

Creative Placemaking & Public Art Strategic Plan

*“Art is the highest
expression of the
human spirit”*

- JOYCE CAROL OATS

PREPARED BY:
The City of Rancho Cucamonga

IN CONSULTATION WITH:
Monica Lynne Mahoney, MLA,
GEMNI Projects: Environmental Art, Design + Education



Vincent Jimenez, CommUNITY Paint Day Intersection project, 2021,
Rancho Cucamonga



*Our vision is to build on our success
as a world class community, to create
an equitable, sustainable, and vibrant
city, rich in opportunity for all to thrive.*

- CITY OF RANCHO CUCAMONGA VISION STATEMENT



Amy Maloof, Props, 2019, Photo by ML Mahoney, Rancho Cucamonga

TABLE OF CONTENTS

City of Rancho Cucamonga Vision Statement	2
Purpose	6
Acknowledgments	7
Executive Summary	9
What This RC Public Art Plan Accomplishes	10
Introduction	12
The RC Public Art Plan	13
What is Public Art	14
What is Creative Placemaking	15
What is Creative Placekeeping	16
Composition of the Public Ordinances	17
Integration with Other Planning Documents	18
Vision and Core Values	19
Our Vision	19
Our Core Values	19
Goals, Strategies, and Measures	20
Goal 1: Build Awareness and Keep Momentum	20
Goal 2: Art in Infrastructure	21
Goal 3: Promote the Local Creative Economy	22
Goal 4: Create Diverse, Equitable, and Inclusive Programming	23
Goal 5: Prioritize Community-Centric Art	24

Program Administration	25
Roles and Responsibilities	25
Setting Priorities – Public Art Opportunities	28
Processes for the Public Art Collection	31
Process for Commissioning Public Art	31
Considerations for Purchasing Existing Art	35
Process for Accepting Donations and Loans	36
Documentation and Maintenance of Works of Art	37
Deaccessioning Art	38
Funding	39
Appendix	40
Appendix A – Definitions	40
Appendix B – Project Plan Template	41
Appendix C – Call for Artists Template	43
Appendix D – Project Conclusion Checklist	46
Appendix E – RC Public Art Outreach Methods and Results Summary	47
Appendix G – State and Federal Laws	58
Appendix H – Resources and Tools	62



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PURPOSE

The purpose of the City of Rancho Cucamonga's Creative Placemaking & Public Art Strategic Plan ("RC Public Art Plan") is to establish a roadmap for developing a stronger sense of place, a higher quality of life, and a more competitive economy through the integration of public art into the community.

The goals, strategies, and measures outlined herein provide a common guideline for decision-making. They should be used as a framework for the future of public art in the City of Rancho Cucamonga.



Compassionate Community, Rancho Cucamonga

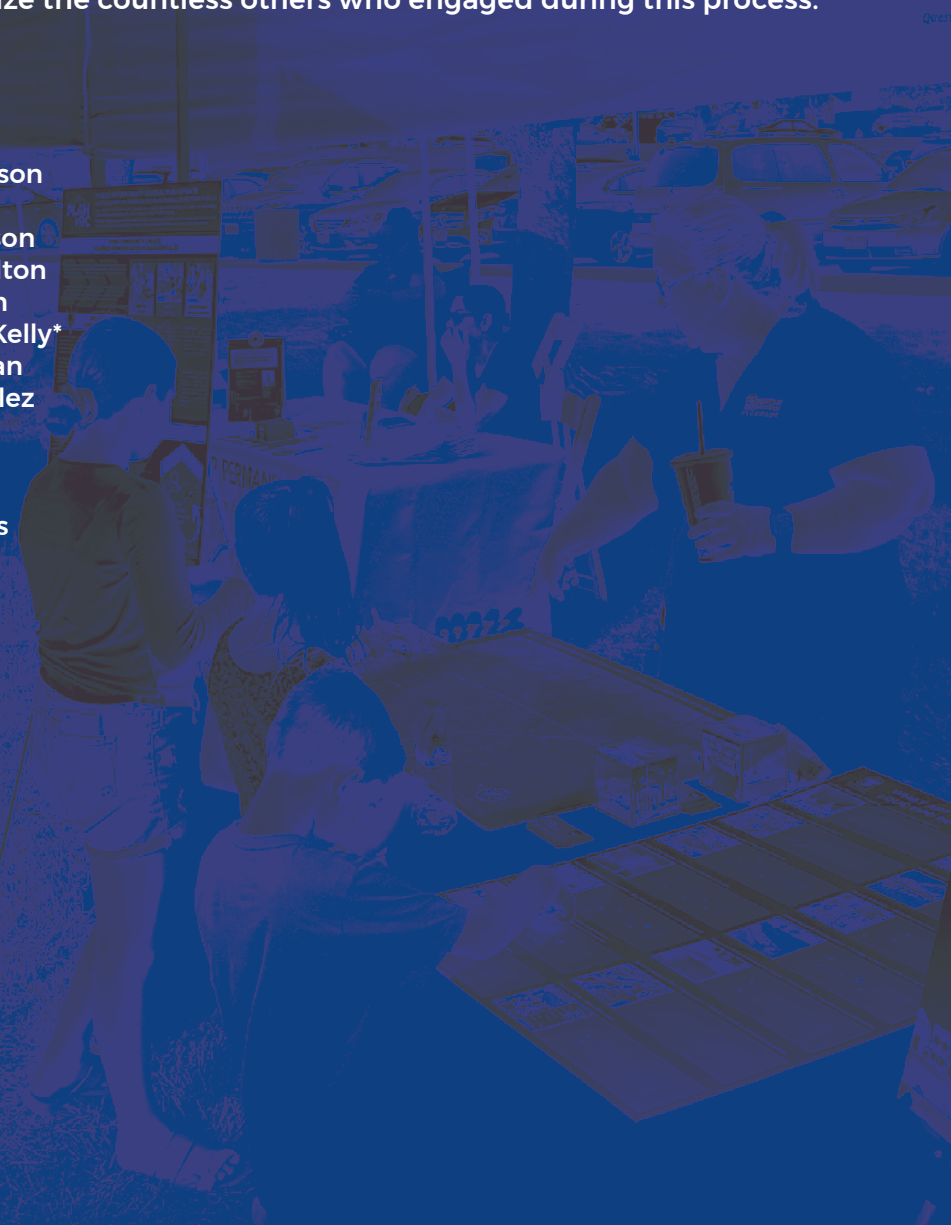
ACKNOWLEDGMENTS

COMMUNITY MEMBERS, we would like to acknowledge and thank the many members of the community of Rancho Cucamonga and the arts and culture leaders who gave their time to provide us with invaluable information, insights, and input throughout the Rancho Cucamonga public art (“RC Public Art”) community outreach process. Their perspectives have been critical to developing the RC Public Art Plan. This list includes those community members who provided their names while participating. We also recognize the countless others who engaged during this process.

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*Artists, public art experts, and cultural leaders in the community

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EXECUTIVE SUMMARY

The General Plan Update, completed in December of 2021, outlines a long-term goal for the City of Rancho Cucamonga to become the cultural and economic hub of the Inland Empire, rich in opportunity for all who live, work, and play in the city to thrive. Public art plays an important role in the City's progress towards that goal by enhancing placemaking efforts, supporting efforts to improve overall quality of life, and expanding opportunities for community engagement.

In 2017, the City of Rancho Cucamonga adopted its first public art ordinance, which established policy for both the City and private developers to fund and implement new public art projects as the City grows into the future (the "Public Art Program"). In 2018, City appointed the Public Art Committee (PAC) to serve as an all-volunteer group of community professionals who advise the City Council on the implementation of the Public Art Program. Finally, in 2019, City Council approved the PAC's recommendation to complete a public art plan, and City staff, led by the RC Public Art Core Team, launched an 18-month community outreach program that guided the development of this RC Public Art Plan.

This RC Public Art Plan establishes the RC Public Art Program's vision, core values, and goals, and provides guidance on implementing and maintaining a public art program within the City.

What This RC Public Art Plan Accomplishes...

Confirms the RC Public Art Program Vision and Core Values

Vision

This RC Public Art Plan will support the goal of establishing the City of Rancho Cucamonga as the cultural hub of the Inland Empire by equitably bringing art to the public realm that engages, inspires, and reflects our diverse cultural and artistic heritage while empowering the community through a variety of art and cultural amenities. The RC Public Art Program should engage artistic excellence, foster joy, inspire civic pride, and ignite a sense of wonder and excitement.

Core Values

The public engagement process for the RC Public Art Plan identified core values that guide the RC Public Art Plan: Diversity, Equity, Community, and Inspiration. These core values have been woven throughout the RC Public Art Plan's strategic goals, strategies, and measures to ensure that the City provides engaging and unique public art that reflects our diverse community and is equitably distributed across Rancho Cucamonga.

Establishes Program Goals

Goal 1: Build awareness of the RC Public Art Program and keep project momentum

Goal 2: Integrate art into infrastructure

Goal 3: Promote the local creative economy

Goal 4: Create diverse, equitable, and inclusive programming

Goal 5: Prioritize community-centric art



Chalk & Brews,
Rancho Cucamonga



Chris Burden, Urban Light, 2008, LACMA

Sets Priorities for RC Public Art Programming

Art that supports placemaking:

The RC Public Art Program portfolio should be used to link neighborhoods, help increase the vibrancy and economic viability of our cultural centers, and animate public spaces in a way that inspires community members to engage with and take ownership of areas where they live, work, and play.

Attract and retain regional artists:

The RC Public Art Program portfolio should include works commissioned by local and regional artists, and programming should include efforts to attract and retain artists to the region.

Art that reflects the City's diverse population and cultural history:

RC Public Art programming should reflect the diversity in our community and equitably represent our cultural history.

Art for and by the community:

The RC Public Art Program should include projects supporting initiatives such as mental and physical well-being, sustainability, and community-led art projects.

Identifies Priority Areas and Selection Criteria

The RC Public Art Plan establishes priority areas for public art placement, including General Plan Focus Areas, historic community centers, bike and pedestrian paths, parks, green spaces, and major thoroughfares, intersections, and City gateways.

When selecting public art placements, the RC Public Art Plan recommends priority be given to locations that are that high visible, high accessible, and contribute to the placemaking priorities outlined in the General Plan.

Provides Implementation Guidelines

The RC Public Art Plan provides guidance on procuring public art, including process outlines for commissioning new art, purchasing existing art, accepting public art donations and loans, maintaining public art, deaccessioning public art, maintaining public art records, and maintaining and leveraging funding for the RC Public Art Program.

Roles and Responsibilities

The RC Public Art Plan identifies critical stakeholders in the public art process and outlines the respective responsibilities of each group, including RC Public Art Staff¹, the Public Art Committee, the City Council, the City Manager, Art Selection Panels, Future Groups, and other City departments.



Epicenter LoanMart Stadium, Rancho Cucamonga



INTRODUCTION

In 2017, the City of Rancho Cucamonga (the City) adopted its first public art ordinance. The Creative Placemaking & Public Art Ordinance (Ordinance No. 912) established milestone policy for both the City and private developers to fund and implement new public art projects as the City grows into the future.

To guide the implementation of the Public Art Program, in 2018, the City appointed the PAC to serve as an all-volunteer group of community professionals who advise the City Council regarding the selection, purchase, placement, and maintenance of art installed by the City or on City property.

The PAC's recommendation to move forward with developing the RC Public Art Plan was approved by City Council in 2019. City staff, led by the RC Public Art Core Team, worked closely with consultant Monica Lynne Mahoney, MLA, City Leadership, the Public Art Committee, and diverse community stakeholders to develop the RC Public Art Plan.



The RC Public Arts Plan



RC Public Art seeks to activate the City's vision for the future, to create an equitable, sustainable, and vibrant city, rich in opportunity for all to thrive.

With that vision in mind, and through robust community input, the RC Public Art Plan establishes the vision, core values, and goals for the RC Public Art Program, in addition to recommendations for the commissioning, review, implementation, and maintenance of public art projects across the City.

The RC Public Art Plan is shaped by a rich community outreach process led by the RC Public Art Core Team, who facilitated a multifaceted engagement program to gain valuable feedback over 18-months. The outreach process was successfully implemented during the COVID-19 pandemic. It included numerous stakeholder interviews, affinity group meetings, a robust community survey, and online and in-person outreach maps to pin locations and learn about the types of public art the community desires. The public outreach provided insight into the heart and spirit of the many neighborhoods that comprise the community and has been foundational to the RC Public Art Plan's core.

The RC Public Art Plan is a resource to help guide City staff and the RC Public Art Program into action and is intended to be a living document that can be reviewed and utilized by RC Public Art Staff and the PAC. The RC Public Art Plan is part of the General Plan Update process, the City's new comprehensive development plan that serves as a blueprint for the City's future. Together, the General Plan and the RC Public Art Plan ensure that creative placemaking and public art are integrated into overall planning and development objectives well into the future and provide guidelines for the City for the public art process. Finally, this RC Public Art Plan coincides with the City's Climate Action Plan ("CAP"), weaving together the arts, culture, climate, health, and well-being for years to come.



Teen Summit, Rancho Cucamonga

What is Public Art?

Public art is original works of temporary or permanent art designed and/or created by an artist or artist-led team. Public art lives in the public realm and is visibly and/or physically accessible.



Chalk & Brews, Rancho Cucamonga



Artwork in Rancho Cucamonga, Photo by William Vasta

Public art can take shape in many ways and forms as long as it remains free and accessible to the public. At its very best, public art brings the community together. It provides a nexus of community pride, celebrating a place's unique and enduring qualities and its people.

Public artwork can be contemplative, engaging, fun, interactive, and awe-inspiring. It may honor and tell stories about the past, enrich and inform the present, and envision and activate the future. It occupies public places such as community centers, parks, open spaces, streets, alleyways, trails, bus stops, bridges, transportation infrastructure, and private developments accessible to the public for free.

Types of Public Art

- Murals
- Mosaics
- Structural Wraps
- Earthworks & Environmental Art
- Streetscapes & Functional Art
- Sculptures
- Paintings
- Photographs
- Fine Crafts: wood, metal, clay, glass, and other materials, both functional and nonfunctional
- Memorials & Commemorative Spaces
- Literary Arts
- Interactive Art
- Performative Art
- Playscapes
- Community Gardens
- Festivals and Art Walks
- Mixed Media
- New Media

What is Creative Placemaking?



Creative Placemaking happens when...
partners from public, private, nonprofit, and community sectors strategically shape the physical and social character of a neighborhood, town, tribe, city, or region around arts and cultural activities. Creative placemaking animates public and private spaces, rejuvenates structures and streetscapes, improves local businesses viability and public safety, and brings diverse people together to celebrate, inspire, and be inspired.

– Ann Markusen and Anne Gawda, National Endowment
Art's Mayors' Institute on City Design.²



The Resort. Healthy RC members of The Resort, 2019

In line with this definition and the General Plan's goals for placemaking, the RC Public Art Plan aims to use the placement of public art and cultural programming as a means to link neighborhoods, help increase the vibrancy and economic viability of our cultural centers, and animate public spaces in a way that inspires community members to engage with and take ownership of spaces where they live, work and play.

The RC Public Art Plan will prioritize creative placemaking in both General Plan Update focus areas and other areas of historical and cultural relevance as identified by the RC Public Art Plan outreach.

What is Creative Placekeeping?

[Placekeeping is] the active care and maintenance of a place and its social fabric by the people who live and work there. It is not just preserving buildings but keeping the cultural memories associated with a locale alive, while supporting the ability of local people to maintain their way of life as they choose.

- U.S. Department of Arts and Culture³

The City of Rancho Cucamonga recognizes the need to equitably honor the diverse cultural heritage of Rancho Cucamonga and amplify voices and cultural legacies that have been erased or marginalized in the past. Creative Placekeeping provides a framework for this work, keeping the past, present, and future alive as a vibrant part of the identity and growth of the city. These principles will be integrated into RC Public Art through programs and initiatives that aim to preserve and maintain Rancho Cucamonga's rich development and cultural history for our community members.

<https://usdac.us/blogac/2017/12/11/creative-placemaking-placekeeping-and-cultural-strategies-to-resist-displacement>

Composition of the Public Ordinances

The Placemaking & Public Art Ordinance was established to ensure both the City and private developers could fund and implement new public art projects to enhance the City.

This ordinance aims to expand access to public art throughout Rancho Cucamonga. To support this effort, developers subject to the ordinance have three requirement options -

1. PROVIDE PUBLIC ART

at any development, that meets or exceeds the minimum value as defined in Rancho Cucamonga Municipal Code Section 17.124.020.C.

