

Memorandum

TO: PUBLIC ART COMMITTEE

FROM: Michael Ogilvie

SUBJECT: SEE BELOW

DATE: March 30, 2021

Approved *Kerry Adams Hapner*

Date: March 19, 2021

SUBJECT: PUBLIC ART FIVE YEAR WORK PLAN FOR FY 2022-2027

REVIEW

Review the Five-Year Public Art Work Plan as part of the FY 2022-2027 Capital Improvement Program (CIP) budget.

BACKGROUND

In January 2006, the Office of Cultural Affairs (OCA) embarked on the development of a new Public Art Master Plan. The Public Art Master Plan, *Public Art NEXT!*, was approved by City Council in March 2007. Since that time, OCA staff has worked closely with the City's Budget Office to ensure that appropriations for public art are included in the annual CIP budget process, and that upcoming public art projects are represented in the Public Art appendix to the CIP budget. With City Council's adoption of *Cultural Connection, San José's Cultural Plan for 2011 – 2020*, additional emphasis was placed on the value of public art through the plan recommendation "Integrate High Impact Urban Design and Public Art throughout the Community."

ANALYSIS

Public Art NEXT! established a vision that is rooted in the desire to: locate art where it has the most impact on the image and the life of San José, commission projects that reflect San José's innovative spirit and integrate art into the City's urban design and growth strategies. The Master Plan included recommendations that anticipated changes in San José's development patterns and its means for funding infrastructure. It prioritized project types and proposed more extensive pooling of public art funds to enable the creation of significant, iconic artworks. The plan provided clarification of the existing Percent for Art Ordinance and revision of eligibility requirements. While the percentage calculated from new City capital improvement projects was reduced from 2% to 1%, a broader base of CIP infrastructure projects had to include public art budgets. It also created a more inclusive public process that ensures the presence of all stakeholders in conversations about the development of public art projects. The Public Art Work Plan considers all these goals in establishing a roster of projects.

The Public Art Program continues to refine its vision for future impact of the program in a financial environment in which the number of City capital improvement projects that contribute to the public art program is a small fraction of its heyday during the "Decade of Investment" (2002-2012). Many

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City departments are directing their available capital dollars to infrastructure repair and replacement, a type of expenditure that is excluded from the current percent-for-art ordinance. As San José strives to become a center for employment and livability, private development continues to increase - particularly in the downtown and North San José – and there is increasing interest in arts and culture as an integrated part of San José’s vitality.

Funding Considerations

The amendment to Chapter 22.08 (Public Art Program) of Title 22 of the San José Municipal code to exempt the San José-Santa Clara Regional Wastewater Facility (RWF) from the one percent public art assessment on Capital Improvement Projects (CIP) was approved by City Council on June 6, 2017. The exemption created a \$2.8 million dollar funding level decrease to the Public Art Program. This decrease represented a 40% cut to public art funding, half of the projected funding for public art projects in the 2017-2021 Adopted CIP. Our last project using RWF percent for art funds that was generated before the budget cut, was completed in February, 2021 at the CoGeneration power plant.

In June 2010, City Council deferred the Public Art Allocation for Airport projects until passenger levels reach 12.2 million. In November 2017, passenger levels reached 12.2 million and percent funding resumed fiscal year 2019 amounting to \$1.5 million dollars, with an additional \$600,000 for fiscal year 2020. Also, the approval of the General Obligation bond, or Measure T, by voters in November 2018, is forecasted to generate CIP revenue for Public Art over the course of the next ten years. There are still some areas of this funding in flux as Public Works determines whether to build new facilities or remodel existing facilities. Other funding opportunities that have proven successful, and staff will continue to pursue are: grants, internal and external partnerships, and private development. Currently these avenues of funding make up approximately \$1.2 million dollars of the budget reflected in the Ongoing City Projects table of Attachment A.

COVID-19, has represented a significant challenge for the City in many ways including financially, and Public Art is not exempt from this. Public Art maintenance and conservation is primarily funded through the Transient Occupancy Tax dollars (TOT), as CIP percent for art dollars cannot be used for maintenance per the ordinance. With the decrease in TOT revenue from the lack of visitors due to COVID-19, the maintenance budget was cut in half in May of 2021, going from \$100,000 to \$50,000. This will create a perpetual backlog of conservation needs that cannot be met until the TOT rebounds.

The Public Art Program continues to seek non-City projects that impact San José and the greater Santa Clara County. Currently the program is managing the development of guidelines for the percent for art funding approved by the County of Santa Clara Board of Supervisors in 2018, working with Silicon Valley Creates to support a public art project in association with the County Valley Medical Center, and managing the Eastridge to BART Regional Connector Light Rail project for Santa Clara Valley Transportation Authority (VTA). The City is currently in discussions regarding managing public art for the VTA single bore tunnel to downtown San José. The long-term vision for all these partnerships is that they will capitalize on City expertise to expand Public Art in the community, employ artists, and enrich San José life and culture.

