past three decades. Execution of the Civic Art Program is a complex process, requiring communication and active participation of the residents and leadership of a community. The goal is to craft a collection of art, creative projects, and offer experiences that reflect the interests and values of our community, as well as the unique characteristics of the City, over time. In Tracy, the process has been able to build upon a remarkable foundation through the extensive work undertaken by the community during the development of the Cultural Arts Master Plan in 1999 and the Tracy Tomorrow 2000 Report. Community members, the Tracy Arts Commission (TAC), and City Staff provided committed leadership and vision to launch the Civic Art Plan (CAP) in 2003. These collective efforts continued and supported the design, construction, and opening of the Grand Theatre Center for the Arts in 2007.

The Tracy Arts Commission, in collaboration with the Cultural Arts Division (CAD), has given significant attention to revision of the Civic Art Plan, as it is complementary and valuable to Tracy's history, diversity, growth, and downtown redevelopment. While the CAP of 2003 identified goals and recommendations to address priorities and reflect best practices, it did not contain dedicated sources of funding for projects or ongoing maintenance of the collection. Since 2007 with addition of CAD Staff support, the activated Civic Art Program has grown into a meaningful entity. The City Art Collection currently contains 11 large-format exterior works and 106 artworks and historic objects dedicated to interior display. 76 artists – from local acclaim to national prominence – are represented. Artworks and objects are added to the Collection in several ways including donations, gifts of state, and through City purchases from community arts programming. The Collection is a capital asset with an estimated value of at least \$600,000.

The CAP of 2023 reflects additional changes in our community including diverse population growth, new public amenities, ongoing downtown redevelopment, and a commitment to preserve historical context within. The CAP provides the goals, vision, and policies to build the Civic Art Collection and foster community partnerships to identify, fund, and facilitate public art forward. The TAC has included recommended funding strategies for City Council to consider in order to maximize impact and avoid additional lost opportunities.

II. OVERVIEW OF PLANNING PROCESS

Civic Art Plan Development History

In 2001 City Council asked the then, Cultural Arts Commission (CAC) – now Tracy Arts Commission – to develop recommendations regarding a series of potential entry monuments. The CAC requested the project be adapted to the broader context of civic art and community design. Council concurred and allocated funding for the development of a Civic Art Plan. Cusick Consulting was hired in May 2002 to work with the City and the CAC.

The Consultant conducted site visits, meetings, and gathered feedback from elected officials, community leaders, City Staff, artists, and residents. Tracy also engaged in an extensive community visioning process, *Tracy Tomorrow 2000**. The Community Enrichment section contained the following issues related to civic art and community design:

- The lack of cultural opportunities
- The feeling that the cultural arts are an essential part of a well-rounded community
- The need to make downtown more pedestrian friendly
- The need to beautify the core areas of Tracy
- The concern about the appearance of main thoroughfares, landscape and lighting districts, and gateways into the City

The CAP was designed to assist the City in addressing many of these issues, as well as realize aspects of the Community Enrichment Task Force's overall vision. Specifically, how civic art could play a role in shared historic and cultural identity, as well as downtown enhancement and redevelopment. City Council adopted the Civic Art Plan in 2003 (Resolution 2003 02).

** The Tracy Tomorrow 2000 Project was initiated by the Tracy City Council to establish citizen task forces to evaluate, make recommendations, and propose solutions in response to Tracy's growth in the areas of transportation, education, economic development, land use, and community enrichment. On June 6th, 2001, Council was presented with the Tracy Tomorrow 2000 Final Report.*

III. CIVIC ART PROGRAM GOALS

In Tracy, civic art projects build new relationships between the past, present and future. This programming enhances the downtown redevelopment, represents the diversity of the community, beautifies spaces and places, and celebrate the arts and culture. As Tracy continues to shape an identity reflective of its leadership within the region, civic art helps define that identity by creating new icons for the community to embrace, and for visitors to admire and reference.

In establishing a revised Civic Art Plan, the City of Tracy aspires to achieve:

- To contribute to the quality of life of the residents of Tracy through the creation of high-quality civic projects and access to a broad array of artistic experiences.
- To expand the knowledge and understanding of the community's history and culture.
- To celebrate the diversity of our neighborhoods and public spaces.
- To promote and produce aesthetic success.
- To support the economic vitality of the City through increased property values and cultural tourism.
- To reinforce downtown as a destination featuring the arts, education, and entertainment.
- To foster public/private partnerships for the creation and sustainability of civic art.

