



CHATTANOOGA PUBLIC ART COMMISSION JUNE 2021 | MINUTES

Wednesday, June 16 2021, 2:30 PM - 4:30 PM
Veranda Room / City Hall

PRESENT: Rachel Reese (Chair), Miriam Manda (Vice Chair), Charlotte Caldwell, Aaron Cole, Tim Goldsmith, Megan Ledbetter, Ric Morris John Petrey, and Virginia Anne Sharber

ABSENT: Justin McBath and Lindsey Willke

STAFF: Kat Wright, Public Art Director

CITY ADVISORY: Harolda Bryson (Legal)

I. CALL TO ORDER

- A. Welcome
- B. Approval of April 2021 Meeting Minutes

II. ITEM FOR VOTE

1. Extension of Temporary Exhibit "Life Energy I"
 - a) Staff reminded the Commission that "Life Energy I" was a two year exhibit with Mark Making from 2018 whose term had expired in March 2020; however, due to the COVID-19 pandemic, the exhibition was not removed, and Staff was reminded during a contract audit that this exhibit still remained in the public realm.
 - b) This exhibition was the preface to current traffic cabinet box wrap programs like River City Company's ArtSpark and the recently approved Rossville Blvd. Traffic Cabinet Exhibition.
 - c) Mark Making received foundation funding to conduct a curriculum which resulted in 6 vinyl utility wraps along Wilcox Blvd. and Glass Street from 100 student art submissions.
 - d) Staff noted the wraps remain in good condition, and while this exhibition was contracted for two years, all subsequent traffic utility wrap exhibitions are contracted for 5 years.
 - e) Staff reviewed images of the boxes when they were initially installed, and images of their current state.
 - f) Staff proposed a renewal of the temporary exhibition contract for another 2 year period, which would bring the boxes in existence for 5 years.

VOTE: UNANIMOUS VOTE TO APPROVE the extension of "Life Energy I" temporary exhibition until June 2023.

2. Artists Work Grant Recipient: Martin Amphitheater Mural Final Design

- a) Staff acknowledged the presence of Stratton Tingle, Executive Director of SoundCorps and Project Manager, Ana May. Project was previously managed by Meagan Shinn, who became employed by the City and therefore cannot financially benefit from the project grant award.
- b) Staff explained the location of the amphitheater, as many are not familiar with the amphitheater. Staff went on to explain that it underwent capital improvements and was rededicated in 2011.
- c) The mural will be 564 square feet on one side of a bridge abutment.
- d) Staff confirmed that SoundCorps worked with City's Homeless Services to make sure that the homeless population residing in the location was included in the design process.
- e) SoundCorps also worked with the Bethlehem Center, Girl Stance, and Eastlake Expression Engine in conducting music making activities at the amphitheater to inform the mural's design.
- f) Approximately 50 people participated in the initial concept design. From there SoundCorps conducted an online survey that another 51 people participated in which resulted in no changes to the initial design.
- g) Install will begin July 12 and run through the 26th.
- h) Staff presented the design ("Vibes Resonance") and the Artist statement.
- i) Staff confirmed that there will be lighting and electricity throughout the installation. SoundCorps then discussed how performances are conducted in the amphitheater.
- j) Staff and board members discussed the originality of the woman in the Artist SEVEN's mural, and SoundCorps confirmed that the woman is an original depiction.
- k) Staff answered questions regarding signage on murals. Standard signage includes the title of the work, medium, artist, year and city/state, and this work will be included per PAC's new signage program rollout. Any other interpretive signage that is desired would be at the expense of SoundCorps.
- l) Staff also mentioned that there will be space on the signage for a QR Code or Otocast inclusion in the future via a vinyl sticker.
- m) Staff confirmed that an artist's signature is allowed in the corners of the mural, so long as it does not become part of the overall design.
- n) Staff provided an overview of the conservation and maintenance process in that the artist fills out a conservation form as part of their contract that specifies how to take care of the piece.

VOTE: UNANIMOUS VOTE TO APPROVE the final design "Vibes Resonance" by the Artist SEVEN for installation at the Martin Amphitheater.

3. "Composite Wing" Conservation / Potential Deaccession

- a) Staff explained the Fine Arts Insurance Policy has a deductible of \$5,000 per piece / per occurrence in which the City will not receive any reimbursement on repairs until the cost of repairs exceeds \$5,000.00.

