

TO: James L. App, City Manager
FROM: Julie Dahlen, Director of Library & Recreation Services
SUBJECT: Installation of REC Foundation River Sculpture along River Parkway Trail
DATE: February 5, 2013

NEEDS: For the City Council to consider a proposal by the Paso Robles REC Foundation to install a commissioned River Sculpture "Circle of Life" along a segment of River Parkway Trail.

- FACTS:
1. In March of 2005, the City Council established a "Visual Art in Public Places Program" to stimulate investment in public art displays.
 2. The Parks and Recreation Advisory Committee (PRAC) acts as the Council advisory committee relative to expenditure of the City's Public Art Fund and the selection of public art pieces.
 3. At its regular meeting of January 8, 2013, the PRAC voted unanimously to accept a proposal by the REC Foundation to install a rolled and welded steel sculpture entitled "Circle of Life" along the new ½ mile Charolais segment of the River Parkway trail. The sculpture has dual function with its bench acting as a resting place for those using the trail.
 4. The attached River Sculpture Proposal presented to the PRAC on January 8th provides a summary overview of the commissioned sculpture, explanation of its appropriateness for placement along the Charolais trail segment, and an installation budget.
 5. The PRAC recommended the adoption of the installation budget to include the City's share of site work preparation coming from the existing Charolais Trail construction project budget. The trail construction budget was funded through a combination of State EEMP Grant and City Park Development funds.
 6. The REC Foundation's proposal outlines its intention to cover the cost of the sculpture, dedication plaque and future participation in potential maintenance costs that may arise. These costs would be covered through the REC Foundation's River Enhancement Fund that is supported through proceeds from the annual Festival of the Arts.

ANALYSIS
AND

CONCLUSION: The Parks and Recreation Advisory Committee supports the installation of the "Circle of Life" River Sculpture along the Charolais segment of the River Parkway trail system as proposed by the REC Foundation.

POLICY
REFERENCE:

- Municipal Code Chapter 3.21 – Visual Art in Public Places Program.
- River Vision

FISCAL
IMPACT:

- All funds for the sculpture, dedication plaque and minor maintenance to be provided by the REC Foundation's River Enhancement Fund.
- Installation/site preparation, estimated at \$10,000 for concrete (ADA accessible) pad and pathway to be paid for by the City through remaining funds in the Charolais Trail construction budget. There is approximately \$10,000 remaining in that budget.

- OPTIONS:
- a. Adopt attached resolution to approve the installation of the River Sculpture "Circle of Life" along the Charolais segment of the River Parkway trail system.
 - b. Amend, modify, or reject the above option.

Attachments:

- Ordinance No. 897 N.S. – Visual Arts in Public Places Program.
- Proposal by the Paso Robles REC Foundation – dated January 8, 2013.
- Photo and sketch of sculpture installation location
- Resolution 13-XXX approving proposal.

ORDINANCE NO. 897 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
ADOPTING CHAPTER 3.21 REGARDING
A VISUAL ARTS IN PUBLIC PLACES PROGRAM

WHEREAS, the City wishes to maintain and preserve the character of the City and create the best possible environment for the residents; and

WHEREAS, the City recognizes the substantial economic benefits to be gained through aesthetic enhancement of its public spaces; and

WHEREAS, the arts can humanize, provide social involvement, educate and create community well being; and

WHEREAS, the City desires to further enhance the aesthetic environment of the City by incorporating works of art into public areas.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 3.21, Title 3 of the City of El Paso de Robles Municipal Code is hereby adopted to read as follows:

3.21.010 Intent and Purpose.

This chapter shall be known as the "Visual Art in Public Places Program of the City of El Paso de Robles." The public health, morals, safety and welfare, as well as the popularity and prosperity of the community, are dependent upon and enhanced by visually pleasing and high quality public art. Therefore, the city council declares that in the interest of the public health, morals safety, and welfare, it is the policy of the city to acquire and install public art works as provided in this chapter.

