

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: December 14, 2023

PREPARED BY: Erica Powell, Management Analyst

REQUEST: RECOMMEND DEACCESSION OF RECREATION LIBERATES BY JOS GOMOLKA

RECOMMENDATION:

Authorize deaccession of *Recreation Liberates* by Jos Gomolka.

BACKGROUND/ANALYSIS:

In May 1993, Palm Desert's Civic Arts Committee recommended approval of *Recreation Liberates* by Jos Gomolka, for installation at the Palm Desert Community Center, which was subsequently approved by the City Council. The glass sculpture, which was dedicated along with the building on September 19, 1993, was created specifically for the lobby at a total cost of \$12,000.

The Palm Desert Community Center has planned renovations scheduled to begin in January 2024 and the new design does not incorporate the sculpture due to its large size and outdated design.

In accordance with the Public Art Deaccession Policy adopted by the City Council on July 13, 2023, given the age of the installation and size and sight specific nature of the artwork, staff recommends that *Recreation Liberates* by Jos Gomolka be permanently deaccessioned from the City's permanent collection based on the following criteria:

1. The sculpture has been in place for more than fifteen (15) years.
2. The cost of relocating the artwork exceeds the value of the artwork.
3. Loss of Site - No alternative site for the artwork is available.

Given that the framed housing of the sculpture would need to be reconstructed once removed, the cost exceeds the value of the artwork and thereby it would not be cost effective to relocate or sell. As such, the only feasible deaccession method would be to properly dispose of the artwork.

Staff has followed the sequence of actions/procedures outlined in the City's Public Art Deaccessioning Policy. After the artist and artist's estate were unable to be reached, upon staff's recommendation for deaccession, at its regular meeting of September 13, 2023, the Cultural Arts Committee requested that a press release be sent out to the community offering the sculpture as a donation, which was done on October 5, 2023. Subsequently, on October 12, 2023, staff received a call from the artist's daughter, Silva deJong, who is requesting to take possession of two (2) of the smaller pieces of the sculpture - one end piece and one in the wall.

Given that the artist's estate is requesting to take possession of a portion of the artwork and there was no response to the City's press release offering it as a donation, at its regular meeting of November 8, 2023, the Cultural Arts Committee unanimously recommended the deaccession of *Recreation Liberates* by Jos Gomolka. Upon final approval by City Council the two pieces will be returned to the artists' estate and the remain portions will be disposed of.

Final approval of this item is timely as the Desert Recreation District intends to proceed with construction at the Palm Desert Community Center in early 2024.

Legal Review:

This report has been reviewed by the City Attorney's office.

Appointed Body Recommendation:

At its meeting on November 8, 2023, the Cultural Arts Committee voted to approve the deaccession of *Recreation Liberates* by Jos Gomolka sculpture by a 6-0 vote with Adney, Boren, Flint, Hauer, Mitze and Simley voting AYE.

FINANCIAL IMPACT:

The cost of the artwork was \$12,000 in May 1993. Staff has no record of current fair market value of this site-specific work. There is no cost to the General Fund related to deaccessioning the artwork.

ATTACHMENTS:

1. Deaccession Policy
2. Deaccessioning Worksheet
3. Current artwork photographs