



CITY of BRISBANE

Public Art Advisory Committee Agenda

Monday, July 19th, 2021 at 3:30PM • Virtual Meeting

This meeting is compliant with the Governors Executive Order N-08-21 issued on June 11, 2021 allowing for deviation of teleconference rules required by the Brown Act. The purpose of this is to provide the safest environment for staff, Committee Members and the public while allowing for public participation. The public may address the council 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://zoom.us/j/96201572016?pwd=VEsyeFNhN1JpQkxoRTl6UVAYcExpQT09>

Meeting ID: 962 0157 2016

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 June 28th, 2021 Public Art Advisory Committee

PRESENTATIONS AND DISCUSSION ITEMS

B. Review Public Art Fund Balance

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

- i. Discussion of Art Consultant to Assist the Committee in Developing Public Art Guidelines for Baylands
- ii. Discussion of Art Consultant to Assist the Committee in Developing Public Art Guidelines and Potential Projects for Visitacion Avenue.

PUBLIC COMMENT**ADJOURNMENT**

A.

File Attachments for Item:

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



Public Art Advisory Committee
 Action Minutes
 June 28th, 2021 3:30 p.m.
 Zoom Meeting

Called to Order at 3:35 p.m.

Committee Members Present: Mayor Davis, Council Member Cunningham, Park & Recreation Commissioner Bonnie Bologoff, Park & Recreation Commissioner Leesa Greenlee, Committee Member Danette Davis, Committee Member Beth Grossman

Committee Members Absent: Committee Member Camille Olivier-Salmon

Staff Members Present: Assistant City Manager Schillinger, Admin. Management Analyst Ibarra

APPROVAL OF MINUTES

A. Approve Minutes from May 25th, 2021 Public Art Advisory Committee

Minutes were amended and approved: Cunningham first, M. Davis seconded.

PRESENTATION AND DISCUSSION ITEMS

B. Discuss Implementation Guidelines

The Committee discussed whether the General Public Art Fund be considered for performing, temporary art, local art shows or community arts educational programming. Schillinger said that the "acquisition of art" could include temporary art. He will confirm with the Attorney and will receive an update for the next meeting. There was discussion whether the RFP's specifically identifies that the City is an Equal Opportunity Employer. Schillinger says it does, but some of the Committee members wanted it brought more to the front of RFP's. There were also questions regarding potential situations where a developer and the Public Art Committee cannot come to an agreement on an acceptable art project on their private property. Schillinger will talk with the Attorney about this and work on some language to add to the guidelines.

The Committee also discussed that it may be a good idea to present the Council updates during the process for their feedback and potentially receive more input and comments from the Public. This could be a workshop or during Council Updates.

The Committee asked Schillinger to give an update on the General Arts Fund at the next meeting.

The Committee received public comment from Kevin Fryer. Fryer thought that the \$10k spent on the Skatepark artist was not a waste if the Committee learned from it. He asked why the Skatepark mural did not go to Council after the Park & Recreation Commission did not recommend the project. Schillinger stated that it was right at the beginning of the COVID19 pandemic and more urgent issues had arisen for the Council.

C. Discuss the Committee's Workplan

Due to the lateness of the meeting, this topic will be discussed at the next meeting.

PUBLIC COMMENT

Michael Barnes mentioned that about 15 years ago, Charles Jencks gave an Arts Education lecture that the Committee may be interested in watching.

ADJOURNMENT

4:43PM

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

B.

File Attachments for Item:

B. Review Public Art Fund Balance



MEMORANDUM

To: Public Art Committee
From: Stuart Schillinger, Assistant City Manager
Subject: Public Art Fund Balance
Date: July 19, 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 report on the available resources within the Public Art Fund

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 portion of the Public Art Fund related to the contribution requirements is below.

15.85.050 - Contribution requirements.

A. Private Developments

1. Commercial Projects.

a. Private nonresidential and non-live-work building developments with building development costs from one million dollars (\$1,000,000.00) through five million dollars (\$5,000,000.00) shall contribute in an amount equal to at least one percent of their building development costs into the Brisbane public art fund as an in-lieu contribution. This section shall apply to both new projects and building alterations/additions.

b. Private nonresidential and non-live-work building developments with building development costs above five million dollars (\$5,000,000.00) shall contribute in an amount equal to at least one percent of their building development costs into the

Brisbane public art fund as an in-lieu contribution. Alternatively, at the discretion of the owner or developer, such projects may devote in an amount equal to at least one percent of their building development costs for the acquisition and installation of publicly accessible art on the development site, subject to the provisions of [Section 15.85.060](#). This section shall apply to both new projects and building alterations/additions.