2. DONATE ART

to the City for public display that meets or exceeds the required minimum value of the art work or a performance bond for the same amount and in a form approved by the city attorney, or

3. PAY AN IN-LIEU FEE

to the Public Art Trust Fund equal to the minimum value of the art work that would otherwise be included in the development project.



Anish Kapoor, Cloud Gate, 2004, Millennium Park, Chicago, iStock

Monies donated to the Public Art Trust Fund will be used to acquire, install, and maintain public art and placemaking programs throughout Rancho Cucamonga. This RC Public Art Plan will establish procedures for commissioning and acquiring public art using Public Art Trust Fund funding and further serves as a resource for artists, the public, and developers.

Applicable Rancho Cucamonga, California Municipal Codes: 17.124.010, 17.124.020, 17.124.030, 17.124.040, 17.124.050, 17.124.060, 17.124.070, 3.72.010, 3.72.020, 3.72.030, 02.26.010, 02.26.020

Integration with Other Planning Documents



General Plan Update

The RC Public Art Plan was developed to support the General Plan Update, which identifies the need for public art and cultural opportunities in major activity centers to create vibrant, high-value places where community members live, work, and play. The General Plan Update envisions a future where Rancho Cucamonga distinguishes itself as the cultural and economic hub of the Inland Empire, utilizing public art, placemaking, and diverse cultural opportunities to strengthen the culture, history, and character of the City's distinct neighborhoods and public spaces.



Climate Action Plan

The CAP outlined goals, strategies, and measures to guide the City's climate resilience strategy through 2040. Where possible, the RC Public Art Plan outlines the integration of public art into CAP-related projects and prioritizes art placement and art types that minimize environmental impact, inspire and educate the community on climate action, and contribute innovative solutions to the City's climate action goals.



Healthy RC Strategic Plan

The RC Public Art Plan is rooted in the principles and values of the award-winning Healthy RC program. The RC Public Art Plan has incorporated the values of Healthy RC, such as wellness, inclusion, and innovation, throughout the program objectives. It has set goals that center community-driven art that enhances a sense of place, resilience, and well-being, among all that live, work, and play in the community.



Future Planning Documents and Updates

RC Public Art Staff will collaborate with applicable departments as the City develops new plans or during regular updates to existing plans. This will ensure that the strategies and measures for integrating public art and placemaking projects into City-owned and managed spaces have been considered and are incorporated. Plans include:

- Urban Forestry Management Plan;
- Trail Implementation Plans;
- Parks and Recreation Master Plan;
- Active Transportation Plan; and
- Economic Development Strategic Plan.

Vision and VALUES

Our Vision

The RC Public Art vision is to establish the City of Rancho Cucamonga as the cultural hub of the Inland Empire by equitably bringing art to the public realm that engages, inspires, and reflects our diverse cultural and artistic heritage while empowering the community through a variety of art and cultural amenities. The RC Public Art Program should engage artistic excellence, foster joy, inspire civic pride, and ignite a sense of wonder and excitement.

This vision is guided by and supports the City's General Plan vision to create an equitable, sustainable, and vibrant city, rich in opportunity for all to thrive.

Our Core Values

The core values identified below reflect the public art themes and preferences gathered from the public outreach efforts conducted in 2020 and 2021. These values will guide the implementation of the first edition of the RC Public Art Plan, which serves as a roadmap to achieving the program's vision, core values, and goals.



DIVERSITY

RC Public Art will engage a variety of artistic approaches and participating artists to encourage unique contributions to civic life and reflect our diverse community.



COMMUNITY

RC Public Art will help create a sense of belonging and connection throughout the community, prioritizing community-driven programming that creates new opportunities for people to experience and engage with art and artists.



EQUITY

RC Public Art will support the City's goal of equity by providing the opportunity for everyone to participate in, or benefit from, art and cultural amenities and programming across all areas of the city.

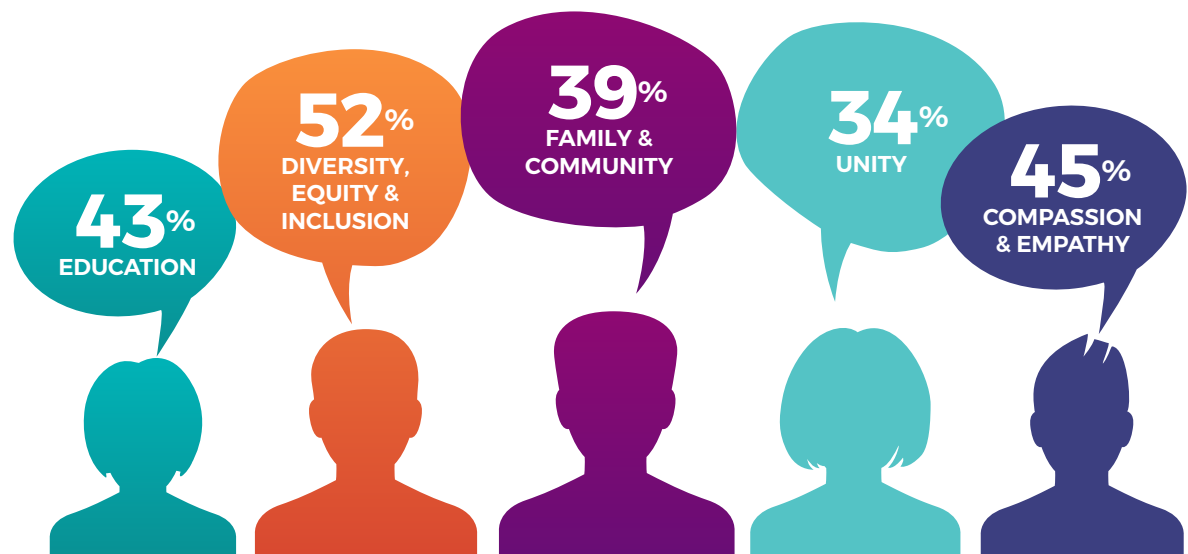


INSPIRATION

RC Public Art will inspire community connections through the creation of innovative and vibrant public spaces, promoting creative expression in all mediums, fostering community pride in urban and natural spaces, and enhancing equitable quality of life.

Community Survey

Rank core values that should guide the Public Art & Placemaking Strategic Plan.



Community Forum, Rancho Cucamonga



GOALS, STRATEGIES, AND MEASURES

The goals, strategies, and measures outlined in the following section identify programming and initiatives that should be prioritized by RC Public Art Staff and the Public Art Committee when making recommendations to place art in public spaces and support the local creative economy. These goals, strategies, and measures will help move the City toward the RC Public Art vision in a manner that aligns with the core values of diversity, equity, community, and inspiration.

Compassionate Community, Rancho Cucamonga



GOAL 1

Build Awareness and Keep Momentum

Establish the foundation for a world-class public art and placemaking program and the structure to sustain it.

STRATEGIES & MEASURES

S1.1 – Curate Core Projects That Support the City’s Commitment to Placemaking Through the Integration of Art Throughout the Community

- M1.1.1 Expand the existing temporary exhibit program at City Hall to include additional City facilities, community partners, and artists
- M1.1.2 Establish a murals and mosaics program, prioritizing key locations as identified in the RC Public Art Plan and aligned with General Plan envisioned projects
- M1.1.3 Establish an open space and connectivity public art integration program that prioritizes public art in parks, open spaces, and areas used to improve access and connection points for pedestrians and bicycles, as identified in Volume 2 of the General Plan
- M1.1.4 Curate a literary art-inspired program and integrate public art and artists in the branch libraries and other City and community partner sites

S1.2 – Engage and Educate the Public on RC Public Art

- M1.2.1 Develop a community engagement work plan that establishes a community engagement calendar, identifies relevant stakeholder groups to facilitate outreach and information sharing, and allocates funding for outreach and engagement efforts
- M1.2.2 Create and regularly update a public art map
- M1.2.3 Solicit regular feedback from the community, including historically underrepresented community members, to identify areas of interest for art types and art locations to update planning documents
- M1.2.4 Establish a public art community liaisons program comprised of community members who serve as volunteer public art ambassadors

GOAL 1 PERFORMANCE MEASURES

TARGET YEAR 2025

- Pilot a public art community liaisons program through Healthy RC

TARGET YEAR 2030

- Install three (3) permanent murals or mosaics in key priority areas
- Install three (3) functional art pieces along existing bike/pedestrian trails
- Expand the temporary art exhibit program to one (1) library and two (2) additional City-owned facilities and spaces

GOAL 2

Art in Infrastructure

Integrate a variety of vibrant and engaging public art throughout the city.

STRATEGIES & MEASURES

S2.1 – Commission Artwork That Enhances People’s Experience in Public Spaces Through Artistic Excellence and Diversity in Creative Expression

- M2.1.1 Include a minimum of one (1) public art and placemaking project in pedestrian, bike, and trail development projects. Prioritizing functional and environmental art
- M2.1.2 Commission a Histories of Rancho Cucamonga series with projects focused on telling the stories of the area known today as Rancho Cucamonga from prehistory to present day. Projects to be located in focus areas as identified in the Setting Priorities section and aligned with General Plan Update projects
- M2.1.3 Partner with and assist City departments in incorporating public art into capital improvement project proposals implemented by the City

S2.2 – Integrate Public Art into Infrastructure Projects

- M2.2.1 Formalize and expand the utility box art program into new utility box installations along bike and pedestrian thoroughfares
- M2.2.2 Include public art projects in City-run urban design and planning proposals
- M2.2.3 Integrate public art into City-run transportation infrastructure projects
- M2.2.4 Incorporate public art into City-run urban gardens and green spaces



Raccoon Misters at Los Amigos Park, 2017, Rancho Cucamonga

GOAL 2 PERFORMANCE MEASURES

TARGET YEAR 2025

- Complete two (2) urban garden or green space projects
- Complete fifteen (15) utility box wraps

TARGET YEAR 2030

- Complete two (2) Histories of Rancho Cucamonga projects



Tile Wall at Los Amigos Park, 2017 Created by students of Los Amigos Elementary School, Rancho Cucamonga

GOAL 3

Promote the Local Creative Economy

Develop incentives and programming that attract arts and culture-focused enterprises and support, retain, and build a diverse creative class that lives and works in the city.

STRATEGIES & MEASURES

S3.1 – Attract and Retain Local and Regional Artists

- M3.1.1 Develop and implement an Artist in Residency program
- M3.1.2 Encourage and support existing arts organizations in the development of local artist and maker spaces
- M3.1.3 Identify locations for a youth-centered artist and maker spaces and develop a program to promote and encourage youth to engage in the arts
- M3.1.4 Establish a call for artist evaluation criteria that prioritizes local and regional artists
- M3.1.5 Partner with local and regional arts organizations on public art and placemaking grants and projects that support local artists in advancing their careers while contributing to the arts in Rancho Cucamonga
- M3.1.6 Establish a public artist roster through, or in partnership with, existing local and regional arts organizations so that entities (businesses, developers, organizations) interested in producing or installing public art have a source to hire or curate from local and regional talent

S3.2 – Support the Existing Local Creative Economy

- M3.2.1 Leverage existing arts organizations as hubs of creative activity
- M3.2.2 Identify arts-driven enterprises and developers for creative economy partnerships
- M3.2.3 Establish an art walk program that invites local artists and artisan groups to temporarily display existing pieces

GOAL 3 PERFORMANCE MEASURES

TARGET YEAR 2025

- Establish an Artist in Residency program
- Locate and build youth-centered artist and maker spaces as part of City initiatives
- Launch the inaugural art walk program in one (1) of the General Plan Update focus areas



Teen Summit, Rancho Cucamonga



Community Forum, Rancho Cucamonga

GOAL 4

Create Diverse, Equitable, and Inclusive Programming

Public art projects that improve access to art and creative placemaking opportunities and reflect our diverse population and cultural history.

STRATEGIES & MEASURES

S4.1 – Commission Art that Engages with and Celebrates the City’s Cultural and Artistic Heritage and the Future of the Community

- M4.1.1 Develop programs that represent and amplify the diverse voices of Rancho Cucamonga
 - Expand existing oral history library project to additional City facilities, interviews, and topics
 - Work with Community Services Department and community organizations to plan and implement RC Public Art funded or supported projects, events, and celebrations around marquee historical and cultural moments in Rancho Cucamonga’s history, and nationally recognized cultural celebrations
- M4.1.2 Establish partnerships with civic, cultural, and educational institutions that address issues of equity and inclusion in the arts
- M4.1.3 Commission temporary or permanent works of art and establish programming that foregrounds our farming, agricultural, and culinary heritage

S4.2 – Ensure Access to Public Art Projects is Equitable and Inclusive for Both Artists and Community Members

- M4.2.1 Complete an audit for priority public art locations and a timeline for implementing new initiatives that better accommodate diverse audiences
- M4.2.2 Provide materials and training opportunities to assist artists with the public art proposal process
- M4.2.3 Utilize public art to support placemaking in historically underserved communities
- M4.2.4 Commission innovative temporary and permanent art installations that engage and are accessible to the disability community, youth, older adults, and other community members with accessibility needs
- M4.2.5 Provide equitable and unique opportunities for public art and placemaking projects across the three historical communities of Alta Loma, Cucamonga, and Etiwanda



GOAL 2 PERFORMANCE MEASURES

TARGET YEAR 2025

- Complete art placement audit and integrate recommendations for improving the accessibility of art for diverse audiences into RC Public Art strategic plans

TARGET YEAR 2030

- Complete two (2) temporary or permanent art installations that celebrate cultural moments in Rancho Cucamonga’s history and/or nationally recognized cultural celebrations
- Complete five (5) RC Public Art projects in historically underserved communities

GOAL 5

Prioritize Community-Centric Art

Public art that contributes to creative placemaking and projects that engage, and are completed in partnership with, community members.



STRATEGIES & MEASURES

S5.1 – Art Created for and by the Community

- M5.1.1 Establish annual opportunities for community to create public art through City-hosted programs
- M5.1.2 Commission community art pieces that acknowledge and represent the unique cultural identities of Rancho Cucamonga
- M5.1.3 Fund interactive art programming at art-related events and celebrations
- M5.1.4 Commission artists that specialize in intergenerational projects that bring age groups together in various settings

S5.2 – Art that Promotes Mental and Physical Health and Well-Being

- M5.2.1 Launch a mental and physical health art series within the temporary art exhibit program
- M5.2.2 Integrate wellness themes into a variety of art types
- M5.2.3 Develop an arts engagement and graffiti prevention program, in partnership with Public Safety, that contributes to a sense of place through the hands-on creation of public art murals in the community

S5.3 – Art that Promotes a Sustainable and Resilient Community

- M.3.2.1 Commission temporary or permanent works of art and establish programming that benefits or contributes to the City's climate action strategies such as water conservation, energy reduction, and reducing urban heat island effect
- M5.3.2 Include criteria in the art selection process that encourages artists to use environmentally preferred materials
- M5.3.3 Commission artists to develop innovative projects around our regional climate and geophysical profile such as sunshine, Santa Ana winds, earthquakes, water infrastructure and flooding, wildfire, and biotic community/ecosystem

GOAL 5 PERFORMANCE MEASURES

🎯 TARGET YEAR 2025

- Launch the arts engagement and graffiti prevention program

🎯 TARGET YEAR 2030

- Commission mental and physical health art series through the temporary art exhibit program and complete a minimum of one (1) project
- Complete five (5) City-hosted community art projects

PROGRAM

Administration

Roles and Responsibilities

- RC Public Art Staff
- Public Art Committee
- City Council
- City Manager
- City Departments
- Art Selection Panels

All play essential roles in selecting, implementing, and maintaining public art projects. The following section will clarify each entity's roles and responsibilities regarding RC Public Art.

