



**General Services Agency  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One  
PETE VANDER POEL  
District Two  
AMY SHUKLIAN  
District Three  
EDDIE VALERO  
District Four  
DENNIS TOWNSEND  
District Five

**AGENDA DATE:** April 30, 2019

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
<b>CONTACT PERSON: Maria Benavides    PHONE: 205-1124</b>				

**SUBJECT:** County Public Art Program

**REQUEST(S):**

That the Board of Supervisors:

1. Approve the Policy for Public Art on Tulare County Property.
2. Approve the Art Placement Agreement with the Tulare County Arts Consortium to provide art solicitation, placement, and management services in an amount not to exceed \$2,000 per fiscal year, effective May 1, 2019 to April 30, 2024.
3. Authorize the Chairman to sign the agreement.

**SUMMARY:**

On September 25, 2018, the Board received a presentation regarding Public Art displays at County buildings and directed staff to partner with the Tulare County Arts Consortium to develop a public art policy and program concept for displaying visual art in the lobbies of four County buildings.

The proposed Policy for Public Art on Tulare County Property (Art Policy) was written in collaboration with the Arts Consortium and has been reviewed by County Counsel. The Art Policy provides formal guidance for the County's public art initiative regarding the identification of County locations for the display of artwork, the solicitation of temporary and permanent installations, and the establishment of criteria for artwork selection.

In accordance with the proposed Art Policy, the County would contract with the

**SUBJECT:** County Public Art Program  
**DATE:** April 30, 2019

Official Arts Council of Tulare County (currently the Tulare County Arts Consortium) for the solicitation and selection of art. The Arts Consortium has a well-established network of local artists from which it is able to solicit artwork through a Request for Proposal (RFP) process.

Once the Arts Consortium establishes a pool of artwork through the RFP process, individual pieces for display in County buildings would be selected by an Art Selection Committee, comprised of a maximum of two sitting Board of Supervisors, the GSA Assistant Director, General Services Agency (GSA) staff, and any interested department heads on a rotating basis. The committee would be responsible for reviewing art pieces in accordance with the Art Selection Criteria proposed in the Art Policy, and deciding which pieces to display in County locations.

The Art Placement Agreement between the County and the Arts Consortium is proposed to formalize the collaboration on this project. In accordance with its terms, the Arts Consortium would contract directly with the artists, insure all art work, install the selected art pieces at the identified County buildings, provide project management services, be responsible for maintenance of the art pieces, and handle all sales transactions for an administrative fee not to exceed \$2,000 per fiscal year. The County will not receive any portion of any sales of the temporary art work.

**FISCAL IMPACT/FINANCING:**

The Art Placement Agreement amount of \$2,000 per fiscal year as well as any expenses associated with the installation and removal of artwork will be covered by the Capital Projects budget line 030-086-3400-8110. There is no Net County Cost to the General Fund.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

Tulare County's Strategic Plan includes the Quality of Life initiative. The proposed Public Art Project will improve the appearance of the County buildings and enhance public spaces for County employees and the community.

**ADMINISTRATIVE SIGN-OFF:**



Brooke Sisk  
Assistant General Services Agency Director

cc: County Administrative Office

Attachment(s)  
A – Policy for Public Art on Tulare County Property  
B – Art Placement Agreement

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF COUNTY PUBLIC  
ART PROGRAM

)  
) Resolution No. \_\_\_\_\_  
) Agreement No. \_\_\_\_\_  
)

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD \_\_\_\_\_  
\_\_\_\_\_, BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Approved the Policy for Public Art on Tulare County Property.
2. Approved the Art Placement Agreement with the Tulare County Arts Consortium to provide art solicitation, placement, and management services in an amount not to exceed \$2,000 per fiscal year, effective May 1, 2019 to April 30, 2024.
3. Authorized the Chairman to sign the agreement.

# POLICY FOR PUBLIC ART ON TULARE COUNTY PROPERTY

4/12/2019

## I. PURPOSE

The purpose of this policy is to encourage the integration of community inspired art into public spaces in order to improve the appearance of and create beautiful, inviting environments within County buildings and around County property.

## II. LOCATIONS FOR ART

The following "County Locations" may be used for temporary or permanent art displays.

