



Memorandum

TO: PUBLIC ART COMMITTEE
FROM: Michael Ogilvie
SUBJECT: URBAN CONFLUENCE SILICON VALLEY PROJECT UPDATE
DATE: April 1, 2021

COUNCIL DISTRICT: 3

RECOMMENDATION

- (a) Receive the staff report on the Urban Confluence Silicon Valley Project including:
- (1) The jury recommended rankings of the three finalists; and
 - (2) The work plan for next phases of the project.

OUTCOME

This action will acknowledge that the Public Art Committee (PAC) was updated on the jury recommendations regarding the preferred design for the Urban Confluence Silicon Valley Project (the Project). It will further acknowledge that PAC was made aware of the expected work plan for the remaining phases of the Project, and that the project will alter Arena Green, public parkland within the regional Guadalupe River Park in downtown San José.

BACKGROUND

The Urban Confluence Silicon Valley Project is a project of the San José Light Tower Corporation (SJLTC). SJLTC is a 501(c)(3) and currently has a three-person Board of Directors. The stated intent of the project is to provide a gift to San José that will build civic pride by drawing residents and visitors to an active destination and enhance economic development in the Downtown Core. Fundraising to further carry a preferred concept through design and construction is on-going.

On May 1, 2018, City Council endorsed the general concept¹ of SJLTC giving a gift to the City, and authorized the Parks, Recreation and Neighborhood Services Department (the Department) and the Office of Economic Development's Office of Cultural Affairs to coordinate with the Urban Confluence team in performing a site selection study. Sites evaluated were Arena Green at Guadalupe River Park, Discovery Meadow, Guadalupe Gardens Park, Plaza de Cesar Chavez, St James Park, Park Avenue, and the Diridon Station Area. These last two spaces are not parks, but were identified as areas that may have space to support the project and might serve as an appropriate location for an iconic structure.

The SJLTC engaged the firm of Steinberg Hart to perform a Site Selection Study of the spaces mentioned above. The site selection considered a broad range of factors that might support a

¹ <https://sanjose.legistar.com/LegislationDetail.aspx?ID=3477925&GUID=064E445A-81CF-4617-BF22-21A6B7025D4F>

successful Project installation and its operation. Factors included, but were not limited to, size of the site, existing activities / activations, proximity to transit and parking, visibility of the location from adjacent streets and land uses.

At its December 2018 meeting, the Public Art Committee heard the results of the Site Selection Study, which was then presented to the Parks and Recreation Commission who voted to acknowledge the report and recommended that City Council make the final site selection. That report recommended Arena Green at Guadalupe River Park as the preferred location.

On March 12, 2019, the results of the Site Selection Study were accepted by City Council², and Arena Green at Guadalupe River Park was identified as the preferred site for the project. During this council action, a process and schedule for executing an international ideas competition (the Competition) was established. SJLTC has continued to work on administering the first two phases of the Competition: Phase I solicited ideas and concepts; Phase II advanced schematic design on three finalists. Of particular note, requirements regarding outreach were outlined in the Council memo. Requirements included posting information on the project website; making all entries available for public review and comment; establishing a Local Advisory Group (later renamed Community Competition Panel) to recommend submissions to the Jury; presentation of the three finalists to PRC and the Public Art Committee (PAC); and community meetings and public comment on Phase II.

In October 2020, the PAC and PRC received a status report regarding the Project. That report focused on results of Phase I of Competition completed during summer 2020. Phase I yielded 963 entries from around the world.

Arena Green as a Park Space

Over the course of the project, staff reviewed and considered several existing plans regarding the project area to determine what recommendations, if any, might influence current considerations for the park. Documents reviewed include the Guadalupe River Park Master Plan, the Department's Strategic Plan ActivateSJ, and the Mission, Values and Priorities of the Guadalupe River Park Conservancy. In reviewing those documents, staff believes that future projects should:

- Promote nature based and ecological education
- Encourage art
- Increase social cohesion and community health
- Advance the identity of San José
- Enhance the connectivity / accessibility to the park from all neighborhoods

ANALYSIS

Project Status

² <https://sanjose.legistar.com/LegislationDetail.aspx?ID=3871636&GUID=6E11BF0F-5D33-4866-80BE-0811F12A3BEC>

