



## CONSENT CALENDAR

### Agenda Item # 3

#### AGENDA REPORT SUMMARY

**Meeting Date:** July 12, 2016

**Subject:** Accept the donation of *Shlama* and approve the proposed placement in Lincoln Park

**Prepared by:** Jon Maginot, City Clerk/Assistant to the City Manager

**Approved by:** Chris Jordan, Interim City Manager

**Attachment(s):**

1. Acceptance of artwork donations policy
2. Donation of Artwork form for *Shlama*

**Initiated by:**

Public

**Fiscal Impact:**

None

**Environmental Review:**

Not applicable

**Policy Question(s) for Council Consideration:**

- Does the Council wish to accept this piece of art for placement in Lincoln Park?

**Summary:**

- The sculpture is a donation from the Assyrian Arts Institute and the artist
- The piece would become part of the City's permanent collection

**Staff Recommendation:**

Move to accept the donation of *Shlama* and approve the proposed placement in Lincoln Park



**Subject:** Accept the donation of *Shlama* and approve the proposed placement in Lincoln Park

---

### **Purpose**

Review the proposed donation of artwork for *Shlama*

### **Background**

On April 9, 2013, the City Council adopted the City Acceptance of Artwork Donation Policy. This policy provides guidelines for members of the community to donate artwork to the City. The policy outlines that the Public Arts Commission (PAC) reviews submissions and recommends acceptance or denial of the donation.

### **Discussion/Analysis**

At the June 23, 2016 PAC meeting, the PAC reviewed a donation of artwork proposal from the Assyrian Arts Institute (Attachment 2) for *Shlama* by Fred Parhad. The piece has yet to be fabricated but is proposed to be approximately seven feet long by five feet high by three feet deep. The piece is proposed to be placed in Lincoln Park across the parking lot from Foothills Congregational Church. The Assyrian Arts Institute has also proposed to install a plaque recognizing the piece and providing some history of the Assyrian people in America.

The PAC voted 5-0 (Commissioner Edwards absent) to recommend acceptance of the donation and placement in Lincoln Park.

### **Options**

- 1) Accept the donation of *Shlama* and approve the proposed placement in Lincoln Park

**Advantages:** The City would receive a unique piece of art to add to the City's permanent public art collection

**Disadvantages:** The City would be responsible for future maintenance of the piece. Placement in this location would preclude future art installations or other uses in the location.

- 2) Accept the donation of *Shlama* and direct that it be placed in an alternate location

**Advantages:** The City would receive a unique piece of art to add to the City's permanent public art collection

**Disadvantages:** Another location may not be as accommodating as Lincoln Park and attempting to identify another location could require extensive time and effort and not result in a different recommended location



**Subject:** Accept the donation of *Shlama* and approve the proposed placement in Lincoln Park

---

3) Do not accept the donation of *Shlama*

**Advantages:** The City would not be required to maintain the piece and the proposed location could be used for other purposes

**Disadvantages:** The City would not receive this unique piece of art

**Recommendation**

The Public Arts Commission recommends Option 1.

**Policy and Procedure**

**Subject: Acceptance of artwork donations**  
**Responsible Commission: Public Arts Commission**

**I. PURPOSE**

This policy is intended to establish a process and procedures for gifts or donations of artwork to the City of Los Altos at an appraised value of \$500.00 or more. Only artwork that enhances public spaces, is of the highest quality and has minimal maintenance requirements will be considered. This policy is intended for original works of art only and does not apply to decorative pieces that are mass-produced.

**II. APPROVAL PROCESS FOR GIFTS AND DONATIONS**

The donor or artist will submit the Donation of Artwork form to the Public Arts Commission staff liaison. A photograph, origin of the artwork, dimensions, medium, date of creation, biographical information on the artist, and current appraisal and maintenance requirements must be included with the form submission.

The Public Arts Commission will review the proposal on the basis of aesthetic quality, relationship of the artist or artwork to the City of Los Altos, site availability, condition of the artwork, and installation and maintenance requirements. The Commission will present the artwork to the City Council to accept or reject. The City Council has the final authority.

**III. STEPS FOR DONATION**

1. Artist or Donor submits the Donation of Artwork form to the Public Arts Commission staff liaison.
2. The Public Arts Commission reviews and evaluates the submission.
3. Submissions deemed to be appropriate for acceptance recommended to City Council.
4. Artist / Donor signs Use / Donation Agreement.
5. If approved, the staff liaison will work with Artist/Donor and confirm details of installation.
6. The staff liaison will have a plaque made after installation.
7. City staff will send an acknowledgement and letter of thanks to the artist and notify the media.

