



**CITY OF LODI  
COUNCIL COMMUNICATION**

TM

**AGENDA TITLE:** Reject Proposal from Harvey Gorrell for the Sculpture, "Crane Dance" (formerly "Rite of Spring") from Artist Scott Wampler

**MEETING DATE:** April 21, 2010

**PREPARED BY:** Community Center Director

**RECOMMENDED ACTION:** Reject the proposal from Harvey Gorrell for the sculpture, "Crane Dance" (formerly "Rite of Spring") from artist Scott Wampler.

**BACKGROUND INFORMATION:** In September 2009, the City was approached by Harvey Gorrell, representative of artist Scott Wampler, with an offer to donate the "Rite of Spring" sculpture, now called "Crane Dance." On March 3, 2010, the City Council approved \$30,000 for the transportation and installation of the sculpture with the stipulation that the Lodi Arts Commission and the Art Advisory Board decide its placement. Since then, the City has received an offer to move the sculpture to Lodi from its Sacramento location free of charge.

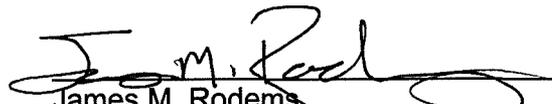
In an April 10, 2010 letter, Mr. Gorrell indicated the sculpture was no longer being offered as a donation and the cost to acquire the artwork is \$50,000. Other demands are included in the attached letter.

As donated artwork, the sculpture presented an opportunity for the City of Lodi to add to its collection of public art at a substantially discounted cost. Staff recommends the City Council reject Mr. Gorrell's proposal, however, for several reasons. This artwork was neither commissioned by the City nor created as part of an Art in Public Places project, and other artists have not had an opportunity to propose projects that compete for these funds. The Art in Public Places Committee also recommends rejecting the proposal.

**FISCAL IMPACT:** The estimated costs are \$50,000 for purchase, \$10,860 for installation, and \$14,000 for concrete pad installation for a total of \$74,860.

**FUNDING AVAILABLE:** Art in Public Places Account No. 01214.

  
Jordan Ayers, Deputy City Manager

  
James M. Rodems  
Community Center Director

Attachments: Letters from Harvey Gorrell dated April 10, 2010 and Sept. 15, 2009.

**APPROVED:**   
Blair King, City Manager

301 Stillwater Ct.  
Lincoln, Ca 95648

September 15, 2009

Ms. Deanie Bridewell  
Art Commission Liason  
125 S. Hutchins St.  
Lodi. CA 95240

Dear Ms. Bridewell:

Our son, Scott Wampler, would like to donate (not lend) his sculpture *Rite of Spring* to an organization and venue appropriate for this piece of art. *Rite of Spring* is a 20 ft. tall highly polished stainless steel sculpture depicting two cranes in a courtship dance. He designed it while living in China several years ago and submitted a model to judges who were deciding what sculptures were to be displayed in a new Beijing International Sculpture Park. Their brochure states, "2400 proposals from 800 sculptors from 62 countries were received. 111 sculptures were chosen and exhibited " in this outstanding Park. Our son's sculpture is the theme sculpture of this premier Park. The approximate size of the Park is about 100 acres. It opened in September 2002.

The judges advised our son to work with a designated foundry in Beijing that specializes in the field. When he took the model to the foundry they asked him how tall it should be made. Having assumed he was expected to determine the height he stated it should stand 6 meters (20 ft.). About 3 or 4 weeks before the Park's opening day, the mayor of Beijing visited the foundry to review the progress of *Rite of Spring*. Although it was 90% to 95% complete, the mayor stated it would never work. He told the foundry personnel the sculpture had to be 12 meters (40 ft.) in height. It would be displayed in the center of a three tiered fountain. The foundry worked 24/7 and completed the task including erecting the sculpture properly in the fountain by Opening Day. It was a remarkable feat.

