



Information Item

Date: September 10, 2012

To: Mayor and City Council
From: Karen Ginsberg, Director, Community and Cultural Services
Subject: Update on the Status of Chain Reaction sculpture by Paul Conrad

Introduction

This information item provides an update on the status of Chain Reaction, a sculpture by Paul Conrad located adjacent to the Civic Auditorium. A case has recently been made for the preservation of the sculpture by Ken Kutcher, with Harding Larmore Kutcher & Kozal, LLP, on behalf of Dave Conrad, the artist's son. The City Attorney's office received a copy of the letter and is reviewing it along with the City's original agreement with the artist in detail. This item provides additional information regarding the status of the sculpture and the ongoing assessment of its condition.

Background

On [March 20, 2012](#), the City Council approved the Arts Commission's recommendation to deaccession Chain Reaction, and agreed to delay such action until November 15th to allow the family and members of the community time to fundraise for the necessary repairs. Council further instructed staff to complete the recommended additional testing of the work. The testing and analysis were recently completed and the City's Building Official is completing his review and assessment of the findings.

Discussion

Structure and assessment:

The engineering and conservation reports referenced in Mr. Kutcher's letter are initial assessments and preliminary findings, with the need for further testing clearly spelled

out. As noted above, the City's Building Official has just received the final report from the structural engineer who completed the necessary analyses and reverse engineering.

Lawrence Brugger, the structural engineer who was hired by the City to complete the initial assessment of the sculpture, interviewed the structural engineer who developed the initial drawings and calculations for the sculpture, Mr. George Ranous. Per Mr. Brugger's report, dated August 10, 2011, Mr. Ranous stated that "he provided the design as a favor to a client". He further stated that he was given design parameters, including the weight and height of the sculpture, but does not remember seeing the sculpture or any plans for its construction. Without final drawings and calculations, staff had to complete reverse engineering to assess how the sculpture was actually fabricated.

Maintenance:

Since installation, the City worked with the artist in good faith to perform routine repairs and maintenance of the piece. At the artist's request, repairs were made by the artist and his associates. The sculpture was also examined in 2001 and later, in 2004, it was treated by conservators. There is however no record in the project files of detailed maintenance instructions for the piece.

An examination of the sculpture was conducted by Sculpture Conservation Studio on April 10, 2001 as part of an overall assessment of the City's art collection. Their report noted visible corrosion throughout the sculpture, loose links and missing links under the "mushroom cap" and previous treatment in which links were sealed with a black rubber substance. Their recommendation called for treatment to be limited to washing the sculpture, stabilizing the loose links and treating dangerous nails and screws upon confirmation from the artist's intention for the sculpture to appear "weathered".

In 2004, Sculpture Conservation Studio treated the sculpture according to their recommendation. Their condition report notes that the sculpture appeared to have been repaired to reposition loose strands and that the repairs were done using galvanized steel or plain steel which had corroded. They also noted that shifting and broken or lost links were caused by people climbing on the sculpture. At that time, Sculpture Conservation Studio completely cleaned the sculpture and readjusted strands and links to compensate for the sagging and missing links.

The City's agreement with the artist addresses maintenance in a variety of sections including where it states: "Neither Artist nor City shall be responsible for damage or destruction of the Work arising from acts of others or for wear and tear to the Work caused by aging, the elements, or the atmosphere, except to the extent of the ordinary maintenance requirements of the work." The agreement also clearly spells out the City's right to relocate or abandon the work should it become necessary: "Artist agrees that City shall have the right to relocate the Work, or any portion thereof, to other public locations within the City, or to abandon the Work as more particularly described in Section 20 of this agreement."

Materials:

In the [October 9, 1990](#) staff report, the sculpture is described as a bronze work—meaning that the sculpture, in its entirety, would be cast bronze. However, the actual sculpture was fabricated from other materials that have varying degrees of longevity. Had the entire work been cast bronze, rather than a structure of steel, stainless steel, wire lath, fiberglass, copper chain and a variety of fasteners, the sculpture would be more durable and would have weathered far better. While the bronze might have suffered from some surface corrosion, it could easily be addressed through routine maintenance efforts, much like the care given to other bronzes in the City's collection, and there would not have been the uncertainty associated with the longevity of fiberglass.

The fiberglass is holding the chain in place and as such remains a major concern. In addition, the armature for the sculpture is a combination of stainless steel and mild steel rather than all stainless steel.

Cost Estimates:

The cost estimates developed for the repair and conservation of the sculpture are labeled in all the staff reports and documents as inclusive of all the costs associated with the assessment and repair of this sculpture, including a small contingency as is reasonable and prudent. The estimates are summarized in the following chart:

| | Low Estimate | High Estimate |
|--------------------|---------------------|----------------------|
| Initial Assessment | \$20,715 | \$20,715 |
| Sub-total to date | \$20,715 | \$20,715 |
| Additional testing | \$15,870 | \$20,870 |
| Repair | \$64,000 | \$200,000 |
| Conservation | \$52,000 | \$65,000 |
| Landscaping | \$56,000 | \$80,000 |
| Contingency 10% | \$18,787 | \$36,587 |
| TOTAL | \$227,372 | \$423,172 |

The estimates reflect a realistic and responsible range of the anticipated costs. Testing to thoroughly assess the sculpture’s condition was required to determine not only the current condition of the work, but what repairs might be necessary. Estimates for the most extensive range of repairs and conservation treatment needed to make the sculpture “whole”, while employing best practices and materials to stabilize the sculpture and slow future deterioration, were included. Since climbing on the sculpture has been identified as a major public safety hazard, if the sculpture is to remain in the current location a barrier consisting of landscaping and/or fencing around the work to limit access and to deter climbing will be essential.

Landmark Designation:

The City's Landmarks Commission took action on [July 9, 2012](#) to designate the sculpture a city landmark. At their September 10, 2012 meeting the Commission will consider adoption of their Statement of Official Action and will be discussing the merits of amending their designation to incorporate a parcel as part of the designation. Future actions related to the sculpture will require consideration by the Landmarks Commission.

Next Steps:

Now that the work has been designated a landmark, Mr. Conrad's family and a coalition of residents would like to see the City pay to restore the work. The City's Building Official, recently received the final report from the structural engineer and is completing his review and assessment of the findings. The City Manager will be meeting with Mr. Conrad, Mr. Rubin and their attorneys on September 14th to discuss these findings.

Prepared By: Jessica Cusick, Cultural Affairs Manager