3.21.020 Definitions.

The following words and expressions when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them as follows:

- (a) "Visual Art in Public Places" or "Public Art" means any visual work of art displayed in a publicly visible location in a city-owned area.
- (b) "Works of Art" include, but are not limited to, ornamental landscaping, sculpture, monument, mural, fresco, bas-relief, mobiles, photography, drawing, handcrafts, painting, fountain, landscape composition, banners, mosaic, ceramic, weaving, carving and stained glass. "Works of art" are the creative result of individual or group effort, and are either unique or of limited-issue nature, and are normally not mass-produced or intended primarily for a commercial market. "Works of art" do not normally include landscaping, paving, architectural ornamentation, or signs.
- (c) "Construction Project" means any project listed in the City's Capital Improvement Program, and paid for in whole or in part by the City for public benefit. Construction Projects include but are not limited to building construction, building addition, building remodel, parks, plazas, creek improvements, flood protection projects, bridges, streets, sidewalks, bikeways, trails, other public transportation improvements, parking facilities, and similar public facilities as determined by the Community Development Director.
- (d) "Construction Cost" means the cost in dollars to construct a Capital Construction Project, as approved by the City Council or the City Administrative Officer. "Construction Cost" shall not include land acquisition, design, or maintenance costs.
- (d) "Committee" means the City of El Paso de Robles Parks and Recreation Advisory Committee.

3.21.030 Requests and Authorization for Appropriations.

- (a) All city department heads shall include in all estimates of necessary expenditures and all requests for authorization or appropriations for Construction Projects, an amount for works of art equal to at least one percent of the total cost of any such Construction Project as estimated in the Capital Improvement Program for the year in which such estimate or request is made. If the source of funding or other appropriate law with respect to any particular project precludes art as an object of expenditure of funds, the amount of funds so restricted shall be excluded from the total project cost in making the aforesaid calculation.
- (b) The City Council may make appropriations for works of art to be selected and implemented by the Committee in connection with Construction Projects as provided in this chapter.

- c) For small Construction Projects, or Construction Projects in which the City Council or City Administrative Officer determines that it is not feasible or desirable to include Works of Art due to site limitations or the project's location or design, the City Council may appropriate one percent (1%) of their Construction Cost to the "Public Arts Fund" established in section 3.21.050 for Works of Art to be selected and implemented by the commission as provided in sections 3.21.070 and 3.21.080.

3.21.40 Exempt projects.

The following types of projects are exempt from this chapter:

- a. Utility projects, such as public water or sewer system improvements, pumps, and wells;
- b. Underground projects, such as storage tanks and storm drains and similar items;

3.21.050 Public Art Fund.

There is established a special fund designated "Public Art Fund" into which funds appropriated pursuant to this chapter shall be deposited. The Public Art Fund shall be maintained by the Director of Administrative Services and shall be used solely for the acquisition, commission, design, installation, improvement, maintenance, and insurance of Public Art.

3.21.060 Guidelines for Acquisition and Installation of Public Art.

Guidelines for the approval and maintenance of Works of Art shall include, but are not limited to, the following criteria:

- a. The Works of Art shall be clearly visible and easily accessible to the public.
- b. The composition of the Works of Art shall be of permanent-type materials in order to be durable against vandalism, theft, and weather, and in order to require a low level of maintenance.
- c. The Works of Art shall be related in terms of scale, material, form, and content to immediate and adjacent buildings and landscaping so that it complements the site and surrounding environment.
- d. The Works of Art shall be compatible with the unified design character or historical character of the site;
- e. The Works of Art shall be designed and constructed by persons experienced in the production of such art work and recognized by critics and by his or her peers as one who produces Works of Art.
- f. The Works of Art shall be maintained in a neat and orderly manner acceptable to the City.

The following items are not to be considered Works of Art for the purposes of this chapter:

- a. Art objects which are mass produced from a standard design.
- b. Reproductions of original art works.
- c. Decorative, ornamental, or functional elements which are designed by the building architect as opposed to an artist commissioned for the purpose of creating the Works of Art.
- d. Services or utilities necessary to operate or maintain the Works of Art.

3.21.070 Committee [Commission] Authority

To carry out its responsibilities hereunder, the Committee shall:

- a. At least annually, make recommendations to the city council on the expenditure of funds in the "Municipal Arts Fund."
- b. Determine a method or methods of recommending the selection and commissioning of artists with respect to the design, execution and placement of Works of Art for which appropriations have been made, and pursuant to such method or methods, recommend to the city council selection of artists by contract for such purposes.
- c. Recommend to the City Council the specific location and/or amounts to be expended on Works of Art.
- d. Require that any proposed Work of Art requiring extraordinary operation or maintenance expenses be brought to the city council's attention.
- e. Recommend the placement of Works of Art consistent with the provisions of section 3.21.080.

- f. Prior to payment for Works of Art, review such works to report on the conformity of the finished work with the approved plans or other documents describing the Work of Art to be carried out.

3.21.080 Placement of Works of Art

Works of art selected and implemented pursuant to the provisions of this article and any amendment thereto may be placed in, on or about any municipal construction project or other municipally owned, leased, or rented property. They may be attached or detached within or about such property, and may be either temporary or permanent. Placement of works of art shall be authorized by the city council after a report of the Committee

3.21.090 Program Evaluation.

The City Clerk shall schedule the Public Art program for City Council review within one year of the date this chapter goes into effect. At such review, the Council may modify or suspend the program.

