



CITY of BRISBANE

Public Art Advisory Committee Agenda

Wednesday, October 27th, 2021 at 4:30PM • Virtual Meeting

This meeting is compliant with the Ralph M. Brown act as amended by California Assembly Bill No. 361 effective September 16, 2021 providing for a public health emergency exception to the standard teleconference rules required by the Brown Act. The purpose of this is to provide a safe environment for the public, staff and the Committee, while allowing for public participation. The public may address the Committee using exclusively remote public comment options. The Committee may take action on any item listed in the agenda.

TO ADDRESS THE COMMITTEE

The meeting will be an exclusively virtual meeting. The agenda materials may be viewed online at www.brisbaneca.org at least 72 hours prior to the meeting.

REMOTE PUBLIC COMMENTS

Meeting participants are encouraged to submit public comments in writing in advance of the meeting. The following email and text line will be monitored during the meeting, and public comments received will be read into the record during Public Comment or during an Item.

Email: aibarra@brisbaneca.org

Text: 415-407-2675

Call-in number during the meeting for oral communications: 1-669-900-9128

Meeting ID: 962 0157 2016 (After entering the meeting ID and pressing #, simply press # a second time to enter the meeting waiting room. No participant code is required. Please wait on the call until a Committee or Staff Member announces that the phone line is open. Dial *6 to mute/unmute and dial *9 to "raise hand")

PUBLIC MEETING VIEWING

Public Meetings may be viewed live by joining the Zoom Meeting listed below. Please follow guidelines above for Public Comments.

Join Zoom Meeting:

<https://us06web.zoom.us/j/81580763228?pwd=dDY5ZVhGMk1jL1VBMW05WGEvN3BQZz09>

Meeting ID: 815 8076 3228

Passcode: 123456

Use Computer Audio to listen to the meeting or Call: +1 669-900-9128

SPECIAL ASSISTANCE

If you need special assistance to participate in this meeting, please contact Angel Ibarra at (415) 508-2109. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

COMMITTEE MEMBERS:

Mayor Cunningham, Councilmember Davis, Park & Recreation Commissioner Bologoff, Park & Recreation Commissioner Greenlee, Committee Member D. Davis, Committee Member Grossman, Committee Member Olivier-Salmon

APPROVAL OF MINUTES

- A. Approve Minutes from July 19th, 2021 Public Art Advisory Committee

PRESENTATIONS AND DISCUSSION ITEMS

- B. Review Public Art Fund Balance
- C. Review the Library Art Installation Process
- D. Discuss the Implementation Guidelines

PUBLIC COMMENT**ADJOURNMENT**

A.

File Attachments for Item:

A. Approve Minutes from July 19th, 2021 Public Art Advisory Committee



Public Art Advisory Committee
Action Minutes
July 19th, 2021 3:30 p.m.
Zoom Meeting

Called to Order at 3:32 p.m.

Committee Members Present: Mayor Davis, Council Member Cunningham, Park & Recreation Commissioner Bonnie Bologoff, Committee Member Danette Davis, Committee Member Beth Grossman, Committee Member Camille Olivier-Salmon
Committee Members Absent: Park & Recreation Commissioner Leesa Greenlee
Staff Members Present: Assistant City Manager Schillinger, Admin. Management Analyst Ibarra

APPROVAL OF MINUTES

A. Approve Minutes from June 28th, 2021 Public Art Advisory Committee

Minutes were approved: Bologoff first, Cunningham seconded. Grossman and Salmon abstained.

PRESENTATION AND DISCUSSION ITEMS

B. Review Public Art Fund Balance

The Committee reviewed the public art fund balance (attached to agenda report). Schillinger will present on a quarterly basis.

C. Discuss the Committee's Workplan for 2021-2022

The Committee received an update about the Visitacion Market's mural. It is scheduled to be cleaned and updated in January and may require a request from Council for additional funds. The Committee would like to see if the date can be moved as they are concerned about rain. Schillinger said he will follow up.

The Committee discussed hiring an art consultant to assist in developing public art guidelines for the Baylands. They would like the person to have connections with various

national collections and schools; aware of large piece of art, curating, working with architects and engineers, and have designed a variety of public art.

It was suggested to reach out to Reno's and Seattle's artist groups and who they work with, as well as think about performing art locations. Schillinger will research if they have "city-wide" design processes and if so, who they used and what partnerships.

The Committee discussed whether it would be worth it to hire an art consultant to assist in developing public art guidelines for Visitacion Ave. There was concern that it would be too expensive to hire a consultant for small projects, and some of the Committee members feel they are able to guide the direction of the project. It was suggested to look for street level art and submit to Schillinger.