At a later date our son negotiated with the foundry to complete his original *Rite of Spring* at the foundry and ship it to the United States. It is currently stored in the Frostad Foundry in McClellan (suburb of Sacramento).

Scott is hopeful a location can be found where it will be seen and enjoyed by the public - perhaps Golden Gate Park or perhaps another well-known park. I can make arrangements for viewing *Rite of Spring* at the foundry where it is stored. I can be reached at 916-408-0441. E-mail [hjgor@sbcglobal.net](mailto:hjgor@sbcglobal.net).

Best regards,



Harvey Gorrell

Enclosures: Photos

Harvey Gorrell  
301 Stillwater Ct.  
Lincoln, CA 95648

April 10, 2010

James M. Rodems  
Director - Community Center  
Interim Director - Parks & Recreation  
City of Lodi  
125 South Hutchins Street  
Lodi, CA 95240

Dear Mr. Rodems:

We have passed the donation of "Rite of Spring" as indicated by various correspondence with Dave Kirsten and Bob Johnson. When Scott offered to donate the sculpture the City apparently felt no conditions would be attached to the donation. Unfortunately, agreements could not be reached. The Fox 40 news telecast contained inaccurate information regarding the history of the sculpture. It further soured the donation concept.

A sculpture on the scale of "Rite of Spring" would cost \$100,000 or better fabricated here in the United States. Scott will agree to sell the sculpture for \$50,000. I told Dave and Bob that Scott is willing to sell it at no interest over a 5 year period, i.e., \$10,000 per year for 5 years starting June 1, 2010, or an agreed upon start date. The stipulation would be that it would not be sold but would be installed permanently in Hutchins Square. At this price Scott would be donating all of his expected profit from the sale but would recover some of his costs. Obviously, he would prefer to receive the \$50,000 up front but is willing to be paid the remaining \$40,000 at \$10,000 per year, i.e., June 1, 2011, 2012, 2013 and 2014. We do not believe it would be a good idea to depend on the City paying Scott the annual \$10,000 payment. City administrations change, the economy changes, etc. We suggest the City of Lodi set up a \$40,000 interest bearing trust fund with their bank for the express purpose of paying Scott the annual \$10,000 payments. All interest generated by the fund would be paid to the City of Lodi. No person or entity could change or terminate the fund without permission from Scott Wampler.

In order to reduce costs associated with the purchase of "Rite of Spring" Scott designed and submitted a photo of an idea that he felt would be both economical and attractive. Perhaps others may have better ideas.

Scott feels it is important that he be present at the foundry during the dismantling of the sculpture for shipment. Ideally the sculpture should be shipped directly to the site in Hutchins Square rather than into storage. It would then be reassembled at the site and erected. Scott feels he should also be present during the reassembly and erection of "Rite of Spring". All of Scott's costs associated with his time during the disassembly, reassembly and erection would be considered as part of the sale and not as an additional cost to the City of Lodi.

The City of Lodi will provide a bronze or stainless steel identification plaque to be installed near the sculpture stating:

Crane Dance  
Scott Wampler -Artist

Scott feels "Crane Dance" is a better title for this sculpture rather than "Rite of Spring".

We know when "Crane Dance" is installed it will be well received and appreciated by citizens of Lodi as well as persons from surrounding areas. It would be wonderful if the installation is completed prior to the Crane Festival. My wife, Scott and I would like to attend.

Regards,

A handwritten signature in cursive script, appearing to read "Harvey".

Harvey Gorrell

cc: Dave Kirsten  
Bob Johnson  
Deanie Bridewell  
Scott Wampler

Encl.: Power of Attorney

original

## SPECIFIC POWER OF ATTORNEY

I, SCOTT WAMPLER, do hereby grant Harvey Gorrell, my father, the right to negotiate terms and conditions of sale and the sale or donation of **my** sculpture RITE OF SPRING located at the Frostad Atelier foundry in McClellan, CA. This Power of Attorney extends for 18 months from this date.



Scott Wampler

Date: September 28, 2009