



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Jill Bourne  
Matt Cano  
Jim Shannon  
Kim Walesh

**SUBJECT:** PAT DANDO MONUMENT

**DATE:** October 15, 2019

Approved

Date

10-16-19

**COUNCIL DISTRICT: 10**

## RECOMMENDATION

- (a) Accept the gift of a Pat Dando Monument, with an estimated total value of up to \$250,000, to be installed at the Almaden Library and Community Center and \$25,000 to cover annual maintenance of the Monument for 25 years.
- (b) Adopt the following 2019-2020 Appropriation Ordinance and Funding Sources Resolution amendments in the Gift Trust Fund:
  - (1) Establish the estimate for Other Revenue in the amount of \$25,000; and
  - (2) Establish a Dando Artwork Maintenance appropriation to the Office of Economic Development in the amount of \$25,000.

## OUTCOME

If authorized, staff will work to negotiate and execute a donation agreement with the Almaden Valley Women's Club. Staff will continue to oversee the design and installation of the Pat Dando Monument at the Almaden Library and Community Center, as well as maintain the monument for a period of 25 years.

## BACKGROUND

Pat Dando was a respected 40-year resident of San José and a community member of Almaden Valley. In addition to her 10-year service as a San José City Councilmember (1995-2005) which included two years as Vice Mayor, Ms. Dando's multifaceted career in public service included serving on Mayor Tom McEnery's staff, working for the San José Redevelopment Agency and serving as President of the Silicon Valley Chamber of Commerce (now the Silicon Valley Organization). Ms. Dando passed away in July 2017.

October 15, 2019

**Subject: Pat Dando Monument**

Page 2

After her passing, members of the Almaden community expressed interest in honoring Ms. Dando's service and pursued the development of a monument in her likeness to be placed at the Almaden Library and Community Center. Residents also desired to form an endowment to support programming at the library. Attachment A presents the concept for the monument.

The community group raised funds to hire an artist to design, fabricate and install the monument. Bay Area artist Mario Chiodo was selected by the community group. Mario Chiodo runs Chiodo Art, a studio that designs and fabricates realistic figures, elements, and environments for a variety of industries. Established in 1997, Chiodo Art is located in Oakland, California, and employs 25 artists and craftspeople. Mr. Chiodo created a maquette, or small version of what the final monument will look like. Attachment B is a photograph of the maquette.

While this is not a project of the City's Public Art Program, approval from the Public Art Committee of the Arts Commission was required because the monument is being placed at a City facility. The proposed location is along the right side of the entry to the Almaden Library and Community Center. A plaque detailing some of Ms. Dando's contributions to the community will be mounted on a rock adjacent to the bench. It will also include a scannable "QR code" that will direct the community to details about Ms. Dando's life. The Office of Economic Development's Office of Cultural Affairs (OCA), in coordination with staff from Public Works, Parks, Recreation and Neighborhood Services (PRNS) and the Library, have reviewed the proposed monument and are in agreement with the proposed placement.

The monument donation will include funding for annual maintenance of the piece, which will be managed by the OCA. The cost of the maintenance is sufficient for an estimated 25 years of annual maintenance costs. The funding provided for annual maintenance does not include costs for unforeseen repair of damages, refinishing the statue's patina, relocation, or any other extraordinary costs that may arise. If maintenance or repairs of the monument exceed the allocation, the Public Art Maintenance budget will provide funding for those costs.

A total of \$440,165 was raised by the community group. The funds have been managed by the Almaden Valley Women's Club, which is serving as the fiscal agent for the project. Of the total, up to \$250,000 may be spent on the design and installation of the art piece and \$25,000 will be provided to cover the annual maintenance of the piece for 25 years. All remaining funds will be transferred to the San José Public Library Foundation to manage as an endowment for future programming for children at the Almaden Branch Library.

## **ANALYSIS**

The placement of monuments on City property is governed by Council Policy 9-14. In that policy, monuments are defined as:

*Monuments are markers, statues, and other similar permanent installations to express Government Speech, and which are installed by the City on City property, or which are accepted by the City and installed on City property with City permission. Monuments may be in various forms including statues, fountains, or gardens among other forms of monuments as determined by the City.*

October 15, 2019

**Subject: Pat Dando Monument**

Page 3

The City may accept a monument for installation on city property as recognition of significant events or people if the monument:

- Honors the contributions of an individual (or group) who made a substantial impact upon the City of San José or Santa Clara County;
- Reflects the City's position on topics of interest to the community, as determined by City Council;
- Reflects the history of San José, California, or of the United States;
- Reflects the historical or cultural influences on San José;
- Honors native flora, fauna and wildlife of San José and the greater Bay area;
- Reflects or honors local innovation or creativity that has contributed to San José's growth and prosperity; or
- Other criteria selected by City Council and set forth in an amendment to this Policy.