IV. CIVIC ART PROGRAM RECOMMENDATIONS

A. Program Components

Key to success in civic art is the establishment of a program that is diverse and inclusive, one that allows for a multiplicity of approaches and aesthetic solutions, to ensure that the resulting artworks

are as varied as the community. It is recommended that the City of Tracy continue to execute a Civic Art Program comprised of different components. The CAP strives to develop and support a variety of approaches to public art, including projects that express a variety of aesthetic and cultural perspectives, incorporate recycled materials, projects with a range of budgets, and projects that target artists with different levels of experience, as well as working in different media.

The Civic Art Program includes the following:

- Civic Art integrated into applicable City of Tracy Capital Improvement Projects (CIP).
- Civic Art integrated into new and existing private sector development.
- City Art Collection: semi-permanent and portable works of art acquired by the City, either through gifts or purchases, which are displayed in municipal facilities and public spaces.
- Temporary and artist-initiated public art projects.

B. Priority Locations for Civic Art

A critical component of the planning process involves City Staff working with the Tracy Arts Commission's Civic Art Subcommittee (CAS) to assist in the development of design approaches and recommendation of locations throughout the City of Tracy. The CAS has identified priority locations and potential locations for public artworks and projects. A number of contributing factors lead to the selection of locations including public access, the availability of publicly owned land, future growth, and potential partners.

- Civic Center Plaza & Campus, including Community Center & Senior Center
- City-wide Park System
- Downtown Public Transportation & Bowtie Developments
- Grand Theatre Center for the Arts
- Historic Downtown
- Legacy Fields Sports Park
- Multi-Generational Recreation Center
- West Side Market Building & Jackson Alley

C. Potential Locations for Civic Art

- 11th Street Bridge (Phase II Pilaster Signage)
- Gateways & Entrances to the City
- Points of Public Congregation throughout the City
- Tracy Animal Shelter
- Tracy Municipal Airport
- Tracy Nature Park (Biking/Walking Trails & Educational Center)
- Tracy Public Library or New Library

D. Components of the Civic Art Program

Although civic art and design enhancements can be undertaken piecemeal, it is best-practice to utilize a comprehensive approach guided by a long-term vision to yield the impactful results. This revision to the CAP identifies the dedicated resources needed to ensure its implementation and continued success.

1. Tracy Arts Commission

The Tracy Arts Commission has an important role to play in facilitating the implementation of the CAP and contributing to the cultural wealth of the community. The TAC advises City Council on projects, reviews applicable Capital Improvement Projects for artistic enhancement, evaluates artist's concepts and proposals, and serves as ambassadors to the community-at-large regarding the Civic Art Program.

A two-member Civic Art Subcommittee serves the TAC and works with CAD Staff to evaluate and recommend. CAS recommendations are presented to the TAC for review and approval. TAC recommendations are presented to City Council as needed or requested, with all public art projects valued at \$15,000+ to be reviewed and approved by City Council.

In order to provide assistance with these responsibilities and procedures, Cultural Arts Division Staff (Cultural Arts Supervisor) serves as the lead TAC Liaison in order to manage projects and provide specific expertise in collaboration with City Staff at-large. Areas of expertise include architecture, curatorial practice, design, fabrication, fine art, landscaping, lighting, preservation, risk management, urban planning, and creative placemaking. In addition, community stakeholders and professional specialists are consulted and invited to participate in project development, and to provide feedback.

2. Cultural Arts Division Staff

The CAP requires dedicated Staff with professional expertise in public art in order to ensure success. The CAP has been managed by the Arts Program Manager (2003-06) Gallery Supervisor (2006-10) and Cultural Arts Manager/Supervisor (2011 to present) since adoption.

As the CAP grows, the management duties and workload may significantly increase. It is foreseeable that several projects could develop and remain ongoing with continued community growth into the 21st Century. It is recommended that the position of Civic Art Coordinator (within the Cultural Arts Division) be considered to assist operations of the CAP under the supervision of the Cultural Arts Supervisor.

Civic Art Coordinator responsibilities should include:

- Assisting in the development of project plans and budgets via Request for Proposals (RFP) and Request for Qualifications (RFQ), in collaboration with City Staff and the Tracy Arts Commission
- Assisting in the artist selection process for civic art projects
- Assisting in the development of civic art projects, including contracts, design review, fabrication, installation, and maintenance
- Records keeping and database of the City Art Collection
- Serving as a community resource for civic art and design
- Providing additional Staff support to the Tracy Arts Commission
- Research and development of additional funding sources such as grants, underwriting, and sponsorship supporting civic art

3. Division/Department Collaboration

In addition to a comprehensive vision and professional Staff, the third component of a successful Civic Art Program is effective cross-City collaboration, including the ability to build working relationships with and draw upon the resources of several service areas including Economic Development, Engineering, Planning, Public Works, Parks, Safety Services, Legal and Risk Management.

