



## Council Agenda Report

From: David Athey, City Engineer

Subject: Approval of Public Art Installation at the Intersection of Park and 12th Streets

CEQA Determination: The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.

Date: March 5, 2024

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### Facts

1. The City has received a proposal from local artist, Dale Evers, to install two art sculptures at the intersection of Park and 12<sup>th</sup> Streets across from the main entrance to the Downtown City Park.
2. The sculptures include a twelve-foot guitar and a North American Dung Beetle.
3. Mr. Evers has previously worked with the City, the US Olympic Committee, and the Cayman Islands on large art installations.
4. Mr. Evers recently installed a privately funded arch on Norma's Alley downtown. The arch is a tribute to Norma Moyer and the vibrant restaurant scene downtown.
5. The installation of the guitar is a tribute to Carlos Santana, and it would honor Paso Robles' vibrant music scene that includes Concerts in the Park, Downtown Music Venues, Vina Robles Amphitheater, and the California Mid-State Fair.
6. The installation of the North American Dung Beetle recognizes the area's natural beauty and fauna. Although the beetle is often overlooked or not appreciated, the statue honors a critical link for a healthy environment.
7. The sculpture installation will stay up for about one year, at no cost to the City, as the artist will be responsible for its initial placement and ongoing maintenance. After the one-year period, the sculptures will be removed so other artists' pieces can be displayed on this corner.
8. Mr. Evers has applied for a temporary encroachment permit for the artwork installation. The City Engineer will issue the permit when all approvals have been secured.
9. Mr. Evers is proposing to install the artwork approximately 60 days after all approvals and the permit is issued.
10. The Parks and Recreation Committee met on December 11, 2023, to consider the proposal and is recommending the Council approve the temporary installation.

### Options

1. Take no action;
2. Authorize the temporary Art installation as stated in the proposal submitted by Dale Evers;
3. Refer to staff for additional analysis.

### Analysis and Conclusions

Local artist Dale Evers has submitted a proposal to install art sculptures at the intersection of Park and 12<sup>th</sup> Streets (Attachment 1). The proposal was reviewed by the Park and Recreation Committee, which

has determined that the installation is consistent with the Art in Public Places Policy (Attachment 2). The installation of the sculptures would remain for one year at no cost to the city. The City Engineer will issue the temporary encroachment permit when all approvals have been secured, which will include conditions requiring the artist to bear responsibility for the transportation, installation, maintenance, and removal of the art, and indemnify the City against any claims in connection with the art installation, among other things. Mr. Evers is proposing to install the artwork approximately 60 days after all approvals are obtained and the permit is issued. Mr. Evers will maintain the sculptures during the display period and remove them at the end of the one-year display period.

**Fiscal Impact**

There is no direct fiscal impact resulting from the art installation, as the artist will be responsible for all costs associated with the installation, maintenance, and removal of the installation, and will indemnify the City against any claims connected with the installation.

**CEQA**

The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.

**Recommendation (Option 2)**

Authorize the temporary art installation as stated in the proposal submitted by Dale Evers, subject to issuance of a temporary encroachment permit with conditions to be approved by the City Attorney which provide the necessary protections to the City and the artist.

**Attachments**

1. Dale Evers Art Installation Proposal
2. Art in Public Places Policy