SECTION 2. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published, and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 4. Inconsistency. To the extent that the terms of provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held on March 1, 2005, and passed and adopted by the City Council of the City of El Paso de Robles on the 15th day of March 2005 by the following roll call vote:

AYES:	Heggarty, Nemeth, and Strong
NOES:	Picanco and Mecham
ABSTAIN:	None
ABSENT:	None

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

River Sculpture "Circle of Life" - Charolais Trail Installation

Parks and Recreation Advisory Committee Meeting - January 8, 2013

Overview

The one-half mile Charolais Trail extension (between South River Road and the Salinas River) is complete this month. A ribbon cutting ceremony for this trail (and the one-half mile South River Road trail) is scheduled at the end of February. These trails were built with Federal and State grant monies, with matching City funds from the City's Park Development Fund. The connectivity of our City's trail system is greatly enhanced by these new trails. The commissioned River Sculpture "Circle of Life" is intended to punctuate the connection of the river parkway trail system to the Salinas River itself. The sculpture has dual function with its bench acting as a resting place for those using the trail.

The Statue

Robert Roemisch's "Circle of Life" was commissioned by the REC Foundation after being chosen through a competitive "RFP" (Request for Proposal) process. Roemisch is an Ojai based artist with an expertise in construction materials, and who responded creatively to engage the wildlife/habitat theme. The steel and wood laminate materials were chosen specifically with outdoor durability in mind. The sculpture is intended to help catalyze the public to understand and envision the Salinas River corridor as a place of environmental, educational, and recreational value.

Placement

The sculpture/bench is proposed to be placed at the east edge of the Charolais Trail segment, closest to the South River and Charolais Road intersection. The sculpture placement acts a symbolic gateway to the River Parkway trail system, and has been sighted by the trail project's Landscape Architect to maximize the "framing" of the Salinas River in the western distance. The proximity to this prominent South River Road intersection keeps the piece visible to auto traffic, minimizing the potential for vandalism opportunity.

Estimated Expenses

River Sculpture	\$ 4,000	(REC Foundation)
Concrete Foundation	\$10,500	(Trail Construction Project Fund)
<u>Dedication Plaque</u>	<u>\$ 500</u>	(REC Foundation)
	\$15,000	

Funding

The REC Foundation has raised the funds for the commissioned sculpture through the annual Paso Robles Festival of the Arts, held each Memorial Day in the downtown park. Portions of Festival proceeds go the REC Foundation's River Enhancement Fund. The REC Foundation has agreed to use these funds partially to support art along the river corridor. The River Enhancement fund will also be used to underwrite the dedication plaque and future potential repair needs.

Timing

The partially completed sculpture was first displayed at the 2012 Festival of the Arts and well received. The REC Foundation took delivery of the completed sculpture in October 2012 and the finished sculpture has been temporary placed at the City Hall/Library facility, at the north facing entrance (11th Street). With the Parks and Recreation Advisory Committee's positive recommendation for installation, and the City Council's confirmation/authorization (tentatively scheduled for February 5, 2013), the sculpture would be installed prior to the February 23rd Charolais Trail ribbon cutting ceremony.

