



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jen Baker

SUBJECT: See Below

DATE: April 27, 2026

Approved

Date:

5/8/2026

COUNCIL DISTRICT: 6

SUBJECT: Agreement with The Diane Brandenburg Survivor's Trust UAD September 19, 1993 for the *Seeds of Peace Monument*, an Artwork by Artist Mario Chiodo, Located at Guadalupe River Park Arena Green West

RECOMMENDATION

Adopt a resolution authorizing the City Manager, or her designee, to:

- (a) Negotiate and execute a Monument Donation Agreement by and between the City of San José and The Diane Brandenburg Survivor's Trust UAD September 19, 1993 for a bronze sculpture entitled *Seeds of Peace Monument* by artist Mario Chiodo for installation at the City's Guadalupe River Park in the Arena Green West location and for a \$300,000 donation to the Gift Trust Fund for the City Manager's Office of Economic Development and Cultural Affairs for the special purpose of approximately twenty years of maintenance of the monument; and
- (b) Negotiate and execute the Artist Waiver of Proprietary Rights and Warranties for Artwork, right of entry agreements, and other related documents, all attached in substantial final form to the Monument Donation Agreement; and
- (c) Negotiate and execute any necessary amendments to the Monument Donation Agreement to increase total donation value up to 10% as a contingency, and to related agreements to effectuate the Monument Donation Agreement.

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SUMMARY AND OUTCOME

The outcome of the approval of this donation agreement will result in the most significant donation of public art to the City of San José to date, designed and created by renowned contemporary Bay Area Artist Mario Chiodo. The Diane Brandenburg Survivor's Trust UAD September 19, 1993 (Trust) seeks to donate to the City a large-scale public art sculpture, entitled the *Seeds of Peace Monument*, to be installed at Arena Green West, a City-owned park space located at Santa Clara and Autumn Streets (Attachment - Sculpture Renderings and Site Map). The total value of the project is estimated at \$3,500,000. The Trust is funding the full cost of the bronze monument, estimated at \$2,000,000, and plans to raise an estimated \$675,000 in additional funds to cover the associated site improvements and establish a maintenance endowment dedicated to the sculpture's ongoing maintenance and preservation.

The Office of Cultural Affairs division of the City Manager's Office of Economic Development and Cultural Affairs prepared a donation agreement in accordance with City Council-approved [Donation](#)¹ and [Monument](#)² Policies. The donation agreement and other related agreements to effectuate the donation are in their substantial final form. Staff recommends that City Council authorize the City Manager to negotiate and execute the donation agreement and all other documents or agreements necessary to effectuate the donation agreement per City Council-approved policies and best practices. Once executed, the Trust will deposit \$150,000 with the City to cover initial staff costs, allowing design development and construction document review to begin immediately. At or near 95% of construction review, the City and Trust will re-evaluate the remaining staff costs, and the Trust will deposit sufficient funds to cover any remainder of the City's costs.

Prompt City Council action is necessary to meet the Trust's goal to install the *Seeds of Peace Monument* by December 2026.

BACKGROUND

Ms. Diane Brandenburg, a local philanthropist, commissioned artist Mario Chiodo to design and fabricate a bronze monument to be gifted to the City of San José. The project is fully funded by the Trust and includes the establishment of an endowment to support the sculpture's long-term maintenance and preservation. The project team is comprised of Mario Chiodo, primary artist and fabricator; Chris Kent, landscape architect; and Kimberly Mulcahy, project coordinator. The project is intended to be designed, fabricated, and installed by the end of 2026.

¹ <https://www.sanjoseca.gov/home/showpublisheddocument/12873/636669975473570000>

² <https://www.sanjoseca.gov/home/showpublisheddocument/12719/636669892533370000>

Concept and Design Proposal

Ms. Brandenburg shared in her written statement the inspiration for the *Seeds of Peace Monument*:

Upon waking one Sunday morning in 2024, a seed of thought reached out and asked: "What can I—we—do to stop war?" And when our individual conscience is awakened, what do we do with it?

What kind of world are we bringing our children into? Are we raising our sons and daughters to be ready to fight—and die—for the defense of our country?

A statement I once read by the late, great anthropologist Margaret Mead came to mind: "When are we going to devise a system that creates peace instead of war?" That was the original seed of thought. And it began to grow.

San José has grown from its agricultural beginnings into what it is today known throughout the world as Silicon Valley. Once called "The Valley of Heart's Delight," it has always carried a spirit of abundance and possibility.