The next Committee meeting will be to discuss public art on Visitacion Avenue, and it will be set for an hour and a half.

PUBLIC COMMENT

None

ADJOURNMENT

4:23PM

Next Meeting Date: Doodle Poll will be sent to the group.

B.

File Attachments for Item:

B. Review Public Art Fund Balance

	Valuation	Public Art Fund
3745 Bayshore	1,544,531.00	15,445.31
3280 Bayshore	6,521,752.00	65,217.52
455 Valley Drive	13,990,511.00	139,905.11
PG&E	2,247,000.00	22,470.00
7000 Marina	34,119,713.00	341,197.13
100 West Hill	6,499,000.00	64,990.00
400 Valley	1,500,000.00	15,000.00
Unidentified		165,909.93
Interest Earinings		23,774.00
Total	66,422,507.00	853,909.00

By Fiscal Year

2015-16	162,823.49
2016-17	49,285.29
2017-18	203,308.91
2018-19	397,721.44
2019-20	40,769.87
Total	853,909.00

2017-18	15,000
2019-20	10,000
Reserved	65,000
Total	90,000

Available in Fund	763,909.00
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C.

File Attachments for Item:

C. Review the Library Art Installation Process



MEMORANDUM

To: Public Art Committee
From: Stuart Schillinger, Assistant City Manager
Subject: Review of Process for Library
Date: October 27, 2021

Community Goal/Result

Community Building

Purpose

To improve the quality of life within the community by stimulating creativity and imagination, adding a unique human quality to the community environment, and enriching public spaces through works of art.

Recommendation

Receive a report regarding the Public Art installation at the library.

Background

In 2014 the City Council adopted an Ordinance which required development to either have an art component or to pay money into an in-lieu of fund for public art to be placed in an alternative location. In April 2015 the City Council adopted temporary implementation guidelines for the public art ordinance. An ad hoc committee of two Council members and three Parks and Recreation Commissioners met in November 2016 to review a Request for Proposal for a piece of art to be installed in the new public library. The anticipated cost of the library was \$6,000,000 which would require the City contribute \$30,000 for a piece of art. The ad hoc committee instead recommended the budget for the piece be in the range of \$30,000 - \$50,000. The City Council agreed with the ad hoc committee's recommendation in December of 2016.

The ad hoc committee opened up the proposal to artists throughout the nation instead of limiting it to local artists. The City received 25 proposals from throughout the country representing a variety of types of art. In February the ad hoc committee interviewed four artists. Based on these interviews the ad hoc committee selected Michele Gutlove to recommend to City Council. The ad hoc committee requested the artist develop an art piece which highlighted the Mission Blue Butterfly. The City Council approved the artist in May of 2017.

Staff was directed to sign a contract with the artist. The contract called for the artist to create a unique design for the library which would incorporate glass and light similar to other designs she had produced for other places. The aspect that intrigued the ad hoc committee, Parks and Recreation Commission, and the City Council was how the light played off the pieces to create unique effects on the nearby surfaces. They all also appreciated how the different light throughout the day would change this effect.

The artist developed butterflies and lupine out of glass. She worked with the architect in determining the location for the installation in order to use both natural and LED light to create the greatest effect. She installed the artwork after the Library was completed over Labor Day weekend 2021.

Subsequent to the selection of the Library piece being chosen and approved, the Parks and Recreation Commission finished the Public Art Implementation guidelines. These have been reviewed by the Public Art Committee and have been updated based on their recommendations.

Stuart Schillinger

Stuart Schillinger, Assistant City Manager

D.

File Attachments for Item:

D. Discuss the Implementation Guidelines



MEMORANDUM

To: Public Art Committee
From: Stuart Schillinger, Assistant City Manager
Subject: Implementation Guideline Discussion
Date: October 27, 2021

Community Goal/Result

Community Building

Purpose

To improve the quality of life within the community by stimulating creativity and imagination, adding a unique human quality to the community environment, and enriching public spaces through works of art.

Recommendation

Discuss Implementation Guidelines. Determine timing for working with the City Council on reviewing and updating implementation guidelines.

Background

In 2014 the City Council adopted an Ordinance which required development to either have an art component or to pay money into an in-lieu of fund for public art to be placed in an alternative location. The City Council directed the Parks and Recreation Commission to develop implementation guidelines for this ordinance. On April 2, 2015 the City Council approved a Parks and Recreation Commission recommendation to put into place an ad hoc committee made up of two City Council Members and 3 Parks and Recreation Commissioners to review any proposals concerning Public Art installations until the Public Art Implementation Guidelines were approved by City Council.