The Cultural Arts Division and the Tracy Arts Commission work collaboratively with municipal agencies to best serve the goals of the Civic Art Program.

Examples of this type of collaboration include:

- Planning or policy recommendations that affect public spaces with existing public art.

- Planning or policy recommendations that may establish new municipal facilities or public spaces.
- Grants or other funding sources for which public art could be an eligible component.
- Process of selecting a project architect, landscape architect or project manager where by the project is planned to include an artist or public art components.

V. FUNDING RECOMMENDATIONS

A. Public Funding

Dozens of states and counties, and several hundred cities, across the country have public art programs. These programs are funded from a variety of sources including eligible Capital Improvement Project funding, bonds, grants, developer fees, utilities fees, transient occupancy taxes, private contributions, and corporate sponsorship. A majority of the programs are funded through legislative mandates that allocate a percentage of Capital Improvement Project budgets for the inclusion of artworks and artist designed components. In addition, in many cities the requirement may also apply to private development projects. The typical percentage varies by program from a low of one half of one percent (.5%) to a high of two percent (2%). These funds are utilized for public art projects, purchases to develop municipal art collections, temporary projects, arts programming, art enhancements in areas of minimal construction and/or redevelopment, and aesthetic improvements to business districts and points of community congregation.

In San Joaquin County, the City of Stockton operates a percent-for-art program, and leads the area with a collection of over 60 large format works. Many others in the region including Dublin, Sacramento, San Francisco, San Jose and Walnut Creek have established varying percent-for-art programs with success and acclaim.

The Tracy Arts Commission recommends the following effective FY2024-25:

- Civic Art Staff, Subcommittee members and/or Artists/Designers be included on the development teams of eligible Capital Improvement Projects.
- Eligible CIPs are defined as any Capital Improvement Project in the City of Tracy funded wholly or in part by the City to construct or remodel a municipal building, aesthetic, decorative or commemorative structures, parks and recreation areas, congregation spaces, parking lots/structures, thoroughways including roads, highway, sound walls, bridges, overpasses, sidewalks, bikeways, trails, waterfronts, etc.
- Ineligible CIPs are defined as below-grade utilities, street surfacing, and any restorative general maintenance, as well as those with little to no public accessibility or facing.
- Qualifying interior CIPs with a budget of \$250,000+ require a public art component as part of the Civic Art Program. \$250,000 CIP = \$2,500 Civic Art Component

- Qualifying exterior CIPs with a budget of \$1,000,000+ require a public art component as part of the Civic Art Program. \$1,000,000 CIP = \$10,000 Civic Art Component
- 1% of the total qualifying project budget shall be allocated for artist designed enhancements and related services.
- 1% may also be funded with estimated expenses for project amenities, (such as flooring, lighting, seating, bike racks, etc.) as specified within a project, and not with additional CIP funding when utilized. This scenario represents a budget effective, cost trade whereby the artist designs and manufactures project amenities at a neutral expense.
- Annual allocation for the Civic Art Program from the general fund (Cultural Arts Division budget) to manage, maintain and grow the City Art Collection in the amount of no less than \$2,000. Typical expenses would include signage, minor maintenance such as cleaning, mounting or framing, acquisition and promotions.

B. Funding from Private Development

In order to ensure that the arts play a significant role in the built environment and to provide broad access to the arts for their residents, many cities have adopted art requirements or fees for private sector development projects.

The Tracy Arts Commission recommends the following:

- City Staff to encourage incorporation of and advise developers on the benefits of including civic art and artist-designed components in public facing commercial, industrial and residential projects. This effort would benefit the community-at-large, improving the visual appeal of elements associated with gateways, parking lots, fencing, signs, landscaping, hardscaping, recreational spaces, and architecture. An excellent example of this type of effort is seen in the environment signage project at Aspire Apartments located at 2725 Pavilion Parkway.
- Private commercial, industrial and residential development projects valued at \$1,500,000 or more, and capped at a \$5,000,000 valuation, contribute .25% to a Civic Art Fund. The Civic Art Fund would be used to fund or partially fund new public art projects approved by the Tracy Arts Commission and City Council, costs associated with the maintenance and display of the City Art Collection, as well as the City presented arts programming of the Cultural Arts Division.

\$1.5M = \$3,750 minimum contribution to \$5M = \$12,500 maximum contribution

Civic Art Fund Contributions:	80% Public Art Projects
	10% Maintenance and Display
	10% Arts Programming

C. Other Potential Funding Sources

The Tracy Arts Commission recommends the following:

- City Staff to continue to explore additional funding for civic art through the pursuit of grants, gifts and corporate sponsorship.

