

INTRODUCED: February 26, 2024

AN ORDINANCE No. 2024-056

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to accept a donation from The Valentine Museum of a two-part sculpture to be installed in front of the property known as 1015 East Clay Street, along with maintenance services thereto, valued in the total amount of approximately \$37,500.00 for the purpose of the aesthetic enhancement of the 1000 block of East Clay Street.

Patrons – Mayor Stoney, Ms. Robertson and Vice President Lambert

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAR 25 2024 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Chief Administrative Officer, for and on behalf of the City of Richmond, be and is hereby authorized to accept a donation from The Valentine Museum of a two-part sculpture to be installed in front of the property known as 1015 East Clay Street, along with maintenance services thereto, valued in the total amount of approximately \$37,500.00 for the purpose of the aesthetic enhancement of the 1000 block of East Clay Street.

§ 2. This ordinance shall be in force and effect upon adoption.

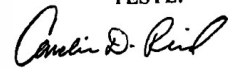
AYES: _____ 8 _____ NOES: _____ 0 _____ ABSTAIN: _____

ADOPTED: MAR 25 2024 REJECTED: _____ STRICKEN: _____

APPROVED AS TO FORM:


City Attorney's Office

A TRUE COPY:
TESTE:


City Clerk



City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.rva.gov

Master

File Number: Admin-2023-2077

File ID:

Admin-2023-2077

Type:

Request for Ordinance or Resolution

Status:

Regular Agenda

Version:

2

Reference:

In Control:

City Clerk Waiting Room

Department:

Planning and Development.Review

Cost:

File Created:

12/19/2023

Subject:

Final Action:

Title:

Internal Notes:

Code Sections:

Agenda Date:

02/26/2024

Indexes:

Agenda Number:

Patron(s):

Enactment Date:

Attachments:

PAC Transmittal Letter_Gift of Art The Valentine, Scanned Ordinance - Valentine Gift of Art AATF

Enactment Number:

Contact:

Introduction Date:

Drafter:

Raymond.Roakes@rva.gov

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
2	1	1/31/2024	Matthew Ebinger	Approve	2/2/2024
2	2	1/31/2024	Kris Daniel-Thiem - FYI	Notified - FYI	
2	3	1/31/2024	Kevin Vonck	Approve	2/7/2024
2	4	1/31/2024	Alecia Blackwell - FYI	Notified - FYI	
2	5	1/31/2024	Sharon Ebert - FYI	Notified - FYI	
2	6	1/31/2024	Caitlin Sedano - FYI	Notified - FYI	
2	7	2/7/2024	Jeff Gray	Approve	2/2/2024
2	8	2/7/2024	Lincoln Saunders	Delegated	
Notes: Delegated: Out Of Office					
2	9	2/7/2024	Sabrina Joy-Hogg	Approve	2/9/2024
2	10	2/14/2024	Mayor Stoney	Approve	2/9/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File Admin-2023-2077

City of Richmond
Intracity Correspondence

O&R Transmittal

DATE: January 2, 2024

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer

FROM: Kevin J. Vonck, Director, Department of Planning and Development Review

RE: City of Richmond Public Art Commission Review and Acceptance Policy of Gifts of

Art to accept a gift of art to the City of Richmond from The Valentine Museum.

ORD. OR RES. No.

PURPOSE: City of Richmond Public Art Commission Review and Acceptance Policy of Gifts of Art to accept a gift of art to the City of Richmond from The Valentine Museum.

BACKGROUND: The proposed gift of art was created in celebration of The Valentine's 100th anniversary in 2024. The Gift includes a two-piece, interactive sculpture designed by Mickael Broth for installation in front of The Valentine and funded through the Common Wealth Public Art Fund.

The work is composed of two human-scale abstract shapes, each with a hole through its center and each faced with a mirrored surface. The pieces are interactive, drawing passers-by into the works themselves with the reflective surfaces and strategically situated holes that allow audiences of different heights and abilities to connect with the work in amusing and thought-provoking ways. Beyond serving as a playful installation, the work asks us to question what we include in our storytelling, what we leave out and what that says about ourselves, our surroundings and our history. An apt installation in front of a history museum.