- A. Public Indoor Locations
  - 1. Inside County-owned building common areas, such as lobbies, hallways, conference rooms, clinics, etc.
- B. Public Outdoor Locations
  - 2. Within County Parks
  - 3. Outside of County-owned buildings, on County-owned property

## III. TYPES OF ART

The following types of art may be displayed in County Locations:

- A. Paintings, prints, drawings, photographs, collages, murals
- B. Stained glass, mosaics, fiber and textiles
- C. Sculptures of clay, wood, metal, glass, stone, plastic and other materials

## IV. ART SELECTION CRITERIA

Art that meets the following criteria may be displayed in County Locations:

- A. The art must have aesthetic merit and improve the aesthetics of a location. The term "aesthetic" means pleasing in appearance to the average person.
- B. The artist must be local. The term "local" means from Tulare County or an adjacent County.
- C. The art must be original, and replicas of another artist's work will not be accepted.
- D. The art must be compatible in scale, material, and form to the intended site and County Location. Consideration shall be given to the architectural, historical, geographical, social, and cultural context of the intended site and County Location.
- E. Preference will be given to art that represents elements or honors the history of the Tulare County community.
- F. The art must not endorse or disfavor any race, religion, gender, sexual orientation, and/or political affiliation. The purpose of this policy is not to create a forum for public political debate, but to encourage the community's appreciation of art in a forum that may be viewed by all community members. Accordingly, art must not imply that the County is sponsoring and/or endorsing any commercial establishment or business, although the County may allow art to be sold to the general public and allow the display of information to facilitate a sale of such artwork. Furthermore, art may be rejected that associates the County with a position other than neutrality on matters of political controversy.
- G. The art must not be obscene. "Obscene" art means a work of art, taken as a whole that to the average person, applying contemporary community standards, appeals to the prurient interest, that, taken as a whole, depicts or describes sexual conduct in a patently offensive way, and that, taken as a whole, lacks serious literary, artistic, political, or scientific value.
- H. The art must not be controversial, offensive, intimidating, incite tension and/or encourage violence.
- I. The art must not endanger public safety and must comply with building codes and accessibility requirements.

## V. THE PROCESS FOR SOLICITATION AND SELECTION OF ART

### A. Art for Temporary Display

1. **Solicitation:** County intends to contract with the Arts Organization to solicit art for temporary display in County Locations. Arts Organization is defined as the Official Arts Council of Tulare County at the time of solicitation and selection of art, or if there is no Official Arts Council of Tulare County at the time some other community organization for the advancement of the arts. Specific agreement terms will be negotiated based on the location and type of art solicited for a given project. The Arts Organization will conduct a request for proposals from local artists in accordance with the terms of the project, and contract directly with artist.
2. **Selection:** The Arts Organization will select art pieces to present to the County's Art Selection Committee in accordance with the Art Selection Criteria listed above. The Art Selection Committee will then decide which pieces comply with this Public Art Policy and would like to display in County Locations. The Art Selection Committee will consist of a maximum of two sitting Board of Supervisors or Supervisors Elect, General Services Agency (GSA) staff, GSA Assistant Director, and any interested department heads on a rotating basis. The Art Selection Committee will meet bi-annually, as necessary. If there is no art for selection in a given time frame, the Committee will not meet.
3. **Ownership:** The County will not own the temporarily displayed art. The Arts Organization will be permitted to place sales tags on temporarily displayed art. The tag will include the price of the art piece and contact information for the Arts Organization. The County will not be involved in the sale of art on behalf of the Arts Organization. If the Arts Organization sells a piece of art temporarily displayed in a County Space prior to the conclusion of the predefined term, the art will remain on display until the conclusion of the term.

### B. Art for Permanent Display

1. **Solicitation:** In the event that the County desires a permanent art display, the County intends to enter into a separate agreement with the Arts Organization to solicit proposals for a specific piece of art according to Art Selection Criteria defined by the County. Specific agreement terms will be negotiated based on the location and type of art solicited for a given project. The Arts Organization will conduct a request for proposals and provide the County the top three qualifying proposals. Once the County selects the winning proposal, the Arts Organization will contract directly with the artist.
2. **Selection:** The Art Selection Committee will review the top three qualifying proposals provided by the Arts Organization and select the winning proposal to recommend to the Board for installed on County property. The two unsuccessful proposals will be placed in a public art pool for future project consideration. The Art Selection Committee will consist of a maximum of two sitting Board of Supervisors or Supervisors Elect, GSA staff, GSA Assistant Director, and any interested department heads on a rotating basis. The Art Selection Committee will meet, as necessary.
3. **Ownership:** The County will obtain ownership of the permanently displayed art through its agreement with the Arts Organization, which includes some or all intellectual property rights.
4. **Agreement between Arts Organization and County.** Specific terms to be negotiated per project type. The Arts Organization will contract directly with artists for projects.