So why can't this city, with all it represents, be the one to start a Peace Movement? And how can we bring this thought to life?

That is what the *Seeds of Peace Monument* can stand for. A movement that can grow, expand from our city to others, and then to the world.

The City of San José, California, is standing up and declaring, "We want peace, not war." And now, a monument is being planted at the grassroots level, from where it can grow—seeds of peace.

About the Seeds of Peace Monument

The *Seeds of Peace Monument* features a large-scale female figure standing in the middle of six children and a penguin, all shown lifting the earth together. According to the artist, this monument symbolizes unity, shared responsibility, and global cooperation in the pursuit of world peace. The central figure holds a dove and olive branch, traditional emblems of peace, while a circular shawl extends from her head and wraps around her body, partially enclosing the children and the earth. Inscribed on the shawl are cultural peace symbols from around the world representing global diversity and interconnectedness.

The six children and the penguin represent the seven continents of the world. The penguin symbolizes Antarctica and highlights environmental themes and climate

change. The child representing North America draws inspiration from the Muwekma Ohlone people, incorporating a hummingbird to honor its cultural significance. The hummingbird holds profound importance in Ohlone traditions, where it is regarded as a sacred spiritual being in creation stories. The child representing Asia embodies a blend of features, with an emphasis on Vietnamese heritage, paying tribute to both Vietnamese and indigenous cultures already honored at the site through existing public artworks, such as *Weaver's Gift* and *The Sons of San José Vietnam War Memorial*. The artist's intention is to build upon these existing artworks, honoring those stories and contributing a new artwork that celebrates the diverse cultural fabric of San José's community. The proposed monument will be approximately 15 ft (H) x 15 ft (W) x 14 ft (D), excluding the footprint of the site elements required to accommodate the sculpture. The *Seeds of Peace Monument* has a fully resolved artistic design, with the concept design for the bronze sculpture approved by the City, and sculpting and molding of the statue have already begun.

The artwork is designed by Mario Chiodo, an experienced bronze sculptor with over three decades of practice in the field of public art. Mr. Chiodo's notable works include the *Path of Thorns and Roses*, (Alexandria, VA); the *Harriet Tubman Memorial* (Wilmington, DE); and the *Ohlone Tribute* (Fremont, CA). Landscape architect Chris Kent will design the surrounding area as a site for reflection, dialogue, and education. Mr. Kent is a Principal at PGA Design and has worked on a wide range of projects for over 30 years. The City will contribute approximately 20,638 square feet of parkland for the installation of the artwork and allow the replacement of surrounding site improvements to accommodate the artwork. The estimated potential valuation of the land is \$178,000, not including the existing site improvements.

ANALYSIS

City Council Policy 1-17: Donation, Sponsorship and Fundraising Policy and City Council Policy 9-14: Monument Policy

According to City Council Policy 1-17, the donor shall bear all costs associated with the *Seeds of Peace Monument*, including design, engineering, fabrication, transport, site work (preparation/hardscape/landscape), utilities, permitting, inspection, installation, and related staff costs. The project aligns with City Council-approved Donation and Monument Policies as a fully privately funded cultural asset with no cost to the City.

Bronze sculptures require ongoing care and preservation, including annual cleaning and waxing to preserve their protective patina, prevent corrosion, and ensure long-term structural and visual integrity. Based on quotes obtained by the Trust and City, the cost of maintenance and potential catastrophic or significant damage to the monument for 20 years is estimated to be \$300,000. The Trust, in partnership with the Rotary Club of San

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José, a local civic organization with a long history of community service and support for public projects for over 100 years, is fundraising \$300,000 to establish a maintenance endowment for the monument.

This maintenance endowment is a condition of the City's final acceptance of the *Seeds of Peace Monument* and associated site improvements into the City's Public Art Collection. This endowment will be conveyed to the City together with the donation of the sculpture and all associated site elements, ensuring adequate resources for long-term care, preservation, and conservation.

The project scope includes site preparation to accommodate the monument, including demolition of existing site elements, grading, hardscaping, and foundation construction. The work will also include installation of new light fixtures and electrical systems, and other related improvements necessary for the project. Upon completion of site work, the bronze sculpture will be delivered to the site and anchored to the plinth. Final steps include City inspection and approval of the structural components, installation elements, and overall site improvements.