The work consists of powder-coated, welded aluminum used to fabricate the main structures. Mirror-finished stainless-steel plates will be affixed to the aluminum surfaces to create a reflective surface which will include an anti-graffiti coating. Each piece of the sculpture will be raised off the sidewalk with a low-rise pedestal and their positioning will be established in conjunction with the Department of Public Works to ensure maximum safety for both vehicles and pedestrians.

As part of the gift, The Valentine has agreed to take responsibility for the general day-to-day maintenance of the sculpture.

COMMUNITY ENGAGEMENT: Public hearings with the Public Art Commission and Planning Commission

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan and Richmond Public Art Master Plan; The City Planning Commission and Public Art Commission have both recommended acceptance of these gifts.

FISCAL IMPACT: The Department of Planning and Development Review will not incur any immediate costs. The impact to the City's future fiscal years is estimated at no more than \$1,000 over the next ten years for significant conservation.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: February 26, 2024

CITY COUNCIL PUBLIC HEARING DATE: March 25, 2024

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing and Transportation Standing Committee

AFFECTED AGENCIES: Office of Chief Administrative Office

Law Department (for review of draft ordinance)

Department of Public Works (permitting)

RELATIONSHIP TO EXISTING ORD. OR RES.: Ord. 97.3.41

ATTACHMENTS: Gift of Art Forms

STAFF: Kevin J. Vonck, Director, Department of Planning and Development Review
kevin.vonck@rva.gov, 804-646-3741

Susan Glasser, Secretary to the Public Art Commission, Department of Planning and Development

Review, Susan.Glasser@rva.gov

PUBLIC ART COMMISSION

CITY OF RICHMOND

DONATING GIFTS OF ART TO THE CITY

DONOR INFORMATION CHECKLIST

Anyone wishing to donate art for public display to the City of Richmond must follow the City's policies and procedures for "Gifts of Works of Art." The gift will be reviewed in accordance with uniform criteria used for all art in the City's Public Art Collection. This criteria includes:

- Artistic merit and context in the City's art collection
- Site appropriateness
- Fabrication, handling, and installation
- Oversight responsibility
- City liability and maintenance requirements
- Community endorsement
- Budget and guarantee of funding source
- Educational, cultural, and historical value; and contribution to the identity of a neighborhood or district

All art offered to any agency, department or office of the City shall be referred to the Public Art Commission (PAC) for consideration.

For art valued at less than \$2000, the PAC will review the work according to the criteria listed above and make a recommendation to the Planning Commission for final approval.

For art valued above \$2000, the PAC will appoint a "Gift Review Team" (GRT) to review the art according to that same criteria. The GRT shall consist of:

- a representative of the community,

- a representative of the City's user agency responsible for the artwork's care, placement or disposition, and
- at least one member of the PAC.

The GRT will prepare a report for the full PAC who in turn will forward their recommendation to the Planning Commission. Following their assessment, a final recommendation will be presented to City Council for a vote. The Office of the Chief Administrative Officer will inform the donor of the art's final acceptance or rejection.

Attached are a set of forms (A-C) that must be completed in full and submitted along with a written request for consideration of the donated art to the PAC. Send to (susan.glasser@rva.gov). Please indicate if the donor will pay for relocation costs for the work and be sure to attach all requested additional materials to the forms (if applicable). These forms are necessary to provide full documentation of the gift and pertinent information necessary for its care in the future.

Your cooperation with these procedures is appreciated.

PUBLIC ART COMMISSION

CITY OF RICHMOND

DONATING GIFTS OF ART TO THE CITY

FORM A

ARTIST INFORMATION

Artist's Name **Mickael Broth**

Address: 1804 Seddon Road Richmond Virginia 23227

Phone: 703-969-6829

Email: thenightowlwashere@gmail.com

Dealer or Agent's Name **N/A**

Address:

Phone:

Email:

In addition, please provide the following information:

Artist's website and/or other social media platforms

thenightowlwashere.com

IG: @thenightowl

FORM B

WORK OF ART SPECIFICATIONS

Identification

Title of Work: The Hole Truth

Date Executed: November 2023

Location and Description of Signature and Edition Markings:

Signature on rear of pieces

Specifications

Dimensions (without pedestal): HT.1

Height (in inches): 80 Width (in inches): 60 Depth (in inches): 18

Weight (in pounds): 350

Dimensions (without pedestal): HT.2

Height (in inches): 60 Width (in inches): 60 Depth (in inches): 18

Weight (in pounds): 300

Pedestal Dimensions: no pedestal

Height (in inches): n/a Width (in inches): n/a Depth (in inches): n/a

Weight (in pounds): n/a

Material

List each type of fabrication material used (including welding or joining materials if applicable).