Public Art Staff

DESCRIPTION

RC PUBLIC ART PROGRAM MANAGER

(Management Analyst II – City Manager's Office at time of adoption)

- Program manager responsible for administering and facilitating the Public Art Program, including the RC Public Art Plan and administrative guidelines. Serves as the staff contact for the Public Art Committee

MANAGEMENT ANALYST I - ART PROGRAM (recommended staffing)

- Primary staff person responsible for managing the day-to-day RC Public Art Program. This staffing position is a critical enabler for the completion of the RC Public Art Performance Measures and implementation of the RC Public Art Plan

RESPONSIBILITIES

- Maintain relationship and communication with the Public Art Committee (PAC). Updating them on City staff and news, issues, requests, and changes. Liaises between the PAC and other City departments and meets regularly with the Chair of the PAC
- Manage all aspects of commissioning, purchasing, installing, and deaccessioning works of art in collaboration with City staff and the PAC, including but not limited to:
 - Drafting project plans;
 - Managing all Request for Qualifications ("RFQs") and Request for Proposals ("RFPs") processes for commissioning public art;
 - Organizing artist responses;
 - Organizing and facilitating PAC meetings;
 - Working with legal to prepare and negotiate contracts;
 - Convening necessary City staff for technical reviews of art proposals;
 - Coordinating installations between artists/artist-led teams and City departments and inspecting work; and
 - Managing the City's public art catalog, including maintenance and conservation of City-owned public artwork
- Oversee the review of works being considered for deaccession or re-siting
- Ensure all City public art policies and procedures are followed
- Submit an annual budget work plan to the PAC that includes recommendations to the City Manager and Council regarding public art acquisitions, placement, relocation, and deaccession; public art donations; implementation of and revisions to the RC Public Art Plan and administrative guidelines; allocations of the Public Art Trust Fund
- Work with applicable City departments for the inclusion of public art in all development plans, and applicable upgrades, or remodels
- Develop and implement the community engagement work plan to inform and engage the public about the City's public art collection

(continued on next page)

Public Art Staff *(continued)*

- Develop and implement RC Public art data collection and management process; including but not limited to:
 - RFQs and RFPs submissions, with support from, and in compliance with, the City of Rancho Cucamonga Procurement Department's policies and procedures;
 - Maintenance schedule;
 - Art locations and mapping;
 - Archive;
 - Deaccession list; and
 - Community feedback
- Recommends, prepares, and administers professional services necessary to implement the RC Public Art Plan
- Assist in writing necessary grant applications and managing grant awards to support the mission of RC Public Art Program
- Serve as the point of contact for inquiries about public art from members of the public

Public Art Committee (PAC)

DESCRIPTION

The PAC consists of five members appointed by the City Council.

RESPONSIBILITIES

- Review and recommend the RC Public Art Plan and any periodic revisions to procedures and guidelines for implementation
- Review and recommend an annual work plan and budget to the City Manager and City Council, recommending that public art projects be consistent with the RC Public Art Plan vision, core values, and goals
- Participate in the selection of artists and art pieces through representation on ad hoc art selection panels
- Meet at least quarterly to review and make recommendations to the RC Public Art Staff, City Manager, and City Council regarding the Public Art Program and policies relating to public art acquisitions, placement, and removal of public art by the City; public art donations; implementation of and revisions to the RC Public Art Plan and administrative guidelines; allocations of the Public Art Trust Fund; and collaboration with artists, arts groups, and educational institutions on art programming

City Council

DESCRIPTION

The Rancho Cucamonga City Council is comprised of four members elected by the voters in their respective districts and the Mayor who is elected at-large.

RESPONSIBILITIES

- Reviews and makes the final decision on whether to approve and adopt the RC Public Art Plan
- Approves all permanent public art on City-owned property purchased with City funds above a \$35,000 threshold
- Approves all permanent public art donations
- Approves the deaccession of works of art
- Approves annual City budget that includes Public Art Trust Funds and other applicable allocations to support the RC Public Art Program

City Manager

DESCRIPTION

The City Manager is responsible for the day-to-day business of City operations and is appointed by the Mayor and City Council.

RESPONSIBILITIES

- Implementation of the RC Public Art Program and approval of revisions to the guidelines
- Advisor to the City Council on issues relating to public art with the advisory recommendation of RC Public Art Staff and PAC

Other Functional Departments

(I.E., PLANNING, PUBLIC WORKS SERVICES, ENGINEERING, COMMUNITY SERVICES, ETC.)

DESCRIPTION

City departments that oversee or are responsible for City spaces where public art may reside.

RESPONSIBILITIES

- Meet with RC Public Art Staff to review upcoming Capital Improvement Projects and identify opportunities for public art integration
- Serve on Art Selection Panels for projects that impact their department's areas of responsibility
- Conduct routine inspections of artwork, as outlined in the RC Public Art Plan, within their authority to determine if maintenance is needed and communicate those maintenance needs to the RC Public Art Staff
- Act as a liaison between the RC Public Art Staff and/or PAC and commissions, advisory boards, and/or committees under their areas of responsibility regarding public art projects

Art Selection Panels

DESCRIPTION

Art Selection Panels are ad hoc committees formed for each public art project undertaken by RC Public Art Staff. The Panel is comprised of 3-5 members, including one (1) representative from the City Department where the art will be sited or the City Department leading the Capital Project, one (1) member of RC Public Art Staff, and other subject matter experts and individuals with project-specific experience, such as existing and former PAC members, or other qualified arts, design, and education-related professionals, or City representatives, as needed.

RESPONSIBILITIES

- Participate in adhoc panels formed for a limited period and charged with recommending artists for individual projects or groups of projects
- Participate in an orientation meeting to be briefed on the project
- Review artist qualifications and select finalists or interviews or concept proposals
- Review artist concepts or interview artists and recommend a final selection to RC Public Art Staff



Future Groups

(PUBLIC ART COMMUNITY LIAISONS)

DESCRIPTION

Public Art Community Liaisons will act as volunteer public art and placemaking ambassadors, comprised of representatives from Healthy RC community programs and other interested community members. Liaisons will be nominated by RC Public Art Staff, PAC members, or other cultural arts professionals, as appropriate, and serve as RC Public Art ambassadors in the neighborhoods where projects will be integrated.

RESPONSIBILITIES

- Act as community hosts and help build connections between public art, artists, and the community
- Help foster civic programs and offer expert community guidance throughout the project
- Introduce the artist in residence, short-listed, or contracted artists to the community

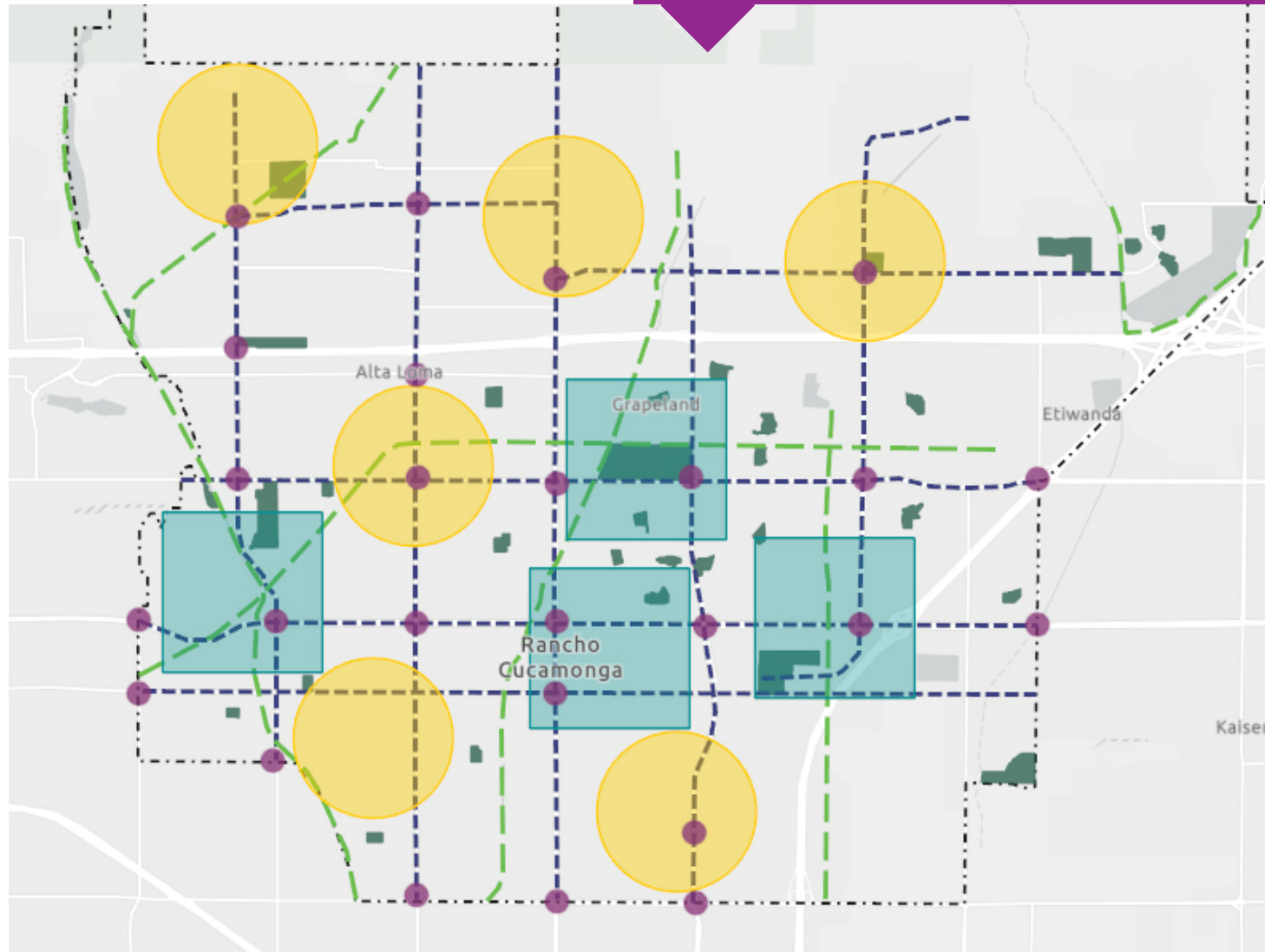
Setting Priorities – Public Art Opportunities

Identifying locations for public art is critical to the public art process. RC Public Art Staff should ensure that site locations are equitably distributed throughout the community and that art is placed in areas with high visibility and traffic. Location priorities for public art will align with the RC Public Art Plan goals and meet the criteria of public visibility, equitable access, and public safety.

Through the initial public outreach and in consultation with the General Plan Update, the RC Public Art Plan has identified priority locations throughout the City and location types for the placement of public art.

Public spaces in these areas are eligible for public art and placemaking programs and should guide the current strategic planning phase and be updated periodically.

LOCATION PRIORITIES



HIGH PRIORITY AREAS

- Area surrounding Victoria Gardens
- Central Park
- Civic Center
- Red Hill Gateway/Park

MEDIUM PRIORITY AREAS

- Northwest Alta Loma
- Area surrounding Chaffey College
- Etiwanda Heights Town Center
- Southwest Cucamonga
- HART District
- Alta Loma Town Center

OTHER LOCATION PRIORITIES

 Bike and Pedestrian Trails

 Major Thoroughfares

 Neighborhood Parks

 Gateways and Major Intersections

Site Prioritization Process

The locations listed on previous page represent a broad range of sites with numerous opportunities for permanent siting and temporary display of public art. Public art placement should be prioritized in areas that allow visibility from the public realm and public access. RC Public Art Staff should also evaluate whether the locations selected will allow for a diversity of art types or contribute to the expansion of art types⁵ throughout the community. To effectively utilize public art funds, the following criteria have been established to review and prioritize sites during the site selection process:

PLACEMAKING AND PUBLIC VISIBILITY:

Priority should be given to locations that are highly visible and contribute to the placemaking priorities established in the General Plan.

EQUITY:

Priority should be given to locations that allow for an equitable distribution of art throughout the public realm and access to a variety of art types

- Does the site/location improve access to art for underrepresented community members?
- Does the site and/or project add to the diversity of art locations or artistic approaches around the city?

INTEGRATION INTO CAPITAL PROJECTS:

Priority should be given to sites where public art can be integrated into the construction process for anticipated community improvement projects overseen by the City



Public Art Planning

RC Public Art Staff should utilize the RC Public Art Plan to guide objectives and work streams for City planning mechanisms such as the existing five-year strategic services plan and the City's annual operating plan.

STRATEGIC SERVICES PLAN

- RC Public Art Staff should complete a Strategic Services Plan ("SSP") that identifies the RC Public Art priorities, performance indicators, and objectives for the upcoming five-year period, based on the goals, strategies, and measures outlined in the RC Public Art Plan
- The SSP should include, but is not limited to, the following elements:
 - An artwork site plan that identifies and prioritizes locations for the placement of public art in City-owned or managed spaces for the next five years
 - Updates to the public art goals, strategies, and measures, as needed
 - A plan outlining the frequency and means for public input and stakeholder engagement
 - Plans for program expansions

ANNUAL PUBLIC ART OPERATING PLAN

- RC Public Art Staff should establish an Annual Operating Plan ("AOP"), coinciding with the fiscal year, that provides a detailed overview of RC Public Art Plan priorities and anticipated expenditures
- The AOP should include, but is not limited to, the following elements:
 - A list of projects that are expected to start in the next fiscal year, projects carrying over from the previous fiscal year, and any special art projects as needed
 - Including completed art project plans
 - Internal or external partnerships required to complete the projects listed and the roles and responsibilities of those partners
 - Projected costs and funding sources for new art projects
 - Any expected and maintenance needs and projected costs
 - Any expected deaccessioning of art pieces and projected costs
 - Any expected special services and projected costs



Freedom Courtyard, 2013,
Rancho Cucamonga

Christine Montgomery, Love Locks, 2015,
RSM Design, Victoria Gardens

Processes for the Public Art Collection

This section will outline the general processes for procuring, maintaining, deaccessioning, and funding works in the RC Public Art collection.

Process for Commissioning Public Art

The following summarizes the standard process for commissioning public art. This process applies to permanent and temporary public art projects funded in whole or part by the Public Art Trust Fund or City funds and managed by RC Public Art Staff. Most projects will be run through an RFQ process. Under limited circumstances, RC Public Art Staff may run an RFP process. In this instance, participating artists will be compensated for developing a concept proposal before the final artist is selected. The following steps will include the process for RFQ and RFP projects in areas where they diverge.

1. PROJECT PLAN

The initial step for commissioning public art is to develop a Project Plan. The Project Plan must provide a comprehensive overview of the proposed art project and act as a reference point to ensure that the art project achieves the intended purpose. The Project Plan should be completed by RC Public Art Staff, with input from the PAC and applicable City Departments as part of the AOP process.

PROJECT PLAN ELEMENTS

(see Appendix B for plan template)

- Project Introduction
- Project Location Overview
- Project Goals
- Artist Scope of Work
- Artist Eligibility
- Art Selection Criteria and Recommended Art Selection Panel Members
- Project Schedule
- Budget and Applicable Funding Sources
- Community Engagement, Marketing, and Communications Needs

2. ARTIST POOL AND ENGAGEMENT METHOD

Once the Project Plan has been approved through the AOP process and is ready for bid, RC Public Art Staff will determine the artist pool and engagement methods for the Call for Artists in partnership with the PAC and applicable City departments.

ARTIST POOL EXAMPLES

- Open Call – Open to all artists
- Limited Competition – Call or artists open to an existing artist pool from sources such as an artist registry or past Call for Artist respondents
- Public Art Committee Recommendation – Invitational or limited invitational to select artists as recommended by the Public Art Committee or other respected arts and culture organizations

ENGAGEMENT METHODS

- RFQs: The RFQ process is based on a review of the artist's qualifications and past work; it does not require that artists prepare a concept proposal for consideration. With an RFQ, once the final artist is selected, the City executes a design contract with the artist. The artist then completes, and is compensated for, a concept proposal
- RFPs: The RFP process requires artists selected as finalists to provide a concept proposal based on the site location, goals, and priorities identified in the Call for Artists. Artists will be compensated for the concept proposal, and the compensation amount and scope of the proposal should be included in the Call for Artists

3. CALL FOR ARTISTS

Once applicable City Departments have reviewed the Project Plan, artist pool, and engagement method, RC Public Art Staff will develop the Call for Artists.