After reviewing the proposed monument, staff believes this request meets the criteria above in that a monument would honor an individual who made a substantial impact on the City of San José.

### **EVALUATION AND FOLLOW-UP**

Monuments must be constructed with City-approved materials, and to the size, design, and specification provided by OCA. If approved, the Department of Public Works will lead the effort in coordinating installation with OCA, PRNS, the Library, and the Office of Councilmember Khamis. The OCA will oversee the final design of the monument with the community group. Public Works will oversee the final design of installation details.

### **PUBLIC OUTREACH**

There has been significant public-led discussion and interest in honoring Pat Dando in the Almaden community. Following is a summary of those activities:

- September 2017 - Public input process began (community steering committee and business advisory group formed). Petition drive launched (1,014 signatures gathered over 3 months).
- October 2017 - Articles were published in the *Almaden Times* and the *Almaden Resident* regarding a monument to honor Pat Dando.
- February 2018 - Individual presentations were made to Almaden Valley Kiwanis, Almaden Super Lions, Almaden Rotary Service clubs, VEP Homeowners Association, and the District 10 Leadership Coalition.
- March 2018 – Community groups involved with memorizing Ms. Dando agreed on the proposed concept and monument location discussed in this memorandum.
- April 2018 – Resolution of issues addressed for the monument were put in Councilmember Khamis' online newsletter and the *Almaden Times* newspaper.

The proposed design and placement have been considered on five occasions by three City Commissions.

**COORDINATION**

This memorandum has been coordinated with the Department of Parks, Recreation and Neighborhood Services and the City Attorney’s Office.

**COMMISSION RECOMMENDATION/INPUT**

Three separate commissions heard this item and approved of the concept as follows:

*Public Art Committee of the Arts Commission* - approved the concept design at their December 4, 2018 meeting; approved the final design on August 6, 2019 after seeing the maquette.

*Library and Early Education Commission* - approved the concept design at the January 16, 2019 meeting; approved the final design on August 21, 2019 after seeing the maquette.

*Parks and Recreation Commission* – approved the concept design at their December 5, 2018 meeting.

**COST SUMMARY/IMPLICATIONS**

The project has been fully-funded with private donations. This includes the costs to commission the art piece, develop the engineering drawings needed to secure permits, the payment of all permit review fees (for structural engineering), installation costs, and ongoing maintenance. The funds contributed will include the recommended \$25,000 to be recognized and appropriated into the City’s Gift Trust Fund, which the City will use to maintain the monument for 25 years.

**BUDGET REFERENCE**

The table below identifies the fund and appropriations included in the 2019-2020 Proposed Operating Budget to fund the contract recommended as part of this memo and remaining project costs, including project delivery, construction, and contingency costs.

Fund #	Appn. #	Appn. Name	Total Appn	Amt. for Contract	2019-2020 Proposed Operating Budget Page	Last Budget Action (Date, Ord. No.)
139	NEW	Dando Artwork Maintenance	N/A	\$25,000	N/A	N/A
139	R130	Other Revenue	N/A	\$25,000	N/A	N/A

\*The 2019-2020 Proposed Operating Budget was adopted by the City Council on June 18, 2019.

October 15, 2019

**Subject: Pat Dando Monument**

Page 5

**CEQA**

Project is exempt, File No. PP16-006. CEQA Guidelines Section 15300.2 provides exceptions to the use of Categorical Exemptions where the use of a Categorical Exemption is prohibited under certain circumstances. The City has considered the projects applicability to all the exceptions under Section 15300.2. An analysis of each of these exceptions is included in the exemption File No. PP16-006.

/s/

Jill Bourne, Director  
San José Public Library

/s/

Matt Cano, Director  
Public Works

/s/

Kim Walesh  
Deputy City Manager  
Director of Economic Development



Jim Shannon  
Budget Director

I hereby certify that there will be available for appropriation in the Gift Trust Fund in the Fiscal Year 2019-2020 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$25,000.



Jim Shannon  
Budget Director

For questions, please contact Ann Grabowski, Library Chief of Staff and Manager of Policy and Analytics, at (408) 808-2170.

**Attachments:**

Attachment A: Artist Rendering

Attachment B: Artist Maquette

Attachment A: Artist Rendering



Attachment B: Artist Maquette