Welded aluminum will be used to fabricate the main structures. Those pieces will then be powder-coated. Mirror-finished stainless steel plates will be affixed to the aluminum surfaces using stainless steel specific adhesive.

Fabrication (if applicable)

Name of Fabricator(s): Chris Martin Arts / Virginia Steel Specialties

Address: 10213 Grand Hickory Drive Mechanicsville, VA 23116

Phone: 804-339-4277

Primary Construction Technique(s): aluminum welding

Maintenance

If the work was designed to include the weathering process as a part of its overall visual impact, please describe the type of environment for which the work was designed.

No intended weathering process. The materials and techniques to be used are generally considered non-corrosive and extremely durable.

Is the donor planning to establish a maintenance fund for the future care of the art? If so, please indicate the amount of funding to be provided and whether it is a one-time or annual contribution.

N/A

Additional Archival Information

Please indicate all notable public viewings, exhibitions and/or collections in which this work has been included.

This will be a new and unique work created for this collection.

If this work is a limited edition, please indicate the locations of other editions.

N/A

Please provide bibliographic information on any publications that have either reproduced or carried articles pertaining to this work.

None available yet.

If there is any other relevant information about the work that you feel should be presented to the Art Commission during its review, please attach it to this form.

Please see attached project proposal for further information on the pieces.

Site Selection

If the donor has a preferred City-owned property site in which to place this work, please identify the proposed site, describe the reasons why the site was selected, and how the site will be improved or enhanced by the installation of this work.

Clay Street, between 10th and 11th Streets, in front of the Valentine Museum. The locations for these pieces are described and illustrated in detail in the attached project proposal document.

List two alternate sites that would be acceptable to the donor. (The Public Art Commission cannot guarantee that any suggested sites will receive final approval from the City.)

N/A

FORM C

DONOR PROFILE

Donor or Donor Organization

Name: The Valentine

Address: 1015 E. Clay Street
Richmond, VA 23219

Phone: 804-649-0711

Email: bmartin@thevalentine.org

Donor Liaison (if applicable)

Name: n/a

Address: n/a

Phone: n/a

Email: n/a

Please describe the circumstances under which the gift is being proposed:

The artwork is a gift to The City of Richmond from The Valentine made possible by a donation from The Common Wealth Public Art Fund to enhance the block of E. Clay Street that is home to the museum's main campus.

