



City of Sunnyvale

Notice and Agenda Arts Commission

Wednesday, September 21, 2022

7:00 PM

Telepresence Meeting: City Web Stream

Meeting Online Link: <https://sunnyvale-ca-gov.zoom.us/j/96704441776>

Special Teleconference Notice

Because of the COVID-19 emergency and the health orders issued by Santa Clara County and the State of California, this meeting of the Sunnyvale Arts Commission will take place by teleconference, as allowed by Government Code Subdivision 54953(e) and Resolution No. 1089-21 (reaffirmed August 30, 2022).

Public Participation

- *Teleconference participation: You may provide audio public comment by connecting to the teleconference meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone):*

Meeting online link: <https://sunnyvale-ca-gov.zoom.us/j/96704441776>

*Meeting call-in telephone number: 833-548-0276 | Meeting ID: 967 0444 1776
(*9 to request to speak | *6 to unmute/mute)*

- *Watch the Arts Commission meeting at: <http://youtube.com/SunnyvaleMeetings>*
- *Submit written comments to the Arts Commission no later than 4 hours prior to the meeting start to artscommission@sunnyvale.ca.gov or by mail to: City Clerk, 603 All America Way, Sunnyvale, CA 94086*
- *Review recordings of this meeting and past meetings at <https://sunnyvaleca.legistar.com/calendar.aspx> or <http://youtube.com/SunnyvaleMeetings>*

Accessibility/Americans with Disabilities Act (ADA) Notice

Pursuant to the Americans with Disabilities Act (ADA), if you need special assistance to provide public comment, or for other special assistance; please contact the City at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting. ADA contact:

Angela Chan may be reached at 408-730-7599 or ncs@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

CALL TO ORDER

Call to Order via teleconference.

ROLL CALL

PRESENTATION

- A [22-0920](#) Great Candy Cane Hunt
- B [22-0940](#) Yarn Art in the Park

ORAL COMMUNICATIONS

This category provides an opportunity for members of the public to address the Arts Commission on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Chair) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow the Arts Commission to take action on an item not listed on the agenda. If you wish to address the Arts Commission, please refer to the notice at the beginning of this agenda. Individuals are limited to one appearance during this section.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, please refer to the notice at the beginning of this agenda.

- 1 [22-0901](#) Approve the Arts Commission Meeting Minutes of August 17, 2022

Recommendation: Approve the Arts Commission Minutes of August 17, 2022 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/general business item, please refer to notice at the beginning of this agenda. Each speaker is limited to a maximum of three minutes.

- 2 [22-0657](#) Recommend that Council Approve the Deaccession of the Untitled Ceramic Mural by Artists Danny Sheu and Jeff Bordona (1998) from the City's Permanent Art Collection

Recommendation: Alternative 1: Recommend that Council approve the deaccession of the untitled ceramic mural by artists Danny Sheu and Jeff Bordona (1998) from the City's Permanent Art Collection consistent with criteria allowing deaccession when an artwork is damaged and repair is cost prohibitive.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS & COMMENTS

-Commissioner Comments

-Staff Comments

INFORMATION ONLY REPORTS/ITEMS

- 3 [22-0902](#) Arts Commission Proposed Study Issues, Calendar Year: 2023

ADJOURNMENT

Notice to the Public:

Any agenda related writings or documents distributed to members of this meeting body regarding any item on this agenda will be made available for public inspection in the originating department or can be accessed through the Office of the City Clerk located at 603 All America Way, during normal business hours and in the Council Chamber on the evening of the Arts Commission Meeting, pursuant to Government Code §54957.5. A

Agenda information is available by contacting Ricky Le at 408-730-7336 or rle@sunnyvale.ca.gov. Agendas and associated reports are also available on the City's website at sunnyvale.ca.gov or at the One-Stop Desk, City Hall, 456 W. Olive Ave., Sunnyvale, CA, 72 hours before the Meeting.



City of Sunnyvale

Agenda Item

22-0920

Agenda Date: 9/21/2022

Great Candy Cane Hunt



City of Sunnyvale

Agenda Item

22-0940

Agenda Date: 9/21/2022

Yarn Art in the Park



City of Sunnyvale

Agenda Item

22-0901

Agenda Date: 9/21/2022

SUBJECT

Approve the Arts Commission Meeting Minutes of August 17, 2022

RECOMMENDATION

Approve the Arts Commission Minutes of August 17, 2022 as submitted.