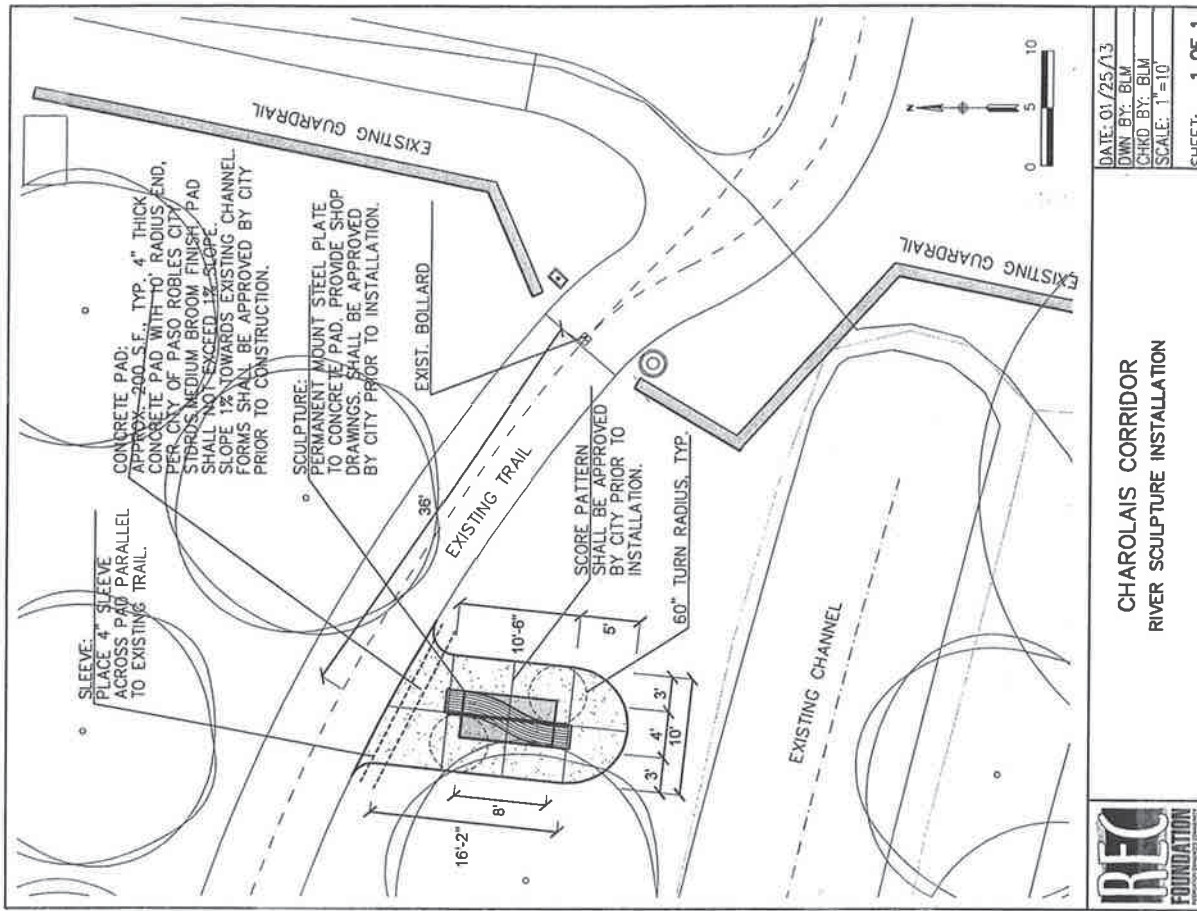
Summary

Artistic Quality and Appropriateness of Design - Great care was take in choosing the appropriate artist with the experience and vision to design a piece that was both "symbolic" to the river trail system, and yet highly functional.

Materials, Durability and Maintenance - The tubular steel frame and interior mesh/animal detail work were purposely treated with a natural patina finish to endure the elements. The shaped wooden bench consists of 1"x 3" bent composite lumber and is industrially bolted at each connection. While no outdoor furniture is failsafe, this piece has been deigned from the start to withstand the elements. Minor maintenance and/or vandalism are potential and the REC Foundation River Enhancement fund can assist as needs may arise.

Size, Site and Setting - The finished piece stands approximately 9 feet tall. The bench is approximately 1-1/2 feet off the ground. The footprint of the piece is approximately 12' by 4' and is a sizable statement for the proposed trail entrance location. With its open air design, the "Circle of Life" becomes a frame to the Salinas River corridor in the trail's distance. This trail placement was specifically considered in the commission of the piece. The entrance to the Salinas River Parkway trail system is the ideal placement for this public art project.