CALL FOR ARTIST ELEMENTS

(see Appendix C for Call for Artists template)

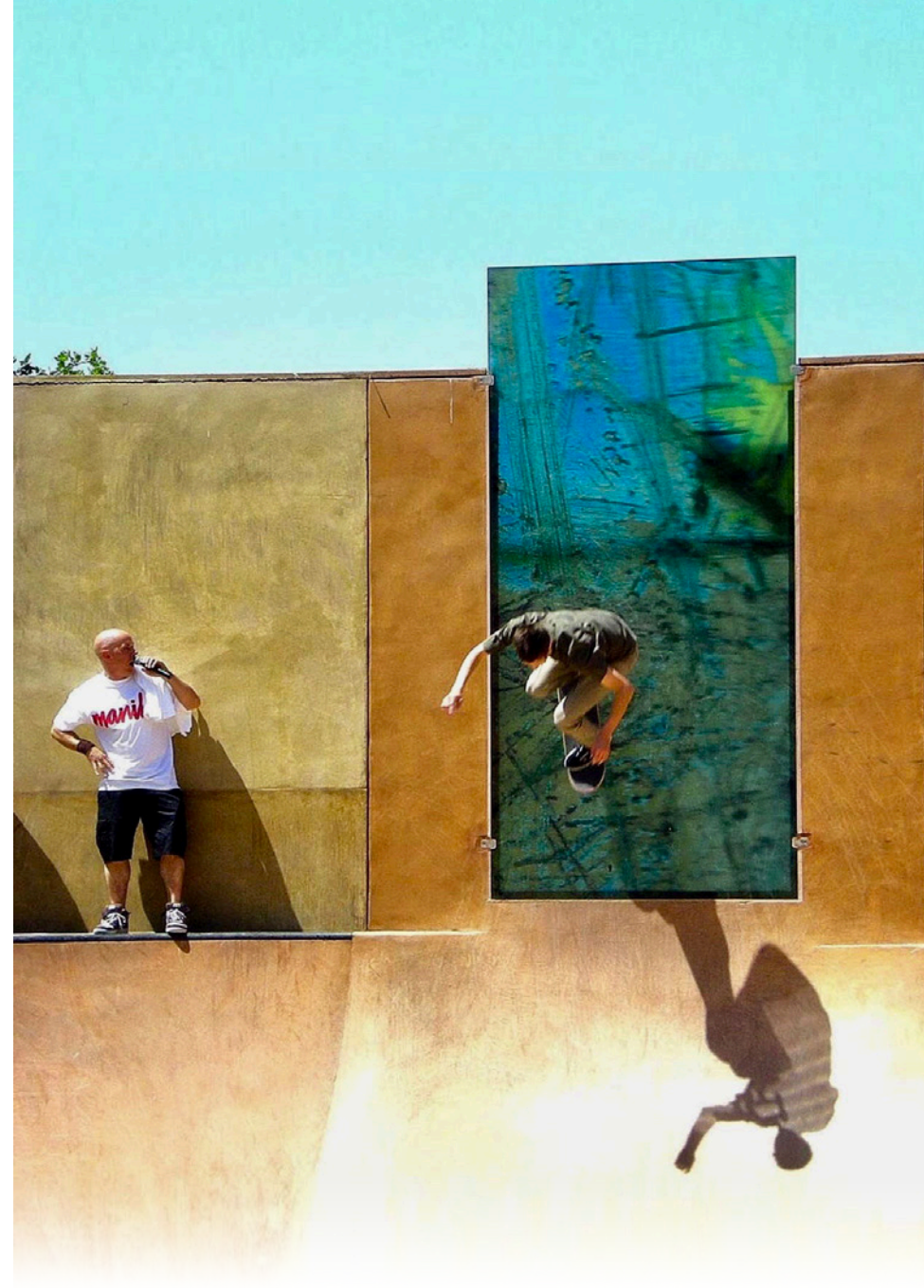
- Call Summary
- Project Description
- Art Goals or Criteria
- Site Location Plans
- Art Location Description
- Budget
- Artist Eligibility
- Application Requirements
- Deadline
- Submission Address
- Selection Process
- Selection Criteria
- Project Timeline
- Sources for Additional Information
- Resources for Questions

4. REVIEW INITIAL RESPONSES AND SELECT FINALISTS

Art Selection Panel, identified in the Project Plan, will review the pool of applicants against the selection criteria for the project and recommend up to five (5) finalists for review and approval. Note, the City does not review or evaluate public art based on content or viewpoint. The Art Selection Panel will then conduct reference checks and proceed to artist interviews or concept proposal development and review, based on whether the engagement method selected is an RFQ or RFP. Art Selection Panels may also opt to conduct studio visits during this phase. If the pool of candidates is too limited or not enough candidates meet the selection criteria, the Art Selection Panel may recommend extending the Call for Artist period before recommending finalists for review and approval.

COMMUNITY ENGAGEMENT

Once the finalists are chosen, the Art Selection Panel may ask the artists to participate in a site visit before conducting interviews or concept proposal development. This site visit may include a tour of the site location and surrounding neighborhoods and informal meetings with key stakeholders (i.e., community members, local businesses, City department members, Healthy RC Steering Committee members, etc.)



5. SELECT THE FINAL ARTIST

Once the interviews and/or concept proposal reviews are completed, the Art Selection Panel will recommend a final artist to RC Public Art Staff. These recommendations will utilize criteria established during the Project Plan and Call for Artist process to evaluate and rate the artists and applicable proposals based on the RFQ or RFP criteria listed below:

RFQ

Selection of the final artist should include a review process that is built from, but not limited to, the following criteria:

- The artist's past work showcases their innovation and mastery of skills and techniques
- The artist has a demonstrated understanding of the project goals and an interest in developing a project that is consistent with those goals and appropriate for the site
- The artist has experience with projects of a similar scale and budget, where applicable. Artist qualification requirements should align with the project's scope and provide opportunities for early-career and emerging artists when appropriate
- The artist can identify and has proficiency in the use of materials appropriate for public installation at the project site

RFP

Selection of the final artist should include a review process for the project concept proposal that is built from, but not limited to, the following criteria:

- The artist has a demonstrated track record of delivering projects on time, within budget, and of high quality and can provide references for past work. Artist qualification requirements should align with the project's scope and provide opportunities for early-career and emerging artists when appropriate
- The artist's proposal demonstrates the feasibility of the project being completed on time and within the identified budget
- The artist's proposal takes into consideration all stages of project management, including but not limited to sub-contractors, fabrication, and installation
- The artist's proposal demonstrates artistic excellence, innovation, and clarity of vision
- The artist's proposal clearly articulates how the piece will meet the identified goals of the project
- The artist's proposal demonstrates a clear understanding of the suitability of the work for the site, including:
 - Conceptual compatibility;
 - Material, form, and scale; and
 - Contribution to the site's characteristics (historical, cultural, ecological, current or proposed use, etc.)
- The artist's proposal identifies potential site issues such as permitting, access to necessary utilities, installation staging, weather, safety, and maintenance requirements



Architects Michael Arad and
Peter Walker, Reflecting Absence
9/11 Memorial, 2011, New York

6. EXECUTE THE ARTIST AGREEMENT

Once the Art Selection Panel makes its final recommendation, RC Public Art Staff will execute the final agreement. This process will vary between RFQ and RFP processes, as outlined below.

RFQ

Once the interviews are completed and the final artist is recommended, RC Public Art Staff will place the artist under a design contract to develop a formal concept proposal. The concept proposal elements should be outlined in the Call for Artists and include, at a minimum, the following elements:

- Written project description;
- Detailed overview of project materials fabrication techniques;
- Requirements for site preparation, including any relevant infrastructure needs;
- A rendering or three-dimensional model of the work; and
- A detailed project budget and timeline

Once the Art Selection Panel has completed the concept proposal review, including the artist's response to any Art Selection Panel identified technical concerns or feedback, RC Public Art Staff will approve the concept proposal and work with applicable City Departments to enter into an agreement with the artist to develop the final project design to fabricate and install the work.

RFP

Once the Art Selection Panel has completed the concept proposal review, including the artist's response to any Art Selection Panel identified technical concerns or feedback, RC Public Art Staff will approve the concept proposal with the applicable City Departments and enter into an agreement with the artist to develop the final project design and to fabricate and install the work.

To the extent possible, all RC Public Art-related contracts should align with the Americans for the Arts Agreement for Commission of Public Artwork recommendations and applicable State or Federal laws such as the California Art Preservation Act and Visual Artists Rights Act.



7. MONITOR FINAL DESIGN AND FABRICATION

The artist will regularly contact RC Public Art Staff during the final design and fabrication phase to further refine the design and complete any necessary permitting or review by a licensed engineer in the State of California. Once completed, the artist will provide a final design, including any necessary approvals or permitting, to RC Public Art Staff for final review and approval.

8. OVERSEE INSTALLATION AND CONCLUDE THE PROJECT PLAN

RC Public Art Staff will work with the artist to ensure that all necessary site permits, and applicable site permissions, are completed before installation. Additionally, RC Public Art Staff will ensure that all site preparation or essential infrastructure, not provided by the artist as outlined in the artist agreement, is in place and will manage the coordination and scheduling of the installation with applicable City Departments and property owners. Once installation is complete, RC Public Art Staff will begin the process to conclude the Project Plan. This process includes confirming maintenance needs, collecting manufacturer warranties and any outstanding documentation from the artist, listing the work on the Public Art Map and Database, hosting a dedication, and more. The project lead can utilize the Project Conclusion Check List under Appendix D to complete the project closeout task list.

Considerations for Purchasing Existing Art

1. DEVELOP A PROJECT PLAN

Include the same elements as outlined in the *Process for Commissioning Public Art* section

2. ESTABLISH SELECTION

Establish Art Selection Panel and determine selection criteria.

3. INVITE ARTISTS OR OTHER APPLICABLE INSTITUTIONS

Invite private collections, curators, galleries, etc. to submit images and information about existing and available art.

- Information should, at a minimum, include:
 - Relevance to RC Public Art vision, core values, and goals;
 - Asking price;
 - Dimensions;
 - Weight;
 - Materials;
 - Current condition;
 - Current location;
 - Fabrication date;
 - Maintenance and conservation requirements; and
 - Art handling and transportation requirements

4. SELECT THE ART

The Art Selection Panel should review artwork based on the selection criteria provided by the RC Public Art Staff that includes, but is not limited to, the following:

- The artwork poses no safety or liability concerns;
- The artist, or applicable party, has provided a report with the appropriate maintenance and conservation needs, and the City is comfortable with those expected needs and associated costs;
- The artwork meets the identified goals and objectives of the project plan;
- The artwork is in line with the vision, core values, and goals of the RC Public Art Plan (note, the City does not review or evaluate public art based on content or viewpoint);
- The artwork scale, form, materials, and/or media are physically and aesthetically appropriate for the proposed site;
- All costs related to the applicable commission, shipping, and installation are known and can be covered by the identified project budget; and
- The work is legally for sale to the City by the seller

5. EXECUTE THE AGREEMENT

Once the artwork has been selected, the City will enter into an agreement of sale with the seller. Depending on the artwork's value, the sale agreement would need to be approved by the City's procurement department or City Council and would need to be compliant with all relevant procurement codes.

6. OVERSEE INSTALLATION AND CONCLUDE THE PROJECT PLAN

RC Public Art Staff will work with the artist to ensure that all necessary site permits, and applicable site permissions are completed before installation. Additionally, RC Public Art Staff will ensure that all site preparation or essential infrastructure, not provided by the artist, is in place and will manage the coordination and scheduling of the installation with applicable City departments and property owners. Once installation is complete, RC Public Art Staff will begin the process to conclude the Project Plan as outlined in the Project Conclusion Check List under Appendix D.



Play Sculpture, Victoria Gardens

Process for Accepting Donations and Loans

Public art donated to the City for permanent display or loaned to the City for temporary works play a role in the RC Public Art Plan and should meet specific criteria. Public art can be donated in compliance with the Placemaking & Public Art Ordinance (Rancho Cucamonga Municipal Code Section 17.124.020) or from corporate or individual donors on an ad hoc basis. The following outlines the process for approving public art donations and temporary art loans.

1. MEET WITH THE POTENTIAL DONOR

RC Public Art Staff will discuss the proposed gift or loan with the donor and provide the list of required submission materials, which include, but are not limited to:

- Written description and drawings, renderings, and photos of the proposed donation or loan;
- Specifications of the artwork including:
 - Relevance to RC Public Art vision, core values, and goals;
 - Dimensions;
 - Color;
 - Weight;
 - Materials;
 - Current condition;
 - Current location;
 - Fabrication date;
 - Maintenance and conservation requirements and expected costs; and
 - Art handling and transportation requirements;
- Background on the artist and documentation of the artist's qualifications;
- Proposed location for the artwork, including required site improvements and display method;
- Current appraisal of existing artwork;
- Proposed timeline for installation (and loan duration for temporary pieces);
- Restrictions or conditions for the donation or loan;
- Documentation of artwork ownership, including a statement of authority and intent to transfer ownership or authority to loan the artwork to the City legally;
- Written statement noting which costs associated with shipping and installation will be borne by the individual or group proposing the donation and which costs the individual or group would ask the City to incur. The City is mindful that these costs can be barriers to inclusion, and all expenses related to public art donations, including but not limited to the below, will be equitably negotiated:
 - Shipping and art handling costs and insurance;
 - Installation (and removal of loans or temporary works);
 - Permitting and inspections;
 - Identification markers;
 - Lighting needs; and
 - Site modifications

2. DOCUMENTATION REVIEW

Once the donor provides the required submission materials, RC Public Art Staff will convene an Art Selection Panel to review the donation and make a recommendation to City Council to approve or decline the proposal.

- Donation Review Criteria should include but are not limited to:
 - The artwork is in line with the vision and core values of the RC Public Art Plan (note, the City does not review or evaluate public art based on content or viewpoint);
 - The artwork media, scale, aesthetics, and site usage are appropriate for the proposed site;
 - The artwork has no environmental concerns and has been evaluated for long-term durability against climate, theft, and vandalism;
 - Maintenance needs and expenses are known, and costs over time are not prohibitive to maintaining the work; and
 - The artwork poses no safety or liability concerns

3. APPROVAL AND INSTALLATION

If approved, RC Public Art Staff will work with the donor to ensure that all necessary site permits, and applicable site permissions are completed before installation. Additionally, RC Public Art Staff will work with the donor to ensure that all site preparation or essential infrastructure is in place and will manage the coordination and scheduling of the installation with applicable City Departments and property owners. Once installation is complete, RC Public Art Staff will begin the process to conclude the project as outlined in the Project Conclusion Check List under Appendix D.

Documentation and Maintenance of Works of Art

PUBLIC ART DOCUMENTATION

RC Public Art Staff will maintain the City's public art collection documentation in the Clerk's office. Documentation of each work will be prepared by the RC Public Art Staff and should include the following:

- An accession form documenting:
 - Accession number;
 - Each piece in the RC Public Art catalog should receive a unique Accession Number
 - Accession date;
 - Title of the work;
 - Artist name, date of birth, and death, if applicable;
 - Medium(s);
 - Dimensions; and
 - Location;
- Artist, donor, or applicable seller contact information;
- Information regarding the fabrication, installation, and maintenance requirements of the work of art;
- Photographic record of the artwork;
- Executed contracts, deeds of gift, loan agreement, transfer of title, or other documents as applicable;
- Applicable copyright agreements;
- Maintenance, conservation, or historical records, as applicable; and
- Form of deaccession, as applicable

MAINTENANCE

The RC Public Art Staff, in partnership with applicable City departments, will be responsible for the regular review and maintenance of acquired works, in line with the maintenance requirements agreed upon between the artist and the City. Maintenance for RC Public Art will be funded by the Public Art Trust Fund or applicable City departments otherwise identified in the Project Plan. In partnership with relevant City Departments, RC Public Art Staff should conduct a complete Public Art Survey every five (5) years, in line with the SSP schedule, to identify any additional maintenance or conservation needs and include the findings in the SSP. If a work of art is damaged by weather, vandalism, accident, or other causes, RC Public Art Staff will make a substantial effort to contact the artist and enter discussions and negotiations about repair and conservation. The artist or lead artist on a team should be consulted first and, if appropriate, paid for proper repairs or included in consultations about all repairs, methods, and materials needed for restoration or conservation. If the artist is not available, deceased, or otherwise dispossessed, an artist or arts expert in the field or art type should be contacted and retained for necessary repairs or to assist in the identification of expert professionals who are qualified to carry out the repairs or conservation in a way that does not alter or compromise the original intent of the artwork.



Top: Terolenn Mykitiuk, *Stainless Steel Decorative Guardrail*, Alberta

Bottom: Khoa Yai Art Museum, 2016, Thailand

Deaccessioning Art

Deaccessioning is the formal process of permanently removing an object from the RC Public Art collection. Before deciding to deaccession art, special considerations should be made, such as the length of time the art has been displayed, the impact of deaccessioning on the artist, the impact of deaccessioning if the work has been donated, and the quality and condition of the work. In general, pieces in the RC Public Art collection should be retained if the work maintains physical integrity, usefulness, and relevance to the purpose and location it was commissioned for, and as long as the City can properly preserve and maintain the material in a cost-effective manner.

IDENTIFYING ART FOR DEACCESSION

A careful and impartial evaluation of the work should be completed by RC Public Art Staff and the PAC and include:

- A good-faith effort to inform the artist or the artist's estate that the artwork is being considered for deaccession;
- A review of all pertinent accession documentation, including a review of legal documents by the City Attorney;
- A written recommendation for deaccession by an independent art professional such as a curator, conservator, historian, or architect; and
- A review of any pertinent written correspondence, media coverage, and other evidence of public opinion

CRITERIA FOR DEACCESSION

- The use or design of the site has been or will be altered in a manner that the artwork is no longer compatible with the site and cannot feasibly be relocated;
- The work in question no longer meets the scope or vision of the RC Public Art Plan;
- The work has deteriorated or been severely damaged such that restoration is impractical, unfeasible, or would render the work false;
- The work no longer exists due to theft, vandalism, accident, or natural disaster;
- The art has become a danger to public safety;
- Maintenance needs for the artwork have changed and are cost-prohibitive; and
- Significant adverse reaction to the artwork from community members has continued for an extended period (at least five (5) years)

OPTIONS FOR DEACCESSION

- Sale;
- Removal and storage;
- Removal and disposal; or
- Return to the Artist: In all cases of deaccession, the artist should be given the first option to take the work back through purchase, exchange, or other means deemed appropriate by the City

PROCESS FOR DEACCESSION

Once it's determined that a work of art in the RC Public Art Collection meets one or more criteria for deaccession, RC Public Art Staff should:

- Have an appraisal of the artwork be completed by a neutral third party if the work's estimated value exceeds \$5,000, or as recommended by the PAC
- Include a written report in the AOP that articulates the reasons for deaccessioning, including an overview of reasons for not relocating the piece elsewhere within the City, and the recommended method for deaccession
- The PAC will then review and recommend that the deaccession move forward
- The City Manager, or designee will then evaluate the deaccession recommendation during the AOP review process, or on an ad hoc basis if the work poses a public safety risk, and approved or directed to City Council for approval
- If approved by the City Council, RC Public Art Staff will move forward with deaccession, and a record will be kept with the documentation for the City's art collection

Funding

Funding for public art should come from diverse sources. The City should prioritize funding projects from the Public Art Trust Fund and leverage the fund by proactively writing grants and soliciting funding from multiple sources to support RC Public Art goals, in addition to making requests from other applicable City funds to support special projects and staffing needs.

PUBLIC ART TRUST FUND

Monies, as required by the Public Art Ordinance, originate from eligible developers who elect the option to donate to the in-lieu Public Art Trust Fund

- RC Public Art should utilize the Public Art Trust Fund to acquire and maintain public art and creative placemaking opportunities for the RC Public Art Collection, so long as the site selection and opportunity meet the criteria outlined herein
- In general, the Public Art Trust Fund should be used for:
 - The design, acquisition, installation, maintenance, and insurance of temporary and permanent public artwork and RC Public Art Program displays by the City or on City property
 - Art education programs for the community conducted on City property; provided that not more than five percent of the fund's annual budget shall be used for this purpose
 - Administrative costs reasonably related to either of the preceding purposes
- Public Art Trust Fund Management
 - RC Public Art, in collaboration with applicable City Departments, will manage the Public Art Trust Fund to maximize its civic benefit and for the sole purpose of establishing the RC Public Art Program according to the vision, core values, goals, and measures herein
 - No Public Art Trust Fund monies may be used for projects outside the scope of the RC Public Art Plan or allocated to other City Departments for use on projects other than public art
 - RC Public Art Staff will make every effort to leverage the funds for matching grants and other opportunities to maximize the impact and stability of the fund over time
 - The RC Public Art Program will utilize funds from the Public Art Trust Fund in a manner that fosters fiscal sustainability and supports the stability of the RC Public Art Program over time
- Transparency
 - RC Public Art Staff should routinely work with the City Manager, Planning Department Director, or other applicable staff to identify and track planned, potential, or confirmed incoming donations as development projects enter the planning and permitting pipeline or as donors, grantors, or other funders come forward to support the program

GRANTS

Public Art, in collaboration with applicable City departments or community partners, should seek grants to help fund projects that support the goals, strategies, and measures outlined in the RC Public Art Plan

PRIVATE FUNDING

- The City should seek funding from individuals, corporations, foundations, or other organizations to support the acquisition of public art or implementation of public art programming and any activities necessary to maintain those programs
- Private funding should align with the goals and values of the RC Public Art Plan

GENERAL FUND

When applicable, RC Public Art Staff should utilize the AOP process to request General Fund support for projects or staffing needs that fall outside the parameters for Public Art Trust Fund use

APPENDIX A - DEFINITIONS

Acquisition: A one-of-a-kind artwork added to the City of Rancho Cucamonga's Public Art Collection through commission, purchase, or donation.

Artist: A practitioner of the arts who has a reputation among peers as a person of artistic excellence through a record of exhibitions, public commissions, sale of works, or educational attainment.

Local Artists: Artists that currently reside in the City of Rancho Cucamonga and surrounding communities.

Regional Artists: Artists that reside within San Bernardino County, Riverside County, Los Angeles County, and Orange County.

Artist Pool: A preselected pool, roster, or stable of qualified artists that make artwork that supports the vision, values, and goals of a city or project.

Artwork: An aesthetic creation of a permanent or temporary medium or combination of media resulting from the skill and creativity of an artist or artists.

Commission: Selecting an artist or artist-led team and providing payment for the creation and installation of a piece of artwork, usually for a specific site.

Community Garden: A food-producing garden on public or private land that provides hands-on opportunities for community members to plant, maintain and harvest a plot of vegetables and edible plants. In the context of public art, community gardens are a subcategory of environmental art and/or public practice as they provide opportunities for artists to engage in these spaces through the design and creation of community gardens and relevant public programming and environmental artwork.

Concept Proposal: A public art project phase in which an artist or artist-led team creates an initial proposal and conducts a preliminary cost estimate.

Creative Economy: According to the United Nations Conference on Trade and Development (UNCTAD),³ "the creative economy has no single definition. It is an evolving concept which builds on the interplay between human creativity and ideas and intellectual property, knowledge and technology. Essentially it is the knowledge-based economic activities upon which the 'creative industries' are based". UNCTAD defines the following industries as the "lifeblood of the creative economy:" Advertising, architecture, arts and crafts, design, fashion, film, video, photography, music, performing arts, publishing, research & development, software, computer games, electronic publishing, and TV/radio.

Deaccessioning: The permanent removal of a work from the City of Rancho Cucamonga Public Art Collection by selling, donating, or destroying it.

Donation: Acquisition of artwork through the acceptance of a donation of funds to purchase or commission artwork or the acceptance of actual artwork from an individual or organization.

Direct Purchase: Selection and purchase of an existing piece of artwork ready for display.

Display: The temporary showing of a work of art.

Final Design: The phase of a public art project in which the artist finalizes the design, placement, installation specifications, and cost estimate and has relevant components prepared and stamped by a licensed engineer.

Functional Art: Refers to aesthetic objects that serve utilitarian purposes. This art can include a broad range of objects, including but not limited to furniture, lighting, shelters, bollards, bike racks, benches, play equipment, and more.

Healthy RC: Established in 2008, Healthy RC is a comprehensive City-Community partnership committed to long-term policy, systems, and environmental changes to support healthy living and a sustainable community. Healthy RC focuses on eight community health priorities: healthy eating & active living, education & family support, mental health, economic development, clean environment, healthy aging, disaster resiliency, and community connections & safety.

Loan: Acquisition of artwork for temporary or long-term display in public spaces, as differentiated from rotating exhibits.

Local and Regional Arts Organizations: Entities based in Rancho Cucamonga or the greater Southern California region that support artists, creators, and the general cultural community. These organization typically provides programs and services that enhance the cultural sector in a variety of ways, such as awarding grants, providing programming, and connecting artists with local opportunities.

Public Art: Original works of temporary or permanent art designed and/or created by an artist or artist-led team. Public art lives in the public realm and is visibly and/or physically accessible to the public. Public art can take shape in many ways and forms as long as it remains free and accessible to the public.

Temporary Art: Works of art created to be in a public place for a limited period, as identified and agreed upon by the City and the artist or artist-led team.

Request for Proposals (RFP): A document soliciting Concept Proposals from artists or an artist roster for a specific public art project. An RFP invites a group of artists to submit a location-specific proposal to be reviewed by the Art Selection Panel.

Request for Qualifications (RFQ): A document soliciting qualifications from artists for a specific public art project. An RFQ invites artists to send their qualifications to be reviewed by the Art Selection Panel but does not require a specific proposal to be submitted until the final artist is selected.

Siting: The permanent installation of a work of art. The temporary or permanent installation of a work of art in a particular site such as on a building, entrance, plaza, intersection, path or roadway, bridge or neighborhood, etc.

RC Public Art Project Outline

PROJECT NAME: _____ AOP YEAR: FY202__/2__

i Use this template to build the RC Public Art Project Outlines for inclusion with the AOP. Once approved this outline will be updated and maintained throughout the project timeline, including a copy submitted to the City Clerk's Office at the conclusion of the project. Remember to save a new version of the file BEFORE updating the referenced sections.

INTRODUCTION

i Provide a brief overview of the project covering the project location, project type (i.e., public art and creative placemaking programming, permanent artwork, temporary artwork, etc.), budget, funding source, and the timeline for project completion

Art Site Overview

i Provide an overview of the project location including location use, project site, applicable capital improvement projects or plans, location issues or concerns that could impact the completion of the project

- Project site location
- Project site current and expected use
- Overview of CIPs or plans that are associated with the proposed public art site or that are anticipated in future years (if applicable)
 - Include points of contact for the CIP and any necessary reference materials
- Site concerns or issues that could impact project completion (if applicable)

Project Goals

i Outline the project goals including how the project aligns with the RC Public Art Vision and the RC Public Art Plan Goals, Strategies, and Measures it supports and what gap in the RC Public Art Collection this project will fill

- Goal #1: _____
- Goal #2: _____
- Integration into the RC Public Art Plan: _____
- Benefit to RC Public Art Collection: _____

ARTIST REQUIREMENTS

Artist Scope of Work

i Outline the work that the artist will be expected to complete as part of the project award (design, fabrication, installation of the work; working with a CIP project or design team, etc.)

Artist Eligibility

i Identify any special eligibility requirements the artist must meet in order to be eligible for a project. (i.e., experience with specific art mediums, emerging artists, regional artists, etc.)

Questions to consider include:

- Must the artist live/work in a certain geographic area or is the call open to artists nationally?
- Is the call only open to professional artists or are students eligible?
- Are artist teams eligible for the project?
- Must the artist have completed a project with a similar budget, scale, and scope?

If you are seeking to reach out to certain types of artists, include that overview here. For example, if the commissioning organization is seeking to reach out to emerging artists, include a statement such as "professional artists who are new to the field of public art." Or if the project is one that will involve a high level of community interaction in a specific setting, include a statement such as "artists who have experience interacting with community are encouraged to apply."

Art Selection Criteria and Recommended Art Selection Panel Members

i Outline the selection criteria that will be included in the Call for Artist and recommendations for the Art Selection Panel

- Selection Criteria
- Art Selection Panel
 - RC Public Art Staff Member: _____
 - Art Site Representative: _____
 - Other Applicable City Representatives/Community Members: _____

PROJECT SPECIFICS

Project Schedule

i Summarize the anticipated project timeline from start to finish. In the table that follows, include all important dates related to the project, broken down by date and duration.

Description	Start Date	End Date	Duration
Project Start			
Milestone 1			
Milestone 2			
Phase 1 Complete			
Milestone 3			
Project End			

Budget and Applicable Funding Sources

i Provide an outline of the proposed budget for the project, including specifics on design, fabrication/installation, and maintenance, if known

Budget and Applicable Funding Sources

i Provide an overview of how this project will be incorporated into the annual community engagement work plan, including community outreach needs, anticipated events (i.e., groundbreakings, openings, dedications, etc.), public participation needs (i.e., meet the artist opportunities, public input on location/art type/etc.)

RC Public Art Call For Artists

FOR INDEPENDENT CONTRACTORS

i The template provides an outline for the Call for Artist Summary in line with the Public Art Network Artists Selection Resource Guide (2013). Notes in the green boxes should be used as reference materials for the section and are pulled from the resource guide linked above. Remember to save a new version of the file BEFORE updating the referenced sections.

CALL SUMMARY

i A brief project summary. The Call Summary helps artists quickly decide whether they are interested or eligible for the call and lets organizations posting the call decide how it should be promoted. Include the project name, commissioning organization, application deadline, project timeline, budget, geographic eligibility requirements, and whether it is an RFQ or RFP.

Project Description

i An overview of the artist's scope of services. Describe whether it is a design-team project, commission for new work, integrated art, functional art replacing functional items, master plan, artist residency, purchase of existing art, or another type of opportunity. Include a description of the organization overseeing the project.

- Project Type
- About the City of Rancho Cucamonga

Art Goals or Criteria

i List the goals and objectives for the art as established in the RC Public Art Project Overview Document. The specificity of the objectives will vary by commissioning organization and reflects the characteristics of each project. The list can be broad – e.g., create a sense of place within the community – or specific – e.g., design streetscape elements that reflect the industrial history of the neighborhood.

Site Location Plans

i Site plans, maps, photographs, or other visual information of the site or art location. Describe the site's function; include what activities will happen there and who uses it. Be sure to include whether or not the site is open to the public, or if the public can see but not enter the site. Include a description or history of the site and community where the art will be and list additional resources for the artist to research. Note whether the artist will be included in the final decision on the site within a given location, or if the site has been identified by the City, prior to the Call for Artist

- Photos/plans/maps/other visuals

Art Location Description

i A description of where the art will be within the project site. Sometimes the location for art is predetermined by the funder, commissioning organization, or community before a Call for Artists is distributed. If this applies to your project, provide a highly detailed description of where the art will be located within the site, especially for an RFP. The description should include, but not be limited to: Engineering and architectural information about the location's structure, materials used at the location, visibility within the site, and lighting information. If the art location is not predetermined, state whether or not the artist will be free to participate in selecting the art site.

Budget

i The amount of funding allocated to art for the project. Clearly state the budget for art and what is expected to be covered (not all projects have the same expectations of project costs covered by the art budget)

- For instance, in a design-team project, the budget may include only the costs of artists' fees and travel. In the commissioning of art, project costs may include the artist's fee, travel, engineering, materials, fabrication, transportation, documentation, and oversight of installation but not actual installation costs.

Often costs for insurance, taxes, studio overhead, and miscellaneous items are not included in an artist's budget by the artist or commissioning agency. It should be clear from the beginning which costs may legitimately be included in the artist's budget and which are covered by others.

Artist Eligibility

i Review the eligibility requirements detailed in the Project Outline

If the project is seeking to reach out to certain types of artists include that overview here. For example, if the commissioning organization is seeking to reach out to emerging artists, include a statement such as "professional artists who are new to the field of public art." Or if the project is one that will involve a high level of community interaction in a specific setting, include a statement such as "artists who have experience interacting with community are encouraged to apply."

This section should also include an equal opportunity statement.

Application Requirements



The list of materials artists should send by mail or online with their applications.

Be very specific about the information artists should include with their application since it determines how it is presented to the panel reviewing applicants and selecting artists. Typical application requirements include:

- Visual support materials
- Annotated lists
- Statement of interest, often restricted to a number of words (e.g. 200 words)
- Resume or short biography
- Self-addressed stamped envelope (SASE) for the return of hardcopy materials
- Project proposal (for RFPs)

Visual support materials can include digital images in specific formats, slides, videos, CDs, and prints or photocopies. If requesting digital images, list the number of images artists may submit and how they should be labeled. If a panel is reviewing digital images, CDs or video, in addition to the number of images be specific about length of time for moving images and the formats the panel will be capable of viewing. Identify the number of copies of support materials the artist is to include (example below).

Examples:

- **For visual art, up to a total of 10 images of past work on a CD.** All images must be in a JPEG format (.jpg), and 1024 pixels (14,222 inches) on the longest side, formatted at 72 ppi. Each image filename must be named as follows: artist's last name, first initial, underscore, and number corresponding to the number on the image list (e.g. smithp_01.jpg). No personal websites will be reviewed. If using a Mac, be sure to use the appropriate Windows filename extension (e.g.: "smithp_01.jpg" rather than "smithj_01")
- **For performance or media art, video documentation formatted on a DVD** as a Windows Media Player or QuickTime file **without an auto start menu.** Each CD/DVD can contain **up to 3 video samples**, with a total running time of no more than 10 minutes for all samples collectively.
- **For media art, audio documentation** must be formatted on a CD/CD-R containing **up to 5 audio samples**, with a total running time of no more than 10 minutes for all samples collectively.

The annotated image list allows the artist to describe the visual support material and usually includes: description, material, location, budget, client or commissioning organization, and any other relevant project information. The statement of interest allows artists to introduce themselves and describe their specific interest in a project, their potential approach to the project or creating public art, answer any specific questions presented in the RFQ and describe any past relevant experience.

If artist teams may apply, clearly state if you require additional visual support materials, resume, and references for each team member. If you are inviting and paying artists to develop proposals, clearly list the types of submission materials you would like the artist to submit to best present their work to the review panel. Typical proposal submission materials include: project description, drawings, renderings, model, photographs, materials list, budget, timeline, references, fabrication, installation, and maintenance information.

Deadline



The date when an application must be either received or postmarked. List the date by which an application must be either received at the mailing or online address or postmarked. Be sure to state if overnight or express delivery is NOT permitted.

Submission Procedures and Address



The address to which the application is submitted or mailed. Include the online address or mailing address.

If overnight or express shipping is allowed, be sure that the address is not a post office box. Supply an alternate address for this type of delivery.

If only online submissions are acceptable, clearly state that there will be no mailed submissions accepted.

Selection Process



A description of how the applications will be reviewed and an artist selected. Include the types of people who are on the selection panel, as identified in the Project Outline

Include the number, or range, of finalists that will be selected and what will be required of the finalists, including interviews, proposals, dates for presentations, and travel. Typically, there are three finalists, but no more than five.

If finalists are subject to interview, state if a fee and travel expenses are covered as well as timeline for interviews and who will participate in the interview process and make the final artist selection.

If proposals are required, provide artists with information about what is included in a proposal, timeline, budget, etc., and fee for proposal, travel, and presentation, and decision-making schedule.

Selection Criteria



A list of the criteria established in the Project Outline that will guide the evaluation of applications.

Listing the selection criteria establishes the priorities of the artist selection panel.

The list also assists artists when considering whether they should apply for a project. For example, if the criteria for the RFQ includes artistic excellence, evidence of working in the field of public art for more than five years, and experience working in community settings, artists new to public art will be informed that their qualifications are not a good fit for the project.

Criteria	Meets Criteria	Does Not Meet Criteria	Comments
Artist Qualifications			
Ex. Training or demonstrated expertise in the medium(s) used for the piece			
Ex. Commission/Experience with permanent large-scale outdoor work of similar scope/materials			
Artist Concept/Design			
Ex. Artwork is site specific and site appropriate			
Ex. Original and does not infringe upon any copyright			

Project Timeline



The timeline that the project will follow from artist selection to project completion. The initial timeline should be included in the Project Outline

The timeline includes dates for the following milestones, as they apply: Submission deadline, panel review, finalist notification, interview schedule, proposal presentations, final artist selection, contract, design review phases, fabrication and installation schedule for art coordinated with project construction, and completion date

Description	Start Date	End Date	Duration
Submission Deadline			
Panel Review			
Finalist Notification			
Interview Schedule			
Proposal Presentations			
Final Artist Selection			
Contract			
Design Review Phases			
Fabrication And Installation			
Completion Date			

Sources for Additional Information



A list of resources the artist may consult for additional project information on the project, site, commissioning organization, community, area history, etc. Providing artists, a list of resources they can consult about different aspects of the project can help them decide if they want to apply and if their work is a good fit with the project parameters. In the case of an RFP, the list can be a launching point for research. Include website addresses, publications, contact information for organizations, and other information that would be helpful and relevant to artists as they research the project.

Accessibility Requirements for the Project



An overview or statement of considerations for accessibility that the artist needs to consider and integrate into the concept proposal and finished design.

Resources for Questions



The contact information for the person or organization to be called if the artist has questions or needs additional information. Be clear about whether telephone calls or email inquiries are accepted or if questions may only be submitted by fax or email. Also state if there is a deadline by which questions must be submitted.

RC Public Art – Project Conclusion Checklist

PROJECT NUMBER: _____

PROJECT MANAGER: _____

PROJECT LOCATION: _____

ARTIST NAME: _____

PROJECT INSTALLATION DATE: _____

Below is the list of tasks that need to be completed, with relevant documentation included in the RC Public Art Project Packet, after the project is installed and prior to closing out the administrative aspects of the RC Public Art Project.

Collect From the Artist/Seller/Donor

- ☐ Maintenance Protocol for the Artwork
- ☐ List of materials used in the creation of the artwork
- ☐ Documentation of manufacturer(s) warranties for artwork components (if applicable)
- ☐ List of fabricators used in the creation of the artwork and contact information
- ☐ Transfer of title for the artwork or other documentation confirming the transfer of ownership of the artwork from the artist to the City
- ☐ Any outstanding project documentation, including high-resolution digital photography

Signage and Communication

- ☐ Complete installation of on-site signage + add photo to the project packet
- ☐ Update the Public Art Map on the City website with a project overview:
 - Artist Name (Birth Year + Death Year, when applicable)
 - Artwork Name + Description
 - Materials + Mediums
 - How it was procured: Donation, Public Art Ordinance (developer installed), RC Public Art Acquisition, etc.
 - Photo
 - Location

Final Steps

- ☐ Enter the project and all applicable materials into the collection database through the City Clerk's office
- ☐ Host a dedication or relevant public event to formalize the project completion

RC Public Art Outreach Methods and Results Summary

OUTREACH SUMMARY

Gathering Voices: The RC Public Art Outreach Process

Community Voices are at the heart of the RC Public Art outreach process. The goal of this outreach effort was to provide creative and accessible ways for all community members to engage in the process, give in-depth feedback, and identify a range of community priorities to inform the future of placemaking and public art in Rancho Cucamonga. The outreach strategy included the development of the RC Public Art Core Team, which was comprised of staff members from multiple departments that oversaw the development and implementation of the RC Public Art Outreach Methods. The RC Public Art Core team utilized existing partnerships and outreach strategies established through the City's award-winning City-Community partnership, Healthy RC, to guide the RC Public Art Outreach Process.

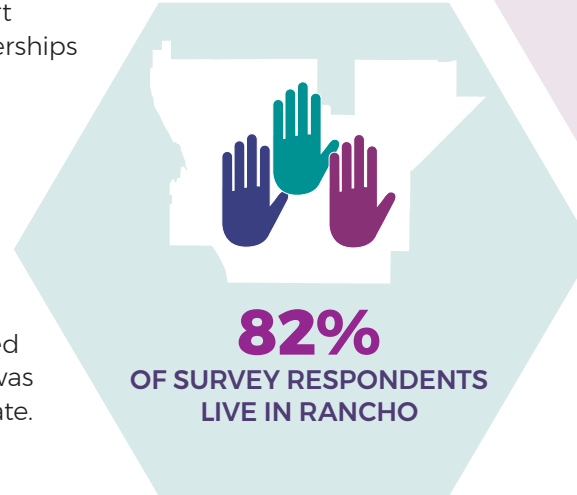
During the outreach period, community members had various online, in-person, and place-based opportunities to comment on what they wanted to see from a public art program in the City. These engagement opportunities included surveys, 'mappy hours,' affinity groups, and one-on-one interviews. The outreach process was developed to ensure that diverse, equitable, and inclusive arts & culture language was integrated into the RC Public Art Plan and the larger General Plan Update.

OUTREACH METHODS

Overall, the RC Public Art Core Team implemented four (4) primary methods for collecting public input that ultimately informed the vision, core values, and goals for the RC Public Art Plan. The following section provides a brief overview of the outreach methods implemented.



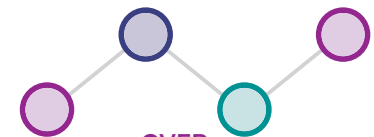
3 MONTHS
DATA COLLECTION



642
SURVEY PARTICIPANTS



16
ONE-TO-ONE INTERVIEWS
WITH STAKEHOLDERS



OVER 30,000
DATA POINTS COLLECTED



6 Pop-up
'MAPPY HOURS'
155 COMMUNITY PARTICIPANTS



6 AFFINITY GROUPS
97 COMMUNITY PARTICIPANTS



RC Public Art Survey

A Multilingual community survey was made available online and in print. Survey respondents provided valuable insights on topics ranging from art placement and art types to what core values the program should adhere to. A total of 642 participants completed the survey both online and in-person, with 70% of those respondents indicating that they lived within Rancho Cucamonga.



RC Public Art Mappy Hours

Six (6) RC Public Art Mappy Hours, bilingual interactive pop-up events, were facilitated by RC Public Art Core Team members and held at the following locations throughout the city: Biane Library, Day Creek Senior Villas, Haven City Market, Los Amigos Park, Red Hill Park, and the Epicenter Stadium. These events provided a safe, outdoor, in-person method to collect public input on preferred art types and locations during the pandemic. Community members could pin preferred locations for public art placement on a city map and provide feedback on preferred public art types with color-coded stickers on posters. Overall, 155 community members participate in the Mappy Hour outreach program.



RC Public Art One-to-One Stakeholder Interviews

Sixteen (16) one-to-one interviews were conducted throughout the strategic planning process with Public Art Committee members, local and regional community members, and local, regional, and national subject matter experts. These interviews established a baseline of connections in the community, helped generate early leads to other community members who could be beneficial to the strategic plan, and assisted with the creation of the Affinity Groups, where the interviewees were recruited as subject matter experts to join these groups later in the outreach process.



RC Public Art Affinity Groups

Six (6) affinity groups were organized to discuss special topics based on emerging themes from survey data, the General Plan Update findings, and one-to-one interviews. Subject matter experts and community representatives were recruited to dive deeper into the emerging topics and to provide expert recommendations for the strategic plan. Affinity Group members identified themes and made core recommendations. In total there were 97 individuals participated in the RC Public.



A mural can make a street corner into a social hotspot. We saw this happen with the intersection and sidewalk art project. To have these pockets of joy sprinkled throughout the city would be marvelous!

- COMPASSIONATE COMMUNITY
MEMBER, AFFINITY GROUP 1



Chalk & Brew, Artist Unknown, 2019,
Rancho Cucamonga



Andrea Benitez, Ontario Town Square Mural, 2014, Ontario Town Square

AFFINITY GROUP 1

Diversity, Equity & Inclusion

Participants from this RC Public Art Affinity Group were members of the Compassionate Communities Subcommittee. The Compassionate Communities subcommittee is primarily comprised of residents, faith-based groups, and other community stakeholders. Through various initiatives like creating a community garden, hosting community conversations on racial justice and social equity, and painting sidewalk art centered around unity, the group aims to improve community connectedness, create a sense of belonging for everyone, and inspire others to be kinder and more empathetic to one another.

AFFINITY GROUP 2

Emerging Survey Data Discussion

Participants from this RC Public Art Affinity Group were the Healthy RC Steering Committee members. The Healthy RC Steering Committee consists of various stakeholders, including non-profits, businesses, faith-based, schools, Universities, healthcare, staff, and residents. The purpose of this Affinity Group was to drive survey engagement and to make recommendations on future public art outreach through the lens of diversity, equity, and inclusion.

AFFINITY GROUP 3

Placemaking & Public Art in Southwest Rancho Cucamonga

Participants from this RC Public Art Affinity Group were Campeones para la Comunidad members. Campeones para la Comunidad/Community Champions is a City-facilitated civic engagement program that has provided Latino residents with leadership training and encouragement to participate in local government activities. The purpose of this RC Public Art Affinity group was to understand the work that Campeones para la Comunidad does and how the arts can be woven into the existing fabric of the neighborhoods in the southwest area of Cucamonga.

AFFINITY GROUP 4

Youth Voices for Public Art

Participants from this RC Public Art Affinity Group were members of the Healthy RC Youth Leaders Program and the Teen Advisors Program from Sam and Alfreda Maloof Foundation for Arts and Crafts. The purpose of this affinity group was to include youth voices in the process and better understand what types of art and arts programming they would like to see incorporated in their community.

AFFINITY GROUP 5

The Creative Economy

Local and Regional Arts & Culture Leaders, including members of the Public Art Committee. The purpose of this affinity group was to discuss the creative economy and gather recommendations from subject matter experts for arts integration in the city and the development of arts & culture districts or hubs.

AFFINITY GROUP 6

The Artist's Perspective

Participants of this RC Public Art Affinity group were subject matter experts in public art and represented regional program administrators, consultants, and public artists. The Purpose of this affinity group was to receive feedback and recommendations for best practices for public art program administration, including art types and placement, community engagement, and local/regional artist engagement.

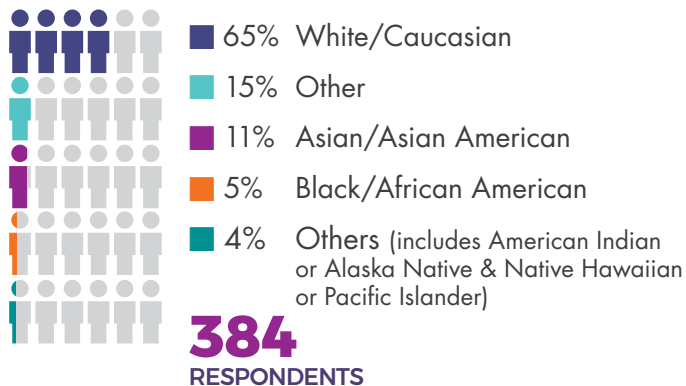
KEY RESULTS FROM OUTREACH METHODS

CULTURAL VALUES AUDIT

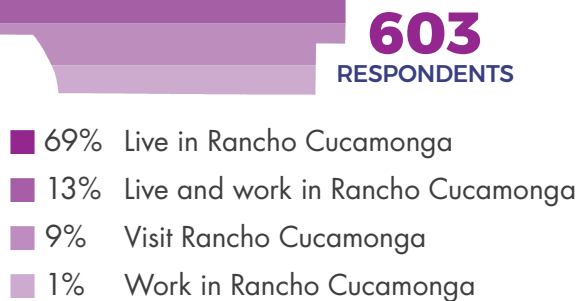
Why conduct a cultural audit?

People are the heart of our city, and like a mosaic, the cultural and natural assets of a city reflect what we value. A cultural audit is an essential Placekeeping tool to help us better understand the assets and strengths we should protect, enhance, and build upon. The identification of our assets through a cultural audit tells an essential story about the existing places that people value and enjoy. These assets are central to the cultural identity and vitality of our city. They already make Rancho Cucamonga a great place to live, work and play. The cultural audit also serves to identify potential gaps that might need to be addressed that could help increase the vibrancy of city life.

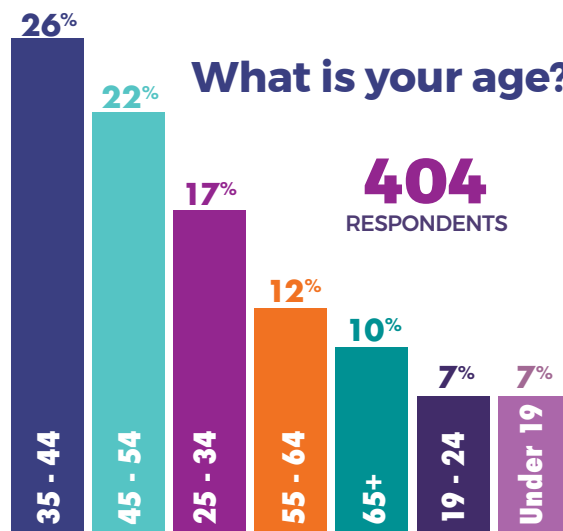
What is your race?



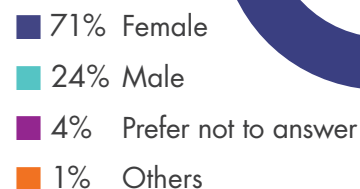
Which best describes you?



What is your age?



What is your gender?



What places in the city do you value most?

Think about the most important places
you visit with your family and friends,
and where you take out of town guests.

20%

PERFORMING ARTS
THEATER,
CHAFFEY COLLEGE

58%

**VICTORIA
GARDENS**

**MAIN STREET
ROUTE 66**

20%

RC SPORTS
CENTER

55%

PAUL A. BIANE & ARCHIBALD
LIBRARIES

31%

HISTORICAL WINERIES
(JOSEPH FILIPPI,
VIRGINIA DARE)

68%

52%

52%

28%

SAM & ALFREDA
MALOOF HOUSE
& GARDEN

47%

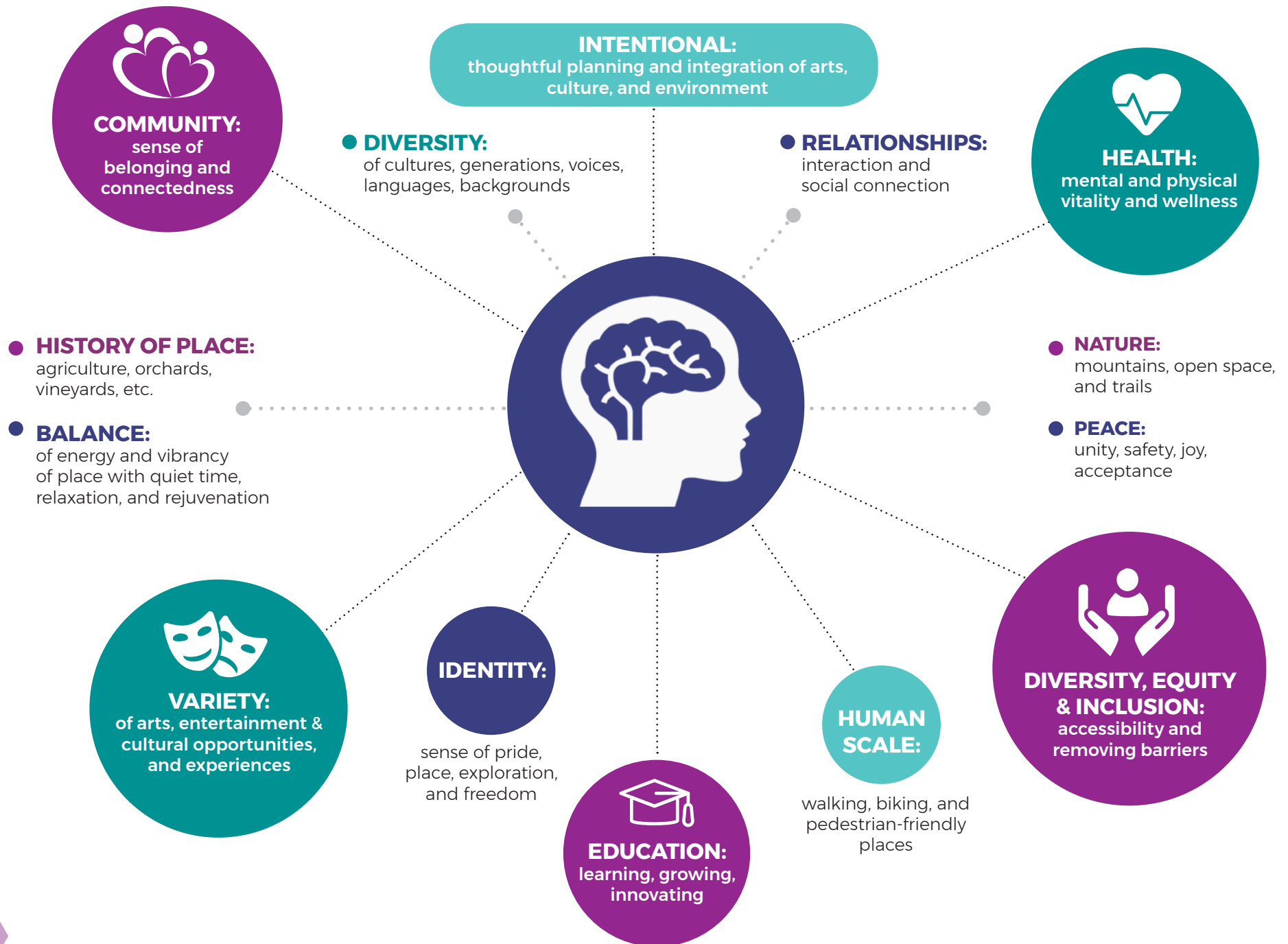
RED HILL
COMMUNITY PARK

47%

NORTH ETIWANDA
PRESERVE
COUNTY OF SAN BERNARDINO

26%

SENSE OF PLACE MIND MAPPING RESULTS:



SURVEY PREFERRED ART TYPES

Explore the types of public art and placemaking projects you would like to see and experience in our community.

78%

**MURALS
& MOSAICS**

75%

**TEMPORARY
PROJECTS**

(Interactive Art, Performances,
Festivals & Art Walks)

74%

**STREETSCAPES
& FUNCTIONAL ART**

68%

**EARTHWORKS
& ENVIRONMENTAL ART/
COMMUNITY GARDENS**

65%

**NEIGHBORHOOD
PROJECTS**

60%

**RENEWABLE
ENERGY ART**

58%

**INFRASTRUCTURE
ART**

56%

**SOCIAL PRACTICE
& CIVIC ENGAGEMENT**

53%

**SPORTS
& PLAYSAPES**

51%

**SCULPTURE
PARKS**

50%

**LITERARY ARTS
(Poetry, Spoken Word, Readings)
SIGNATURE/ICONIC
SCULPTURE**

41%

**MEMORIALS &
COMMEMORATIVE SPACES**



Claes Oldenburg, Spoonbridge and Cherry, 1988, Minneapolis Sculpture Garden



Banksy, Girl with Balloon, 2002, United Kingdom



Daan Roosegaarde, Van Gogh cycle path, 2014, Netherlands

MAPPY HOURS POP-UP RESULTS

The RC Public Art Core Team launched the “Mappy Hours” pop-up program, a series of multigenerational community outreach events that engaged youth, families, and seniors in a fun and engaging public art mapping activity. From those sessions, several areas of concentration were identified for public art placement, as shown in the map.

MAPPY HOUR ART TYPE PREFERENCES

- Earthworks
- Temporary Art
- Infrastructure Art
- Streetscapes
- Renewable Art
- Sculpture
- Neighborhood Projects
- Murals/Mosaics

OVERALL SURVEY AND MAPPY HOUR LOCATION PREFERENCES

High Concentrations

These are areas with the highest concentration of requests for art placement.

- Victoria Gardens
- Red Hill Gateway and Community Park
- Civic Center
- Central Park

Medium Concentrations

These are areas with smaller clusters of requests for art placement.

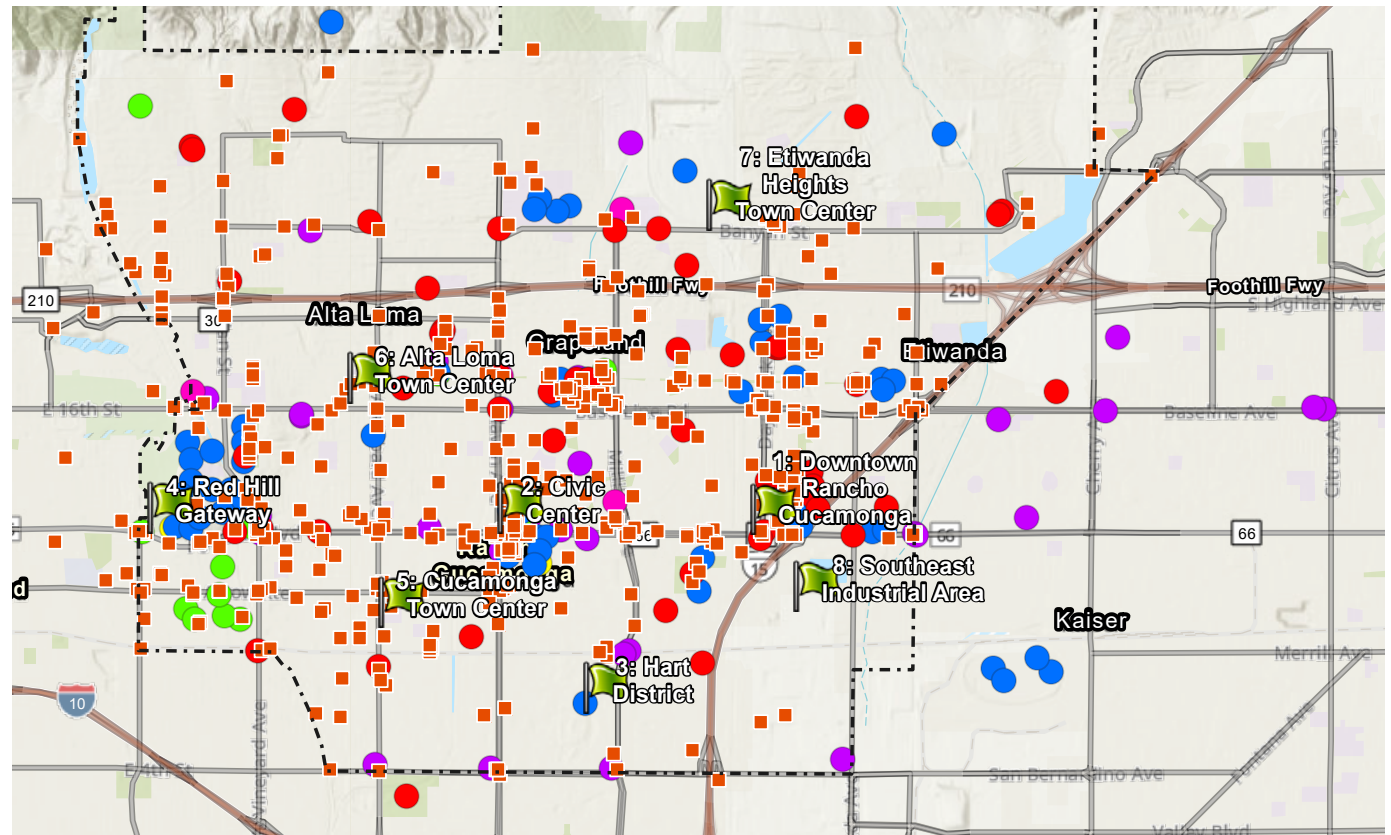
- Southwest RC Neighborhoods
- Chaffey College
- Northwest RC Neighborhoods
- Etiwanda Neighborhoods
- HART District

Other Priority Locations

These specific location types had higher concentrations of requests for art placement and can be found throughout the city.

- Neighborhood Parks
- Major intersections and thoroughfares
- Gateways into the City
- Major Bike and Walking Paths

COMBINED SURVEY AND MAPPY HOUR LOCATION PREFERENCES



ONE-TO-ONE INTERVIEWS

Key Takeaways and Recommendations

Identify and support local and regional artists and include emerging to established artists in the program

Collaborate with existing arts and culture leaders to develop projects and plans

Convene a city leadership discussion with the Arts Connection of San Bernardino County

Grow a vibrant creative economy, particularly the visual arts

Be inclusive of all communities, cultures, voices by balancing placemaking and placekeeping efforts in all neighborhoods and ensuring access to and distribution of art

Work with local Indigenous groups to reinvigorate the stories of the first peoples of Rancho Cucamonga and their cultural heritage, Cucamonga, after all, is a Tongva word

Cultivate relationships and build trust with Indigenous communities over time, and offer compensation for Indigenous people's ideas and time.

Develop a creative class to help establish the city as a cultural and economic hub. This includes incentives for affordable housing developments, work-live lofts, and zoning to allow for multiple use and adaptive reuse development that favors artistic production

AFFINITY GROUPS

Key Takeaways and Recommendations

AFFINITY GROUP 1

Diversity, Equity & Inclusion

- Include and support local artists, particularly those with multiple abilities, disabled, seniors, and all ethnic and racial backgrounds, with more voices of the LGBTQIA+ community, and representatives from different cultural groups
- Prioritize a community-driven public art program to include murals, existing Community Stories Project, literacy and literary arts, art therapy for vulnerable groups like at-risk teens, seasonal exhibitions, street fairs, food sovereignty projects, hands-on art projects
- Diversify and strengthen partnerships with existing arts organizations, such as Chaffey College visual and performing arts department
- Diversify funding to enhance the public art budget
- Prioritize environmental justice/sustainability through the arts

AFFINITY GROUP 2

Emerging Survey Data Discussion

- Increase in-person RC Public Art outreach to help identify more public art locations. Some members had difficulty with the online platform and the interactive map in the online survey. This recommendation resulted in the creation of in-person Mappy Hours outreach events to drive additional survey engagement and to collect deeper data about locations for public art and why
- Focus engagement on the communities in Southwest Cucamonga, particularly youth and teen engagement
- Prioritize food access, address food deserts, and integrate the arts
- Expressed the desire for murals, sidewalk art, colorful industrial buildings, traveling art (temporary exhibitions that move throughout the city to unify neighborhoods through the arts), and community gardens
- Focus on Los Amigos Elementary School, Los Amigos Park, Industrial parks, and more open spaces for active, healthy lifestyles
- Transition STEM to STEAM. STEM programs should integrate an "A" for the Arts in education





Public art is a way to tell a story. It's a way to creatively use ordinary spaces and turn them into something beautiful that reflects who we are as people, our culture, and the impact we want to make!

- STEERING COMMITTEE MEMBER



Artist in Residency Program, iStock

AFFINITY GROUP 3

Placemaking & Public Art in Southwest Rancho Cucamonga

- Safe Streets should be a top priority: Public art measures that help calm and focus traffic, such as painted crosswalks and intersections, artfully designed sidewalk bump-outs and signage
- Prioritize artful and creative lighting at night, especially along Arrow Route and 8th street
- Prioritize a hub to gather and implement small neighborhood scale street and/or sidewalk art festivals and cultural exchanges to enjoy ethnic foods and music together as a neighborhood community
- Utilize a neighborhood-driven public art process to preserve resident agency
- Work with Public Safety to establish a Public Art & Creative Placemaking Action Plan for Southwest Rancho Cucamonga and an overall graffiti prevention and public art engagement program
- Establish places and events for neighbors to meet and celebrate the predominant Latin and Hispanic art, cultures, food traditions, and languages
- Test the application of the community engagement structure and methods that the City uses with the Campeones para la Comunidad to other historically underserved groups such as the local Indigenous communities (Tongva, Serrano, Cahuilla, Luiseno) and other groups such as Asian American groups and all groups who have been historically responsible for the development and stewardship of Rancho Cucamonga and its resources

AFFINITY GROUP 4

Youth Voices for Public Art

- Youth expressed the need for opportunities to actively engage in the arts such as reading, writing, poetry, painting, drawing, playing music, and dance as forms of creative expression and self-care, especially during the pandemic
- Establish locally owned arts & culture hubs throughout the City so that all residents are within a reasonable walking or biking distance of these locations
- Include youth and young adults in the creation of murals at sports facilities and other areas where youth are most active
- Youth Leaders prioritized underutilized or vacant places in their discussion, calling out the need for uplifting areas that show suburban blight around their homes. They mentioned specifically that many strip malls have this problem
- Build on existing festivals such as the farmers market at Terra Vista by developing a food and art festival
- Establish more professional development opportunities for youth to perform music in a public setting
- Develop engagement opportunities in the arts to give youth productive things to do, help revitalize areas, and act on the issues they are most concerned about, such as climate change and social justice
- Prioritize art that is educational in some way

AFFINITY GROUP 5

The Creative Economy Local and Regional Arts & Culture Leaders

- Support and encourage the decentralization of the arts and culture to foster different kinds of art & placemaking disciplines to naturally group in different areas of the city.
- Encourage hubs or districts to grow by creative/artistic discipline. For example, performing arts and literary arts are already well established at the Victoria Gardens Cultural Center, part of Focus Area #1, “Downtown Rancho Cucamonga.” Concentrating the performing arts, in that area could foster the critical mass that helps each entity within that hub or district create its own ecosystem and identity, to support each other, and share resources
- Provide the built infrastructure with rent control and economic incentives to support a diverse range of types and capacities to flourish within the hub or district
- Track, observe, and support naturally occurring creative & cultural activity in neighborhoods during all placemaking and public art outreach programs, and offer more arts & culture events that are co-created with the neighborhood community
- Establish and maintain an arts & culture events calendar to support rather than compete with neighboring hubs and activities. Schedule in a way that gives the community offerings from different hubs at different times during the week and weekends

AFFINITY GROUP 6

The Artist’s Perspective – Best Practices from Public Installation to Community Engagement