City of Sunnyvale

Meeting Minutes - Draft Arts Commission

Wednesday, August 17, 2022

7:00 PM

Telepresence Meeting: City Web Stream

CALL TO ORDER

Pursuant to Government Code Subdivision 54953(e), the meeting was conducted telephonically; pursuant to state law, the City Council made the necessary findings by adopting Resolution No. 1089-21, reaffirmed on August 9, 2022.

Chair Eskridge called the meeting to order at 7:01 p.m. via teleconference.

ROLL CALL

Present: 4 - Chair Dawna Eskridge
Vice Chair Winnie Lam
Commissioner Kathryn Filley
Commissioner Agnes Veith

Council Liaison Hendricks (present)

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

Motion: Commissioner Veith moved and Commissioner Filley seconded, approval of the consent calendar as presented. The motion carried by the following vote:

Yes: 4 - Chair Eskridge
Vice Chair Lam
Commissioner Filley
Commissioner Veith

No: 0

1 [22-0800](#) Approve the Arts Commission Meeting Minutes of July 20, 2022

Approve the Arts Commission Minutes of July 20, 2022 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS**2 [22-0706](#) Review and Recommendation of Public Art for Civic Center Lobbies**

Kristin Dance, Recreation Services Coordinator, introduced each of the ten artists who then presented their artwork proposals for City Hall. The Arts Commission ranked the artists as follows:

1. Hickok, Liz
2. Hua, Phillip
3. Wegner, Peter
4. Sowell, Vickie Jo
5. Endicott & Brook
6. Lederer, Carrie
7. Arteclettica
8. Phipps, Ben
9. Prasad, Ragini
10. Middlebrook, David

Motion: Vice Chair Lam moved and Commissioner Veith seconded, recommendation of Public Art for Civic Center Lobbies to Council as shown. The motion carried by the following vote:

Yes: 4 - Chair Eskridge
 Vice Chair Lam
 Commissioner Filley
 Commissioner Veith

No: 0

3 [22-0657](#) Recommend that Council Approve the Deaccession of the Untitled Ceramic Mural by Artists Danny Sheu and Jeff Bordona (1998) from the City's Permanent Art Collection

Motion: Vice Chair Lam moved and Commissioner Filley seconded, to defer this item to the September 21 meeting. The motion carried by the following vote:

Yes: 4 - Chair Eskridge
 Vice Chair Lam
 Commissioner Filley
 Commissioner Veith

No: 0

4 [22-0798](#) National Arts and Humanities Month (Final Project and Plans)

Commissioners discussed potential art projects that the Arts Commission can lead for National Arts and Humanities Month. Suggestions included various yarn projects and rock painting.

Motion: Commissioner Filley moved and Vice Chair Lam seconded, approval for Commissioner Veith to serve as the project liaison for this project. The motion carried by the following vote:

Yes: 4 - Chair Eskridge
 Vice Chair Lam
 Commissioner Filley
 Commissioner Veith

No: 0

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

None.

NON-AGENDA ITEMS & COMMENTS**-Commissioner Comments**

None.

-Staff Comments

Trenton Hill, Recreation Services Manager, spoke about the open house at the Senior Center this Friday, August 19.

INFORMATION ONLY REPORTS/ITEMS**5 [22-0802](#) Arts Commission Proposed Study Issues, Calendar Year: 2023**

Standing item. No study issues approved in previous meeting were proposed.

ADJOURNMENT

Chair Eskridge adjourned the meeting at 10:21 p.m.

22-0657

Agenda Date: 9/21/2022

REPORT TO ARTS COMMISSION

SUBJECT

Recommend that Council Approve the Deaccession of the Untitled Ceramic Mural by Artists Danny Sheu and Jeff Bordona (1998) from the City's Permanent Art Collection

BACKGROUND

Council Policy 6.4.4 - Art in Public Places (Attachment 2) sets forth uniform guidelines for including public art in the City's Permanent Art Collection. It also assigns responsibility for the oversight and maintenance of the collection to the Department of Library and Recreation Services (LRS), which includes deaccessioning individual pieces of the collection when necessary. Deaccessioning is the act of formally removing a piece of art from the collection and is a standard practice for museums, galleries, universities, and government organizations that maintain art collections.

The Deaccessioning Plan in the City's *Art in Public Places* policy defines circumstances appropriate for permanently removing works of art from the City's collection. The policy sets forth a process that includes the Arts Commission review and recommendation to Council of the staff recommendation for a proposed deaccession.