2. Residential Projects.

a. Single and multiple family residential and live-work developments with ten (10) through twenty (20) units shall contribute in an amount equal to at least one-half percent of their building development costs into the Brisbane public art fund as an in-lieu contribution.

b. Single and multiple family residential and live-work developments with more than twenty (20) units shall contribute in an amount equal to at least one percent of their building development costs into the Brisbane public art fund as an in-lieu contribution.

c. Single and multiple family residential and live-work developments with building development costs above ten million dollars (\$10,000,000.00), regardless of the number of units, shall contribute in an amount equal to at least one percent of their building development costs into the Brisbane public art fund as an in-lieu contribution. Alternatively, at the discretion of the owner or developer, such projects may devote in an amount equal to at least one percent of their building development costs for the acquisition and installation of publicly accessible art on the development site, subject to the provisions of [Section 15.85.060](#).

d. Private residential and live-work building developments designated as low or moderate income housing shall be exempt from the requirements of this chapter.

3. Compliance with the provisions of [Section 15.85.050\(A\)](#) shall be demonstrated by the owner or developer prior to the issuance of a building permit as follows: (a) payment of the full amount of the in-lieu contribution; or (b) written proof to the building department of a contractual agreement to commission or purchase and to install the requested artwork on the development site. The owner or developer shall provide the city with proof of installation of the requested artwork on the development site before issuance of the certificate of occupancy, unless the city has approved some other method of assuring compliance with the provisions of this chapter.

4. An in-lieu contribution shall not necessarily change the characterization of the project as a private development.

B. Public Developments. Building developments by the city with building development costs above five hundred thousand dollars (\$500,000.00) shall devote in an amount equal to at least one-half percent of their building development costs for the acquisition and installation of publicly accessible art on the development site or for contribution into the Brisbane public art fund as an in-lieu contribution.

(Ord. No. 588, § 1, 10-2-14)

Discussion

Staff will provide quarterly updates on the cash balance in the Public Art Fund as requested by the committee. The City runs on a fiscal year basis. A fiscal year runs from July 1st through June 30th. As of June 30th 2019 the City had \$881,177.95 in the Public Art Fund. The City received \$224,507.11 from a variety of projects within the City. The Fund also earned \$7,210.23 in interest through May 31, 2021. City staff allocates interest sometime after the 20th of the

succeeding month based on the timing of receiving statements from our financial institutions. This is the reason the June 2021 interest has not been updated.

There are still two outstanding commitments the City Council has approved. The first is the final payment to the artist hired for the Library installation. The installation will take place over Labor Day weekend. The payment will be made after that date. The second commitment is for \$25,000 to restore the mural at Midtown Market. Based on recent conversations with the restoration specialist staff will probably need to go back to the City Council for additional funding once Mona Caron is able to review the recommendation from the restoration specialist and has looked at the mural in-person an additional time.

Fiscal Impact

There is no impact to the City's finance by the Committee receiving this report.

Measure of Success

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

Attachments

- 1) Table delineating the amount of cash available in the Public Art Fund and the outstanding commitments.

Stuart Schillinger

Stuart Schillinger, Assistant City Manager

Public Art Fund Activity FY 2020/2021

6/30/2020	\$ 881,177.95	Cash Balance
7/28/2020	170,584.82	1000 Marina
7/31/2020	14,135.78	7000 Marina
9/23/2020	250.00	175 South Hill
10/20/2020	1,000.00	175 South Hill
1/7/2021	475.90	2000 Sierrapoint Parkway
1/18/2021	27,830.00	2000 Sierrapoint Parkway
2/5/2021	552.61	7000 Marina
6/14/2021	9,678.00	8000 Marina
Thru 5/31/2021	7,210.23	Interest Earnings
5/31/2021	1,112,895.29	Cash Balance
Committed	25,000.00	Mural at Midtown Market
	20,000.00	Library art installation
	45,000.00	Total Committed
Available in Fund	\$ 1,067,895.29	