Valuation

Appraised value: \$37,500 reflects the cost of new fabrication of the works

Date of appraisal: n/a

Appraiser's Name: n/a

Address: n/a

Phone: n/a

Email: n/a

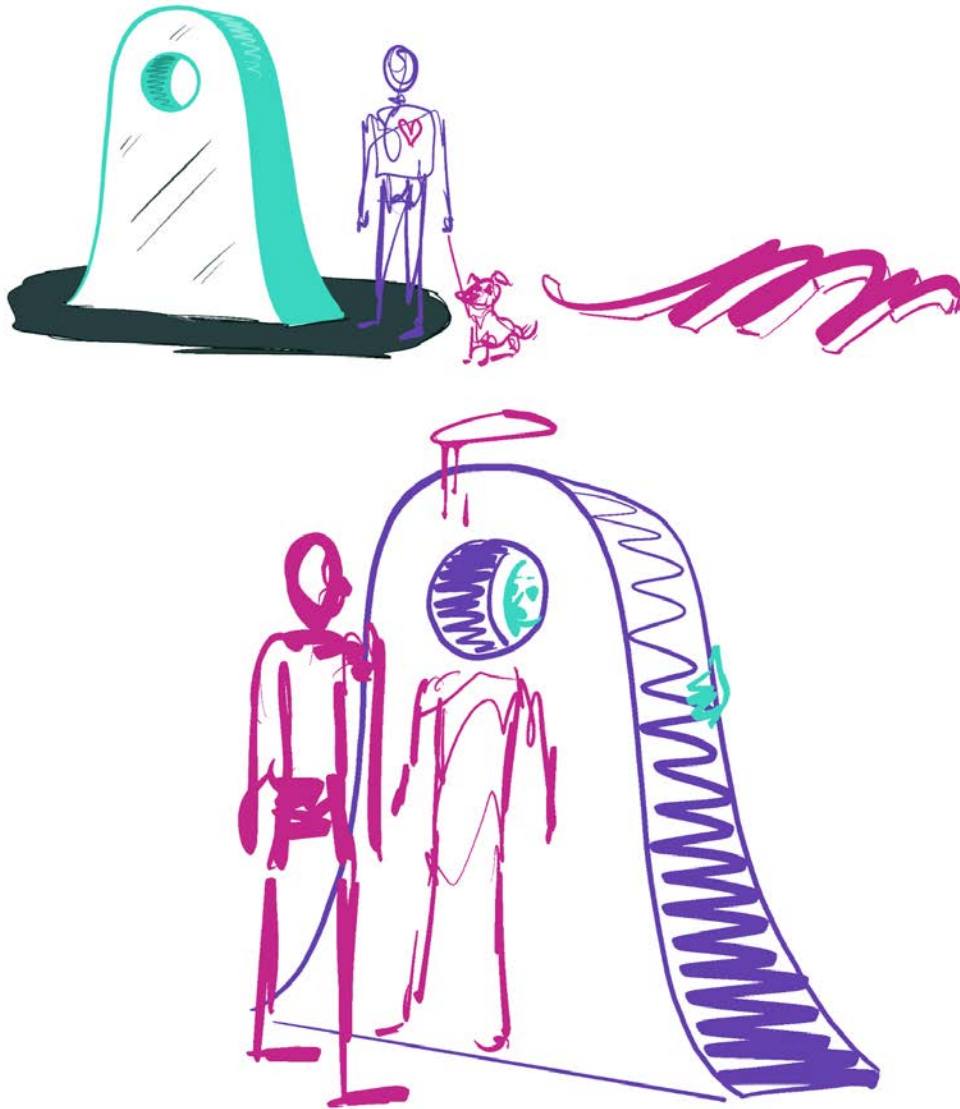
Please attached the appraiser's report if available.



