



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 9, 2013

TO: Mayor and Councilmembers

FROM: Airport Administration, Airport Department

SUBJECT: Proposed Marine Corps Tribute

RECOMMENDATION

That Council approve and authorize the Airport Director to execute an agreement in a form acceptable to the City Attorney with the Pierre Claeysens Veterans' Museum and Library Foundation to transfer the right, title, and interest to the Marine Corps Tribute to the City.

BACKGROUND

Airline Terminal Public Art Program

In 2008 the Airline Terminal Public Art Program (Program) was developed as a component of the Airline Terminal Project. Airport staff developed the Program in collaboration with the City Arts Advisory Committee, Visual Arts in Public Places Committee (VAPP), and the Committees' staff. The Program consists of the long-term loan of existing art, commissioned art, and a rotating exhibit of regional art, with an initial budget of \$100,000.

The Program's modest budget was leveraged through the long-term loan of existing art and a grant from Santa Barbara Beautiful for commissioned art. Through the initial budget, four loaned art works were refurbished and three art works were commissioned.

Artists for the commissioned art works were selected through a solicitation process. The selection panel recommended three finalists to VAPP for approval. City Council approved agreements with each artist regarding the design, installation, compensation, and the submittal of a maintenance plan.

City Public Art Review Process

Since 1985 the Visual Arts in Public Places Committee has been charged with the responsibility for approving public art projects. The Council-approved *VAPP Public Art Review Guidelines* provides that "all public art projects proposed within the City of Santa Barbara must be reviewed and approved by VAPP. VAPP's purpose is to make

recommendations to the Arts Advisory Committee, which in turn advises the City Council, concerning the acquisition, placement and presentation of high quality visual art on public property throughout the City of Santa Barbara.”

Proposed public art projects follow a review process outlined in the VAPP Public Art Review Guidelines (Attachment 1). Projects are subject to preliminary review and approval by VAPP, ABR, and other City commissions as appropriate. After refinement the project then returns to VAPP, ABR, and other City commissions as appropriate for final review and approval. The last step is submittal and receipt of a building permit.

Marine Tribute Glass Sculpture

The Pierre Claeysens’ Veterans’ Museum & Library Foundation (Foundation) was founded in 2003 with a mission to educate visitors about the stories and linkages of the conflicts of the 20th Century and to generate respect for all veterans and active duty military personnel. In 2008 the Foundation expressed an interest in participating in the Airline Terminal Public Art Program by commissioning an art work that would pay tribute and tell the story of the Marine Corps Air Station Santa Barbara and its role during World War II. The initial concept for the project was a series of glass “flags” that depicted the story of Marine Corps Air Station Santa Barbara through photographs and text. The Foundation proposed to pay the entire cost of design and installation of the art work.

Selection Process

Through a solicitation process, five artist’s qualifications were submitted. The selection panel consisted of representatives from the Arts Advisory Committee, VAPP, Santa Barbara County Arts Commission and the Foundation. Two artists were invited for an interview, and Douglas Lochner was selected as the artist whose qualifications were most aligned with the project vision.

Project Description

The proposed project location is the grass area in the front of the Airline Terminal complex and adjacent to the Earle Ovington Terminal. The proposed design concept is a glass sculpture of two wings (Attachment 2). Each wing consists of six overlapping glass feathers, the largest of which is twenty feet tall. The wings are constructed of single contiguous panes of laminated glass bonded together to form a rigid self-standing cantilevered structure. The overlapping glass reinforces each feather while producing a curved wing shape from flat glass. The sculpture will have optical properties, bending light and shadow to create unique vistas of the Airline Terminal and its surroundings.

The sculpture is being designed to require minimal maintenance. The glass wings will require washing once or twice a year. The LED lamps will need replacement every 10-15 years. A water repelling product similar to that used on airliner cockpit windows will

be applied to prevent water spotting. In the event that the glass or stainless steel base is scratched the blemishes can be removed.

Project Review

On February 16, 2012 VAPP reviewed the Marine Tribute Glass Sculpture Preliminary Design and gave it an enthusiastic unanimous approval. On April 30, 2012 ABR gave its unanimous approval of the Preliminary Design. On June 20, 2012 Airport Commission provided comments with concerns about bench location, potential vandalism, maintenance and safety requirements, need for more clarity in the purpose and message of the sculpture. Commissioners also commented on the sculpture's beauty and exciting design. A Joint Meeting of VAPP, ABR, and Airport Commission was held on September 20, 2012 to discuss the comments and concerns raised during the various preliminary reviews. The members' consensus was that the location, size, and scale of the proposed project were appropriate. The members made recommendations for refining the sculpture. The members expressed enthusiasm about the project. One Commissioner objected to the project. The next step is final project approval by VAPP, ABR, Airport Commission and obtaining a Coastal Development Permit from Planning Commission. The issuance of a building permit is the final step.

Proposed Agreement

As with all the Public Art displayed at the Airline Terminal an agreement is required between the Foundation and the City to transfer all right, title, and interest to the Marine Corps Tribute to the City. The proposed terms of the agreement are summarized as follows:

1. Tribute Construction – The Foundation will construct the Tribute at the Terminal at its sole cost and expense at the location depicted and as approved by the appropriate City commissions and with the issuance of a building permit.
2. Transfer of Title – At completion of construction the Foundation will transfer to the City all right, title, and interest to the Tribute.
3. Copyright License & Waiver of Civil Code Section 987 – The Artist will grant the City and Foundation irrevocable and perpetual license to use in any and all manners all aspects of the artwork and design of the Tribute. (Civil Code Section 987 provides legal protection for artists' moral rights related to intentional destruction or mutilation of a work of fine art and the artist's right to claim authorship and disavow modifications to works of fine art).

4. Maintenance & Repair – Upon installation the Foundation and the Artist will deliver to the City a Tribute Maintenance Plan that includes a list of all manufacturers represented in the project with contact information, the expected life of the materials, and cost. The Plan will specify approved cleaning method and a recommended inspection checklist and schedule. The Foundation will deliver to the City a set of as-built drawings. The City will provide for continued maintenance of sculpture.
5. No Duty to Repair or Replace – At its sole discretion the City may undertake repair and replacement of the Tribute, whether damaged or destroyed by man-made or natural causes. In the event that the City determines not to repair or replace the sculpture, the City may remove and dispose of the Tribute as it deems necessary. However, the City will attempt to contact the Artist and/or the Foundation and the Artist and/or Foundation shall be given the opportunity to remove the Tribute from the premises. The Artist and/or Foundation will be responsible for all costs associated with the removal.

AIRPORT COMMISSION

At its March 20, 2013 meeting Airport Commission reviewed the proposed agreement for a recommendation to Council for approval. The vote was 3 Ayes, 1 No, 1 Abstention.

ATTACHMENTS: 1. VAPP Public Art Review Guidelines
2. Proposed Design Concept

SUBMITTED BY: Karen Ramsdell, Airport Director

APPROVED BY: City Administrator's Office

**VAPP PUBLIC ART REVIEW PROCESS
FLOW CHART**



