

Washington Metropolitan Area Transit Authority
Board Action/Information Summary

☒ Action ☐ Information

MEAD Number:
201851

Resolution:
☒ Yes ☐ No

TITLE:

Silver Spring Station "Penguin Rush Hour" mural

PRESENTATION SUMMARY:

Staff is providing information about the long-term loan of the mural "Penguin Rush Hour" at the Silver Spring Metrorail station.

PURPOSE:

In compliance with Board policy staff is seeking approval of:

- the re-conveyance of ownership to Montgomery County of the original "Penguin Rush Hour" mural
- Montgomery County's offer to loan WMATA a newly-fabricated "Penguin Rush Hour" by the same artist for installation/display at the Silver Spring Metrorail Station.

DESCRIPTION:

The New Artwork is owned by Montgomery County, and Montgomery County has offered to loan the New Artwork for WMATA for display at the exact location at Silver Spring Metrorail Station for an initial 10-year term with renewable 1 (one) year terms. Art in Transit will work with Montgomery County and its contractor to install the New Artwork at the station upon the approval of the loan by the Board of Directors and the execution of a Memorandum of Understanding.

Key Highlights:

Since the installation of the original "Penguin Rush Hour" mural by artists Sally Callmer at the Silver Spring Metrorail Station in 1989, the painting has become both a symbol of the role the Agency is playing in connecting the different jurisdictions and a strong identifying symbol for the surrounding communities. The original work was taken down in 2006 and WMATA's Art in Transit Program is working with Montgomery County to bring the mural back to the station for public display.

Background and History:

-The "Penguin Rush Hour" mural by artist Sally Callmer, is a 25 panels, 100 foot long mural depicting penguins at a Metro station. Originally painted on

plywood, the mural was created as the winner of a public art contest conducted in 1988 by the Washington Metropolitan Area Transit Authority (WMATA). Montgomery County purchased the artwork and donated it to WMATA. The artwork was displayed continuously at the Silver Spring Metrorail Station Colesville Road underpass from January 1989 to April 2006. In April 2006, due to the construction of the Silver Spring Transit Center and needed restoration of the artwork, Montgomery County removed the artwork and retains possession of it.

Due to the cost of the restoration, and to improve future durability of the artwork, in June 2016, Montgomery County, with the consent of the artist, had an exact copy of the original artwork fabricated on aluminum (New Artwork) with the costs fully funded by Montgomery County.

Montgomery County now wishes to loan the New Artwork to WMATA to be installed at the same site as the Original Artwork-- along the Colesville Road underpass at the Silver Spring Metrorail Station.

Moreover, consistent with the understanding with Montgomery County at the time of donation of the Original Artwork, WMATA wishes to re-convey ownership of the Original Artwork to Montgomery County, which currently has it in its possession.

Discussion:

- Per the Board-approved Art in Transit (AIT) program guidelines, AIT must present project considered by the program to the WMATA Board of Directors. AIT seeks to obtain the Board's approval to move forward with the loan and installation of the New Artwork "Penguin Rush Hour" by artists Sally Callmer at the Silver Spring Metrorail Metrorail station, and to approve the re-conveyance of ownership of the Original Artwork to Montgomery County.

FUNDING IMPACT:

Define current or potential funding impact, including source of reimbursable funds.	
Project Manager:	Laurent Odde
Project Department/Office:	CENI/TIES

The project is to be fully funded by Montgomery County

TIMELINE:

Previous Actions	January 1989:Penguin Rush Hour mural installed at Silver
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	Spring Station February 1999: Letter from MC Offices of the County Executive presenting WMATA with the donation of Penguin Rush Hour mural May 1999: Resolution # 99-27. Transfer to WMATA of ownership of artworks at Wheaton and Silver Spring Metrorail Station April 2006: original mural removed from its display location as part of the Silver Spring Transit Center construction. June 2016: Montgomery County, with consent of artist fabricated exact copy of original artwork on more durable material (aluminum panels) Fall 2016: New panels are fabricated
Anticipated actions after presentation	Spring 2017 - Mural "Penguin Rush Hour" will be installed at the at the Silver Spring Metrorail Station Colesville Road underpass

RECOMMENDATION:

Approve:

- WMATA's re-conveyance of ownership of Original Artwork to Montgomery County
- WMATA's acceptance of the loan of the New Artwork for display at the Silver Spring Metrorail Station Colesville Road underpass for an initail 10-year period with renewable one years terms.

PRESENTED AND ADOPTED: February 23, 2017

SUBJECT: LOAN OF PENGUIN RUSH HOUR MURAL ON ALUMINUM FOR THE SILVER SPRING METRORAIL STATION

2017-08

**RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY**

WHEREAS, In Resolution 99-27, the Board of Directors authorized the General Manager to accept Montgomery County's donation of the Penguin Rush Hour mural by artist Sally Callmer, fabricated on plywood, which was displayed at the Silver Spring Metrorail Station from January 1989 – April 2006; and

WHEREAS, In 2006, Montgomery County removed the original artwork due to the construction of the Silver Spring Transit Center and to perform necessary restoration, and retains possession of the original artwork; and

WHEREAS, Montgomery County, with the artist's consent, fabricated an exact copy of the original artwork on aluminum, and now wishes to loan the new artwork to the Washington Metropolitan Area Transit Authority (WMATA), for display at the exact location at the Silver Spring Metrorail Station as the original artwork, for an initial 10-year term with renewable one-year terms (Attachment A); and

WHEREAS, Consistent with the understanding with Montgomery County at time of donation of the original artwork, WMATA wishes to re-convey ownership of the original artwork to Montgomery County, and accept the loan of the new artwork for installation; and

WHEREAS, The Board-approved Art in Transit Handbook requires Board of Directors approval for loaned artwork, and Resolution 97-37 encourages non-WMATA funding of the arts program; now, therefore be it

RESOLVED, That the Board of Directors approves the re-conveyance of ownership of the original Penguin Rush Hour Mural on plywood to Montgomery County, and accepts the loan of the new Penguin Rush Hour Mural on Aluminum for an initial 10-year term, with renewable one-year terms, for installation at the Silver Spring Metrorail Station, provided that Montgomery County fully funds the artwork, including the fabrication, installation, maintenance, insurance and removal of the artwork should it be necessary; and be it finally

Motioned by Mr. Evans, seconded by Mr. Corcoran

Ayes: 7 – Mr. Evans, Ms. Harley, Mr. Corcoran, Mr. Bulger, Mr. Goldman, Mrs. Hudgins and Ms. Carmody

RESOLVED, That in order to accommodate the installation schedule, this Resolution shall be effective 15 days after adoption.

Reviewed as to form and legal sufficiency,



Patricia Y. Lee
General Counsel

WMATA File Structure No.:
12.1.1 Arts in Transit