The public art subcommittee of the Parks and Recreation Commission has met numerous times over the past three years related to this topic. The subcommittee reviewed a wide variety of implementation guidelines from other cities throughout the United States. After reviewing these guidelines, the subcommittee developed a set of guidelines specific for Brisbane. The guidelines were reviewed at a subcommittee where members of the public commented on the Guidelines and made suggested changes. The full Parks and Recreation Commission reviewed and made changes to the Guidelines at their December 14, 2016.

Implementation Guideline Discussion

On May 25th, 2021, the Public Art Committee reviewed the guidelines and made recommendations for changes based on the process the Skateboard Mural went through. The basic change which was made was to have the Public Art Committee make recommendations directly to City Council. The guidelines prior to this had the Public Art Committee make its recommendation to the Parks and Recreation Commission and then the Parks and Recreation Commission would make a recommendation to the City Council. The Public Art Committee determined that it wanted to make its recommendations to the City Council similar to all other committees created by the City Council. This change was made by the City Council on June 13, 2021.

Since that time additional issues have been raised regarding the Public Art implementation guidelines which this committee may wish to discuss to determine if additional changes need to be made.

1. Can the funds that are deposited into the General Public Art Fund, that were not earmarked for specific permanent public art projects, possibly be considered for performing, temporary art, local art shows or community arts educational programming?
2. Do we want to have anything written in these guidelines that will ensure that whatever endeavors we take on with artists, architects, landscapers and other service providers follow the equal opportunity laws and that we as a commission make a concerted effort at outreach?
3. Do we have any protocol to deal with potential situations where a developer and the Public Art Committee cannot come to an agreement on an acceptable art project on their private property?

Discussion

The guidelines are geared towards permanent works of art. The Parks and Recreation subcommittee which drafted the initial guidelines wanted to make sure that public art money benefited artists directly and that the City received a “concrete” piece of art for the money that could be enjoyed by the community for a number of years. Therefore, they determined that temporary art, art shows, and performing arts would not be included. The subcommittee did allow for a portion of the funds to be used for educational purposes. The Public Art Committee has discussed allowing the City to accept temporary art such as art from Burning Man. In order for this to be consistent with the original intent of the Parks and Recreation subcommittee would to not only provide a space to store art on a temporary basis but also provide a monetary incentive to the artist to store the work in Brisbane for the enjoyment of the community.

The question regarding performing art or art shows is something that can be added to the guidelines if the Public Art Committee would desire this. The Committee should discuss if this would meet the purpose for Public Art and if so I could determine what portion of the funds could be used for this purpose.

For the second question above, the City already follows equal opportunity laws as a City and put this information on all of its requests for proposals. Therefore, adding this to the guidelines

could be considered redundant. However, the Committee could add this to the guidelines to make a statement to the artist community concerning its values.

The guidelines state the City Council can reject a piece of art from a private developer. At that point the developer would need to work with the Public Art Committee to further refine the idea to ensure it meets the needs of the community.

Fiscal Impact

There is no impact on making a change to the Implementation Guidelines.

Measure of Success

The City is able to commission public art which enriches the community.

Attachments

- 1) Public Art Guidelines

Stuart Schillinger

Stuart Schillinger, Assistant City Manager

Public Arts Implementation Guidelines

City of Brisbane

Purpose:

The City of Brisbane adopted a Public Arts Ordinance in 2014 in order to increase citizens' appreciation of art, to improve quality of life, and to enhance Brisbane's identity as a unique community within the greater Bay Area. Additionally, public art should stimulate creativity, imagination, and add a unique human quality to the community environment and enrich public spaces. A city rich in art becomes an outdoor cultural museum accessible to everyone.

Public art can and should be an integral part of the design and the planning process of development.

Goals:

1. Community Involvement – A community develops a specific identity and character over time. Residents are uniquely qualified to provide insight into the types of public artwork that are best suited for the community. Those who reside in the community are encouraged to participate in the selection process of public art pieces by participating at public meetings.
2. Diversity of Art – The collection should be diverse in its representation of artists and artistic styles and be reflective of the ethnic and cultural diversity of the community.
3. Creation of Sense of Place – Art is important to our common experience because it brings focus, importance, and cohesion to public spaces. Public art develops images and provides experiences that reflect the historical and cultural essence of a community. Public art transforms public spaces by giving them a context and relevance and making them places of community interest and pride. Public art has the potential to improve the appearance of an entire business block; to heighten the ethnic, historical or cultural aspects of the community and to attract foot traffic to an area that formerly had little or none.
4. Artist Participation – By encouraging collaboration between artist, architects, and engineers we can provide an aesthetic dimension that expands possibilities for creating public spaces for the community.