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Public Art 2022-2027

In 2017, a new approach was pursued to align with the proposed *San Jose Creates & Connects* planning that is occurring as part of a broader OCA initiative. Public Art staff is exploring and implementing a programmatic approach to the use of Construction & Conveyance percent for art funding for parks to create public art that can be interpreted differently by artists in response to neighborhoods and sites. In addition to providing a unifying framework, this approach can reduce the amount of staff time required and increase the funds available to the creation and fabrication of artworks. In 2019 Artist Mona Caron completed the Paul Moore Park Mural *A Chance to Grow*, and six artists created twelve murals for the TJ Martin and Fontana Park *Beautility* project. In 2020 and 2021, seven new mural projects Citywide were completed as part the *Right the Blight* project, an initiative to reduce blight in areas of the city with excessive tagging known as ‘hotspots’ – many of these locations focused on park land and all projects integrated the community into the inspiration of artistic production.

Accordingly, the Public Art Program will be focusing its program activity on the impact of long term and temporary projects that: a) build environmental awareness; b) build community engagement with people and places through the parks and community centers; and c) envision the opportunity for creating great places in some of the city’s most significant open space - our streets and sidewalks d) help local artists to continue to economically recover from the COVID-19 fiscal impact.

COVID-19 has forced the Public Art Program to adapt and has changed the nature and substance of community engagement. It has also severely impacted local artists employment opportunities. Getting artists back to work is part of the City's economic recovery development planning for the creative sector in San José. A [survey](#) by the California Arts Council estimated the average income loss per artist to be \$23,857 and 85% of individual artists have had commissions/projects cancelled on them. In response to this the Public Art Program developed the *Holding the Moment* exhibition at the Airport which provided 77 local artists a paid exhibition opportunity. The exhibit was displayed real world at the Airport Terminal B showcases, and digitally via the City website online and provided local artists with an honorarium of \$2,500 for each artwork exhibited (with two artworks being the limitation). As part of our continued economic recovery focus we are looking to commission San José artists for the Emergency Operations and Fire Training Center being built on Senter Road. The approach to public art at the Fire Training Center will focus primarily on engaging San José artists, with works by multiple artists to be featured within the facility interior and one or more major works on the facility exterior. These projects are modelled on the [WPA Federal Art Project](#) of the 1930's and 40's.

As the City continues to pursue investments to beautify San José, the Public Art Program will seek to work with artists, departments, and the community to come up with solutions that educates and creates a participatory experience to the abatement of graffiti, litter, and pollution. This along with *FOGwaste*, the *Litter-ature* program, *One Day/One Action*, *Right the Blight*, *Alviso Storm Pump Station*, *River Oaks Pump Station*, *Municipal Water Building*, and other environmental projects, help to create a positive impact on our environment, and ultimately reduce long term costs for blight management.

The attached Public Art Work Plan outlines ongoing and planned City-funded projects that will initiate in the coming fiscal year and continue into subsequent years, as well as partnership projects

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and consulting projects currently being managed by San José Public Art staff. The City-funded projects in this five-year plan will be integrated into the City's FY 2022-2027 CIP budget. The attached work plan outlines ongoing and planned projects in the Public Art Program.

The Public Art Committee will review a draft of the funding sources, priorities, and projects for FY 2022-2027 at its meeting of April 6, 2021. Over the past year, the Committee has continued to discuss building strategic support for the Public Art Program and forging partnerships with civic organizations, private developers, and funders to promote priority projects contained in San José's Public Art Work Plan.

/s/

Michael Ogilvie
Director of Public Art

Attachments: Attachment A: FY 2022-2027 Five-Year Public Art Work Plan Overview

San Jose Public Art Workplan FY 2022 - 2027
Attachment A: Project List

Ongoing City Projects

CD	Project Name	Year Initiated	FY Completion	Budget	City Funding Source	Grant & Earned Funding	Status for FY2021-2025
CW	4th Street Parking Garage Art Display Windows	FY 20-21	FY 23-24	\$60,000	DOT Parking		Design/Fabrication
D10	Almaden Winery Park Signature Sculpture	FY 19-20	FY 23-24	\$50,000	D10 PRNS (C & C Funds)		Scoping/Planning
2	Blossom Hill/Monterrey Road Overpass	FY 19-20	FY 23-24	\$0	Council request to be on workplan. No funding source available.		Scoping/Planning
4	River Oaks Pump Station (previously Charcot Pump station)	FY 19-20	FY 24-25	\$147,000	Measure T Percent for art funds		Scoping/Planning
3	CDM -Youth Env. Awareness	FY 14-15	FY 22-23	\$200,000	Sanitary/Storm		Fabrication/Installation
6	D6 Special Projects (multiple projects)	FY 15-16	FY 23-24	\$50,000	D6 Council Funds	\$50,000 from D6	Scoping/Planning
7	Emergency Operation and Fire Training Center	FY 19-20	FY 26-27	\$575,000	Measure T and Gernal funded through proceeds from Google sale dedicated to new center.		Scoping/Planning
3	End of Watch Police Memorial	FY 15-16	FY 22-23	\$468,500	\$127K, from Council; \$306K from Measure T percent funding for Police Facilities	Police Foundation 33k, POA \$2,500	Fundraising/Design/Fabrication
3	Environmental art projects	FY 16-17	On-going	\$455,000	Sanitary/Storm		On-going
2, 3, 4, 6, 8	Fire Stations	FY 19-20	FY 24-25	\$145,000	Measure T Percent for art funds		Planning
3	Illuminating Downtown Project: AHSC (Coleman Undercrossing@Bassett)	FY 17-18	FY 21-22	\$375,000	\$175K DoT/D3/PRNS	\$200K AHSC Grant	Design/Fabrication
3	Japantown Turnkey Park/Plaza	FY18-19	FY 23-24	\$0	Not City funded	\$275K Funding through Developer park in lieu fees	Scoping/Planning