The Hole Truth

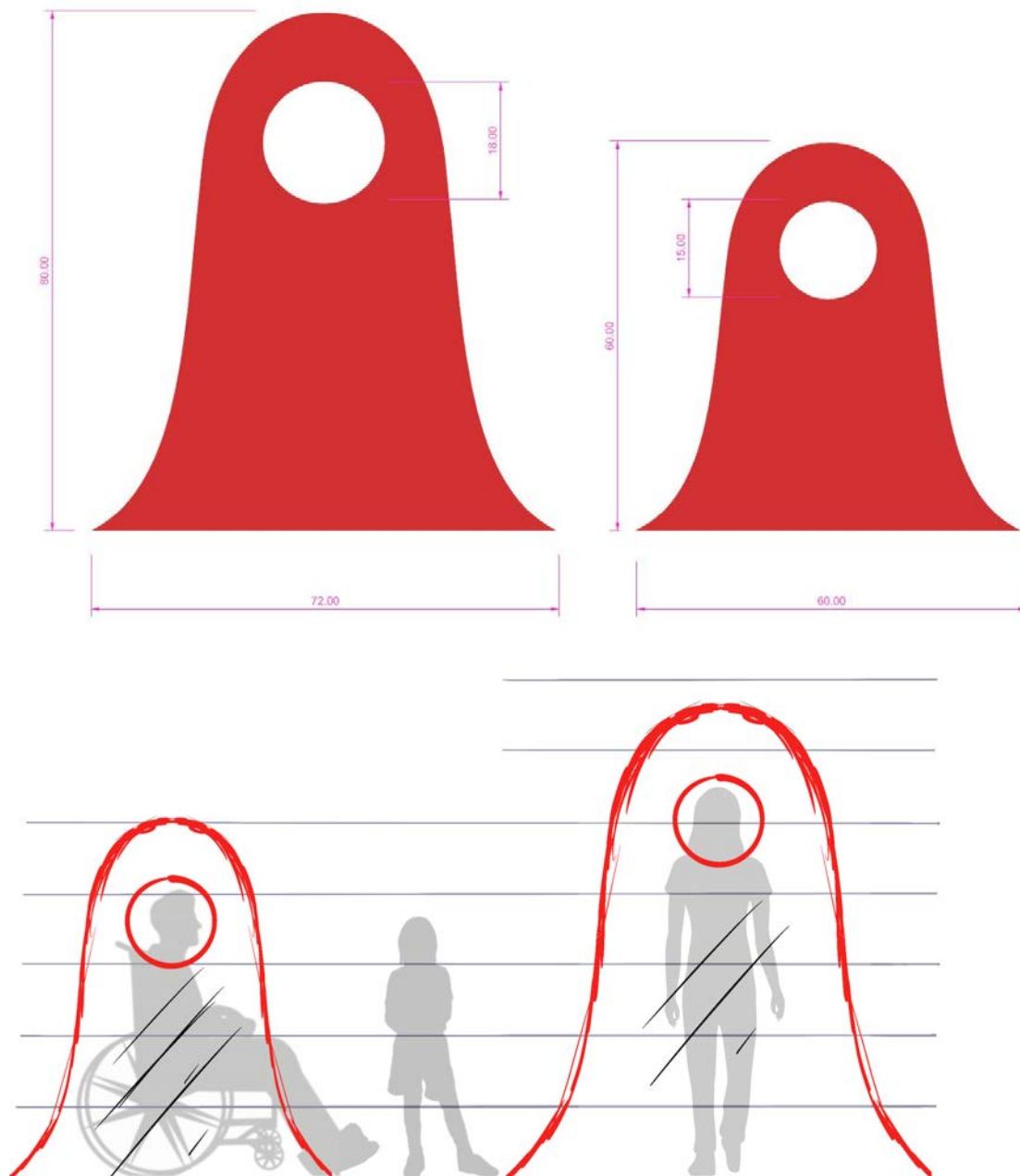
Presented by Mickael Broth

Updated August 21st, 2023



The Hole Truth is a two-piece, interactive sculptural work of art designed for installation at the Valentine Museum and funded through the Common Wealth Public Art Fund. The work is mesmerizingly simple in form, composed of two human-scale abstract shapes, each with a hole through its center, and each faced in a mirrored surface. The pieces are interactive by their very nature, drawing visitors and passersby into the works themselves, while the strategically situated holes allow audiences of different heights and abilities to connect with the work in amusing and thought-provoking ways. Beyond serving as playful and welcoming invitations into the museum, the works offer a metaphor for the museum itself. They ask us to question what we include in our storytelling, what we leave out, and what that says about ourselves, our surroundings, and our history.

Front



Scale

There will be two similar pieces created as part of this project. One piece will be scaled for an average-sized adult, while the other will be scaled for youths and people using wheelchairs. The larger piece ("HT.1") will be approximately 6' 6" tall with an 18" diameter hole centered at 60" high. The smaller piece ("HT.2") will be approximately 5' tall with a 15" diameter hole centered at 42" high. Each piece will be 18" deep.

Fabrication

The main forms will be professionally fabricated from marine-grade, non-corrosive aluminum, custom-cut and welded into shape. Those pieces will then be powder-coated (Valentine red is the artist's proposed color choice), to ensure durability, longevity of color, and ease of maintenance. A mirror-finished stainless steel plate will then be attached with adhesive to one face of each piece. Each piece will be delivered to the site and installed.

Installation Methodology

We are proposing one of three installation methods, to be determined upon consultation with relevant stakeholders.