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Since the last update to the PAC and PRC in October 2020, the effort to identify a preferred concept from the Competition has continued to advance. Three finalists were selected and announced in late September by a Jury consisting of the following professionals:

- Jon Ball – Chairman, San José Light Tower Corporation
- Susan Chin – Principal, Design Connects
- Jon Cicirelli – Director, San José Department of Parks, Recreation and Neighborhood Services
- Julia Czerniak - Associate Dean and Professor, Syracuse Architecture
- Jerry van Eyck - Founder and Principal, Imelk Landscape Architecture
- Walter Hood – Creative Director / Founder, Hood Design Studio
- Katja Irvin – Sierra Club Loma Prieta Chapter
- Lisa Iwamoto – Founder, IwamotoScott Architecture; Professor of Architecture University of California Berkeley
- Daan Roosegaarde – Founder, Studio Roosegaarde
- Erin Salazar – Executive Director, Exhibition District San Jose
- Jodi Starbird - Past President of the Board of Directors, Guadalupe River Park Conservancy
- Rob Steinberg – Chairman, Steinberg Hart
- John Travis – Vice President World Brand Marketing, Adobe
- Michael E. Willis – Retired, Founder MWA Architects

The three Phase I finalists were: 1) *Welcome to Wonderland*; 2) *Breeze of Innovation*; and 3) *Nebula Tower*. Information about all three can be found at:

<https://www.urbanconfluencesiliconvalley.org/3-finalists>

Each of the finalists entered into contract with SJLTC for Phase II work. Phase II focused on advancing the design of each entry. SJLTC assigned advisors to assist the three teams as none of the finalists were based in the United States, and two of the three were recent college graduates. The advisors were experienced in the fields of design and construction in Northern California and supported each finalist in developing a team that could assist in meeting the technical requirements of the submissions as defined by SJLTC. Advisors attended project coordination meetings and provided advice to the entrants as requested by each team.

Each finalist submitted their Phase II design packages to SJLTC on January 18, 2021. In January and February 2021, the Phase II designs were presented at community meetings and forums. On January 30, 2021, each entrant presented their design to the Jury via video conference meeting.

On March 6, 2021 the Jury met to evaluate the three Phase II submissions and selected *Breeze of Innovation* as the winning design, with *Nebula Tower* as the second choice and *Welcome to Wonderland* as the third. The ranking results will be presented to City Council in May 2021 and SJLTC intends to enter into a design contract with the *Breeze of Innovation* designer.

The preferred design - *Breeze of Innovation* - was submitted by architect Fer Jerez with SMAR Architecture Studio. The architectural design aims to create a landmark building that makes clean energy harvesting obvious and visible, “in order to trigger, to change perception, to question reality... to inspire”. As stated by SMAR Architecture Studio, “The challenges facing the world in the 21st century are many, but if there is one that, due to its relevance, acquires an importance that affects the entire planet, it is climate change and the need to shift the way we generate energy, in search of cleaner energy sources. This project does not intend to solve climate change, but we believe that large public projects could serve to send a message; a world with clean energy is entirely possible.”

Future Work Plan

With *Breeze of Innovation* selected as the preferred design, SJLTC intends to continue to move the project forward. Major work items include: Fundraising, Design Development, Environmental Review, Project Schedule, Operation and Maintenance Management Plan, and Agreements with the City for various work items. These major milestones are outlined below with additional detail to be provided in the Council Memorandum. Staff expects that many of these items cannot be fully developed until the Project progresses further. Additional Council actions are anticipated.

Project Schedule – Development of a project schedule with milestones and deliverables will be critical to advancing the Project and to promote community understanding and expectations. Staff is anticipating that milestones will be set for design development and fundraising to provide clarity and transparency about the progress of the project.

Fundraising – SJLTC will continue to fundraise to support the project. In the next phases of work a formal fundraising campaign will be developed with defined “give and get” levels for the project. For example, donors of \$1 million may receive naming rights to a certain element of the design. Donors at smaller levels may have their name on a plaque at the site. Since this is a city facility, the fundraising plan will require approval by City Council. Based on the initial cost estimates developed in Phase II the project cost could exceed \$150 million.