These funding opportunities range from state and federal grants, such as Community Development Block Grants and Transportation Enhancement funds, to specialized funding of the California Arts Council and the AARP Community Challenge.

Gifts can be accepted from artists and collectors to enhance the City Art Collection, while some corporations feature community giving programs and seek to improve the quality of life of their workforce and clients.

VI. IMPLEMENTATION & PROGRAM SUMMARY

2003-04 Staff in collaboration with the Tracy Arts Commission (then Cultural Arts Commission) forms the Ad Hoc Civic Art Task Force to develop funding recommendations and public art collection strategies outlined in the City Council adopted City of Tracy – Civic Art Plan, Resolution 2003-02

Formal recognition of the City Art Collection (est. FY99-00 – 2002-03 with 10 works)

Acquisition of 2 works

2004-05 Tracy Arts Commission reviews and approves Task Force recommendations

Acquisition of 2 works

2005-06 City Staff (Arts Program Manager) hired to manage Cultural Arts Division and the future Grand Theatre Center for the Arts

Acquisition of 2 works

2006-07 Establishment of pre-qualified pool of artists to begin a database containing local, regional and national artists working in the realm of public art in a variety of media.

Cultural Arts Division Staff (Gallery Supervisor) hired to manage Civic Art Program in collaboration with the Tracy Arts Commission.

Major Acquisition via public/private partnership with the Hometown Heritage Foundation: Lawrence Noble, *After The Fire*, Bronze Statue & Dedication Plaque
Fire Administration Building Plaza – 835 N Central Ave.

New City Hall opens – relocation of City Art Collection

Acquisition of 2 works

- 2007-08** Acquisition: Timothy Rose, *Arc Point*, Steel Mobile, Grand Theatre Center for the Arts
Acquisition: Mark Thomas, Lobby Panels, Dyed Nylon, Grand Theatre Center for the Arts
Grand Theatre Center for the Arts opens in September, 2007
Acquisition via public/private partnership with the Sunrise Tracy Rotary & Glotfelty family
Lucy Ruth Wright-Rivers, *Rose Garden Artwork*
Mosaic Octagonal Bench, Lincoln Park – Eaton Ave.
- City Art Collection Catalog – research and assembly of support materials
Acquisition of 12 works
- 2008-09** City Art Collection Catalog – electronic/hardcopy reference
Acquisition of 6 works
Collection evaluation
- 2009-10** Establish representation on CIP Review Committees and Design Teams including
Cultural Arts Division Staff and Tracy Arts Commissioners
- Tracy Transit Station opens Fall 2009 – featuring 6 site-specific projects including
Major Acquisition: Pauline Tolman, *Travel Trough Time*, Steel Relief Panels on Bus Shelters
- Civic Art Program webpage
City Art Collection Catalog – first draft completed
Acquisition of 19 works
- 2010-11** Civic Art & Historic Walking Tour of Downtown in partnership with
West Side Pioneers Association – Tracy Historical Museum
- Acquisition of 4 works
- 2011-12** Acquisition of 14 works
- 2012-13** Acquisition of 6 works
Collection evaluation
- 2013-14** Major Acquisition: Roland Cheney, *Harvest of Progress*, Bronze Sculpture
Front Street Plaza – Roundabout Intersection of Central Ave. & 6th St.
- Acquisition of 4 works
- 2014-15** Acquisition of 2 works

- 2015-16** Acquisition of 4 works
Collection evaluation
- 2016-17** Major Accession: Jay Wright, *Tracy's Child*, Bronze Sculpture, Larsen Park
Commission: Lino Giovacchini, *Steam Train #1293*, Wood, City Hall
Acquisition of 9 works
- 2017-18** 11th St. Bridge Historic Images Project, 36 Porcelain Enamel & 2 Aluminum Signs
Acquisition of 4 works
- 2018-19** Acquisition of 6 works
Collection evaluation
- 2019-20** CAP Promotional Brochure: Large Format Works in the City Art Collection
Acquisition of 3 works
- 2020-21** Deaccession of Mark Thomas, *Fabric Panel #5*
Acquisition of 3 works
- 2021-22** Acquisition via public/private partnership with the Grand Foundation:
Kimberlee Powell, *Tree of Life*, Acrylic on Fiberglass Sculpture, City Hall

Collection evaluation
- 2022-23** 2023 Civic Art Plan reviewed and approved by the Tracy Art Commission
2023 Civic Art Plan to be presented to City Council for Review and Approval
Acquisition of 5 works

VII. CIVIC ART PROGRAM GUIDELINES

A. Artist Selection Process

Artists commissioned by the City will be selected through a public process managed by the Cultural Arts Division in collaboration with the Tracy Arts Commission. The CAD issues RFP and RFQ as needed, collects, organizes and presents applications to the TAC and related Project Teams for review and approval.