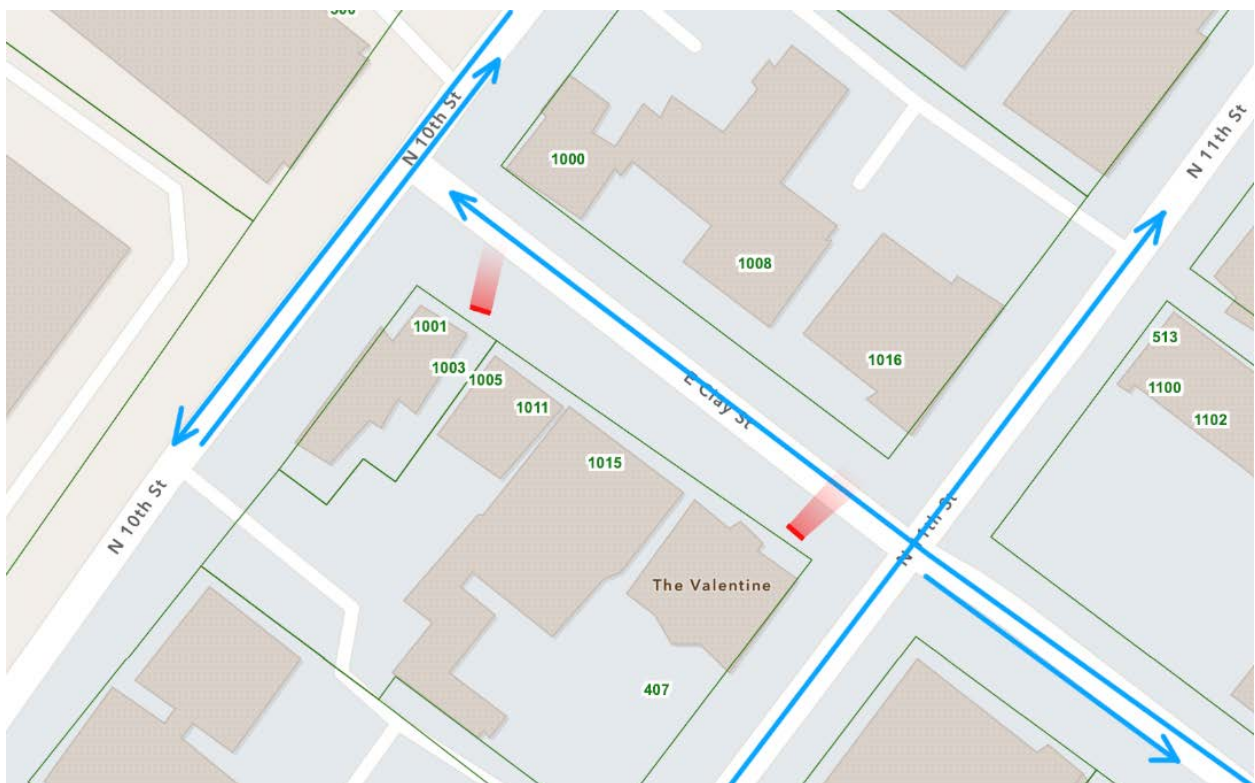
1. Direct installation into the existing sidewalk. While this would generally provide a very secure installation, we feel there may be issues (structurally and otherwise) with attempting to install into the bricks of the sidewalk on Clay Street.
2. Attachment to a substantial base (ie. 1" thick powder-coated plate steel). This method may prove to be the most logical as it would ensure a heavy bottom and allows for the pieces to be moved, if necessary at any point.
3. Interior weighting. Since the pieces are essentially hollow boxes, they could potentially have a lockable opening on the rear side that could be used to fill the bottom portion of the works with mild steel plates and stone. This would of course add enormous weight to the bottom portion, securing the works in place, while allowing removal of the weight if the works needed to be moved at any point. This is the preferred and suggested method of installation.

