

CITY OF AUSTIN
ARTWORK DONATION / LOAN EVALUATION

Donor: Women and Their Work (contact: Norma Little) Beili Liu (artist), Christy Ten Eyck, Cassie Bergstrom

Proposed Artwork Title or Description: THIRST

Description: Memorializing the 500 million trees lost in the Texas drought of 2011, an installation of a 16'-30' tree painted white will hover over the water of Lady Bird Lake between the Lamar & Pfluger Bridges. Solar lights will illuminate the tree. In conjunction, a linear installation of 14,000 white prayer flags with a silhouette of a tree printed on each will be strung from tree to tree along the hike & bike trail in the 2.5 mile loop between the Lamar & Pfluger Bridges and the Pfluger Circle. (The line of flags will be interrupted where there are no trees.) A special installation of the flags on Pfluger Circle will display multiple strands of the flags around the Circle.

User Department: Austin Parks and Recreation Department

Department Review Committee (DRC) members:

Angela Hanson, Pat Fuller, Chris Yanez, Brian Robinson APD, Charles Vaclavik,, Kirk Scanlon, Laura Esparza

Presentation/ Evaluation Date: June 26, 2013

- The proposers submitted a 40-page detailed proposal that answered many of the questions raised in the first review session.

COMMENTS ON REVIEW CRITERIA

Aesthetics:

While it is not PARD's purview to critique aesthetics, many spoke positively about the message that the installation would convey if installed. It was also conveyed to PARD through an email that the project is conditionally supported by the Trail Foundation because it has received national funding from the prestigious Rauschenberg Foundation. They felt that projects of this caliber are suitable for temporary display on trails. The theme of the installation is compatible with a parks purpose.

Site:

- After reviewing three other sitings, the donor confirmed that this is the only siting for the artwork that they feel is suitable for the mission of the piece and would be most visible to pedestrians.
- The siting of the suspended tree has been moved towards shore in order to avoid the navigational zone for boaters. The installation would be situated in a part of the water within the non-navigable cabomba weed, thus greatly reducing the number of rowers who can come near the safety fall zone.
- Canopy of flags would be suspended over Pfluger Circle and along the 1st Street Bridge using existing light poles. This part of the installation is being referred to Street and Bridge for their review.

Installation:

- The Donor provided much more detail on the installation, to the satisfaction of the committee. The proposers were able to detail how the tree would be transported to the dock, and how the tree would be moved into place.
- Watershed Protection has asked them to apply for a Site Plan Correction for new construction where most of their questions will be answered.
- The Donor has still not settled on a lighting designer and so electrical needs were still unclear. What was clear is that the safety lighting around the piece will be lit by solar lights on buoys out on the water surrounding the piece. They will be drawing power from the Pfluger pedestrian bridge, using a power line sunk to the lake bottom and going over to the tree. They will be working with Austin Energy on this.
- The selected tree will not come from City of Austin property and will be prepared on private property. The selected tree will have the approval of the City Arborist for this purpose.
- The Donor offered a safety and maintenance plan to the satisfaction of the review panel.
- The flags will be installed with ladders leaving a 6' path for trail users.

Rower Issues

- Kourtney de Haas, President of the Rowing Club is in support of the project and will be asked to write a letter stating his position.
- The Regatta at the end of October will not be impacted.

Financial:

1. Liability Insurance for personal injury, workman's comp, auto insurance has been acquired.
2. The contract will address the Parks Department's right to request that the installation be pulled.
3. Donor still needs to get buy-in of vendors of lake but this can be done as part of Site Plan Correction.

Liability:

1. APD still has safety concerns related to people attempting to reach the tree by boat or from Pfluger Bridge.
2. The Donor has obtained \$1M General Liability along with the WC and the Auto plus \$1M auto and the standard WC limits.
3. The Donor should continue to coordinate with APD and AFD regarding the overall plan and emergency response as well as the boat dock used to load the tree onto their barge and pay for APD services as necessary for load-in and load-out of the tree as well as any trail closures, should they

occur.

