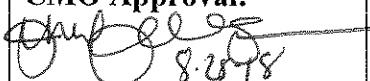


CITY COUNCIL ACTION REQUEST

Department(s): OED – Office of Cultural Affairs	CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.	Coordination: CMO/CAO/Budget	Dept. Approval: /s/ Kim Walesh
Council District(s): 7			CMO Approval:  8.28.18

SUBJECT: ACCEPT MAINTENANCE RESPONSIBILITY FOR A PUBLIC ART MURAL ON CALTRANS PROPERTY AT HAVANA DRIVE AND MIDFIELD AVENUE

RECOMMENDATION:

Adopt a resolution authorizing the City Manager or his designees to negotiate and execute a maintenance agreement with the California Department of Transportation (Caltrans), and accept maintenance responsibility for a public art mural to be created by the City on the residential side of a Caltrans Highway 101 soundwall located at the intersection of Havana Drive and Midfield Avenue.

BASIS FOR RECOMMENDATION:

The City, through its Public Art Program in the Office of Cultural Affairs, intends to create a mural on the residential side of the Highway 101 soundwall located at the intersection of Havana Drive and Midfield Avenue on a designated section of wall measuring approximately 140' long and 12' high. The project, with great support from the community and District 7 Council Office, is intended to mitigate ongoing issues with tagging of the blank wall and to beautify the community.

The wall is owned by Caltrans. In order to proceed, Caltrans must issue a Conditional Use Permit which allows the City to create the painted mural onto the wall; the duration of the permit is 10 years at which time Caltrans and the City can mutually agree to extend the agreement for additional time.

As a condition of the permit the City must adopt a resolution formally accepting responsibility for maintenance of the mural and enter into a maintenance agreement with Caltrans. The mural's maintenance requirements will be minimal as it is intended as an exterior piece; it will be created using high-quality, exterior-rated paints and a high-quality anti-graffiti protective coating that will facilitate removal of any tagging that might occur. The Public Art Program maintains all public artworks created through the City Public Art Program. Maintaining the mural would be Standard Operating Procedure and in accordance with the Public Art Master Plan *Public Art Next!*.

Public Outreach: From September 2017 to March 2018, six public outreach meetings that engaged a wide cross section of the community in District 7 were held in conjunction with this project.

COST AND FUNDING SOURCE:

Funding for the design, fabrication, and installation of the mural at the Havana and Midfield soundwall is included in the 2017-2018 Adopted Capital Budget from the Art in Public Places program's percent funding through the District 7 Construction and Conveyance Tax Fund (\$177,000). This Capital Project was initially programmed as part of the 2018-2022 Capital Improvement Program for Art in Public Places. Funding for this project was rebudgeted from 2017-2018 to 2018-2019 as part of the Manager's Budget Addendum #29. Total cost of the mural is \$75,000 including anti-graffiti coating. Costs of ongoing maintenance will be funded as part of the Public Art Program's annual artwork collection maintenance budget which comes from the Office of Cultural Affairs Transient Occupancy Tax allotment. Funding for the mural is not to exceed \$75,000.

FOR QUESTIONS CONTACT: Michael Ogilvie, Public Art Director, (408) 793-4338