San Jose Public Art Workplan FY 2022 - 2027
Attachment A: Project List

3	Market/San Pedro Parage Garage Façade Enhancements	FY 18-19	FY 23-24	\$306,000	DOT Parking Façade Enhancement Dollars		Design
8	Meadowfair Park Art Project - District 8	FY 18-19	FY 23-24	\$25,000	D8 PRNS (C & C Funds)		Design/Fabrication
7	Midfield and Havana Soundwall Mural	FY 17-18	FY 19-20	\$75,000	D7 PRNS (C & C Funds)		Design/Fabrication
CW	Mineta Airport new artworks (multiple projects)	FY 17-18	FY 23-24	\$1,700,000	Airport		Design/Fabrication
3	Musical Swings Permanent Model	FY 18-19	FY 21-22	\$50,000	D3 PRNS (C & C Funds)	Partially Funded: Grants/ other funding being sought	Fundraising
3	Pellier Park	FY 18-19	FY 21-22	\$0	Not City funded	\$85,000 Pellier Park Remediation Fund	Design
4	Penitencia Creek Park	FY 19-20	FY 23-24	\$50,000	D4 PRNS (C & C funds)		Scoping
CW	San Jose Creates & Connects Underpass/Neighborhood Galleries (phase II)	FY 17-18	FY 21-22	\$175,000	D4 Beautify SJ Creates and Connects		Design/Fabrication
3	St. James Park Design Strategy (Phase II)	FY 18-19	FY 24-25	\$315,000	D3 PRNS (C & C Funds)		Planning/Design
7	Thank You America Sculpture	FY 19-20	FY 23-24	\$274,000		Council request to be on workplan. PRNS received County grant of \$137,000 and they are marching it with Parks funds.	Planning
3	Urban Confluence Silicon Valley (Light Tower Corporation)	FY 19-20	?	\$0	Not a city project. Staff support directed by council. No funding provided.		Outside Concept design/planning/ Fundraising
CW	Various monuments, BeautifySJ, District Budgeting, Community requests	FY 20-21	FY 23-24	\$0	No funding identified.		Planning
				\$4,413,500			

**San Jose Public Art Workplan FY 2022 - 2027
Attachment A: Project List**

New City Projects for FY2020-2021

CD	Project Name	Year Initiated	FY Completion	Budget	City Funding Source	Grant & Earned Funding	Status
7	Water Utility Administration Building	FY 21-22	FY 24-25	\$300,000	Water Utility CIP		Planning
3	Fallon Statue Recommendation	FY 21-22	FY 21-22	\$175,000	Public Works emergency funds		Planning
3	Parke Avenue Ohlone Tribute Restoration	FY 20-21	FY 23-24	\$60,000	D3 District Budgeting funds		Planning
1	Fire Station 14 Mural Project	FY 20-21	FY 21-22	\$5,000	D1 District Budgeting funds		Planning
				\$540,000			

Ongoing Contract Projects

CD	Project Name	Year Initiated	FY Completion	Budget	City Funding Source	Grant & Earned Funding	Status
VTA	Eastridge to BART Regional Connector (EBRC) Project D5/D8	FY 20-21	FY 24-25	\$300,000	Not City Funded	VTA Funded \$300,000	Planning/Design
COUNTY	Santa Clara County Policy & Guidelines work	FY 19-20	FY 21-22	\$150,000	Not City Funded	County funded \$150,000	Consulting
SVC	SV Creates-Valley Med Women & Children	FY 15-16	FY 21-22	\$50,000	Not City Funded	SV Creates	Design
				\$500,000			

Completing FY 20-22

3	3rd Street Parking Garage Mural
4	CoGeneration Power Plant
3	Convention Center Mural
4	Don Edwards
3	Equity Gallery - BLM Banners
CW	Litter-ature
10	Pat Dando Monument
2,3,5,6,7	Right the Blight Hotspot Mural Project (7 murals)
3	Sonic Runway