



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Kim Welsh
Margaret McCahan

SUBJECT: SEE BELOW

DATE: June 12, 2019

Approved

Date

6-12-19

SUBJECT: ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT TO PROVIDE THE COUNTY OF SANTA CLARA WITH PROFESSIONAL SERVICES FOR THE DEVELOPMENT AND IMPLEMENTATION OF A PUBLIC ART MASTER PLAN, AND ADOPT RELATED APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS

RECOMMENDATION

- (a) Adopt a resolution authorizing the City Manager or his designee to negotiate and execute an Agreement to provide the County of Santa Clara with professional services for the development and implementation of arts policies and related public art guidelines for the County. The County is to compensate the City the amount of \$150,000 for these services.
- (b) Adopt the following 2019-2020 Appropriation Ordinance and Funding Sources Resolution Amendments in the General Fund:
 - (1) Establish the County of Santa Clara Public Art Master Plan City-Wide appropriation to the Office of Economic Development in the amount of \$150,000; and
 - (2) Increase the estimate for Revenue from Local Agencies by \$150,000.

OUTCOME

The recommended actions will recognize and make available \$150,000 in 2019-2020, which will allow the City to provide professional services to the County for the creation of arts policies and related public art guidelines.

BACKGROUND

On December 18, 2018, the County of Santa Clara Board of Supervisors unanimously approved the recommendation to negotiate an agreement with the City of San José's Office of Economic Development/Office of Cultural Affairs to provide public arts services to the County in the areas of developing an Arts Policy for the County's recently approved One Percent for Arts Program. The County Arts Policy will be directly aligned with the County's mission, priorities and programs and will serve high needs communities.

Approval of this action will allow the City to provide services to the County, and to be reimbursed for those services.

ANALYSIS

The City of San José Office of Cultural Affairs' Public Art Program boasts one of the most established public art programs in the country and one of the nation's largest and most diverse public art collections (over 300 artworks in locations city-wide). For many years, San José's Public Art Program has been regarded as a national leader. Over its 35-year history, the program has evolved significantly— focusing initially on major commissions Downtown, then more recently on projects in community facilities throughout the city. Recent artworks at the airport, libraries, parks and City Hall are among the program's finest accomplishments. The Public Art Program has been contracted by public and private agencies for expertise in the development of public art policies and projects, including the most recent partnership with the Valley Transportation Authority. Recognizing this expertise, the County has requested that the Public Art Program aid in the development of its program and policy.

Given that CIP public art revenues ebb and flow according to the City's capital programs, inter-agency agreements are viewed as not only a positive means of promoting best public art practices within the City and region, but also a means to retain and sustain Public Art Program staff, whose funding is provided by both the Cultural Grants Administration appropriation in the Transient Occupancy Tax Fund and the public art capital projects that they manage.

The recommended action authorizes the City Manager to execute an Agreement with the County to provide professional public art services in an amount not to exceed \$150,000 for a period of up to three years. Staff has developed a staffing plan to manage the scope of the agreement.

EVALUATION AND FOLLOW-UP

Staff will return to Council only if additional recommendations are necessary.

HONORABLE MAYOR AND CITY COUNCIL

June 12, 2019

Subject: Agreement for Public Art Professional Services with County of Santa Clara

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PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the June 25, 2019, Council Meeting.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

COMMISSION RECOMMENDATION/INPUT

This project was reviewed as part of the Capital Improvement Projects (CIP) Art in Public Places 2019-2023 Work Plan and recommended to the Arts Commission for approval at the Public Art Committee meeting on May 20, 2019. The Arts Commission unanimously recommended that the City Council approve this project as part of the Public Art Work Plan at their meeting on May 20, 2019.

FISCAL/POLICY ALIGNMENT

High impact public art is a key component of the following City Council-adopted plans that engaged over a thousand of residents: *Envision San Jose 2040*, *Cultural Connection: San Jose's Cultural Plan*, and *Public Art Next!*. Furthermore, public art is a key principal of the City's Economic Strategy.

COST SUMMARY/IMPLICATIONS

The recommended actions will establish a city-wide County of Santa Clara Public Art Master Plan City-Wide appropriation in the General Fund and recognize the corresponding reimbursement of \$150,000 from the County of Santa Clara in 2019-2020.

BUDGET REFERENCE

The table below identifies the fund and appropriations to be adjusted as part of the recommended actions.

Fund #	Appn #	Appn Name	Current Total Appn	Rec. Budget Action	2019-2020 Proposed Budget Page*	Last Budget Action* (Date, Ord. No.)
001	NEW	County of Santa Clara Public Art Master Plan	N/A	\$150,000	N/A	N/A
001	R090	Revenue from Local Agencies	\$12,482,500	\$150,000	VI-1	N/A

*The 2019-2020 Proposed Operating Budget was approved by the City Council on June 11, 2019 and is scheduled for adoption on June 18, 2019.

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/

KIM WALESH
Deputy City Manager
Director of Economic Development

MARGARET MCCAHAN
Budget Director

I hereby certify that there will be available for appropriation in the General Fund in the Fiscal Year 2019-2020 moneys in excess of those heretofore appropriated there from, said excess being at least \$150,000.

MARGARET MCCAHAN
Budget Director

For questions, please contact Michael Ogilvie, Public Art Director, at (408) 793-4338.