The Trust will procure and manage its own contractors to complete the work. The City's role will be limited to plan review, construction oversight, and required inspections, in coordination with the Public Works Department, Parks, Recreation, and Neighborhood Services Department, and other outside agencies as required. The Public Art Program, within the Office of Cultural Affairs, will serve as the City's project manager and primary point of contact for all project-related agreements, including coordination of contractor and artist agreements and required waivers. The Public Art Program will also steward the project's maintenance endowment and lead the accessioning of the completed artwork into the City's public art collection, in collaboration with the Public Works Department.

The Trust will reimburse City staff costs, including but not limited to staff time incurred for engineering review, logistical coordination, permitting, and inspection of construction activities and installation of the sculpture and related site improvements.

The *Seeds of Peace Monument* meets all other criteria outlined in the Monument Policy, City Council Policy 9-14:

- The *Seeds of Peace Monument* qualifies as a monument because it is a permanent commemorative tribute to peace and unity.
- Designed by a professional artist, it is also considered "public art" and will be added to the City's Public Art Program inventory.
- The donor's commitment to fund design, fabrication, installation, permits, and, after staff review of maintenance needs and their anticipated costs, a \$300,000 maintenance contribution aligns with donor obligations.

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- The monument meets policy requirements for professional design, community-wide significance, and its material, bronze, meets standards for durability.
- The *Seeds of Peace Monument* artwork concept design was approved by the City's Public Art Committee on June 3, 2025.
- The Arts Commission recommended that the City Council authorize the City Manager, or her designee, to negotiate a donation agreement at its September 15, 2025, regular meeting.
- The City Council authorized the City Manager, or her designee, to negotiate a Donation Agreement of the *Seeds of Peace Monument* at its October 7, 2025, regular meeting.

Acceptance of this donation will be subject to the terms of the City Council policies and in alignment with the City Council-approved Upper Guadalupe River Master Plan and the goal of "integrating high impact public art and design throughout the community" in the City Council-approved Cultural Connection: San José's Cultural Plan.

Once the donor has completed the required funding deposits and deliverables, and the City issues a Final Acceptance Notice, the title to the artwork and site elements shall vest with the City, and the monument shall be subject to the City's full control.

Financial and Operational Considerations

In accordance with City Council Policy 1-17, the donor shall bear all costs associated with the *Seeds of Peace Monument*, including design, engineering, fabrication, transport, site work (preparation/hardscape/landscape), utilities, permitting, inspection, installation, and related staff costs. The City shall not allocate General Fund resources for such purposes, ensuring that the donation project remains cost-neutral to the City.

The Trust will fully fund all costs associated with the monument and may fundraise for these costs. This includes:

- An initial payment of \$150,000 for City staff costs to support design to date and further development, including construction document review, and a second payment estimated at \$70,000 - \$120,000 for a total estimate of staff costs not to exceed \$270,000;
- A \$300,000 maintenance endowment to cover routine maintenance, preservation, and conservation of the monument and its associated site elements, and to cover potential catastrophic events requiring repair or remediation for approximately 20 years; and
- No General Fund resources are required.

The phased funding structure includes provisions for monthly expenditure reporting and reimbursement mechanisms to ensure full cost recovery. The City will provide an

updated cost estimate for the remaining City staff costs at 95% completion of the construction document review. Following this update, and upon the donor's deposit of sufficient funds to cover any remaining City costs, the City will issue a Notice to Proceed with Site Improvements and Installation. Upon approval of the Mayor and City Council, the City Manager, or her designee, shall have authority to enter into mutually agreed upon amendments to increase these costs, paid by the donor, by up to 10% if a new estimate reveals that these funds are insufficient. Any unused staff cost funds will be returned to the donor upon project completion.

In addition, prior to the City's final acceptance of the *Seeds of Peace Monument*, the donor will provide the City \$300,000 to fund approximately 20 years of routine maintenance, potential catastrophic repairs to the monument, or costs associated with significant damage to the related site elements.

Outcomes of City Council Action

Approval of the donation agreement will enable the immediate commencement of design development and construction activities, ensuring the project proceeds on schedule. Delay or denial of approval could jeopardize the donor's funding commitment, risk project completion, and result in the loss of a significant cultural asset.

Racial Equity and Cultural Inclusion

The monument includes design elements inspired by diverse cultural perspectives that are significant to San José, including North American indigenous (Muwekma Ohlone) and Vietnamese heritage, reflected in the depiction of the children in the sculpture. The artwork contributes to representation and furthers the City's goals of cultural inclusion in San José's public art inventory.

Climate Smart San José Impacts

The monument incorporates environmental themes through the penguin representing Antarctica and promotes community engagement with climate awareness, conservation education, and sustainability principles.