Stability

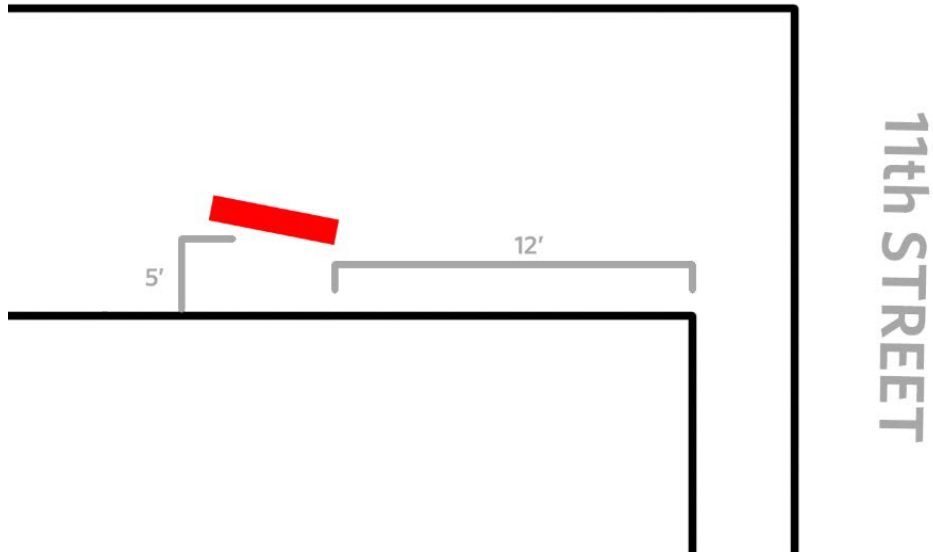
Safety is our top priority when it comes to the pieces. We will make every reasonable effort to ensure that the works cannot be knocked over during everyday interactions (of course, it is impossible to guard against someone purposely knocking the works down with a lifting jack or tow cable attached to a vehicle, etc). In addition to fabricating each piece with a substantially thick baseplate (in order to ensure they are extremely bottom-heavy), weight may either be added to the bottom section of the piece through internal weights or by bolting the work directly into the sidewalk (upon approval by relevant stakeholders). In any case, we will ensure that the works cannot be accidentally knocked over or intentionally knocked over without significant effort.

Placement

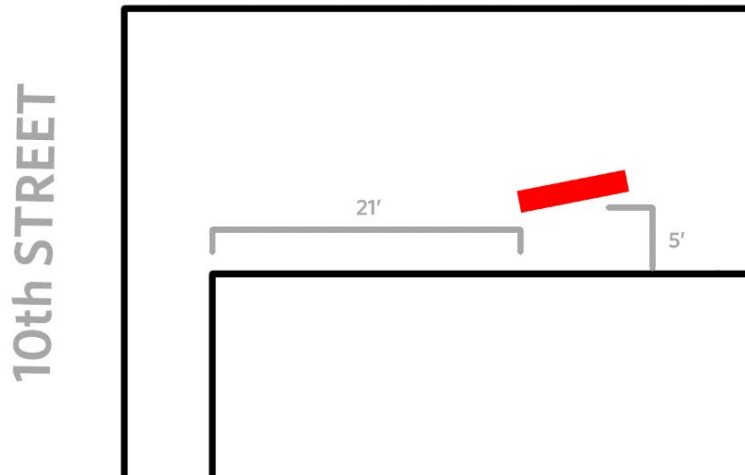
These works are intended to be installed in front of the Valentine Museum along Clay Street. Exact final placement of the pieces will be determined in collaboration with relevant stakeholders. For the purposes of this proposal, it is intended that HT.1 will be placed at the 11th Street end of Clay Street, 12' west of the end of the Valentine's fenced wall and 5' from the wall, allowing easy passage behind and in front of the work. HT.2 will be placed at the 10th Street end of the block, 21' east from the end of the Valentine's fenced wall, and 5' from the wall. Both placements allow for plenty of pedestrian, and even vehicular access (thanks to the extra wide sidewalks), along the block, and are sited far enough into the block that they will not be distracting to motorists and pedestrians in the intersections.



CLAY STREET



CLAY STREET



Visibility

Upon installation, heavy duty adhesive caution tape may be installed in a perimeter around the pieces if there is significant concern that they pose a hazard to people with limited vision. While we want to ensure that people know they can interact with the work, we of course want to be sensitive to safety concerns.

Angles and Reflections

As with any mirrored surface, reflections must be taken into consideration. The pieces will be placed in an orientation so that they are never reflecting directly back at vehicular traffic. The orientation of the works would require vehicles to drive a significant distance in the wrong direction on one way streets before encountering any sort of reflection. Headlight reflections should never be an issue with our proposed orientations. Additionally, the piece at the 10th Street end of the block (HT.2) will never be facing toward the sun, while the work at the 11th Street end of the block (HT.1) is also unlikely to reflect the sun at any point throughout the day/year.

Signage

The artist proposes that informational signage be included with the work, either on the back of the pieces themselves, on a plaque in front of the pieces, or attached to the fence/wall adjacent to the pieces. Additionally, it may be desirable to include a small Valentine logo in red vinyl somewhere on the mirrored surface of each piece so that it would be impossible to miss in photos taken of the work as well as to directly affiliate the pieces with the Valentine.