- b) Staff had a conservator perform an assessment on the piece. The repairs would be somewhere between \$4,600-\$5,410 depending on how much suggested repair is performed.
- c) The assessment report listed certain construction techniques that could have been done, i.e. tack welding to better preserve the piece.
- d) Staff noted that the piece was purchased for \$5,825 through a Lyndhurst Foundation grant, and the insured value is \$9,000.
- e) If improvements are made that were not part of the original construction that an insurance adjuster can notice through photo documentation, the City would not be reimbursed for the costs of those improvements.
- f) Staff provided more context on the issue of deaccession in explaining that the only way the City gets rid of their assets is through surplus sales, which typically occurs through auctions. While this may be appropriate for other City assets, it isn't ideal given the intellectual property associated with fine art; however, this is the only policy the City currently has to dispose of assets.
- g) Staff turned the floor over to Assistant City Attorney Harolda Bryson to discuss the development of a deaccession policy before proceeding with a vote to deaccess "Composite Wing".

III. REVIEW AND DISCUSS

- 1. Temporary Deaccession Policy / Considerations
 - a) Legal discussed initial considerations / factors to consider for a deaccession policy.
 - b) Legal stated that while there are works that have immediate needs, it is wiser to do the research and develop a policy that is sound and fair for the City, the public, and the artists.
 - c) Legal confirmed that she has been communicating with a fine arts attorney in California. Thus far her research has been broken down into three categories:
 - What should we consider?
 - Public interest
 - Laws (at the Federal, State and Local level)
 - The condition of the artwork (Do we want our insurance policy to be factored into the deaccession policy?)
 - Who should be a part of that consideration?
 - Public Art Director
 - The Commission, PAC Staff, City Council, Other City Departments (i.e.- Purchasing, Public works, Claims, Finance)
 - How will the deaccession policy work?
 - Would a committee be formed to solely address pieces that may need to go through deaccession. Would the committee be a permanent committee or would it be Ad hoc?
 - Would this need to be taken before the City Council? If certain pieces are valued at \$25k or more they will likely have to go before the City Council.
 - Do you want to involve the public?
 - Do you want to have public meetings so that people from the community could provide feedback?
 - d) Legal stated that this will be a very thorough process that will take some time.
 - e) Staff affirmed the need for a dedicated "Collection Specialist" as personnel to consistently manage the needs of the collection.

- f) Staff discussed the overall collection and its estimated value of over \$5.4 million dollars. 91% of the existing collection was acquired before the City had a full time public art office in late 2016. Essentially from 1992 to 2015, no public art maintenance or conservation efforts were performed. This means that no established record of preventative care can be shown on the collection, which means that there is no certainty of reimbursement if insurance claims are filed on the artworks in the future.
- g) Staff acknowledged the implementation of a preventative maintenance plan beginning in January 2021. Parks handles the preventative maintenance work, but not conservation efforts as they do not have the expertise to do so.
- h) Staff referenced the Outdoor Collection Assessment performed by Eva Conwell in 2019 and the creation of maintenance manuals, fabrication and condition reports for each of the permanent outdoor works at the time.
- i) The Commission asked where the individual elements of “Composite Wing” were stored, in which Staff confirmed that the elements are stored at the Parks facility on Middle Street and the City Hall attic. Staff reminded the Commission that Public Art does not have dedicated storage space for artworks or staging of public art projects.
- j) Staff disclosed the three artworks were recommended for decommission by Eva Conwell in 2019:
 - “Chattanooga Music Man” (insured value: \$30,000)
The piece is inherently unstable. Repairs would be necessary every few years and would cost thousands of dollars to do so, even then the repairs would only last a few years at a time with preventative maintenance..
 - “Contemporary Budding Pipelines” (insured value: \$8,500)
The piece condition is poor. Paint is flaking off, structural condition is somewhat unstable. The piece could have a long lifespan if considerable prevention is performed, which would be several thousand dollars.
 - “Heavy Metal” (insured value \$10,000) dollar piece.
Would take \$5-\$10 thousand dollars to repair
- k) Staff suggested offering a first right of refusal to the artists to come retrieve their artwork at their expense. Should they not want the artwork, they would have to sign off on the piece before the artwork would proceed into surplus via auction.
- l) Staff mentioned possibly reducing insurance costs by removing pieces that are less than \$15K from the insurance policy. Most of the indoor collection is valued at less than \$15K per artwork.
- m) Staff reminded the Commission that they may only proceed to remove a piece from the public realm when it becomes an immediate public safety issue that is an emergency. In all other cases, Staff must consult with the Commission for potential deaccession.
- n) The Commission asked if pieces were being decommissioned because of safety or because the City can’t afford the repairs? Staff responded that both are reasons why the pieces are being decommissioned.
- o) The Commission further asked about who deems that the pieces are public safety issues in which Staff responded that it was through Eva Conwell, who is a certified and trained assessor, in her assessment of the outdoor collection who provided information calculating the lifespan of a work given their condition.