Design Development – SJLTC will enter into contracts to advance the design toward construction documents. This will include contracts with the designer, as well as with a contractor that will be selected by SJLTC. An outline of the scope of work will be presented in the anticipated May 2021 City Council memo. Some initial investigations (e.g., geotechnical investigations) may be completed through a standard right of entry process. However, prior to any construction of the Project, the City Council will need to approve the final design and construction approach (e.g., Design-Build, etc.). As design proceeds, staff will be actively involved in design review, design oversight, permitting, inspection, etc. and resources to support these efforts remain to be identified. Staff from the Department, Office of Cultural Affairs and Public Works spent an estimated 850 hours of time supporting Phase I and Phase II. It is anticipated that future phases of the project will require an increasing amount of staff time due to the scope and complexity of the preferred concept.

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Environmental Review – The size and complexity of the project will necessitate development of a project level Environmental Impact Report (EIR). Since the City owns the property, staff anticipates the City will serve as the lead agency of this work. Staff will need to work with SJLTC to determine the appropriate time to complete the EIR and to define the exact work plan. Fundraising by SJLTC will need to support this effort and funds will need to be transferred to the city to compensate for staff and consultant time to manage this effort.

Maintenance Management Plan – The complexity and scale of the proposed Project suggest that operations and maintenance may prove costly for the City or its future contractors. SJLTC will develop a detailed operation and maintenance plan that will outline annual maintenance needs, proposed staffing levels for maintenance and the estimated costs of routine maintenance and future capital repair needs. The plan will need to consider the complexity of the design and the fact that it will be a one of a kind structure. This information will be presented to the City Council in a memorandum documenting the Gift Acceptance and provide an opportunity for the City Council to consider resource impacts and priorities. Staff has recommended that a long-term endowment will be needed to support future maintenance and the potential future decommissioning of the building.

Business Plan – The SJLTC will contract a consultant to evaluate revenue generating opportunities for the building. This work will outline the opportunities and constraints of the building as a revenue generator and define how much, if any of the required maintenance costs will be able to be offset. The opportunities for operation of this building will be bound by City Charter, Ordinances and regulations.

Agreements with the City – At various stages of the Project, agreements with the City will be needed. These may include cost reimbursements for future City staffing time, legal agreements needed to move forward with construction, a gift acceptance that outlines the terms of the SJLTC gift to the City, etc. These agreements will be developed and put forward to City Council as the Project advances.

Charter / Park Regulations Review – It seems likely that the proposed SJLTC project has certain elements that may not be viable under the city's current ordinances. Staff is undertaking an evaluation of city ordinance and park rules. The work is funded by a grant through the Knight Foundation and is intended to provide recommendations for how the city might more effectively support our current non-profit partners and encourage events in our parks. The SJLTC project will be considered among the universe of potential city partners as staff undertakes this evaluation.

CONCLUSION

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This memorandum documents the SJLTC work completed during Phase I and Phase II of the Competition and outlines major tasks and agreements that will be required in the coming years.

PUBLIC OUTREACH

The memorandum will be presented at the City of San José's Parks and Recreation Commission, which is a public meeting. A similar presentation will be made the Public Art Committee on April 6, 2021.

Ongoing outreach includes monthly meetings with certain stakeholders of Arena Green area including the Department, Little Italy, SPUR, the Guadalupe River Park Conservancy, the Office of City Councilmember Raul Peralez, and the SAP Center/San Jose Sharks. Other outreach to community groups and the public continues as appropriate.

Specific project related outreach has occurred in the form of video-based community meetings through February and March. Specific dates for these meetings were: February 10, 12, 18, and 23, 2021; and March 2, 2021. Two additional community meetings are scheduled for late March / early April 2021. Videos of each meeting are on the Project web site, along with a list of questions that were asked by attendees.

COORDINATION

The memorandum was developed by the City of San José's Parks, Recreation and Neighborhood Services Department, and coordinated with the Office of Cultural Affairs, City Attorney's Office and Public Works Department.

/s/

Michael Ogilvie, Public Art Director,
Office of Cultural Affairs

For questions, please contact Michael Ogilvie, Public Art Director, at michael.ogilvie@sanjoseca.gov.