EVALUATION AND FOLLOW-UP

Should project implementation reveal material changes to scope, costs, or City infrastructure impacts, staff will provide a supplemental report to City Council.

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FISCAL IMPACTS

The City will designate approximately 20,638 square feet of parkland for the installation of the artwork and surrounding site improvements to accommodate the artwork. The estimated land valuation is \$178,000, excluding existing site improvements.

The Trust, in partnership with the Rotary Club of San José, will be responsible for the collection and transfer of all project funds, including the \$300,000 maintenance endowment. The endowment is intended to support approximately 20 years of maintenance, preservation, and conservation, as well as potential catastrophic repairs or remediation to the monument and its related site elements.

The construction and installation of the *Seeds of Peace Monument* are fully funded by the Trust and will not require the use of the City's General Fund. Upon City Council approval of the donation agreement, the Administration will execute the agreement with the donor. Staff recommends that the City recognize these donations and appropriate the funding in the Gift Trust Fund. The Gift Trust Fund is expected to accrue interest, which will be reinvested into the principal balance. The accrued interest is calculated on a pro rata basis, based on the Fund's cash balance and the City's pooled investment interest rate for the preceding month. It is anticipated that these funds will be used in a manner consistent with the donation agreement to support long-term stewardship of the artwork and associated site elements, and in accordance with the Public Art Master Plan, approved by City Council on March 13, 2007.

The Trust will fund City staff costs associated with design and construction document review for the project. Total City staff costs are estimated not to exceed \$270,000, with an initial payment of \$150,000. Budget actions to recognize and appropriate the Trust's funding for City staff costs, and the donation for the maintenance endowment in the Gift Trust Fund will take place in a future budget process.

COORDINATION

This memorandum was coordinated with staff from the City Attorney's Office, City Manager's Budget Office, Finance Department, Parks, Recreation, and Neighborhood Services Department, and the Public Works Department, all of whom have been engaged in the project development since its inception.

PUBLIC OUTREACH

This memorandum will be posted on the City Council Agenda website for the May 19, 2026 City Council meeting.

BOARD, COMMISSION, COMMITTEE RECOMMENDATION AND INPUT

Meetings held in conjunction with this project include the following:

<u>Date</u>	<u>What</u>	<u>Purpose</u>	<u>Location</u>	<u>Convener</u>
8/28/24	Key stakeholder meeting	Project Overview and Design Development	Online	Office of Mayor Matt Mahan
5/07/25	Public Meeting	Community input on monument project and design	Little Italy Museum	Project Coordinator
5/12/25	Key stakeholder meeting	Donor met with Muwekma Ohlone Tribal Representatives to discuss design	Private	Donor
6/03/25	Public Meeting	Public Art Committee Design Approval	City Hall	City Manager’s Office of Economic Development and Cultural Affairs
8/20/25	Public Meeting	Parks and Recreation Commission	SJFD Training Center and EOC	Parks, Recreation, and Neighborhood Services
9/15/25	Public Meeting	Arts Commission	City Hall	City Manager’s Office of Economic Development and Cultural Affairs
10/07/25	Public Meeting	City Council	City Hall	City of San José
12/12/25	Public Meeting	Artist Open Studio - Behind the Scenes	Artist’s Open Studio	Project Coordinator

CEQA

Categorically Exempt, File No. ER26-047, CEQA Guidelines Section 15301, Existing Facilities.

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PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.



Jen Baker
Director of the City Manager's
Office of Economic Development and
Cultural Affairs

For questions, please contact Kerry Adams Hapner, Director of Cultural Affairs, City Manager's Office of Economic Development and Cultural Affairs, at kerry.adams-hapner@sanjoseca.gov or at (408) 793-4333.

ATTACHMENT:

Attachment - Sculpture Renderings and Site Map

Attachment

This rendering represents the most current design iteration available at this time of the proposed Seeds of Peace Monument at Arena Green West. The concept design for the bronze sculpture by artist Mario Chido has been approved by the City's Public Art Committee. The surrounding site improvements will be finalized through plan review in coordination with the Office of Cultural Affairs, Department of Public Works, and Parks, Recreation, and Neighborhood Services.



Front of Proposed *Seeds of Peace Monument*



Back of Proposed Seeds of Peace Monument



This image shows the area to be permanently impacted by the installation of the artwork and associated site improvements at Arena Green West. The area is approximately 20,637.654 square feet.