- p) The Commission stated that they are not comfortable making a decision for the life safety of the public and inquired whether Staff was asking them to make that decision.
 - q) Staff stated that in this circumstance, she is requesting the Commission make a proactive decision before these pieces become a critical emergency towards the public. Any subsequent recommendations would have to be made through a trained conservator that Staff would then have to present that assessment report to Claims, Legal, Finance as well as the Commission, before moving forward.
 - r) Staff discussed other pieces that are up for deaccession totaling \$82,700 and the likelihood of presenting this to council for a vote.
 - s) These pieces include artworks from The Chattanooga Hotel that are missing and confirmed as lost by Internal Audit and an oil on canvas that is damaged beyond repair (slit in the canvas / work is not attached to frame).
 - t) The Commission questioned how long it would take to create a Deaccession Policy in which Staff stated that she isn't sure exactly how long, because she doesn't know the intricacies involved, which is why she wanted to present these pieces now for artist first right of refusal or surplus while a permanent policy is developed.
 - u) The Commission asked if there are any artwork contract stipulations that talk about "in the event of damage, and how insurance works". Staff stated that the contracts do not address those points specifically, and that many of the indoor works do not have an agreement with them. Staff said that she will continue to work with Legal to refine agreements going forward.
 - v) The Commission suggested a 30 day time period for an artist to come retrieve their work.
- Vote 1: for the conservation of Composite Wing at an estimated repair cost completely out of pocket for PAC between \$4,000-\$5,400 dollars and donation of a wing from the artist OR move to deaccess pending Lyndhurst Foundation approval.

VOTE: UNANIMOUS VOTE TO APPROVE the deaccession of "Composite Wing".

- Vote 2 : Vote to deaccess "Contemporary Budding Pipelines", "Chattanooga Music Man" and "Heavy Metal" as per the recommendation made from Eva Conwell during her Collection Assessment in February 2020, because they would cost too much to initially repair given the artwork's value or that repairs would be ongoing and not substantially impact the overall condition of the work if performed; and the other indoor works internal audit has deemed missing and the oil on canvas ("Prarie Schooner") that has a ripped canvas for a total deaccession value of \$82,700.

VOTE: UNANIMOUS VOTE TO APPROVE the deaccession of the aforementioned works at a total value of \$82,700.00.

IV. UPDATES

1. "High Four" was re-sited in Renaissance Park for less than the \$5,000 that was approved by the Commission in April.
2. Staff announced that River City Company will be hosting the dedication for the artwork "Radiance" at Patten Square.
3. Ed Johnson Memorial: Site turnover back to the City was supposed to be July 1, but Staff is now looking at mid-July. At the request of the Ed Johnson Committee and Artist Jerome Meadows, the bronzes will not be installed until the week before the dedication in September. The dedication date is pending on the guest speaker.
4. Alton Park Connector: Staff reviewed the project phases and where there was an opportunity for public art. Staff has discussed the project with Trust for Public Land (TPL) in which a Creative Strategist will be utilized for phase 2 to impact public art in phase 3. Staff stated that they reviewed the current roster of Creative Strategists with TPL to decide who may be most appropriate for the project. Staff mentioned that she must get a Creative Strategist under contract before the end of the year to be able to pull a Creative Strategist from the current roster.
5. MLK Underpass Activation: Staff informed the Commission that Norfolk Southern Railroad Company will not allow lighting equipment to be mounted to the bridge. Staff is looking at sidewalls and sidewalks as possible options for activation and is working with City's Homeless Services, Division of Transportation and Form Based Codes to ensure all is regulatory. The activation is estimated to install in Spring 2022 pending Norfolk Southern Railroad Company approval.
6. Staff gave updates on City restructure in which they confirmed that Transportation is going back into Public Works, Office of Multicultural Affairs will be in the new Office of Equity. Economic & Community Development will now be two separate departments in which PAC will be in Economic Development.