



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: DECEMBER 12, 2018

TO: ARTS & CULTURE COMMISSION

FROM: ROCHELLE BRANCH, CULTURAL AFFAIRS MANAGER

SUBJECT: APPROVAL TO DECOMMISSION *DREAM STREAM* BY ARTIST ANNE MARIE KARLSEN AT 375 E. GREEN STREET

RECOMMENDATION:

Staff recommends that the Arts & Culture Commission approve the decommission of *Dream Stream*, a sculptural fountain by artist Anne Marie Karlsen, sited at 375 E. Green Street in The Terraces at Paseo Colorado.

CONDITIONS OF APPROVAL:

- Before demolition occurs, the property owner will document that all provisions of the federal and California State laws regarding public art have been met to provide for legal removal of the artwork and submit that documentation to Staff.
- Within the next 6 months, the property owner will present a Concept Art Plan to commission a replacement artwork of equal or greater value, in accordance with provisions of the Public Art Program Guidelines for New Private Development.

BACKGROUND:

On April 12, 2000, art consultant Tamara Thomas of Fine Art Services, Inc.—on behalf of developer TrizecHahn—presented a Preliminary Public Art Concept and Short List of Artists for the Post Properties portion of Paseo Colorado and it was approved by the Arts & Culture Commission. On December 15, 2000, Post Properties entered into an agreement with artist Anne Marie Karlsen, one of the artists from the approved Short List, to design and fabricate an original artwork, per the City's Public Art Program Guidelines for New Private Development. On April 11, 2001, Tamara Thomas presented the Final Art Plan for Anne Marie Karlsen's sculptural fountain *Dream Stream* and it was

approved by the Arts & Culture Commission. After installation, the project received Final Sign Off by Cultural Affairs Staff on October 24, 2001. Post Properties sold the property in 2003, and ownership continued to change hands until 2010. Since 2010, GID/SSR Paseo Colorado LLC has served as the property owner and manager of the Terraces at Paseo Colorado.

Site: The development at 375 E Green Street—The Terraces at Paseo Colorado—was initially constructed as the Post Properties portion on the southeast edge of the expansive Paseo Colorado development, a mixed-use project traversing three city blocks (bordered by Marengo Avenue, Colorado Boulevard, Los Robles Avenue and Green Street) that includes retail and residential spaces across several adjoining and adjacent multi-story buildings. The artwork is sited in the first floor courtyard of the Terraces, which was initially open to the public. However, Management deemed that increasing security concerns necessitated the courtyard to remain locked and secured. Though the artwork is still accessible to public, its access has become restricted over time, requiring an escort from Paseo Terraces management staff during business hours.

Description of Artwork: The artwork is a three-dimensional sculptural fountain with a palette that reflects warm coral colors and cool sea hues. It was assembled from organic hand cast porcelain leaf-shaped tiles of different scale, mounted upon a flat tile-covered wall that arises behind a shallow fountain pool. Interlocking grooves in the tiles give the appearance of water droplets. The artwork measures 6' 10" high x 16' long x 8' 7" deep.

Artist: Anne Marie Karlsen has been very involved in the recent assessments of her artwork & the development of its deaccessioning plan.

Reason for Decommission: Over the years, the fountain was observed as increasingly falling into disrepair. GID was made aware by Cultural Affairs Staff that, because of the neglected maintenance, the artwork was not in compliance with the City's Public Art Requirement. In attempt to correct the problem, GID consulted two conservators—Sculpture Conservation Studio in 2016 and Rosa Lowinger & Associates in 2017—to assess the artwork. Both conservators acknowledged that, significantly, original construction of the fountain's back wall did not appear to have structural integrity, including the absence of any waterproofing. Furthermore, the neglected maintenance responsibilities over time—both cleaning the fountain and tending its mechanics—intensified the artwork's erosion. The initial construction flaws and the lack of maintenance had caused the artwork to deteriorate. The artwork's condition was determined to be so poor that repairing it would be cost prohibitive was not recommended. By July 2017, GID installed a temporary ivy wall around the main fountain wall as an aesthetic and practical solution; the fountain was no longer functional, tiles were increasingly deteriorating, and several had fallen.

GID worked with Anne Marie Karlsen for several months in attempt to create a proposal to decommission the sculptural fountain and commission a replacement artwork. However, the artist eventually declined. She was not interested in serving as the project manager to oversee the administration of the whole endeavor. In response, GID hired the public art agency Now Art in 2018, to oversee the decommission of *Dream Stream* in accordance with the City's Guidelines, and also to serve as the art consultant in managing the development of the replacement artwork. Ultimately, Anne Marie decided not to accept the new commission to create the replacement artwork.

Inherent to all private development public art projects created in compliance with the City's Public Art Program Ordinance and Guidelines is the requirement that commissioned public artworks may be removed if replaced by an approved artwork of equal or greater value. Additionally, federal and California State law provide requirements for public artwork removal which must be met, in order for the Arts & Culture Commission to consider a request to decommission an artwork from the collection.

Specific to the decommission of *Dream Stream*, the artist has been properly notified by Now Art, on behalf of GID, per the legal requirements of both federal and California law. In addition, the artist has offered parameters for how she would like her artwork to be destroyed, and Now Art, on behalf of GID, is more than willing to honor those parameters.

Now Art is actively in the process of working with GID and Cultural Affairs Staff to develop a replacement artwork. The total project budget is \$200,000, which exceeds the original artist contract with Post Properties from 2000. At that time, the artist was contracted \$91,000 for design and fabrication of the artwork, with installation and administrative fees paid separately by the developer. In early 2019, Now Art will return to the Arts & Culture Commission with a Concept Art Plan that proposes a Selected Artist and Proposed Concept.

CONCLUSION: The City's Public Art Program Guidelines for Private Development allow for the removal and/or replacement of artwork in compliance with the City's Public Art Requirement for Private Development. Because the federal and California state laws regarding artwork removal have been met, and the property owner is currently working with an art consultant to develop a replacement artwork of equal or greater, Staff finds that this action is allowable with the conditions sited herein.

FISCAL IMPACT:

There is no Fiscal Impact, since the costs to cover the artwork's removal, in addition to the distinct \$200,000 being invested in a replacement artwork, will be paid by the property owner.

Respectfully Submitted,



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Prepared by,



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Attachment A – Decommission Plan submitted by art consultant Now Art