**IV. ARTWORK MEDIA**

Artwork of any media and any size will be considered, including but not limited to: painting, both portable and permanent works; sculpture, including in the round, bas-relief, mobile, kinetic, fountains, etc. in any material or combination of materials; other visual media including prints, drawings, stained glass, photography, clay, wood, plastic, or a combination of materials.



## **V. SITE**

The Public Arts Commission will locate an appropriate site for the accepted and/or approved artwork. The City Council will review the site and provide final approval.

## **VI. INSTALLATION**

The donor shall be responsible for transportation and delivery of the artwork for installation. All other costs associated with installation and maintenance of the artwork will be incurred by the City of Los Altos. City staff will coordinate installation with the Public Works Department. A plaque identifying the artwork, artist, and donor will be installed near the artwork.

## **VII. MAINTENANCE**

No artwork will be accepted by the City unless maintenance requirements have been specified in advance. The documented maintenance plan should include an explanation of the expected life-span of the work while placed in a public environment and stipulate the type of environments (interior or exterior) in which the artwork may be placed. The plan should also discuss how the artwork may be a target for vandalism and how the effects of any vandalism may be mitigated. The plan must be authored by the artist or a qualified conservator.

In some cases, funds for ongoing maintenance may be required prior to acceptance of a gift. Maintenance, repair, and restoration will be coordinated and paid for by the City, if artwork is owned or accepted by the City, unless other arrangement are made in advance.

## **VIII. REPLACEMENT**

The City is not required to replace the artwork if it is stolen or damaged.

## **IX. SPECIAL TERMS FOR ARTWORK DONATIONS**

The donor must sign an agreement with the City agreeing to donate the work. This document will pass ownership title to the City of Los Altos. If the City removes the artwork, the City may dispose of or relocate the piece as it sees fit. This may include selling the artwork or disposing of it.

## **X. WAIVER OF DAMAGES UNDER ART PRESERVATION ACT**

Artist/Donor expressly waives the right to sue City for damages under California Civil Code Section 987 and/or the Federal Visual Artists' Rights Act of 1990, as may be amended for any alleged alteration, destruction or mutilation which arises out of maintenance, repair, restoration, correction of a dangerous condition or relocation of the Work.

## **XI. HOLD CITY HARMLESS**

To the extent permitted by law, Artist/Donor agrees to indemnify protect, defend and hold harmless City, its City Council, officers, employees, volunteers and agents from and against any claim, injury, liability, loss, cost, and/or expense or damage, including all costs and reasonable attorney's fees in providing a defense to any claim, arising from Artist's negligent, reckless or wrongful acts, errors, or omissions with respect to or in any way connected with the donation of the artwork.

**XII. EXCEPTIONS**

There are no exceptions to this Policy without the express authorization of the City Manager.

**XIII. AUTHORITY**

By the authority of the City Manager.

**From:** [Farid Parhad](#)  
**To:** [Jon Maginot](#)  
**Subject:** letter to council members  
**Date:** Wednesday, June 29, 2016 5:53:08 AM

---

Hello Jon,

I kept it brief and, I hope, to the point.

Dear Council Members,

Assyrians have been migrating to the United States since the early 1800s and have fully integrated into American society. We have entered every profession, we have been soldiers and doctors, artists and teachers; we have entered business and, as you may know, your own U.S. Representative, Anna Eshoo, is of Assyrian descent.

Our people have suffered periodic displacement and violence many times in the MidEast but for the first time in our modern history our ancient art, artifacts and architectural treasures in Iraq are being systematically looted and destroyed. It is doubtful the situation will ease anytime in the near future.

Great numbers of our people have suffered and died in these last twenty years and our overall numbers have been sharply reduced. The north of Iraq, where the Assyrian people once ruled, the one place we knew as our ancestral homeland, could be gone to us forever and a 5000 year cultural legacy wiped out.

For this reason and in order to not let our heritage be completely erased we ask that you consider accepting our gift of a bronze monument of the Aramaic word for Peace; SHLAMA.

I would have liked very much to address you personally but work obligations call me away.

Thank you for your time and consideration.