Timeliness:

1. Proposed timeline (installation after Labor Day) may need to be adjusted for public hearings including the Navigation Sub-Committee, Parks Board, Arts Commission and possibly City Council if the City Manager sees fit.
2. Trails Foundation supports only a one month installation of THIRST. Donor was asked to go back to the Trail Foundation to vet this.
3. Parks Division Manager is not in support of going longer than 6 weeks with the piece.
4. Donor is aware of potential limitations of accessing the south shore of the lake between South 1st and Lamar due to the proposed improvements slated for the Auditorium, Town Lake and Butler Park planning and improvements. Closure of this area and construction will begin in November of this year, 2013.

Special Conditions:

- An adequate Public Relations Plan was submitted but should be detailed with Women and Their Work as first responders in the contract for the donation.

RECOMMENDATION

Accept donation as presented

Accept donation with the following modification(s): Exhibition period of THIRST in City Parks will be limited to 6 weeks.

Reject donation for the following reason(s)

PARD received a much more complete proposal answering many of the outstanding questions. To complete the application, the donor must still provide:

- a lighting plan (to include the route and specs for the up lighting of the tree) ,
- letter from Kourtney DeHaas, and
- provide a map of the load-in route of the tree.

For contract stipulations requested by PARD staff, see attachment A.

At the Department Director's request the donor may present to the Navigational Sub-Committee of the Parks Board and the Austin Parks and Recreation Board. The Donor must complete the requirements of other Departments as well including the Site Plan Correction/New Development Permit, working with Austin Energy on power utilization, and seek permission to hang flags at Pfluger Circle from Street and Bridge.

Submitted by

Name: Laura Esparza

Title: Division Manager

Department: Parks and Recreation Department

Date: June 26, 2013

List of Criteria for Evaluation (from City of Austin Artwork Donation Policy, approved 2013)

1. AESTHETICS

- a. Artistic merit of the work of art, including its artistic, social, and/or historical significance, as evidenced by the Artwork Donation Proposal (which includes a written description and drawings and/or maquette of the proposed artwork)
- b. Professional artist's qualifications, as evidenced by the Artwork Donation Proposal (which includes images of past work, resume, references, and published reviews)
- c. Compatibility of the work of art within the context of the proposed site and/or the mission of the User Department
- d. Warranty of originality (in the case of a pre-existing artwork; only original works or limited editions shall be considered)
- e. Provenance (in the case of a pre-existing artwork)

2. SITE

- a. Appropriateness to the proposed site with respect to its immediate and general physical environment (neighborhood) and audience
- b. Ecological impact (e.g., percentage of impervious cover or risk to tree root zones)
- c. Accessibility to the public, including persons with disabilities
- d. Text components (e.g., signage or plaques)

3. INSTALLATION

- a. Site requirements for installation (e.g., electricity, lighting, water, or other services)
- b. Method of installation
- c. Storage requirements, if any
- d. Safety standards

4. MAINTENANCE

- a. Structural integrity
- b. Durability of material
- c. Susceptibility of the artwork to accidental damage, theft, and/or vandalism and security needs
- d. Ability or capacity of User Department to provide necessary routine maintenance

FINANCIAL

- a. All costs associated with fabrication and installation, including site preparation, long-term preservation (i.e., conservation and repair), illumination, plaque and unveiling/dedication event, if any. Donors proposing artwork to the City shall contribute 2% of the total value of the artwork or \$5,000, whichever is less, to the City's Public Art Fund so that funds may be available for treatment when repair or conservation becomes necessary. In lieu of Donor providing this monetary contribution, departments must make assurance that they will provide an equivalent amount of funding in their budget for such repairs. Obtaining an appraisal is the responsibility of the donor, unless otherwise agreed upon by City and donor.
- b. Source of funding and timely availability of funds and resources to meet financial requirements
- c. Estimated amount of funding for annual, routine maintenance costs to the City User Department
- d. Statement of value of artwork for insurance purposes

LIABILITY

- a. Susceptibility of the artwork both to normal wear and to vandalism
- b. Potential risk to the public
- c. Public access, in general, as well as compliance with ADA requirements
- d. Special insurance requirements, if any

7. TIMELINESS

- a. Allowance of sufficient time for normal review process by the DRC, the Austin Arts Commission and its Working Group, and other boards or community groups involved
- b. Timely and appropriate response to the Austin Arts Commission and staff requests for additional materials or information

8. SPECIAL CONDITIONS

- a. Any conditions of the gift imposed by the Donor
- b. Other conditions not listed here