Definitions:

- **Artist:** An individual or team of individual artists whose body of work and professional activities demonstrate serious ongoing commitment to the fine arts. Members of architectural, engineering, design or landscaping firms retained for the design and construction of a development project covered by these Guidelines shall not be considered artists for the purpose of meeting the requirement to provide public art.
- **Arts professional:** An individual who works in the fine arts field (such as arts consultant, fine arts curators, fine arts collectors, art critics, or art educators).

- **Artwork or work of art:** All forms of original creations of visual arts, including but not limited to: 1) sculpture in any material or combination of materials; 2) painting- all media including portable and permanently affixed works, such as murals and frescoes; 3) graphic arts- print making and drawing; 4) mosaics; 5) photography; 6) crafts in clay, fiber and textiles, wood, metal, plastics and other materials; 7) calligraphy; 8) stained glass; and 9) mixed media – any combination of forms or media, including collage.
- **Artwork cost:** Artwork cost is the total amount budgeted by the City for a public artwork project.
- **Building valuation:** The total dollar amount of all construction permits for the same development project using the latest building valuation data as set forth by the International Conference of Building Officials (ICBO) building valuation.
- **Conceptual design plan:** The initial phase of the approval of public artwork that includes review of the artist's or artist team's qualifications, conceptual artwork design, and artwork location.
- **Design:** Artwork detailing project design, including scale drawings within site context, sealed by an engineer, if required.
- **Fabrication:** A detailed description of the methods of fabrication as well as any uncommon or unusual details regarding the approach to creating an artwork piece.
- **Final design plan:** The final phase of the approval of public artwork that involves consideration of a highly defined proposal that conforms to the concept previously considered and approved by the Committee.
- **In-lieu contribution:** In place of an approved artwork on the site, a developer may elect to pay to the City an amount equal to the program allocation set forth in the Public Arts Ordinance. In-lieu fees shall be submitted to the City and deposited into the Public Art Fund before issuance of a building permit for the development project except when a different time period is approved by the Community Development Director and Parks and Recreation Director.
- **Installation:** A detailed description of the installation procedure if the artwork will not be fabricated directly on the selected site. Installation would include the construction of any required footings or foundation.
- **Public art:** Any permanent display of a work of visual art that was specifically designed to be located on a site where it would be easily accessible to the public, either on private or public property within the City of Brisbane.
- **Public art advisory committee:** A committee made of 2 Parks and Recreation Commissioners as designated by the Parks and Recreation Commission, 2 Council Members (the Council's Parks and Recreation Commission Liaisons), and 3 Brisbane Community members, appointed by City Council. The Community members shall serve two year terms and one of whom will be professionally engaged in the art community, one of whom will be an employee or owner of a business located in Brisbane, and the other member may be either a resident of Brisbane or an owner or employee of a business located in Brisbane. Members of the Public Art Advisory Committee will be ineligible to propose public art projects while they serve on the Committee and for 1 year after they leave the Committee.

- **Public art fund:** An interest-bearing account that is managed by the City Manager, or designee, into which public art funds, including donated funds, in-lieu funds and/or public art grant funds are deposited.
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- **Public place:** An interior or exterior area on public or private property that is easily accessible by and highly visible to the general public.

General Procedure:

Public artwork is limited to permanent visual works of art, as opposed to performing, written, or temporary art. Visual art includes but is not limited to, murals, sculptures, artist-designed landscape features, streetscape features, earthworks, environmental installations, and water and digital displays.

Any money donated to or collected through the Building Permit process will be deposited in the Public Art Fund. The City Manager, or designee, shall administer the funds and establish accounting records according to Generally Accepted Accounting Principles (GAAP). The City Manager or designee will authorize all disbursements from the Public Art Fund. The account shall not be added to the City's General Fund.

The process for selecting the public piece to be installed will depend on whether or not the artwork is commissioned by the City of Brisbane or by a private person or entity.

All privately installed Public Art will be reviewed by a Public Art Advisory Committee. The Public Art Advisory Committee is responsible for reviewing and making decisions on conceptual design plans submitted by a developer of a project subject to the public art requirement.

Additionally, on an annual basis the Public Art Advisory Committee will meet to review the balance of funds in the Public Art Fund to determine if they should propose any projects be initiated and commissioned by the City.

The Public Art Advisory Committee shall ensure all public art projects meet the program criteria and guidelines for selection of an artist or artist team, artwork, and artwork location established in this procedure before submittal of the Final Design Plan to the Parks and Recreation Commission.