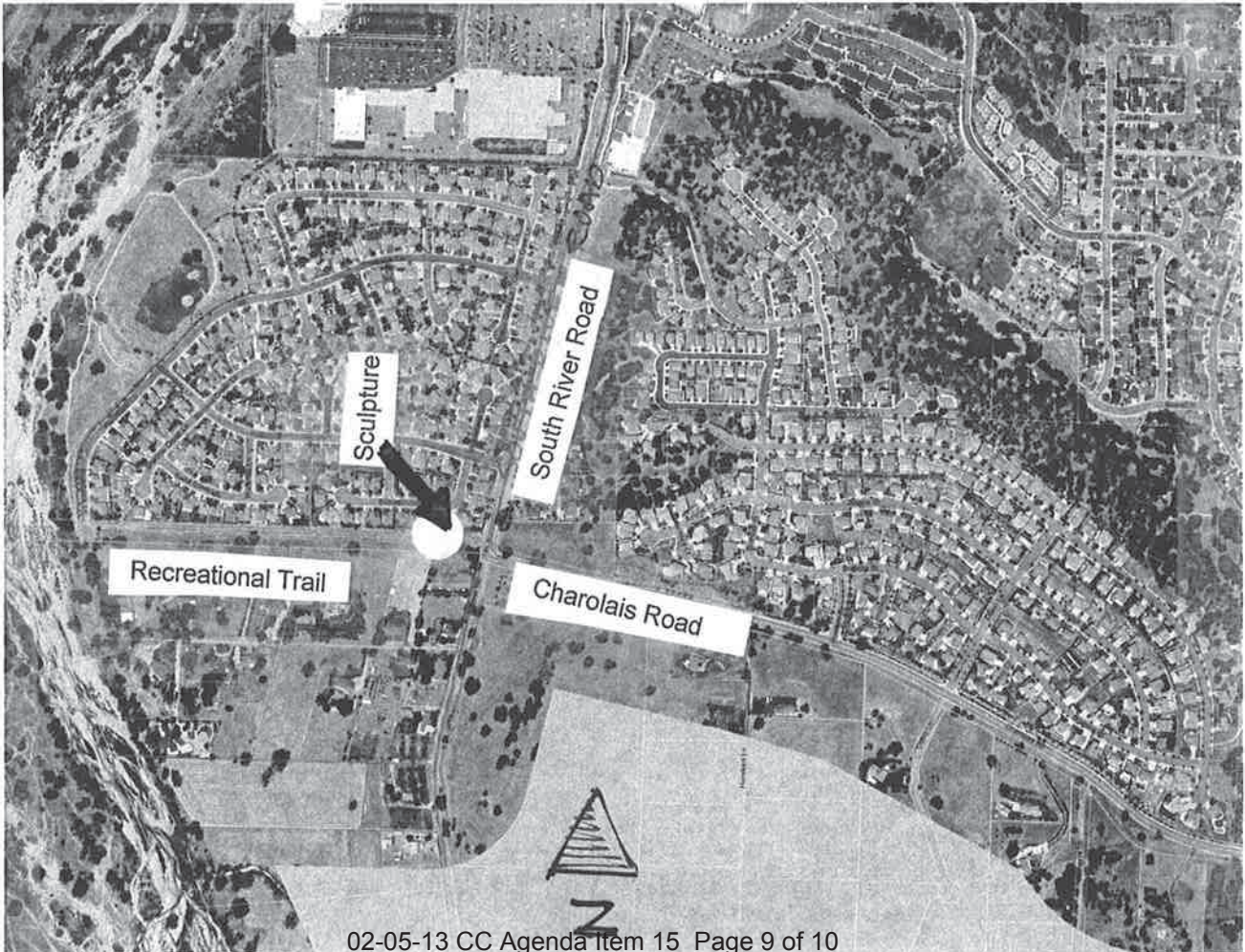




CHAROLAIS CORRIDOR
 RIVER SCULPTURE INSTALLATION

DATE: 01/25/13
 DWN BY: BLM
 CHKD BY: BLM
 SCALE: 1"=10'
 SHEET: 1 OF 1

FOR BIDDING PURPOSES - NOT FOR CONSTRUCTION



Proposed River Sculpture - Location Exhibit

RESOLUTION NO. 13-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
TO AUTHORIZE THE INSTALLATION OF THE "CIRCLE OF LIFE" RIVER SCULPTURE
ALONG THE CHAROLAIS SEGMENT OF THE RIVER PARKWAY TRAIL

WHEREAS, in March of 2005, the City Council established a "Visual Art in Public Places Program" to stimulate investment in public art displays; and

WHEREAS, the Parks and Recreation Advisory Committee (PRAC) acts as the Council advisory committee relative to expenditure of the City's Public Art Fund and the selection of public art pieces; and

WHEREAS, at its regular meeting of January 8, 2013, the PRAC voted unanimously to accept a proposal by the REC Foundation to install a rolled and welded steel sculpture entitled "Circle of Life" along the ½ -mile Charolais segment of the River Parkway trail. The sculpture has dual function with its bench acting as a resting place for those using the trail.

WHEREAS, the PRAC recommended the adoption of the installation budget to include the City's share of site work preparation coming from the existing Charolais Trail construction project budget. The trail construction budget was funded through a combination of State EEMP Grant and City Park Development funds.

WHEREAS, the REC Foundation agrees to cover the cost of the sculpture, dedication plaque and future participation in potential maintenance costs that may arise. These costs would be covered through the REC Foundation's River Enhancement Fund that is supported through proceeds from the annual Festival of the Arts.

THEREFORE BE IT HEREBY RESOLVED by the City Council of the City of El Paso de Robles, to authorize the installation of the "Circle of Life" river sculpture along the Charolais segment of the River Parkway trail.

ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting of said Council held on the 5th day of February, 2013 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk