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MAYOR



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DIRECTOR

DEPARTMENT OF ECONOMIC DEVELOPMENT

**CITY COUNCIL TRANSMITTAL**

  
Lisa Schaffer (May 11, 2022 15:36 MDT)  
Lisa Schaffer, Chief Administrative Officer

**Date Received: 5/11/2022**  
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**TO: Salt Lake City Council**  
**Dan Dugan, Chair**

**DATE:** May 11, 2022

**FROM:** Benjamin Kolendar, Director, Department of Economic Development



**SUBJECT:** New Ordinance Requirements for Art Maintenance Reporting

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**DOCUMENT TYPE:** Informational

**RECOMMENDATION:** n/a

**BUDGET IMPACT:** Portion of existing CIP budget already designated, no additional impact.

**COORDINATION:** n/a

**ORDINANCE CONSIDERATIONS:**

**2.30.060: FUNDS FOR WORKS OF ART; REQUESTS FOR APPROPRIATIONS:**

A. WHEN SO DESIGNATED BY THE CITY COUNCIL, IN ITS APPROPRIATION FOR CAPITAL IMPROVEMENTS, ALL CITY DEPARTMENTS SHALL EXPEND, AS A NONDEDUCTIBLE ITEM OUT OF ANY MONIES APPROPRIATED FOR THE PLANNING, DESIGN AND CONSTRUCTION OF CONSTRUCTION PROJECTS, AN AMOUNT EQUAL TO ONE AND ONE-HALF PERCENT (1.5%) OF SUCH APPROPRIATIONS FOR THE ACQUISITION AND INSTALLATION OF WORKS OF ART AND ORNAMENTATION, TEN TO TWENTY PERCENT (10-20%) OF WHICH WILL BE DEPOSITED IN THE PUBLIC ART MAINTENANCE FUND AND USED TO PROVIDE MAINTENANCE FOR EXISTING WORKS OF ART. **THE MAYOR SHALL PROVIDE A REPORT TO CITY COUNCIL OF WORKS OF ART THAT REQUIRE MAINTENANCE AND THE ESTIMATED COST OF SUCH MAINTENANCE PRIOR TO THE FUNDS BEING DEPOSITED IN THE PUBLIC ART MAINTENANCE FUND.**

**BACKGROUND:**

The public art program recommends to the Finance Department that 20% of CIP funds are deposited in FY23 to the maintenance fund based on the following report. This report was also sent to Mary Beth Thompson for the maintenance allocation.

We additionally have included a report on FY22 Completed/In-Progress Artwork Maintenance Projects.

In the last three years, Salt Lake City has implemented important and necessary revisions to the Salt Lake City Arts Council's Public Art Program. The incredible support and meaningful funding provided by the Mayor and City Council established the foundations of a comprehensive maintenance plan, which effectively secures the future safeguarding and stewardship City's art assets. Since its establishment in 1984, the Salt Lake City Arts Council's Public Art Program has lacked the proper structural and policy procedures, including a source of adequate funding, necessary for the proper care and upkeep of its rich and vast public art collection.

These important revisions to the Public Art Program can be summarized in the following:

- A significant, one-time allocation of approximately ~\$200,000 in FY20 by City Council for the Public Art Program to identify its maintenance needs and fully understand the status of its permanent public art collection. Through this funding, the Public Art Program contracted Dodworth & Stauffer Art Appraisal and Consulting and commissioned a Condition & Inventory Assessment Report that surveyed 150 public artworks located in City-owned parks, streets, plazas, and buildings, as well as 92 artworks located at the City & County Building. Each artwork was assigned a Priority Code Ranking from 1 to 4 with notes on each item's installation and condition with recommended actions for maintenance and repair. The criteria for each of the priority codes are as follows: [1] Immediate action: structural issues, visually unsightly; [2] Moderate action: peeling paint, early corrosion, etc.; [3] Cleaning / waxing; and [4] Condition acceptable. This Condition & Inventory Assessment is the guiding document for conducting artwork repairs;
- In early 2021, City Council amended Ordinance 2.30, which established the City's Public Art Program in 1984. This amendment established a permanent maintenance and provided a structure for annual funding, which is determined by the Council-approved Capital Improvement Program (10-20% of the total monies given to the program through the 1.5%/Percent-for-Art annual allocation). Furthermore, this amendment enabled the Public Art Program to adopt a deaccession policy (removal of an artwork from the permanent collection). A deaccession policy was officially adopted by the Salt Lake Art Design Board in December 2021.

## **FY22 COMPLETED & IN-PROGRESS ARTWORK MAINTENANCE PROJECTS:**

During FY22, the Public Art Program conducted a variety of maintenance needs to eight public artworks in its permanent collection for a total cost of \$176,067.047 (Attachment A). Through the annual Percent-for-Art funding approved in early 2021, the Public Art

Program allocated \$20,266 towards the maintenance fund (15% of the total amount funded for public art by City Council).

Our program's FY22 maintenance efforts, which ranged greatly in scope, duration, and total cost, established the foundations of our program's maintenance strategy. In FY22 we addressed a combination of Priority 1 artworks (a stolen artwork that was addressed for repaired had been identified as Priority 2 prior to the theft) and other unexpected repairs (UR) due to immediate damage or theft. In total, 4 artworks within the Priority 1 Category were addressed. Two other artworks maintained during FY22 were repaired using funds not in our established maintenance fund (e.g., monies from insurance settlements, etc.). The Public Art Program works closely with the City's Risk Manager in these cases to determine and secure these funding sources. Another artwork, *Fire House Fire*, was considered by the Art Design Board for deaccession, but this body ultimately voted in favor of refabricating it.

These maintenance efforts conducted in FY22 have provided our program with an outlook that illustrates the various needs and obstacles our program will face as it continues to address the maintenance needs of the rest of our permanent collection. Each artwork maintenance project is different, with some requiring more staff time and funding than others.

### **FY23 MAINTENANCE PROJECTIONS:**

For FY23, the Public Art Program intends to address the maintenance needs of 21 artworks in its permanent collection, for a projected total cost of \$110,825 (the entirety of this funding will come from the Public Art Maintenance Fund). A contingency of \$15,000 has been included in this total, in order to plan for future unexpected repairs (Attachment B). After City Council approves the FY23 CIP budget, the Percent-for-Art allocation will be issued to the Arts Council for its Public Art Program. We recommend that 20% of this total will be directed towards the Maintenance Fund. This amount, which will not become known until later this year, has not been included in these projections. Our program aims to use these promised maintenance funds towards any potential deaccession costs (artwork removal) and/or further addressing the needs of the remaining Priority 2 artworks.

Our FY23 maintenance workplan and projections will address the needs of all the remaining artworks identified in the Priority 1 category (11 artworks in total) and a significant portion of the Priority 2 artworks (10 out of 37 artworks). Most of our current available funding will be devoted to the artworks in the first category. In total, there are 93 maintenance recommendations identified by the Condition & Inventory Assessment Report (not including replacement of didactic plaques for 36 artworks). Our FY23 maintenance projections, in addition to our FY22 efforts already conducted, will effectively address 22% of these recommendations. We have the ability of addressing a large quantity of these repairs because they will be done by a single contractor. Lastly, up to four different artworks will be considered or have been recommended for deaccession from our permanent collection.

## **KEY CONSIDERATIONS:**

The findings of the Condition & Assessment Report and the establishment of an adequate maintenance plan have been a significant milestone achieved by our program. During FY22, the Public Art Program made great strides at implementing a maintenance strategy that is responsive to the needs of our public art collection—an invaluable City cultural asset—and adequately considers our staff capacity to handle these. Each artwork requires its own unique strategy for proper maintenance, impacting the number of repairs that can be conducted at any given point. Additionally, the cost, project scope, and availability of materials needed for repairs are variables that continuously impact our ability to make progress on our immediate and future maintenance plans.

The FY23 Maintenance Projections will nearly deplete our current maintenance fund (see Attachment B). Although there is now a mechanism in place to guarantee a 10-20% allocation of Percent-for-Art funding for our program’s maintenance needs, additional funds will be necessary to address the remaining artworks identified as priorities within our public art collection in future years

In addition to the maintenance accomplishments and objectives described throughout this document, the Public Art Program will focus a great deal of its FY23 efforts towards fulfilling Mayor Mendenhall’s 2022 goal of address gaps in public arts projects. A number of public artworks currently located in multiple City-owned facilities pre-date the establishment of the Public Art Program in Salt Lake City (e.g., Gilgal Sculpture Garden, International Peace Gardens, etc.) or have been created outside the Percent-for-Art funding structure (RDA funding, for example). Our program will aim to address proper stewardship and care for these important City art assets through a formal acquisition process that also ensures their future care and safeguarding. Overall, the remaining number of unmaintained artworks, and finite funding remain the biggest obstacles impacting our future maintenance efforts.

Thanks to the generous support, trust, and funding received from the Mayor and City Council, our Public Art Program developed a comprehensive maintenance strategy that began to address gaps within our public art collection.

The full maintenance condition & inventory assessment can be [found here](#).

### **Attachments:**

**Attachment A: FY2022 Completed and in-progress artwork maintenance projects**

**Attachment B: FY2023 Artwork maintenance projections**

**ATTACHMENT A:**

**FY22 Completed & In-Progress Artwork Maintenance Projects**

<b><u>FY22 Artwork Maintenance Projects</u></b>						
<b>Priority</b>	<b>Artist</b>	<b>Artwork title</b>	<b>District</b>	<b>Notes</b>	<b>Funding Source</b>	<b>Actual cost</b>
<b>1</b>	Doug Soelberg	<i>Deadly Virtues</i>	4	Repairs to be completed in March 2022. Artwork damaged during May 2020 protests demanding racial justice.	Maintenance Fund	\$20,354.00
<b>1</b>	Ric Blackberry	<i>Bird in a Plane</i>	4	Completed fall 2021. Object recovered from storage, repaired, and reinstalled.	Maintenance Fund	\$ 2,500.00
<b>1</b>	Various	<i>Untitled (Labyrinth)</i>	2	Completed summer 2021. Various repairs conducted.	Maintenance Fund	\$ 6,250.00
<b>1</b>	Ben Jones and Cary Stevens Jones	<i>Fire House Fire</i>	6	Refabrication of object will be completed in the coming months. This artwork was considered for deaccession by Art Design Board and was ultimately chosen to be refabricated.	Maintenance Fund	\$ 37,656.47
<b>UR*</b>	Traci O'Very Covey	<i>Imagine</i>	4	Completed in fall 2021. Bottom of vinyl mural reprinted and replaced	Maintenance Fund	\$ 620.00
<b>UR*</b>	Dan Gerhart	<i>Bonneville Reliquary II</i>	7	Reinstallation of object in March 2022. Object damaged in traffic accident (hit-and-run) in fall 2021.	Maintenance Fund	\$ 10,187.00
<b>UR*/2</b>	Jim Jacobs and Silvia Davis	<i>Crystal Grate</i>	4	Reinstallation of object in August 2022. Refabrication of 6 bronze cast tree grates. Stolen in summer 2021 from Gallivan Center. Refabrication cost to be paid for a settlement, with remaining funds provided by the RDA.	Insurance settlement; RDA	\$ 55,300.00

Priority	Artist	Artwork title	District	Notes	Funding Source	Actual cost
UR*	Ed Fraughton	<i>Finding the Way</i> (Parley P. Pratt monument)	7	Reinstallation of object in March 2022. Maintenance included extensive repairs to sculpture and reinstallation of masonry base. Artwork damaged in a traffic accident (hit by a semitruck). Refabrication cost to be paid for through a settlement with insurance company, with remaining funds provided by the RDA.	Insurance settlement / reimbursement	\$43,200.00
<b>FY22 EXPENSES PAID FROM MAINTENANCE FUND</b>						<b>\$ 77,567.47</b>
<b>TOTAL EXPENSES FOR FY22 PUBLIC ART MAINTENANCE</b>						<b>\$176,067.47</b>