Sincerely,

Fred Parhad

**City of Los Altos  
Donation of Artwork**

**Artwork Title:** SHALAMA (PEACE)

**Created By:** Fred Parhad

*Please attach four images (one from each side) with frame of reference. Digital images are also acceptable.  
Please e-mail digital images to: Public Arts Commission -- [administration@losaltosca.gov](mailto:administration@losaltosca.gov)*

**Artist Information:**

Artist's Full Name Fred Parhad

Address 220 Hindiyeh Lane

City, State, Zip San Martin CA, 95046

Contact Phone # 415 972-9270

Email Address fredparhad@yahoo.com

**Donor Information** (if different from above):

Donor Name Assyrian Arts Institute, Nora Betyousef Lacey, Founder

Address 12335 Stonebrook Court

City, State, Zip Los Altos Hills, CA, 94022

Contact Phone # (916) 770-5497

Email Address nora.b.lacey@hotmail.com

**Artwork Information:**

Title of work for label: SHLAMA ("Peace" in Aramaic calligraphy)

Dimensions: Seven by five by three feet \_\_\_\_\_ Weight: 600 lbs. Piece #/Edition: 1 /

Inscriptions and/or markings: none

Description: ¼ inch sheet bronze, fabricated sculpture, in Aramaic calligraphy of the word "Peace"/  
Shlama

Intended for outdoor placement: Yes X No \_\_\_\_\_ both indoor or outdoor \_\_\_\_\_

Suggested site description: \_\_\_\_\_

**(Please note that the Los Altos City Council will make the final site selection.)**

New Casting: Yes X No \_\_\_\_\_ If no, any provenance? \_\_\_\_\_

Completion Date: N/A

Purchase Price: \$65,000.00

Appraised Value: N/A

Appraised by/date: N/A

**Materials Information: (please be as detailed and specific as possible):**

Medium (wood, stone, plastic, metal, etc.): ¼ inch bronze sheet with stainless steel armature

Surface Finish (sandblasted, glass beads, wire-wheeled, sanded, painted with, etc.): wire-wheeled

**Patina Information** (if applicable):

Original Coloration(s) green/black natural patina

Protective Sealer(s) wax

Preservation measures taken at the time of creation: none needed

---

---

Expected lifespan: \_\_\_\_\_as long as the oldest existing bronze sculpture\_\_ever  
excavated\_\_\_\_\_

**Installation Information:**

Details of installation (please include drawings if necessary) By forklift or small crane. Two one-inch diameter stainless steel bolts, 12 inches in length, welded to opposite ends of the bottom of the sculpture will be mounted into holes drilled into cement footing and secured with cement-epoxy. Sculpture is very stable with base measuring seven feet by three feet.\_

Please give a brief description of assembly including connecting methods: The two bronze profiles will be laser or water cut from ¼ inch sheet bronze and welded to a stainless steel armature. The top will also be machine cut from sheet bronze and welded to the contours.\_\_\_\_\_

Materials used: \_\_\_\_\_ ¼ inch sheet bronze and stainless steel armature

Mounting instructions: (2)12 inch long stainless steel, one-inch diameter bolts welded at bottom of each end to be cemented into matching holes.\_\_\_\_\_

*A letter stating recommendations from an architect/engineer and conservator concerning the design selection of materials may be requested.*

**Potential for Vandalism: (circle one):** High      Medium      Low...X

How the effects of any vandalism may be mitigated:

\_\_\_The sculpture has no protruding details, no sharp edges and nothing which can be broken off or bent. A protective wax coating will make a poor surface for graffiti. Stainless steel armature will provide adequate strength, and the ¼ inch bronze sheet will not bend or distort.\_\_\_\_\_

**Maintenance Agreement:**

Donor agrees that the following maintenance procedures shall be followed. Please check one:

- XXX      1. To be maintained by the City of Los Altos in the following manners as needed:
- a. Cold Wax Method
    - 1. Clean with non-ionic detergent using natural sponges and/or cotton rags.
    - 2. Apply a coat of carnauba paste wax to entire surface.
  - b. Hot Wax Method
    - 1. Clean with non-ionic detergent using natural sponges and/or cotton rags.
    - 2. Carefully heat surface with a propane driven torch (not to exceed 200°)
    - 3. Apply a coat of carnauba-micro-crystalline wax to entire surface.
    - 4. Let cool, shine with rag, and apply 1 coat of tree wax.
    - 5. Shine again.
  - c. Treatment as needed to maintain the piece in good condition as determined by a qualified maintenance consultant.

2. Specific maintenance requests: \_\_\_\_\_ none \_\_\_\_\_

**Signature:** Fred Parhad \_\_\_\_\_ **Date:** 6/4/16 \_\_\_\_\_

**Donor Agreement:**

The undersigned hereby offers to make a gift to the City of Los Altos as described in this document. The artwork may be displayed, moved, stored, or de-accessioned, according to policies adopted by the Public Arts Commission. The undersigned is the owner of the artwork, free of all liens and encumbrances and has the right to make this gift.