1. Project Teams

Project Teams are formed as needed, and consist of the Civic Art Subcommittee (two Tracy Arts Commissioners) working with individuals who have a background or professional expertise in the arts,

and/or project stakeholders. Project Teams typically range from 3 to 10 members, proportionate to the complexity of the project.

Project Teams may include:

- Arts and culture related professionals or knowledgeable amateurs including artists, curators, historians, architects, designers, writers and critics, arts administrators, arts activists and arts volunteers.
- Community representatives with a relationship to the proposed project such as business owners, property owners, a representative of the homeowners association, etc.
- City Staff serving as nonvoting advisors to the panel.
- Members of other City Boards and Commissions serving as nonvoting advisors to the panel.

2. Panel Formation

Cultural Arts Division Staff invites individuals to serve on Project Teams in effort to form a group that balances knowledge in art and design, project goals and stakeholder interests.

3. Conflict of Interest

- Anyone in a position to receive financial gain from the selection of artists will be ineligible to serve on a Project Team.
- Panelists must declare any conflict of interest and abstain from voting if a conflict of interest arises.
- Artists or members of their immediate family who serve on the Tracy Arts Commission will not be eligible for commissions or to receive any direct financial benefit from the Civic Art Program during their tenure. This restriction shall extend for the period of one year following the end of service, and indefinitely for projects that were developed or acted upon during the artist's or family member's tenure on the Commission.

3. Proposal Review Procedures & Criteria

- CAD Staff will facilitate meetings of the Civic Art Subcommittee, Projects Teams and the TAC review and approval processes. CAD Staff will provide an orientation to Project Teams which includes an overview of the Civic Art Program, project, roles and responsibilities, evaluation of proposals and criteria.
- Evaluation criteria for public art projects include:

Creativity – assessment of new, original and/or interesting ideas in art making, communication and problem solving

Concept/Theme – assessment of the artist’s design concepts and theme in relationship to the project’s goals

Quality of Work – mastery of technical skills, effective use of materials utilized in work, inventive technique, etc.

Visual Appeal – beauty, interest, site impact

Community Engagement – public interaction and/or educational opportunities

Social Impact – ability to create positive event, activity or impact to address and/or improve current social challenges such as communication, health & wellness, education, youth development, poverty, cultural identity, equity, inclusion, diversity, etc.

Artist’s Experience – credentials and ability to successfully manage all aspects of the project including budgets, subcontractors, installers and other construction and administrative logistics.

Materials/Media – evaluation of the proposed materials or artmaking media and their appropriateness to the project, including issues of aesthetics, durability, ease of maintenance, protections against theft or vandalism, etc.

Installation – analysis of the artist’s proposed method of installation, structural engineering and risk management.

Budget – evaluation of the proposed budget including design, production, installation and associated artist’s fees.

- Project Team meetings will be agendaized and open to the public as Special Meetings of the Tracy Arts Commission – Civic Art Subcommittee.
- CAD Staff may design and present public displays of artist’s proposals in order to collect community feedback in the form of score sheets, votes and/or comments. This feedback is shared with the Project Team for their consideration in the review and recommendations process.
- Project Team will use consensus in the decision-making process unless a failure to reach a decision requires a formal vote, determined by a simple majority. In the event that a Project Team elects not to recommend any applicants for the project, CAD Staff will recommend another round of artist selection or an alternative process to the Tracy Arts Commission.

4. Artist Selection Methods

During the development of public art projects, CAD Staff will make recommendations to the Civic Art Subcommittee regarding the appropriate method to be used to select artists for each project and any artist eligibility requirements.