The purpose of this report is to seek input from the Arts Commission regarding staff's recommendation to deaccession an item from the City's Permanent Art Collection. The Commission's recommendation will be reviewed by Council at their Sept. 13, 2022, meeting.

ENVIRONMENTAL REVIEW

The deaccession of artwork from the Permanent Art Collection does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

EXISTING POLICY

Council Policy 6.4.4: *Art in Public Places*

DISCUSSION

While the intent of the City's Permanent Art Collection is to maintain and display each piece of art indefinitely, there are circumstances that warrant the removal of artwork from the City's collection. As outlined in the Art in Public Places policy, these circumstances include:

- 1) the inability to reasonably guarantee the safety of the artwork;
- 2) artwork that may pose a danger to the public or that may invite vandalism;
- 3) artwork considered to be fraudulent in some way;
- 4) art discovered to have been stolen;
- 5) theft;

- 6) damage beyond repair and/or cost to repair is prohibitive;
- 7) the mission of the City's collection changes and the piece is no longer consistent with that mission;
- 8) the site where the artwork is displayed is no longer accessible to the City;
- 9) the artwork was intended for temporary inclusion only;
- 10) the artwork is deemed duplicative; and
- 11) the artwork has been determined to lack aesthetic value to justify its continued upkeep.

The policy specifically prohibits the deaccession of a piece of artwork solely on the basis of content or personal preference of any staff, commission, or councilmembers, or a member of the public.

The work of art proposed for deaccessioning is an untitled mural by Danny Sheu and Jeff Bordona (Attachment 3 - Photograph of Untitled Mural). The ceramic tile mural was funded through the Parks Division (\$2,000) and developed during the 1998 State of the City event at Washington Park. The artists worked with neighborhood children to develop the imagery for the mural and the completed design was installed on the façade of the restroom building at Washington Park.

As part of the 2022 Washington Park restroom remodeling project, crews attempted to remove the mural from the building. However, the cement backer-board used during the original installation crumbled, breaking several of the hand-colored tiles. In addition, the piece has been on display on an exterior wall for 24 years, causing color fading in spots. Staff has determined that matching colors to try to repair the broken pieces would be labor intensive and costs for the repairs would exceed the original purchase price of \$2,000, at an estimated cost of \$3,000 to \$4,000. Additionally, the backer-board behind the undamaged parts of the mural is brittle and could result in additional damage if repair and reinstallation is attempted.

The mural is now considered damaged beyond repair by Arts Staff, with no monetary value (Attachment 4 - Photographs of Damaged Mural) and meets deaccession circumstance #6 "damage beyond repair and/or cost to repair is prohibitive."

Staff has contacted the artists regarding the damage and informed them that staff is requesting the mural be removed from the City's Permanent Art Collection.

If approved for deaccession, Staff will research the possibility of recycling the materials. If recycling is not feasible, the mural will be sent to the landfill.

FISCAL IMPACT

There is no significant fiscal impact associated with the removal and disposal of the mural. There is no monetary value assigned to the mural any longer because the damages are considered irreparable.

There is a minimal staff cost associated with the deaccessioning process, however, this cost is included in the Art in Public Places budget. There is also a nominal annual savings in staff time associated with cleaning and maintaining the artwork.

PUBLIC CONTACT

Public contact was made through posting of the Arts Commission agenda on the City's official-notice bulletin board, on the City's website, and the availability of the agenda and report in the Office of the

City Clerk.

ALTERNATIVES

1. Recommend that Council approve the deaccession of the untitled ceramic mural by artists Danny Sheu and Jeff Bordona (1998) from the City's Permanent Art Collection consistent with criteria allowing deaccession when an artwork is damaged and repair is cost prohibitive.
2. Do not recommend that Council approve the deaccession of the untitled ceramic mural by artists Danny Shue and Jeff Bordona (1998) from the City's Permanent Art Collection and provide further recommendations to Council regarding the mural.

STAFF RECOMMENDATION

Alternative 1: Recommend that Council approve the deaccession of the untitled ceramic mural by artists Danny Sheu and Jeff Bordona (1998) from the City's Permanent Art Collection consistent with criteria allowing deaccession when an artwork is damaged and repair is cost prohibitive.

Prepared by: Kristin Dance, Recreation Services Coordinator

Reviewed by: Trenton Hill, Recreation Services Manager

Reviewed by: Damon Sparacino, Superintendent of Recreation Services

Reviewed by: Michelle Perera, Director of Library and Recreation Services

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Reserved for Report to Council
2. Council Policy 6.4.4 - Art in Public Places
3. Photograph of Untitled Mural
4. Photographs of Damaged Mural

ATTACHMENT 1

This page intentionally left blank. Reserved for Report to Council.