- Prioritize the commissioning of local artists
- Provide expert project management support to artists while not interfering with the creative vision of the artist(s)
- Included a community engagement effort for every RC Public Art project allowing artists and RC Public Art Staff engage with the community before the final designs are completed to develop a community connection to the art and artist(s)
- Diversify funding sources to ensure robust budgets long-term and help build partnerships
- Build partnerships with regional agencies and non-profits
- Identify and recruit local and regionally based artists
- Identify and approve locations for public art ahead of time so that these locations are insured for future works of public art after any change in leadership
- Review the composition of the City’s current Public Art Committee and plan for expansion as the program grows so that it’s representative of the community
- Retain the services of an arts attorney



Chalk & Brews, Rancho Cucamonga

State and Federal Laws

California Art Preservation Act

CALIFORNIA CIVIL CODE §987

1. The Legislature hereby finds and declares that the physical alteration or destruction of fine art, which is an expression of the artist's personality, is detrimental to the artist's reputation, and artists therefore have an interest in protecting their works of fine art against any alteration or destruction; and that there is also a public interest in preserving the integrity of cultural and artistic creations.
2. As used in this section:
 - a. "Artist" means the individual or individuals who create a work of fine art.
 - b. "Fine art" means an original painting, sculpture, or drawing, or an original work of art in glass, of recognized quality, but shall not include work prepared under contract for commercial use by its purchaser.
 - c. "Person" means an individual, partnership, corporation, limited liability company, association or other group, however organized.
 - d. "Frame" means to prepare, or cause to be prepared, a work of fine art for display in a manner customarily considered to be appropriate for a work of fine art in the particular medium.
 - e. "Restore" means to return, or cause to be returned, a deteriorated or damaged work of fine art as nearly as is feasible to its original state or condition, in accordance with prevailing standards.
 - f. "Conserve" means to preserve, or cause to be preserved, a work of fine art by retarding or preventing deterioration or damage through appropriate treatment in accordance with prevailing standards in order to maintain the structural integrity to the fullest extent possible in an unchanging state.
 - g. "Commercial use" means fine art created under a work-for-hire arrangement for use in advertising, magazines, newspapers, or other print and electronic media.
3.
 - a. No person, except an artist who owns and possesses a work of fine art which the artist has created, shall intentionally commit, or authorize the intentional commission of, any physical defacement, mutilation, alteration, or destruction of a work of fine art.
 - b. In addition to the prohibitions contained in paragraph (1), no person who frames, conserves, or restores a work of fine art shall commit, or authorize the commission of, any physical defacement, mutilation, alteration, or destruction of a work of fine art by any act constituting gross negligence. For purposes of this section, the term "gross negligence" shall mean the exercise of so slight a degree of care as to justify the belief that there was an indifference to the particular work of fine art.
4. The artist shall retain at all times the right to claim authorship, or, for a just and valid reason, to disclaim authorship of his or her work of fine art. To effectuate the rights created by this section, the artist may commence an action to recover or obtain any of the following:
 - a. Injunctive relief.
 - b. Actual damages.
 - c. Punitive damages. In the event that punitive damages are awarded, the court shall, in its discretion, select an organization or organizations engaged in charitable or educational activities involving the fine arts in California to receive any punitive damages.
 - d. Reasonable attorneys' and expert witness fees.
 - e. Any other relief which the court deems proper.
5. In determining whether a work of fine art is of recognized quality, the trier of fact shall rely on the opinions of artists, art dealers, collectors of fine art, curators of art museums, and other persons involved with the creation or marketing of fine art. The rights and duties created under this section:
 - a. Shall, with respect to the artist, or if any artist is deceased, his or her heir, beneficiary, devisee, or personal representative, exist until the 50th anniversary of the death of the artist.
 - b. Shall exist in addition to any other rights and duties which may now or in the future be applicable.
 - c. Except as provided in paragraph (1) of subdivision (h), may not be waived except by an instrument in writing expressly so providing which is signed by the artist.

6.
 - a. If a work of fine art cannot be removed from a building without substantial physical defacement, mutilation, alteration, or destruction of the work, the rights and duties created under this section, unless expressly reserved by an instrument in writing signed by the owner of the building, containing a legal description of the property and properly recorded, shall be deemed waived. The instrument, if properly recorded, shall be binding on subsequent owners of the building.
 - b. If the owner of a building wishes to remove a work of fine art which is a part of the building but which can be removed from the building without substantial harm to the fine art, and in the course of or after removal, the owner intends to cause or allow the fine art to suffer physical defacement, mutilation, alteration, or destruction, the rights and duties created under this section shall apply unless the owner has diligently attempted without success to notify the artist, or, if the artist is deceased, his or her heir, beneficiary, devisee, or personal representative, in writing of his or her intended action affecting the work of fine art, or unless he or she did provide notice and that person failed within 90 days either to remove the work or to pay for its removal. If the work is removed at the expense of the artist, his or her heir, beneficiary, devisee, or personal representative, title to the fine art shall pass to that person.
 - c. If a work of fine art can be removed from a building scheduled for demolition without substantial physical defacement, mutilation, alteration, or destruction of the work, and the owner of the building has notified the owner of the work of fine art of the scheduled demolition or the owner of the building is the owner of the work of fine art, and the owner of the work of fine art elects not to remove the work of fine art, the rights and duties created under this section shall apply, unless the owner of the building has diligently attempted without success to notify the artist, or, if the artist is deceased, his or her heir, beneficiary, devisee, or personal representative, in writing of the intended action affecting the work of fine art, or unless he or she did provide notice and that person failed within 90 days either to remove the work or to pay for its removal. If the work is removed at the expense of the artist, his or her heir, beneficiary, devisee, or personal representative, title to the fine art shall pass to that person.
 - d. Nothing in this subdivision shall affect the rights of authorship created in subdivision (d) of this section.
7. No action may be maintained to enforce any liability under this section unless brought within three years of the act complained of or one year after discovery of the act, whichever is longer.
8. This section shall become operative on January 1, 1980, and shall apply to claims based on proscribed acts occurring on or after that date to works of fine art whenever created.
9. If any provision of this section or the application thereof to any person or circumstance is held invalid for any reason, the invalidity shall not affect any other provisions or applications of this section which can be effected without the invalid provision or application, and to this end the provisions of this section are severable.

CALIFORNIA CIVIL CODE, SECTION 989

1. The Legislature hereby finds and declares that there is a public interest in preserving the integrity of cultural and artistic creations. As used in this section:
 - a. "Fine art" means an original painting, sculpture, or drawing, or an original work of art in glass, of recognized quality, and of substantial public interest.
 - b. "Organization" means a public or private not-for-profit entity or association, in existence at least three years at the time an action is filed pursuant to this section, a major purpose of which is to stage, display, or otherwise present works of art to the public or to promote the interests of the arts or artists.
 - c. "Cost of removal" includes reasonable costs, if any, for the repair of damage to the real property caused by the removal of the work of fine art.
2. An organization acting in the public interest may commence an action for injunctive relief to preserve or restore the integrity of a work of fine art from acts prohibited by subdivision (c) of Section 987.
3. In determining whether a work of fine art is of recognized quality and of substantial public interest the trier of fact shall rely on the opinions of those described in subdivision (f) of Section 987.
4.
 - a. If a work of fine art cannot be removed from real property without substantial physical defacement, mutilation, alteration, or destruction of such work, no action to preserve the integrity of the work of fine art may be brought under this section. However, if an organization offers some evidence giving rise to a reasonable likelihood that a work of art can be removed from the real property without substantial physical

defacement, mutilation, alteration, or destruction of the work, and is prepared to pay the cost of removal of the work, it may bring a legal action for a determination of this issue. In that action the organization shall be entitled to injunctive relief to preserve the integrity of the work of fine art, but shall also have the burden of proof. The action shall commence within 30 days after filing. No action may be brought under this paragraph if the organization's interest in preserving the work of art is in conflict with an instrument described in paragraph (1) of subdivision (h) of Section 987.

- b. If the owner of the real property wishes to remove a work of fine art which is part of the real property, but which can be removed from the real property without substantial harm to such fine art, and in the course of or after removal, the owner intends to cause or allow the fine art to suffer physical defacement, mutilation, alteration, or destruction the owner shall do the following:
 - a. If the artist or artist's heir, legatee, or personal representative fails to take action to remove the work of fine art after the notice provided by paragraph (2) of subdivision (h) of Section 987, the owner shall provide 30 days' notice of his or her intended action affecting the work of art. The written notice shall be a display advertisement in a newspaper of general circulation in the area where the fine art is located. The notice required by this paragraph may run concurrently with the notice required by subdivision (h) of Section 987.
 - a. If within the 30-day period an organization agrees to remove the work of fine art and pay the cost of removal of the work, the payment and removal shall occur within 90 days of the first day of the 30-day notice.
 - b. If the work is removed at the expense of an organization, title to the fine art shall pass to that organization.
 - b. If an organization does not agree to remove the work of fine art within the 30-day period or fails to remove and pay the cost of removal of the work of fine art within the 90-day period the owner may take the intended action affecting the work of fine art.
5. To effectuate the rights created by this section, the court may do the following:
 - a. Award reasonable attorney's and expert witness fees to the prevailing party, in an amount as determined by the court.
 - b. Require the organization to post a bond in a reasonable amount as determined by the court.
6. No action may be maintained under this section unless brought within three years of the act complained of or one year after discovery of such act, whichever is longer.
7. This section shall become operative on January 1, 1983, and shall apply to claims based on acts occurring on or after that date to works of fine art, whenever created.
8. If any provision of this section or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

Visual Artist Rights Act

TITLE 17 UNITED STATES CODE, SECTION 106A:

RIGHTS OF CERTAIN AUTHORS TO ATTRIBUTION AND INTEGRITY

1. Rights of Attribution and Integrity.

Subject to section 107 and independent of the exclusive rights provided in section 106, the author of a work of visual art —

- a. shall have the right —
 - a. to claim authorship of that work, and
 - b. to prevent the use of his or her name as the author of any work of visual art which he or she did not create;
- b. shall have the right to prevent the use of his or her name as the author of the work of visual art in the event of a distortion, mutilation, or other modification of the work which would be prejudicial to his or her honor or reputation; and
- c. subject to the limitations set forth in section 113(d), shall have the right —
 - a. to prevent any intentional distortion, mutilation, or other modification of that work which would be prejudicial to his or her honor or reputation, and any intentional distortion, mutilation, or modification of that work is a violation of that right, and
 - b. to prevent any destruction of a work of recognized stature, and any intentional or grossly negligent destruction of that work is a violation of that right.

2. Scope and Exercise of Rights.

Only the author of a work of visual art has the rights conferred by subsection (a.) in that work, whether or not the author is the copyright owner. The authors of a joint work of visual art are co-owners of the rights conferred by subsection (a.) in that work.

3. Exceptions.

- a. The modification of a work of visual art which is a result of the passage of time or the inherent nature of the materials is not a distortion, mutilation, or other modification described in subsection (a.3.A.).
- b. The modification of a work of visual art which is the result of conservation, or of the public presentation, including lighting and placement, of the work is not a destruction, distortion, mutilation, or other modification described in subsection (a)(3) unless the modification is caused by gross negligence.
- c. The rights described in paragraphs (1.) and (2.) of subsection (a.) shall not apply to any reproduction, depiction, portrayal, or other use of a work in, upon, or in any connection with any item described in subparagraph (A.) or (B.) of the definition of "work of visual art" in section 101, and any such reproduction, depiction, portrayal, or other use of a work is not a destruction, distortion, mutilation, or other modification described in paragraph (3) of subsection (a.).

4. Duration of Rights.

- a. With respect to works of visual art created on or after the effective date set forth in section 610(a) of the Visual Artists Rights Act of 1990, the rights conferred by subsection (a.) shall endure for a term consisting of the life of the author.
- b. With respect to works of visual art created before the effective date set forth in section 610(a) of the Visual Artists Rights Act of 1990, but title to which has not, as of such effective date, been transferred from the author, the rights conferred by subsection (a.) shall be coextensive with, and shall expire at the same time as, the rights conferred by section 106.
- c. (3) In the case of a joint work prepared by two or more authors, the rights conferred by subsection (a.) shall endure for a term consisting of the life of the last surviving author.
- d. All terms of the rights conferred by subsection (a) run to the end of the calendar year in which they would otherwise expire.

5. Transfer and Waiver.

- a. The rights conferred by subsection (a.) may not be transferred, but those rights may be waived if the author expressly agrees to such waiver in a written instrument signed by the author. Such instrument shall specifically identify the work, and uses of that work, to which the waiver applies, and the waiver shall apply only to the work and uses so identified. In the case of a joint work prepared by two or more authors, a waiver of rights under this paragraph made by one such author waives such rights for all such authors.
- b. Ownership of the rights conferred by subsection (a.) with respect to a work of visual art is distinct from ownership of any copy of that work, or of a copyright or any exclusive right under a copyright in that work. Transfer of ownership of any copy of a work of visual art, or of a copyright or any exclusive right under a copyright, shall not constitute a waiver of the rights conferred by subsection (a). Except as may otherwise be agreed by the author in a written instrument signed by the author, a waiver of the rights conferred by subsection (a.) with respect to a work of visual art shall not constitute a transfer of ownership of any copy of that work, or of ownership of a copyright or of any exclusive right under a copyright in that work.

-SOURCE-(ADDED PUB. L. 101-650, TITLE VI, SEC. 603(A), DEC. 1, 1990, 104 STAT. 5128.)

TITLE 17 UNITED STATES CODE, SECTION 113

1. In a case in which —
 - a. a work of visual art has been incorporated in or made part of a building in such a way that removing the work from the building will cause the destruction, distortion, mutilation, or other modification of the work as described in section 106A(a.3.), and
 - b. the author consented to the installation of the work in the building either before the effective date set forth in section 610(a.) of the Visual Artists Rights Act of 1990, or in a written instrument executed on or after such effective date that is signed by the owner of the building and the author and that specifies that installation of the work may subject the work to destruction, distortion, mutilation, or other modification, by reason of its removal, then the rights conferred by paragraphs (2.) and (3.) of section 106A(a.) shall not apply.

2. If the owner of a building wishes to remove a work of visual art which is a part of such building and which can be removed from the building without the destruction, distortion, mutilation, or other modification of the work as described in section 106A(a)(3), the author's rights under paragraphs (2.) and (3.) of section 106A(a.) shall apply unless —
 - a. the owner has made a diligent, good faith attempt without success to notify the author of the owner's intended action affecting the work of visual art, or
 - b. the owner did provide such notice in writing and the person so notified failed, within 90 days after receiving such notice, either to remove the work or to pay for its removal. For purposes of subparagraph (A), an owner shall be presumed to have made a diligent, good faith attempt to send notice if the owner sent such notice by registered mail to the author at the most recent address of the author that was recorded with the Register of Copyrights pursuant to paragraph (3). If the work is removed at the expense of the author, title to that copy of the work shall be deemed to be in the author.
3. The Register of Copyrights shall establish a system of records whereby any author of a work of visual art that has been incorporated in or made part of a building, may record his or her identity and address with the Copyright Office. The Register shall also establish procedures under which any such author may update the information so recorded, and procedures under which owners of buildings may record with the Copyright Office evidence of their efforts to comply with this subsection.

-SOURCE- (PUB. L. 94-553, TITLE I, SEC. 101, OCT. 19, 1976, 90 STAT. 2560; PUB. L. 101-650, TITLE VI, SEC. 604, DEC. 1, 1990, 104 STAT. 5130.)

APPENDIX H

Resources and Tools

The following resources are provided as sample guides and best practices the City of Rancho Cucamonga should consider when reviewing, developing, or revising public art policies and procedures:

Public Art Administrators Website, Americans for the Arts

Public Art Best Practices (2016), Americans for the Arts

Public Art Contract Example, Americans for the Arts

Sample Public Art Management Plan, Wheatridge, CO

Sample Public Art Management Plan, Las Cruces, NM

Sample Public Art Management Plan, Keller, TX

Sample Public Art Management Plan, Eugene, OR

Sample Public Art Strategic Plan, San Francisco Arts Commission (2014-2019)

Sample Public Art Policy, Fredericksburg, VA

Sample Public Art Placement and Prioritization, Montgomery County Public Art Trust (2016)

Sample Public Art Master Plan Goals, Colorado Springs, CO

Sample Public Art Master Plan Goals, Napa, CA



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CityofRC.us



*Vincent Jimenez, CommUNITY Paint Day Intersection project, 2021,
Rancho Cucamonga*