- Artist Eligibility – eligibility requirements may be established for certain projects, such as geographic, materials/media considerations, minimum experience, etc. In addition, artists are ineligible if they are currently engaged in a City of Tracy Civic Art Project. Nor will artists be eligible to be selected or compensated for more than one project from the City in a three-year period since it is in the best interest of the City to build a broad and diverse collection.
- Request for Qualifications (RFQ) – the City may opt to issue an RFQ notifying artists of a specific public art project or set of projects. RFQ is best utilized when seeking artists of a significant level of professional experience to execute complex projects with large budgets of \$200,000+. A small number of finalists are invited to interview and submit a preliminary conceptual proposal, with one artist and one alternate selected. If a preliminary proposal is requested, a fee of \$500 – \$1,000 is paid to the finalist.
- Request for Proposals (RFP) – the City issues an RFP for most projects under \$200,000. This process requires artists to develop conceptual preliminary proposals. Finalists are identified and invited to develop final proposals, with a fee of \$250 – \$750 paid to the finalist.
- Invitational Competition – the City may opt to use this process in the case of projects with a limited number of artists capable of successfully competing, with a project requiring specific or significant expertise, or when there are severe schedule restrictions. A limited number of artists are invited to submit qualifications and/or a proposal. If a proposal is required, artists are paid a fee of \$250 – \$1,000.
- Commission – the City may opt to commission artists for projects with small budgets of \$5,000 or less, projects with limited lead times, or where the City requires design teams to include an artist as a team member. CAD Staff in collaboration with the Tracy Arts Commission researches and recommends local area or regional artists who have demonstrated the ability to successfully execute and contribute to such projects. The Tracy Arts Commission reviews and approves the artists, and any requested project proposals. Artists are paid a fee of \$100 – \$250 to develop proposals.
- Proposal Fees – in the case of RFQ, RFP and Invitational Competition, proposal fees are paid from the project's budget or other appropriate fund. In the case of Commissions, the proposal fees are paid from the annual allocation for the Civic Art Program from the general fund in the Cultural Arts Division budget, or other appropriate fund.
- Pre-screening – CAD Staff will pre-screen proposals in order to verify the eligibility requirements and minimum qualifications are met.

B. City Art Collection Management

The Cultural Arts Division – Cultural Arts Supervisor provides operational management of the City Art Collection. The Collection currently contains 11 large-format exterior works and 106 works and

historic objects dedicated to interior display. 70 artists – from local acclaim to national prominence – are represented. The Collection is a capital asset with an estimated value of at least \$600,000.

1. Accession

- Gifts & Loans

Works of art and objects may occasionally be offered as gifts or loans to the City of Tracy through the City Council, Tracy Arts Commission, and other City Departments. This policy establishes a standard measure for reviewing proposed gifts and loans by the City. The intent of the policy is to ensure that only works a high standard of excellence and/or significant community interest are accepted for the City's collection.

The process to partner or collaborate with community members/organizations in creation of public art projects largely depends on the goals and resources the applicant has, Civic Art Program goals, as well as numerous technical considerations. As each project is different, this process is intended to ensure equity in proposal content, submission, and evaluation. Regardless of whether or not the individual/organization is seeking to fund, partially-fund, gift or loan a work of art to the City, a review process is used.

Gifts & Loans Review Process

Applicants are to submit a project proposal, containing the materials below, to the Cultural Arts Supervisor at least three months prior to the anticipated installation date of the project:

- a written description of the project including purpose, community interest and goals
- identify project lead (representing the project legally) and any other key contacts including any artists, designers, fabricators, funders, donors, etc.
- suggested location(s) of project with reference photographs of site
- scale drawing, rendering or model of proposed project
- statement addressing technical feasibility, maintenance needs, durability and anticipated life span, safety hazards and potential for vandalism and/or theft
- project budget including financial, material and in-kind resources
- donor's or loan conditions (if applicable)

Applicants are advised to schedule a preliminary review of the proposal with the Cultural Arts Supervisor. The purpose of this meeting is to ensure all of the needed information is present in preparation to submit the proposal to the Tracy Arts Commission for review

and recommendation.

Applicants are invited to a meeting of the Civic Art Subcommittee and/or TAC to meet each other and introduce the project. The proposal is then submitted to the Cultural Arts Supervisor. The proposal, including copies of all visual and support materials, become the property of the City of Tracy upon submission.

The CAS and/or TAC evaluates the proposal at a second meeting (or as needed with City Staff or a Project Team) in order to provide recommendation.

Next steps are determined by the proposal and/or recommendation. If the project needs artist support, an RFQ or RFP could be issued. If the project includes artist support, the proposal and TAC recommendation could be sent to City Council to develop final design or review and approve the project.

Gifts & Loans Review Criteria

The CAS and/or TAC will evaluate proposals using the following criteria to determine the feasibility and public benefits of the project:

- Project Location & Site Plan
- Project Budget
- Technical Feasibility
- Maintenance Needs while on Public Display
- Durability & Life Span of the Work/Project
- Safety Hazards & Potential for Vandalism and/or Theft
- Donor/Loan Conditions
- Artistic Qualities & Concept
- Professional Credentials of the Artist & Collaborators
- Context & Value within the City Art Collection

Gifts & Loans Final Acceptance

Acceptance of gifts and loans will be acknowledged through a written statement signed by the City Manager or designee. Final Acceptance of gifts will require:

- An executed contract transferring title of the artwork and clearly defining the rights and responsibilities of all parties.
- Complete records of accession including, but not limited to, provenance, acknowledgment of receipt, registration information, artist resume, biography and exhibition record, photographs, and independent appraisal.