COUNCIL POLICY MANUAL

Policy 6.4.4 Art in Public Places

POLICY PURPOSE

The purpose of this policy is to ensure uniform guidelines and procedures for the inclusion of publicly accessible art on public properties, and to establish uniformity between the requirement for art in municipal construction projects with the requirement for art in private development projects. Additionally, this policy will also provide uniform procedures and guidelines for the permanent removal or deaccession of a city-owned public art piece.

POLICY STATEMENT

In 2002, the City Council reviewed the status, intent and effectiveness of public art policy in Sunnyvale and approved a policy to require art in public construction projects under certain circumstances.

In 2012, the Council again reviewed the effectiveness of existing public art policy and voted to amend the current policies to include a deaccessioning policy for the City's Permanent Art Collection, as well as to further define project eligibility for subsidies from the City's Public Art Fund.

DEFINITIONS

1. Art: The conscious use of skill and creative imagination in the production of aesthetic objects.
2. Public Art: Artwork that is publicly accessible and that allows an unobstructed view of the artwork. The artwork can be located on either public properties or private properties.
3. Public Areas: Any public gathering place including, but not limited to; public plazas, the library, parks and park buildings, police and fire stations, community, neighborhood and senior centers, public transportation centers, and civic centers.
4. Publicly Funded Projects: All construction funded by public or taxpayer funds.
5. Public Art Fund: A fund established to create community art projects or to purchase artwork for installation on the interior or exterior of public buildings, or other such public property, such as parks, the grounds of public facilities, or community gateways. The Public Art Fund is administered by the Department of Library and Community Services and receives funding through in-lieu fees for art. Public Art Funds may be used to support eligible projects:
 - A. Create community art projects for installation on public property.
 - B. Install public art on public property such as parks or the grounds of public facilities such as the Community Center and Civic Center.
 - C. Install public art in the interior of public buildings that are deemed to be areas of concentrated public activity such as the lobbies and public areas of the Library, City Hall buildings and Community Center buildings.

COUNCIL POLICY MANUAL

- D. Install public art at City gateways and focal points or other high profile locations identified in the Master Plan for Public Art.
 - E. Install temporary or rotating art exhibits on public property.
 - F. Subsidize public art projects required through municipal construction projects and located on public property.
6. Project Valuation: The City's building permit valuation formula as set forth in Title 16 of the Municipal Code will be used as the basis for calculating the required expenditure for public art. The formula is based on the building standards published by the International Conference of Building Officials. In the case of park and open space projects, the one percent (1%) requirement will be calculated based on the total project budget, excluding administrative costs.
7. Required Expenditure Valuation: When determining whether or not the 1% required expenditure has been met, the following costs can be included:
- A. The purchase price of the artwork
 - B. Art consultant fees
 - C. Travel costs for the artist
 - D. Transportation of the artwork to the site
 - E. Installation of the artwork
 - F. Site preparation costs directly associated with installation of the artwork
 - G. Landscaping that is integral to the artwork
 - H. Pedestals or display costs
 - I. Lighting for the artwork and utility fees associated with installation and/or operation of the artwork
 - J. Identification plaque
- Ineligible costs include:
- A. Land acquisition
 - B. Site preparation
 - C. Architect fees
 - D. Fees associated with dedication ceremonies, publicity, or educational components
 - E. Maintenance fees and repairs
8. Public Art Collection: The collection of artwork either donated to the City, or purchased through public funds, which is owned and maintained, in trust for the public, by the City of Sunnyvale.
9. Deaccession: The process to permanently remove an artwork from the City's Public Art Collection.
10. Disposal: Any method used to transfer ownership of the deaccessioned piece to another entity, either through sale, donation, trade or destruction.

COUNCIL POLICY MANUAL

11. Conservation: The broad concept of care necessary to maintain an artwork in good condition.
12. Preservation: Actions taken to prevent deterioration of damage in artworks.
13. Restoration: The treatment of deteriorated or damaged artwork to approximate as nearly as possible its original (or artist-intended) form, design, color and function.

ART IN MUNICIPAL CONSTRUCTION PROJECTS

Eligible municipal construction projects are required to integrate public art. The artwork shall be located in publicly visible areas either inside a public building or on public property. The artwork shall be valued at an amount equal to 1% of the project valuation within a variance of ten percent.