Sculpture Studio Context

While the Valentine, with generous support from the Common Wealth Art Fund, breathes new (and unvarnished) life into Edward Valentine's sculpture studio, this project brings a new perspective on sculpture, history, and the city itself to the museum. The work seeks to engage audiences directly, literally inviting them to become part of the work, and thereby advancing the museum's mission of providing an honest accounting of the world around us.

Models

The artist's studio will produce a limited number of 18"-24" tall models, one of which will be donated to the museum for the purposes of collecting and for display within the museum to provide further context of the work. One model will be retained by the artist, while the others can be made available as gifts to supporters of the project.

Budget

Total cost for the design, fabrication, and installation of this project (both full-scale pieces and models) will be \$37,500.

Timeframe

An anticipated timeline for fabrication and installation would be 4-6 weeks from execution of the project contract.

Care and Maintenance

The work will be designed and built to be as maintenance-free as possible. The materials (powder-coated aluminum, stainless steel) are non-corrosive and should not require any routine care beyond occasional wiping down/cleaning with non-abrasive cleaning methods (ie. soapy water/Windex). That should be sufficient to keep the work looking spectacular for many years. If the stainless steel mirror surface should ever become damaged beyond repair, it will be fabricated in a way that replacement will be relatively easy to complete by any general contractor.

Vandalism Concerns

While the materials used will be as durable as possible, while achieving the desired look of the work, they can be intentionally damaged if someone is determined to do them harm. The powder-coated portions of the works can be gouged or scratched deeply (think of modern playground equipment). If that happens, a similar paint can be applied on site. It may not be a seamless match, but it would be sufficient to repair the damage.

Stainless steel is an incredibly durable material, but it can be damaged if someone is intent on scratching the surface with items such as sandpaper or a drill bit. Most damage to stainless steel can be repaired through sanding and polishing on site.

Educational Opportunities

The artist is happy to engage in educational opportunities throughout (and after) this project that would spread awareness—and broaden the context—of the work.

Promotional Opportunities

This project presents many promotional opportunities for all parties involved:

Valentine - 125th anniversary, connection to the Sculptor's Studio project, collaboration with a Richmond-based artist

Common Wealth Public Art Fund - major milestone project, builds upon support of the Valentine mission, collaboration with a Richmond-based artist

Mickael - first major work collected by an institution, builds on past collaboration with the Valentine, work will literally face the jail in which the artist was formerly incarcerated



Existing table-top model

About the Artist

Mickael Broth (born 1982, Washington DC), also known as The Night Owl, is a Richmond, Virginia-based sculptor, artist, muralist, and writer. Mickael moved to Richmond in 2001 with the intention of painting as much graffiti as possible. His involvement in vandalism was halted abruptly with his arrest in 2004 and subsequent ten-month jail term for his crimes. Since that time, he has gone on to pursue an active (and legal) career in the arts. He was awarded a Virginia Museum of Fine Arts Professional Fellowship in 2008 for his gallery work and has shown widely around the United States; from museums and galleries to alternative spaces and abandoned buildings. His work is held in numerous private and corporate collections. He has painted over three hundred public murals throughout Richmond, the United States and Europe since 2012, in addition to helping curate multiple public art festivals. Through his mural work, Mickael has been commissioned by all manner of clients, from small local businesses and nonprofits to municipal governments and Fortune 500 corporations. He has been an active member of the community, working with youth groups, as well as leading volunteer groups in the creation of collaborative public art projects. Mickael serves on the board of directors for the RVA Street Art Festival and has been instrumental in the curatorial direction of the organization since its formation in 2012. In 2013, he published *Gated Community: Graffiti and Incarceration*, a memoir detailing his experiences with vandalism and jail. In 2017, he was awarded a commission by the City of Richmond for the creation of a 15' tall welded aluminum sculpture that has been installed in front of the Hull Street Library in Richmond's Manchester neighborhood. Mickael's second book, *Murals of Richmond*, which documents Richmond's public art explosion, was published by Chop Suey Books in November 2018 and is currently in its third printing. Since his first forays into sculpture in 2019, Mickael has obsessively pursued the discipline, creating dozens of sculptural works throughout 2020 and moving on to designing large-scale public works in 2021.

Selected Recent Works





