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### Public Art Committee

Charlie McCollum, Chair  
Trami Cron, Vice-Chair

Jonathan Borca  
Janett Peace

Lynne Rosenthal

### Public Art Advisory Committee (pending)

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### REGULAR MEETING AGENDA 5:30 PM, Tuesday, October 4, 2022

Virtual Meeting

#### \* COVID-19 NOTICE \*

Consistent with AB 361 and City of San Jose Resolution Nos. 80628, 80659, and 80685, this meeting will not be physically open to the public and the Public Art Committee Members will be teleconferencing from remote locations.

#### How to attend this meeting:

- 1) By phone 888-475-4499 (Toll Free). Webinar ID: 872 2088 2050  
Click \*9 to raise a hand to speak.
- 2) **By online – Zoom link to join:**  
<https://sanjoseca.zoom.us/j/87220882050?pwd=c0l4c1BRUF13eTJOVTdleWJRTWRQUT09>
- 3) **Passcode: 454019**
- 4) **Tips**
  - a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
  - b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
  - c. When the Public Art Director calls for the item on which you wish to speak, click on “Raise Hand.” Speakers will be notified shortly before they are called to speak.
  - d. When called on, please limit your remarks to the time limit allotted.

#### I. Call to Order & Orders of the Day

- A. **Implementation of AB 361 to Allow the Public Art Committee of the Arts Commission to hold this Teleconferenced Public Meeting during the Governor’s Proclaimed COVID State of Emergency.**

**ACTION ITEM:** Adopt findings to incorporate the Governor’s proclaimed COVID state of emergency to allow the Public Art Committee of the Arts Commission to hold public meetings solely by teleconference or otherwise electronically pursuant to Government Code Section 54953(e), because state or local officials have recommended measures to promote social distancing and/or meeting in person would present imminent risks to the health and safety, as further described in the staff memorandum. (Citywide) Required by City Clerk.

#### II. Public Record

**III. Public Comment**

*Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Committee. Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Committee, Board or Commission.*

**IV. Consent Calendar**

**A. ACTION: Approve the Minutes for the Regular Meeting of Tuesday, August 2, 2022**

**V. Reports (10 minutes)**

**A. Chair – Charlie McCollum**

**B. Public Art Director – Michael Ogilvie**

**VI. New Business**

**A. Reports & Presentations**

**1. ARTIST SELECTION**

- a. Fire Station 8: Selection of artist Jesse Hernandez for a public art project at the new Fire Station 8. (District 3) 10 minutes – Sr. Public Art Project Manager Lynn Rogers
- b. VTA EBRC Light Rail - Story Station: Report on the termination of artist Pae White and alternate selection of artist Amir Fallah for the VTA Light Rail at Story Road. (District 5) 15 minutes – Sr. Public Art Project Manager Mary Rubin

**B. Action Items**

**1. CONCEPT and SCHEMATIC DESIGN PROPOSAL**

- a. ACTION: Review and take action on the proposed design concept by artist Tuan Nguyen for a monument to American service members who fought alongside the soldiers of the Republic of South Vietnam, to be sited in the Viet Heritage Garden. (District 7) 20 minutes –Public Art Director Michael Ogilvie and artist Tuan Nguyen

**2. DESIGN and DESIGN DEVELOPMENT**

None.

**C. Other Items**

**1. PUBLIC ART ADVISORY COMMITTEE APPOINTMENTS**

- a. ACTION: Take action on staff recommendation to recommend to the Arts Commission the appointment of Chris Arkley of the San Jose Downtown Association to the PAAC for a 4-year term starting November 1, 2022 and ending June 30, 2024
- b. ACTION: Take action on staff recommendation to recommend to the Arts Commission the appointment of artist Ruben Dario Villa to the PAAC for a 4-year term starting November 1, 2022 and ending June 30, 2024

**VII. Continuing/Old Business**

**A. Updates on continuing projects. (Written report.)**

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**VIII. Meeting Schedule**

*The next meeting of the Public Art Committee is **Tuesday, December 6, 2022** at 5:30 PM; it will be either a live, in-person meeting at City Hall or an online, virtual meeting via ZOOM. Please check our website at <https://www.sanjoseca.gov/your-government/departments/office-of-cultural-affairs/arts-commission-committees/public-art-committee> prior to the October 4 meeting to confirm the meeting location.*

**IX. Adjournment**

*The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.*

You may speak to the City Hall Exhibits Committee about any discussion item that is on the agenda, and you may also speak during Public Comments on items that are not on the agenda and are within the subject matter jurisdiction of the Committee. Please be advised that, by law, the Committee is unable to discuss or take action on issues presented during Public Comments. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Committee unless listed on the agenda, which has been posted not less than 72 hours prior to meeting. Agendas, Staff Reports and some associated documents for the Committee items may be viewed on the Internet at <http://sanjoseca.gov/index.aspx?nid=3970>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk, 200 East Santa Clara Street, 14<sup>th</sup> Floor, San José, California 95113, at the same time that the public records are distributed or made available to the legislative body. Any draft resolutions or other items posted on the Internet site or distributed in advance of the commission meeting may not be the final documents approved by the commission. Contact the Office of the City Clerk for the final document.

On occasion the Committee may consider agenda items out of order.

The City Hall Exhibits Committee meets on an as needed basis; please contact the Office of Cultural Affairs for information about future meetings or about any other questions. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.

Please direct correspondence and questions to:

City of San José  
Attn: Tina Iv  
200 East Santa Clara Street, 12<sup>th</sup> Fl.  
San José, California 95113  
Tel: (408) 793-4348;  
Email: [Tina.Iv@sanjoseca.gov](mailto:Tina.Iv@sanjoseca.gov)

*The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.*

## **CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS**

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

### **1. Public Meeting Decorum:**

- a) Persons in the audience will refrain from behavior, which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

### **2. Signs, Objects or Symbolic Material:**

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
  - No objects will be larger than 2 feet by 3 feet.
  - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
  - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council

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Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

3. **Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:**

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners, or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.