PROJECT ELIGIBILITY

Eligible Projects:

- A. All aboveground publicly funded buildings or public open space projects within City jurisdiction with a construction valuation of \$1,000,000 or more. This includes the development or renovation of all public facilities, as well as; parks, street medians, City gateways, public plazas and any other locations identified in the Master Plan for Public Art developed in accordance with Council direction.
- B. All construction or renovation projects of \$100,000 or more in facilities such as:
 - Sunnyvale Community Center
 - Sunnyvale Civic Center complex including Library and Public Safety Building
 - Fire Stations
 - Columbia Neighborhood Center
 - Neighborhood Park Buildings
 - Water Pollution Control Plant and SMART Station
 - Focal points and gateways into the community
 - Any future City buildings that are comparable in nature

Exempt Projects: All underground projects, utility (including water) projects, streets and sidewalks, trees and landscaping, utility relocation, seismic upgrades, mechanical and electrical work, traffic improvements (such as traffic lights, crosswalks and traffic calming measures), and construction due to fire or other natural calamities.

ASSIGNMENT OF RESPONSIBILITIES

The Director of Public Works and the Director of Library and Community Services, or their designees shall be responsible for identifying municipal construction and renovation projects that meet the conditions of this policy and will be required to provide public art.

COUNCIL POLICY MANUAL

The Director of Library and Community Services, or his/her designee shall be responsible for initiating public art projects that are not required through municipal construction, but that have been designated as eligible for funding from the Public Art Fund, in accordance with the City's approved Master Plan for Art.

1. Review Process for Art in Public Places:

A. Project review Committee: This committee will coordinate the public art component of an eligible municipal construction project, and shall consist of staff from the Departments of Public Works, Library and Community Services, and Community Development, as appropriate.

B. Location and Artwork Review: Possible locations for the artwork and the type of artwork to be considered for the project shall be identified with input from the Project Review Committee, the Sunnyvale Arts Commission, pertinent city staff, interested citizens and project architects. Based upon this information, proposals will be solicited from qualified artists.

C. Short List of Artists: The Project Review Committee will be responsible for reviewing all art proposals and/or qualifications of artist applications. A short list of 2-5 artists and/or proposals will be established by the Committee. The short list shall have a minimum of two artists and/or proposals for consideration.

2. Approval Process:

A. Report to Council (RTC): A draft RTC outlining the project and the short list of artists will be forwarded to the Arts Commission for review and recommendation prior to going to City Council for action.

B. Council Approval: Following Council approval of a specific art proposal, the Director of Library and Community Services, or the Director's designee(s), shall be responsible for coordinating the integration of the public artwork into the municipal construction project.

3. In-Lieu Fee Alternative:

A. The in-lieu fee alternative available to private developers applies to public construction projects at the discretion of the Director of Public Works.

B. If the in-lieu option is exercised, the funds will be placed in the Public Art Fund for acquisition and installation of art on public property or in public buildings at a later date.

PERMANENT ART COLLECTION

Artwork approved for purchase or commission by the City Council shall become part of the City's Permanent Art Collection. All artwork in the collection will be documented in the City's Public Art Inventory and identified with a metal plaque. Oversight and maintenance of the Public Art Collection is the responsibility of the Department of Library and Community Services.

DE-ACCESSIONING PLAN

COUNCIL POLICY MANUAL

Artworks in the City's Public Art Collection are meant to remain on public display. However, circumstances may deem it necessary to permanently remove works of art from the City's Public Art Collection.

1. Eligible Circumstances for De-accessioning:

- A. Security: The security or continued good condition of an artwork cannot be reasonably guaranteed in its current location. Arts staff will attempt to relocate any artwork deemed at risk for security purposes; but in the event a suitable, secure location cannot be found, the item may be de-accessioned from the collection.
- B. Public Safety: The artwork is a danger to the general public because it is naturally deteriorating, or it has been altered through vandalism, unforeseen man-made circumstances or a natural disaster.
- C. Inauthentic: The artwork is discovered to be inauthentic or fraudulent.
- D. Stolen Art: The artwork is discovered to be stolen, and therefore, is returned to its legal owner.
- E. Theft: The artwork is illegally removed from its place of public display and cannot be located.
- F. Damage Beyond Repair: The artwork has been severely damaged and deemed "beyond repair" by a professional art conservationist, or the artist, and it cannot be restored to the artist's original intended condition for a price less than is considered prohibitive.
- G. Change in the Public Art Collection's Mission: The artwork no longer meets the mission of the Public Art Collection due to a formal change in the Collection's Mission Statement.
- H. Loss of Site (Site Alteration or Sale of Site): The artwork can no longer reside in its original location because the original location is altered due to construction, a change of site usage, or sale of the site. Arts staff will attempt to relocate the artwork to a suitable site; however, lack of a suitable site, either now or in the foreseeable future, or if there is not suitable storage until a site in the foreseeable future is available, could merit deaccessioning.