*\*UR - Unexpected repair*

**ATTACHMENT B: FY23 Artwork Maintenance Projections**

<b>FY23 Artwork Maintenance Projections</b>					
<b>Priority</b>	<b>Artist</b>	<b>Artwork title</b>	<b>District</b>	<b>Notes</b>	<b>Cost Estimate</b>
<b>1</b>	John Swain	<i>Untitled</i>	4	Clean, strip, and repaint	\$ 2,550.00
<b>1</b>	Kinde Nebeker	<i>Untitled</i>	3	Cast 14 bronze plaques @ \$1,985.00 each	\$ 27,790.00
<b>1</b>	Various	<i>Garden Silhouettes</i>	4	Refabricate and replace missing silhouettes	\$ 7,560.00
<b>1</b>	Robert Ellison	<i>Tweak 360</i>	2	Clean and repaint sculpture	\$ 6,625.00
<b>1</b>	Dave Eddy	<i>Red Fans</i>	4	Remove, repaint, and reinstall	\$ 4,480.00
<b>1</b>	John Hess	<i>Eurythmy</i>	5	Relocate to a new, City-owned facility	\$ -
<b>1</b>	Day Christensen, Landmark Design	<i>500 West Park Blocks</i>	4	Various repairs to infrastructure; site improvements	\$ 9,000.00
<b>1</b>	<b>Wayne Chubin</b>	<b><i>Friends of the Park</i></b>	<b>5</b>	<b><i>Recommended deaccession</i></b>	\$ -
<b>1</b>	<b>Thomas Tessman</b>	<b><i>Pierpont Benches</i></b>	<b>4</b>	<b><i>Recommended deaccession</i></b>	\$ -
<b>1</b>	<b>Eric Thelander</b>	<b><i>Sugar House Benches</i></b>	<b>7</b>	<b><i>Recommended deaccession</i></b>	\$ -
<b>1</b>	Various	<i>Untitled at Bend in the River</i>	2	<b><i>Further assessment needed (potential deaccession)</i></b>	\$ -
<b>2</b>	Day Christensen	<i>Trees (Maple)</i>	5	Address rust issues and determine further deterioration	\$ 2,470.00
<b>2</b>	Holly Christmas	<i>Flight of Fancy</i>	4	Repair top and reinstall	\$ 3,565.00
<b>2</b>	Greg Ragland	<i>Three Peas in a Pod</i>	2	Repair ends of three peas elements	\$ 2,615.00
<b>2</b>	Cordell Taylor	<i>Order to Chaos</i>	4	Repair or replace corroded areas & repaint	\$ 4,575.00
<b>2</b>	Sam Allen	<i>Untitled</i>	4	Clean and repaint sculpture	\$ 1,545.00
<b>2</b>	Ethan Barley	<i>Anthocyanin</i>	4	Repaint both sculptures to prevent additional loss	\$ 1,800.00
<b>2</b>	Lena Konopasek	<i>McClelland Trail: Spurt</i>	5	Remove graffiti and repaint	\$ 2,775.00

Priority	Artist	Artwork title	District	Notes	Cost Estimate
2	Unknown	<i>Herman Franks</i>	5	Sculpt, mold, and replace missing bronze bat	\$ 5,975.00
2	Wayne Chubin, Tim Gallagher	<i>Signal Site</i>	1	Various repairs to infrastructure	\$ 4,500.00
2	Ed Dolinger	<i>Untitled</i>	4	Repaint 24 objects	\$ 8,000.00
<b><i>Contingency for unexpected repairs</i></b>					<b>\$ 15,000.00</b>
<b>TOTAL EXPENSES FOR FUTURE PUBLIC ART MAINTENANCE*</b>					<b>\$ 110,825.00</b>
<b><i>*All monies to come from Maintenance Fund</i></b>					
Funds available in Maintenance Cost Center					<b>\$ 111,762.95</b>
<b><i>Anticipated balance (not including FY23 allocation)</i></b>					<b>\$ 937.95</b>