The following procedure will be used to review and approve public art projects:

Privately Installed Public Art

1. The project contact will meet with the designated staff from the City prior to submitting concept design plans.
2. The developer must contract the services of an artist for any public art project. The developer will provide the work vitae of the art consultant or artist.

3. Proposals must include preliminary sketches, photographs, or other documentation of sufficient descriptive clarity to indicate the nature of the proposed work.
4. An appraisal or other evidence of the value of the proposed artwork, including acquisition and installation costs. If the value of a proposed artwork (by past records of comparable work sold, etc.) cannot be verified, City staff may choose to have the artist's proposal and or/other completed works appraised by a qualified art appraiser selected by the City. The developer will pay up front for any art appraisal service fees. This expense will be deducted from the total artwork allocation cost.
5. Preliminary plans must contain such detailed information as may be required by the Public Art Advisory Committee to adequately evaluate the location of the artwork in relation to the proposed development, including compatibility with the character of adjacent conforming developed parcels and existing neighborhood if necessary.
6. A preliminary budget must show the proposed public art project is consistent with the public art ordinance requirements.
7. Within 30 days of receiving a complete application the Advisory Committee will hold an open meeting to discuss the proposed project. The meeting will be noticed to all properties within 1,000 feet of the property and posted as required by law. With the agreement of the developer the meeting may take place more than 30 days from receiving the complete application.

The proposed artwork project will be reviewed using the following criteria as applied to the supporting documentation and past projects: Artistic quality (vision, originality, and craftsmanship); Context (architectural, historical, geographical, and socio-cultural context of the site); quality and permanency of materials; maintenance; safety; diversity of artists; representation in the existing collection of publically-accessible artworks; and diversity of artworks(media, scale, style, intention) in the existing collection of publicly accessible artworks.

8. The Public Art Advisory Committee will make a recommendation on the proposed artwork to the City Council.
9. The City Council will have the final approval for any public artwork project. If the Council does not approve the proposed project it will refer the item back to the Advisory Committee for reconsideration.
10. All cost of maintaining a privately installed Public Art work will be the expense of the private entity unless the City accepts the Public Art piece as a donation.

Public Installed Public Art

1. The Public Art Advisory Committee will recommend to the the City Council the amount of money from the Public Art Fund to be used on any publicly installed public art pieces and the breakout between Administrative and Maintenance costs of the project. The Public Art Advisory Committee will also recommend a location for the art project, type of artwork when appropriate, process for involving the community in the process, and method calling for artists.

2. The Council will approve available funds for the artwork and solicit members to be part of an Art Selection Committee, if needed.
3. The sArt Advisory Committee shall select an artist, or group of artists, through a public process using one of the following methods:
 - a. Request for qualifications (RFQ)
 - b. Request for proposals (RFP)
 - c. Invitational competition.
4. The City Council shall make a decision on the Public Art Committee's recommendations on the artist or artist group.
5. The Public Art Committee, any outside professional hired by the City for assisting with the selection of the art work, and the appropriate City staff, as needed for the particular project, shall meet regularly with the selected artist, or group of artists, in developing the Conceptual Design Plan that meets the artwork and location criteria.
6. Once the Conceptual Plan has been approved by the Public Art Committee, the artist or artist's team shall refine the project objectives and the Conceptual Design Plan according to the direction of the Public Art Committee.
7. The Final Design will be approved by the City Council.

Use of Funds

All funds appropriated for public art will be deposited in the Public Art Fund. The City Council shall authorize projects for funding as prescribed in the public art implementation guidelines. In circumstances where it is not feasible to incorporate artistic features into a particular project, such money will be pooled and used for art in other projects. Disbursements shall be made in connection with projects approved by City Council. Nothing herein prohibits the City from soliciting or receiving grants, donations, bequests or gifts from private or public sources.

For individual pieces of art the Art Advisory Committee will recommend, to the City Council, what percentage of the funds will be set aside for the Public Art, Maintenance, and Administration and Education based on the guidelines below.

1. Public Art Funds

No less than sixty-five percent (65%) of the money fees collected shall be directed for Public Art Acquisition and may be spent for the following purposes:

- a) Artists' services and fees.
- b) Acquisition of art.
- c) Artist selection processes, including jury selection costs and model or design fees.

No more than fifteen percent (15%) of the money collected may be directed for Maintenance and curatorial services

- a) Identifying plaques
- b) Repair, maintenance, surveys, curatorial services, and other conservation work necessary to keep all artworks in the City collection in standard condition

No more than twenty percent (20%) of the fee may be directed for Public Art Administration and maybe spent for the following purposes:

- a) Project administration.
- b) Community education programs, publicity, dedications, and other purposes as recommended by Parks and Recreation Commission and approved by the City Council.