

DATE SUBMITTED 12/2/2022  
 SUBMITTED BY ACM  
 DATE ACTION REQUIRED 12/07/2022

COUNCIL ACTION (X)  
 PUBLIC HEARING REQUIRED ( )  
 RESOLUTION (X)  
 ORDINANCE 1<sup>ST</sup> READING ( )  
 ORDINANCE 2<sup>ND</sup> READING ( )  
 CITY CLERK'S INITIALS AB

**IMPERIAL CITY COUNCIL  
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: Imperial Public Art Program 1. Approval of Resolution 2022-75 Establishing City of Imperial Public Art Program	
DEPARTMENT INVOLVED: City Manager's Office	
BACKGROUND/SUMMARY: In an effort to promote and facilitate the display of public art in the City of Imperial, staff has put together the attached Imperial Public Art Program Policy, Application and Attachments. The Imperial Public Art Program will work with local, regional, and national artists to showcase unique themes in Imperial's Art District that exhibit our historical significance and further the City's efforts in growth and development. The Imperial Art District Committee met on Tuesday, November 29 <sup>th</sup> . The Committee has reviewed the standards and recommends that the City Council adopt by way of resolution the program. The Committee is working to identify areas where the program can be expanded outside the current Art District.	
FISCAL IMPACT: Establishment of the Program Not to Exceed \$10,000.00 – <i>Community Benefit Plan</i> .  Imperial Art Committee to recommend expenditures to the City Council upon execution of Program Agreement with selected artists.	ADMIN SERV INITIALS _____
STAFF RECOMMENDATION: Approve Imperial Public Art Program to further promote and facilitate art and culture in the City of Imperial.	DEPT. INITIALS <u>AB</u>
MANAGER'S RECOMMENDATION: Approve	CITY MANAGER'S INITIALS <u>0H2M</u>
MOTION:	
SECONDED: _____ AYES: _____ NAYES: _____ ABSENT: _____	APPROVED ( )      REJECTED ( ) DISAPPROVED ( )      DEFERRED ( )  REFERRED TO: _____



**RESOLUTION NO. 2022-75**

**A RESOLUTION OF THE IMPERIAL CITY COUNCIL ESTABLISHING THE  
IMPERIAL PUBLIC ART PROGRAM POLICY IN THE CITY OF IMPERIAL.**

**WHEREAS** the Imperial City Council established the Imperial Arts District in 2014 by the adoption of Resolution 2014-43; and

**WHEREAS** the Imperial City Council believes that the promotion and facilitation of public art enhances the quality of life for residents in Imperial and the region; and

**WHEREAS** through art and culture the Imperial Public Art Program will evoke a sense of community pride.

**NOW, THEREFORE, BE IT RESOLVED** that the Imperial City Council establishes the Imperial Public Art Program in the City of Imperial and hereby authorizes the City Manager or his/her designee to carry out the program to further stimulate the creative economy of our community through public art.

**PASSED AND ADOPTED** at the Regular Meeting of the City of Imperial City Council on this 7<sup>th</sup> day of December, 2022.

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Geoff Dale, Mayor

ATTEST:

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City Clerk





# City of Imperial Public Art Program

The City of Imperial has established and identified designated space within the Imperial Art's District for the display of public art. This program provides guidelines for the valuation, selection, installation, and maintenance of the artwork placed within these specific publicly and privately-owned locations.

## Section 1: Purpose of Program

The purpose of this program is to promote public art through the display of art pieces in the City of Imperial.

Initially, all public art will be placed in pre-determined locations and will be considered "on-loan" from the artist or donated to the City and/or property owner. This approach maximizes the amount of artwork shown and the exposure of local, participating artists by offering to display, rather than purchase, the art.

The program is designed to encourage artists to lend their artwork to the City for a minimum of two (2) years with the option to extend one additional year. Some artwork may be exhibited longer than three (3) years with the mutual agreement between the Artist and Imperial Art District Committee.

The program is designed to encourage participation by local artists but will also be open to regional, state, and national submissions. Works of art "donated" to the City by an artist or benefactor of the arts may be displayed for public benefit.

## Section 2: Definitions

**Artist:** The individual or collection of individuals responsible for the creation of original pieces of artwork.

**Artwork:** For the purposes of this policy, artwork shall be defined as: two-dimensional or three-dimensional aesthetic improvements. Art that may qualify include: artistic glass treatments, collages, drawings, fountains, frescoes, metal works, mosaics, murals, paintings, prints, photographs, stone including granite and marble, and sculptures.