- Verification that the work is unique and an edition of one (unless stated to the contrary in the agreement and accepted by the City).
- Establishment of an endowment fund if the City's existing maintenance budget is not sufficient, or if the potential maintenance is deemed excessive.
- In general, works of art and objects will be acquired without legal restrictions as to future use and disposition, except with respect to the State or Federal laws on preservation, copyright, and/or resale of works of art.

Exemptions

The following will be exempt from the Gifts and loans formal review and acceptance procedure:

- Gifts of state presented to the City by foreign governments or by other political jurisdictions of the United States that may be accepted by the City Council or City Manager on behalf of the City. Placement, stewardship and maintenance of any such artworks or objects will be determined by City Staff.
- Artworks, objects or exhibitions loaned for display on public property for 90 days or less. Review and approval in these instances will be the responsibility of the Cultural Arts Supervisor in consultation with the Department with jurisdiction over the site of the display or exhibition.
- Artworks acquired through City Purchase or Merit Awards issued at the Tracy Art League's Expressions! exhibition, or through the programming of the Cultural Arts Division at the Grand Theatre Center for the Arts.
- Artworks or objects valued at \$2,500 or less.
- Non-original representations of art or objects in the form of images, photographs, videos, digital files or reproductions.
- Artworks in private offices or non-public areas of City facilities.

2. Maintenance

- Periodic Review & Assessment of the City Art Collection

CAD Staff will evaluate the Collection at least once in every five-year period in order to assess condition for repair or restorations, evaluate the monetary and artistic value, and establish future curatorial goals.

- Periodic Routine Care & Maintenance

The City of Tracy assumes the responsibility for ongoing conservation of artwork and objects belonging to the City. CAD Staff will oversee the maintenance and conservation of all artworks in the Collection.

- **Artist, Agent or Donor Responsibilities**

When an artwork is acquired by the City, whether by commission or donation, the artist, agent or donor shall have certain responsibilities including, but not limited to, the following:

- Within the terms of the contract acquiring any specific artwork, the artist, agent or donor will guarantee and maintain the work of art against all defects of material or workmanship for a period of one-year following installation or acquisition.
- Within the terms of the contract, the artist, agent or donor will provide the City with detailed instructions regarding routine maintenance of the artwork including recommended techniques, products and schedule.
- Within the terms of the contract, all repairs and restorations which are made during the lifetime of the artist will have the mutual agreement of the City and the artist where feasible. To the extent practical, the artist will be given the opportunity to accomplish such repairs.

- **City Responsibilities:**

Cultural Arts Division Staff

- Establishes guidelines and schedules for routine maintenance such as inspection, cleaning, framing and display components.
- Maintains records of the City Art Collection including location, condition reports and recommendations.
- Advises the artist, agent or donor about the removal of a site-specific artwork.
- Advises the artist, agent or donor when artworks require extraordinary maintenance or repairs.
- Advises the Tracy Arts Commission on maintenance and repairs as needed.

City Departments

- Consults with CAD Staff on issues of maintenance and repairs including installation, replacement of lamps or lighting systems, and transportation of artwork or objects.

Transportation

- City Departments shall not move any artwork from the site at which it was installed, nor remove any artwork from display, without the prior authorization from CAD Staff. Professional care will be taken in moving and transporting all City assets, and may require contracted services, consultation and/or supervision from industry professionals.

3. Deaccession

- Deaccessioning is the process by which the Tracy Arts Commission decides and declares that an artwork or object may be removed from the City Art Collection. It is the primary responsibility of the CAD Staff and the Tracy Arts Commission to preserve and protect the City Art Collection under its management for the people of the City of Tracy.

The City shall dispose of artwork and objects in the Collection only in the public interest and as a means of improving the quality of the Collection. The need for relocation or the temporary removal from public display does not automatically necessitate deaccession. Deaccessioning should be cautiously applied only after careful and impartial evaluation of the artwork to avoid the influence of fluctuations of taste and the premature removal of an artwork from the Collection. All final decisions regarding the deaccession of any artwork will be made at regularly scheduled public meetings of the Tracy Arts Commission.

