CITY OF OAKLAND POLICY ON ARTIST & COMMUNITY INITIATED PUBLIC ART PROJECTS

City of Oakland Public Art Program staff and the Public Art Advisory Committee must review and accept all projects within the Oakland city limits that will result in the placement of a work of art on City of Oakland property, as well as all public art projects funded in whole or in part with City funds, before such projects can be executed.

The artist and/or project sponsor will submit a proposal with work plan for review by the Public Art Advisory Committee (PAAC) prior to creation and/or installation of the artwork. The PAAC is a professionally qualified citizen committee appointed by the Mayor and approved by Oakland City Council to oversee the City's public art program and to advise the Mayor, City Council, and City Administrator on public art-related matters.

Review Process

With coordination from Public Art Program staff, the artist and project sponsor (including City staff, if applicable) shall present the project proposal to the PAAC at a scheduled public meeting. The PAAC typically meets on the first Monday of each month. Proposals must be submitted to Public Art staff for review at least two weeks prior to a confirmed meeting.

Please allow sufficient time for the PAAC review process. The PAAC cannot make a judgment on the proposal without all the required documentation. Allow additional time if the proposal requires approval from other departments or review boards for placement on City property prior to PAAC review. Art proposed for placement on Caltrans (State of California Department of Transportation) property requires a separate, additional approval and permitting process.

NOTE: Please consult with Public Art staff prior to finalizing the project budget. Projects requiring City staff facilitation may be subject to a review fee. The fee for projects requiring review by the Public Art Program is $119.00/hour, or a minimum of $357.00 per project review, effective 7/1/17. Projects proposed for Caltrans property require additional staff facilitation.

Following review of the proposal, the PAAC will make an advisory judgment regarding form, content, and feasibility of the artwork and will determine whether the proposed project meets technical standards for public art in the city of Oakland. Once the PAAC has made a judgment regarding the proposed project design, no design changes can be made by the artist and/or sponsor without returning for PAAC approval prior to implementation. **Please contact staff to schedule a review of your project proposal:**

Kristen Zaremba, Public Art Program, 510-238-2155 or kzaremba@oaklandnet.com

The project proposal shall include the following. All submittals should be bundled into a single electronic Microsoft Word or PDF (digital) file for public distribution:

1. ***Public Art Advisory Committee (PAAC) Proposal Review Form***. Attached below.
2. ***Project Narrative***. A written description of the proposed artwork, including the artist's intent, process and project goals, and the roles and responsibilities of all project partners.
3. ***Artist Resume***. The artist's resume and/or other supporting material relevant to the artist's experience with similar projects.
4. ***Examples of Past Work***. 3-5 images of the artist's completed projects of a quality, style and scale similar to the proposed work.
5. ***Visual Proposal***. Adequate visual representation, in color, of the proposed artwork, in drawing(s) and/or three-dimensional model(s), with scale indicated.
6. ***Materials and Methods Description***. A detailed description of the proposed materials and methods of installation deemed suitable for the site conditions.
7. ***Photos of Site.*** Photographs/digital images of the existing site, including scale and dimension for reference.
8. ***In-Situ Mockup***. A scale drawing or digital photographic mockup depicting the proposed work as it will be sited.
9. ***Timeline***. A project timeline that includes community outreach, the design process, all City reviews, and installation.
10. ***Budget***. An itemized budget (to ensure sufficient financial resources for completion of project) that includes all anticipated review fees, in-kind donations, maintenance costs, and insurance (see #13).
11. ***Maintenance Plan***. A written plan for ongoing maintenance of the proposed work, identifying the parties responsible for maintenance, anticipated lifespan of the artwork in years, etc.
12. ***Community Outreach/Support Documentation***. Demonstration of community notification/outreach and support for the proposed project (letters of support, meeting attendance lists, neighborhood surveys, etc.).
13. ***Insurance Documentation***. Provide evidence of insurance or a quotation for insurance coverage sufficient to indemnify the City of Oakland during project development, fabrication and installation, up through final acceptance of the artwork.
14. ***Permissions***. Written permission for use of the proposed site, including acknowledgment of individual parties' rights and responsibilities (artist/sponsor, property owner, City departments if applicable, and review bodies). Please allow sufficient time to obtain appropriate permissions.
    a. *Private Property*: Written permission or Memorandum of Understanding (MOU).
    b. *City of Oakland Property*: Written permission must be obtained by the applicant from the department head (or his/her designee) with jurisdiction over the project site, e.g. Oakland Parks and Recreation, or Public Works; and plan for a City Administrator authorized agreement addressing maintenance and artists' rights, including:
15. ***Waiver of Proprietary Rights for Artwork Placed on City Property***.

NOTE: Consult the Federal Visual Artists Rights Act (VARA) and California Art Preservation Act (CAPA) guidelines posted on our Public Art Program website for more information: http://www2.oaklandnet.com/Government/o/CityAdministration/d/EconomicDevelopment/s/PublicArt/index.htm

Public Art Advisory Committee Proposal Review Form

Date _____

Artist(s) _____

Project Contact _____

Organization (if applicable) _____

Phone # _____ Email _____

Street Address _____

City _____ State _____ Zip _____

Proposed Site of Project (Address/Cross St. with physical details) _____

_____

Name of Property Owner, Proposed Location _____

City Council District of Proposed Location _____

Attachments Checklist *Attach a separate document to address the following items, bundled together in a single electronic file:*

1. _____ Review Form (this page)
2. _____ Project Narrative
3. _____ Artist Resume
4. _____ Examples of Past Work
5. _____ Visual Proposal
6. _____ Materials and Methods Description
7. _____ Photos of Site
8. _____ In-Situ Mockup
9. _____ Timeline
10. _____ Budget
11. _____ Maintenance Plan
12. _____ Community Outreach / Support Documentation
13. _____ Insurance Documentation
14. _____ Permission(s)- Private Property Owner or City
15. _____ Waiver of Proprietary Rights for Artwork Placed on City Property (if applicable)

Waiver of Proprietary Rights for Artwork Placed upon City Property

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 Oakland ("City") and its agents.

The City has the absolute right to change, modify, destroy, remove, relocate, move, replace, transport, repair or restore the [describe artwork/project: mural, sculpture, etc. and medium]:

_____

_____

Entitled [title of work]:

_____

_____

and located at [identify site, including interior location if applicable]:

_____

_____

in whole or in part, in City's sole discretion.

Artist's Address for Notice [insert artist's name and complete address]:

_____

_____

Artist bears the sole responsibility for providing the City with any changes to the Artist's Address for Notice. Notice of changes must be mailed to the Public Art Program, Cultural Arts & Marketing, 1 Frank H. Ogawa Plaza, 9th Floor, Oakland, CA 94612 and the Client Department with jurisdiction over property: [Insert Address of Client Department with jurisdiction over property]:

_____

_____
Artist Signature / Date

_____
City Administrator Designated Client Department Representative Printed Name / Signature / Date

This document is posted online at:
http://www2.oaklandnet.com/Government/o/CityAdministration/d/EconomicDevelopment/s/PublicArt/index.htm