**Benefactor of the Arts:** An individual who donates money, space, and/or artwork, for the public art program for the purposes of public display.

**Curator(s):** Curator(s), for the purpose of this policy will be defined as the City Manager, or his/her designee.

**Committee:** Committee, for the purpose of this policy, will be defined as the Imperial Arts District Committee consisting of no more than two (2) members of the City Council, two (2) members of the Imperial Planning Commission, and six (6) community stakeholders from businesses within the Imperial Art's District.

Imperial Art's District: As adopted by the City of Imperial City Council in 2014 by Resolution No. 2014-43, the Imperial Art's District boundaries are as follows:

Imperial Avenue between 11<sup>th</sup> and 4<sup>th</sup> Streets, and Barioni Blvd., between "G" and "M" Streets.

**Designated Sites:** Designated sites are defined as significant sites and significant buildings. Significant sites are identified areas of public-right-of-way within the Arts District such as sidewalks, crosswalks, alley-ways, parking lots, and other public land. Significant buildings are defined as that portion of a building a business and/or property owner designates for the purposes of public art.

The following areas are identified as significant sites and significant buildings within the downtown arts district:

**Significant Sites:** public parks, public streets and alleys, public parking lots, public rights-of-way, parkways, public sidewalks, recreational areas and other publicly-owned or controlled property by the City of Imperial, within the boundaries of the Imperial Art's District.

**Significant Buildings:**

221 N Imperial Avenue  
218 N Imperial Avenue  
200 N Imperial Avenue  
201 N Imperial Avenue  
123 N Imperial Avenue  
115 N Imperial Avenue (Suites F-G)  
123 W Barioni Blvd  
115 E Barioni Blvd  
105 S Imperial Avenue  
116 S Imperial Avenue  
139 S Imperial Avenue  
260 S Imperial Avenue  
267 S Imperial Avenue  
400 S Imperial Avenue  
114 S J Street

### **Section 3: Selection Process**

The curator will administer the selection process with City staff assistance.

- The curator will accept and review offers for the donation of public display.
- The curator may contact artists, via a periodic open solicitation (Call for Artists) in order to determine their willingness and ability to provide artwork for designated sites and buildings.
- The curator, in conjunction with City staff, will facilitate a selection process in accordance with specified criteria to the Imperial Arts District Committee. The Committee will review and confirm the selection and submit final recommendations to City Staff. Staff will forward each recommendation to the City Council for final approval and selection.

#### **Final Selection Considerations Include:**

- Participation in compliance with the terms of this program;
- Completion of Imperial Public Art Program Application identified in Exhibit A of this policy;
- Ability to create and loan a piece of artwork in accordance within Imperial Public Artwork Standards as identified in Exhibit B of this policy;
- Cost of installation.

Selection Criteria – The following criteria shall be considered when selecting a piece of public art for display within the Imperial Arts District:

- The artwork reflects the goals and objectives of the Imperial Arts Committee, Business and/or Property owners within the Imperial Arts District, and/or the City of Imperial.
- Exhibits the “themes” identified in Exhibit B (Artwork Standards) of this policy.
- Is appropriate for one or more specific locations.

The City reserves the right to reject a donation or deny consideration for loan of any piece that does not fit these guidelines.

#### **Section 4: Responsibilities**

- If loaned artwork is for sale, all transactions shall take place directly between artist and buyer and may not take place on City properties. Artist shall give the City a 90-day notice prior to the removal of artwork from display.
- If any artwork displayed during the agreed upon “loan” period is sold, City, at its discretion may request up to a twenty percent (20%) commission be paid by the Artist upon sale of said artwork.
- Artwork will be removed in a safe manner. The artist or donor may remove the art personally or may contract with an outside firm to have the work done. Should City assistance be requested, removal costs will be charged to the artist or donor.
- The City reserves the right to remove any piece of art if deemed, at any time, to interfere with City operations.

#### **City Responsibilities**

- To promote and facilitate the display of public art.
- The City will provide instructions to each artist regarding the necessary footing design in order to properly mount public art pieces. The Artist will be responsible for fabricating and securing the artwork to the base of the footing.
- As required and if agreed on, the City of Imperial will install or hire a contract to perform the installation of the artwork. Installation costs will be charged to the donor.
- The City will provide preliminary inspection and engineering resources required for on-site installation of artwork.
- City will provide limited on-going maintenance while piece is on loan. The level and type of maintenance will be discussed and agreed upon by City Staff and Artist prior to any placement of the art. No art will be displayed without establishment of maintenance agreement.
- The proposed annual budget will be created for this program. The City’s share of funds derived from the sale of any art displayed for this program will be placed back in the program budget to further facilitate the display of public art.
- The proposed annual budget will be proposed and approved by the City of Imperial City Council.
- The City of Imperial will manage all work permit and application requirements.
- The City of Imperial will create Public Art promotional materials that acknowledges the artwork, including the location of all artwork included in the District. The type, style and frequency marketing materials are created and circulated will be at the sole discretion of the City.