All proceeds from any sale or auction of a work of art, less any payment due the artist under the California Resale Royalties Act, shall be used for the exclusive purpose of acquiring or maintaining one or more other works of art for the same public structure or purpose for which the original work of art was acquired. If that is not possible, then the proceeds shall be used to acquire or maintain a work of art at another City location.

- Removal From Public Display

Causes for Review

While the intent of acquisition of artwork is for permanent, semi-permanent or periodic public display, circumstances and/or conditions may arise that make it prudent for the Commission, on behalf of the public interest, to remove an artwork from public display. One or more of the following conditions must apply in order for an artwork to be considered for deaccession:

- The work presents a threat to public safety.
- The condition or security of the work cannot be guaranteed, or the City cannot properly care for or store the work.
- The work requires excessive or unreasonable maintenance.

- The work has serious or dangerous faults in design or workmanship.
- The work is poor quality in terms of materials used and build.
- The work has incurred damage, repairs or alterations in which the artist is no longer represented by a good quality work of art.
- The condition of the work requires restoration in gross excess of its monetary value, or is in such a deteriorated state that restoration would prove either unfeasible, impractical or would render the work essentially false.
- A similar but superior work exists in the Collection.
- The work is a forgery.
- No suitable site for the work is available.
- Significant adverse public reaction is received over an extended period of time of 5 years or more.
- The work is judged to have little or no aesthetic and/or historical or cultural value.
- The City wishes to replace a work with a more appropriate work by the same artist.
- The work can be sold to finance, or can be traded for, a work of greater importance.
- The work is not, or is rarely displayed.
- The work has been determined to be incompatible with the rest of the Collection.

Review Process

Prior to deaccessioning a work of art, CAD Staff will prepare a report including:

- Acquisition method and purchase price.
- Any restrictions which may apply to the specific work, based on contract review.
- An analysis of the reasons for deaccessioning.
- Recommended alternatives to deaccessioning.

- Recommended methods of deaccession.
- Professional appraisal for works valued/purchased for \$100,000+
- Documentation of correspondence, press or other evidence of public debate documenting extended adverse public reaction.
- Discussion with the artist, agent or donor about the circumstances prompting the review.
- Make all reasonable efforts to ascertain that the City is legally free to dispose of the work in question.

Staff may seek additional information regarding the work from the artist and/or other arts professionals prior to making a recommendation to the Tracy Arts Commission.

Deaccession Process

The City shall make every effort to ensure that this process is fair and open. CAD Staff will consult with artists, agents, donors and arts professionals as needed. CAD Staff and Tracy Arts Commission recommendations will be presented and discussed at regular and/or special meetings as needed. The Staff Report will be presented to the Tracy Arts Commission for review and approval, voted on at a regular public meeting of the Commission.

All recommendations for deaccession are subject to appeal to the Tracy Arts Commission and City Council. All appeals must be made in writing to the City Manager within ten days of the decision by the Tracy Arts Commission.

Works may be removed from the City Art Collection in the following ways:

- Public Auction

Artworks may not be given or sold privately to City employees, officers, volunteers or members of City commissions, committees, boards, affiliate groups, or their representatives unless they are sold at public auction and with appropriate disclosures. Public auctions will be held according to City policies and procedures.

- Private Sale

If the artist or agent of the work chooses to purchase it at the original purchase price, then it may be sold through private sale to the artist or agent.

If the work is offered at public auction and no bids are received, or if the bids are rejected, then it may be sold through private sale. A work of art on which bids have been rejected shall not thereafter be sold through private

sale for less than the amount of the highest bid received. The CAD Staff will promote and process the private sale accordingly.

Funds or proceeds from the auction or sale of works from the City Art Collection will be returned to the original source of funds from which they were drawn. An adequate record of the conditions and circumstances under which objects are deaccessioned and disposed of should be made and retained as part of the permanent records of the City. The City must abide by the California Resale Royalties Act with respect to notification and payment of artists.

- Donation to Non-Profit Community Organization or Public Institution

Consideration should be given to placing the art and objects, through a donation to non-profit community organization or other public institution wherein they may serve the purpose for which they were acquired initially by the City.

- Exchange with a Non-Profit Community Organization or Public Institution

Consideration should be given to placing the art and objects, through an exchange with non-profit community organization or other public institution wherein they may serve the purpose for which they were acquired initially by the City. In this scenario the partner organization or institution will exchange a work from their holdings or collection, for a work from the City Art Collection.

- Disposal

Artworks deemed to no longer have any or only negligible value due to deterioration or damage beyond repair at a reasonable cost, may be disposed of at the City's discretion with attention to any standards of the disposal of hazardous materials or recycling.