For site-specific artwork, or permanently-affixed artwork, deaccessioning may be warranted without any attempt to relocate the artwork. It is deemed that the artwork cannot be moved without causing irreparable damage or the cost of relocating the artwork is considered prohibitive.

- I. Temporary Acquisition: The artwork is intended to be a temporary display and the City's obligation to display the artwork is complete.
- J. Excessive Representation: The artwork is deemed as duplicative or excessive in representation of work of that type or of that artist.
- K. Aesthetic Value: The artwork has not withstood the test of time and has been professionally determined to lack aesthetic value to justify its continued upkeep and/or storage.
- L. Content: Once the Artwork has been accessioned into the City's Public Art Collection, it may not be de-accessioned solely on the basis of content or personal preference of any staff member, commission or board member, or member of the public.

2. Assignment of De-accessioning Responsibilities:

COUNCIL POLICY MANUAL

- A. No city department shall remove any work of art from the site for which it was selected, nor remove it from display, without prior consent of the Director of Library and Community Services, or the Director's designees(s).
- B. The Director of Library and Community Services, or the Director's designee(s), is responsible for determining whether or not the artwork meets any of the above criteria for removal or de-accessioning.
- C. The Director of Library and Community Services, or the Director's designee(s), shall be responsible for oversight of the de-accessioning process.
- D. The Director of Library and Community Services, or the Director's designee(s), shall make every effort to contact the artist of the artwork recommended for de-accession, or the artist's heirs, using current contact information. The artist, or the artist's heirs, shall be given the opportunity to purchase the artwork, or its parts, before the disposal or destruction of the artwork.
- E. The Director of Library and Community Services, or the Director's designee(s), shall determine the purchase price of a de-accessioned artwork, based on current market value.
- F. In the event that the de-accessioned artwork is sold, the Department of Library and Community Services will deposit the proceeds of such sale into the Public Art Fund of the City.
- G. In the event that the de-accessioned artwork is sold or donated, the removal of the artwork from city property shall be the responsibility of the purchaser or recipient of the donation and shall be of no cost to the City.
- H. De-accessioning and disposal of an artwork must be conducted publicly and formally with adequate documentation. It must also comply with all applicable local, state and federal laws.
- I. No current, or former, member of the Art Commission, City Council or City staff member shall be allowed to bid and/or purchase a de-accessioned artwork.
- J. A permanent record of the artwork's inclusion in the City's Public Art Collection, and reasons for its removal, shall be maintained in a Public Art Collection database by the Department of Library and Community Services.

3. Process for De-accessioning Artwork:

- A. If an artwork is subject to any of the above conditions and deemed eligible for de-accessioning, the Arts staff will prepare a report for review and evaluation by the City's Arts Commission, which will prepare a formal recommendation to the City Council for action on the de-accession.
- B. The Staff Report shall include:
 - a) Reasons for the suggested de-accession
 - b) Original accession method(s) and cost of artwork
 - c) Estimated current market value of the artwork
 - d) Proposed de-accession method(s) and cost for each proposed method, including the sale price if applicable
 - e) When appropriate, photo documentation of the site conditions and/or current condition of the artwork in question
 - f) Official Police Report (if applicable)

COUNCIL POLICY MANUAL

(Adopted: RTC 02-136 (5/7/2002); Updated for accuracy (10/28/09); Amended: RTC 12-187 (8/14/2012); Clerical update (9/30/14); Clerical update (12/3/14))

Lead Department: Department of Library and Community Services









City of Sunnyvale

Agenda Item

22-0902

Agenda Date: 9/21/2022

Arts Commission Proposed Study Issues, Calendar Year: 2023

Proposed Study Issues*

Date	Working Title	Summary of Scope	Staff Comments

*The study issues have been proposed for future sponsorship

Toward the end of the calendar year, no later than October, boards and commissions will review the list of proposed study issues and officially vote on sponsorship for each individually listed study issue. Official sponsorship means that the study issue is approved for ranking with a majority vote of the board or commission. Staff will then prepare the sponsored study issue papers, including fiscal impact **but not** the staff recommendation.