**Artist Responsibilities:**

- Insurance for certain types of "loaned" artwork is the responsibility of the artist. Including but not limited to: sculptures, metal works, mosaics, drawings, photographs, or other standalone artwork.
- Artist is responsible for all shipping, providing an appropriate mounting footplate per City standards, consulting with contractors regarding artwork installation and removal, covering the costs of installation; unless otherwise agreed upon by the City.
- For each piece of art accepted for public display, the artist may provide the City with a title plaque to be mounted on the display. Plaque information shall include title of piece and artist name.

**Section 5: Liabilities**

The City will make a good faith effort to select artwork that does not pose a public danger or ADA hazard. Each artist or donor selected for participation in the Imperial Public Art Program agrees to hold the City of Imperial, and its employee, officers, harmless for any liability arising from the injury of any persons or for the loss, theft, or damage to artwork arising out of or in any way related to the loaning of artwork. A standard agreement will be used by the City to contract with participating artists. The standard agreement is incorporated herein as Exhibit C of this policy.

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**Exhibit A**

**Imperial Public Art Program Application**

The following is an application for Public Artwork to be considered by the City of Imperial for the purposes of display within the Imperial Arts District. Please complete this application with full answers to every question. This application must be signed by the artist. Complete applications will be reviewed by the City Manager's Office and Imperial Arts District Committee. The City reserves the right to deny any application that does not meet the selection criteria as defined in Section 3 of the Imperial Art Program. Applicants are welcome to attach additional information to the application.

Name of Artist: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_-

Address: \_\_\_\_\_  
(City) (Zip code)

**Type of Public Art: (Check One)**

- Artistic Glass Treatments     Collages     Drawings     Fountains     Frescoes
- Metal Works     Mosaics     Murals     Paintings     Prints
- Photographs     Stone (Including Granite or Marble)     Sculptures

**Property Type: (Check One)**

- Significant Site                       Significant Building

Artwork Location: \_\_\_\_\_

Artwork Concept: Please explain the nature of the artwork, including size and materials proposed.

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Please explain the significance of the proposed artwork, and how it meets the Imperial Art Program Standards defined in Exhibit B.

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Please explain what individuals, groups, or organizations will install the artwork should your concept be approved? Should your proposal require detailed maintenance of the piece, please provide who will be the responsible party.

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What is the timetable you propose for the artwork to be installed and/or completed?

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If different than above, please provide the name, address, phone number and portfolio of the artist who prepared the Artwork.

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Please submit one, reproducible copy of an elevation drawing or photograph of the proposed artwork with this application.

I have read and understood the Imperial Art Program policy, application and exhibits. By signing below, I acknowledge and agree to abide by the rules and requirements as set forth, and further understand that failure to comply may result in denial of my application and prevent me from further participation in the Imperial Art Program.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**City of Imperial – Office Use Only**

Application No. \_\_\_\_\_ Received By: \_\_\_\_\_ Date: \_\_\_\_\_



## Exhibit B

### Imperial Public Art Program – Artwork Standards

#### **OBJECTIVE**

To promote and facilitate the display of public art that showcases themes unique to the City of Imperial and displays the historical significance with respect to the growth and development of the City.

#### **FEELING/SENSIBILITY**

Nostalgic, Reflective, Recollective, Positive, Noteworthy, Grass Roots, Hometown Pride

#### **ARTISTIC ELEMENTS**

Artwork considered for public display should encompass the elements of art and elements of composition.

##### **Elements of Art**

The elements of art are parts that make up the whole. Artwork should encompass the seven elements of art are color, value, line, shape, form, texture and space.

##### **Elements of Composition**

The elements of composition in art are used to arrange or organize the visual components in a way that is pleasing to the artist and the viewer. Artwork should encompass the eight elements of visual art; unity, balance, movement, rhythm, focus, contrast, pattern, and proportion.

#### **POSSIBLE THEMES**

Artwork concepts should be considerate of the following themes.

- Historic
- Agriculture
- Industrial
- Imperial Valley Landscapes
- Abstracts
- Modern Day Life in Imperial
- Imperial Market Days



**Exhibit C**

**Imperial Public Art Program Agreement**

*Pending*

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