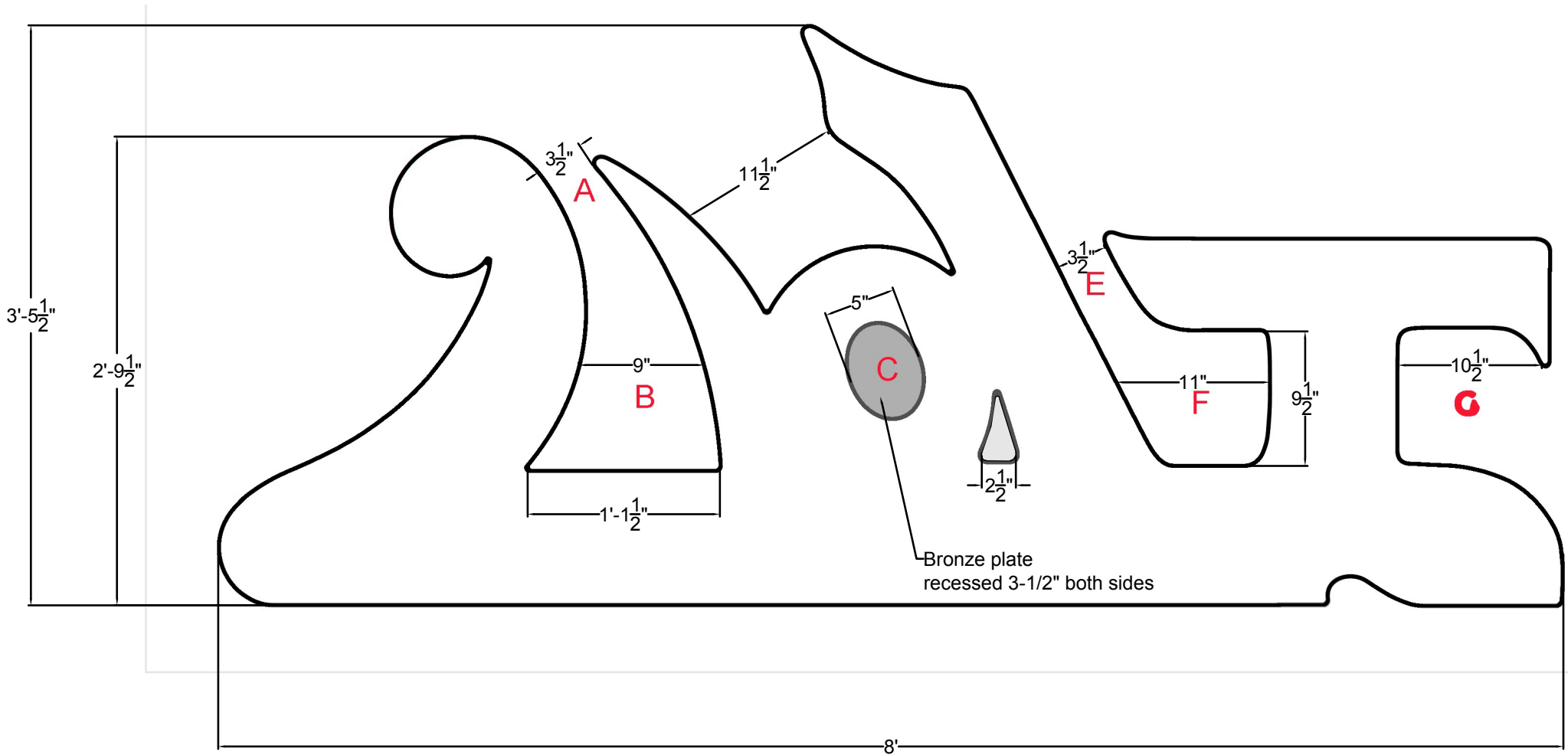
**Donor's Signature:** Nora Betyousef Lacey **Date:** 6/6/2016

**Please submit the original of this form and all supporting materials to: City of Los Altos  
c/o Public Arts Commission, One North San Antonio Road, Los Altos, CA 94022 or  
[administration@losaltosca.gov](mailto:administration@losaltosca.gov)**









# SHLAMA DIMENSIONS

29 JUNE 2016 SCALE: 1" = 1'-0"





SHLAMA  
ARAMAIC CALLIGRAPHY OF THE  
WORD  
PEACE

SCULPTOR:  
FRED PARHAD

DONATED TO THE  
CITY OF LOS ALTOS, CA, BY:



ASSYRIAN ARTS INSTITUTE

12335 Stonebrook Court  
Los Altos Hills, CA 94022 (916) 770-5497

