



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Kim Walesh
Jim Shannon

SUBJECT: SEE BELOW

DATE: July 18, 2019

Approved

D. DSyL

Date

7/31/19

COUNCIL DISTRICT: 3

SUBJECT: ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH ZAMBOOM, LLC TO FABRICATE AND INSTALL A LONG-TERM VERSION OF THE ARTWORK - *SONIC RUNWAY* - AT CITY HALL AND RELATED APPROPRIATION ACTIONS.

RECOMMENDATION

- (a) Adopt a resolution authorizing the City Manager or his designee to negotiate and execute an Agreement with Zamboom, LLC to fabricate and install a long-term version of the artwork *Sonic Runway* at City Hall for an amount not to exceed \$500,000.
- (b) Adopt the following 2019-2020 Appropriation Ordinance and Funding Source Resolution amendments in the General Fund:
 - (1) Increase the estimate for Revenue from Federal Government by \$30,000; and
 - (2) Establish the National Endowment of the Arts – Sonic Runway appropriation to the Office of Economic Development in the amount of \$30,000.
- (c) Adopt the following 2019-2020 Appropriation Ordinance and Funding Sources Resolution amendments in the Construction Excise Tax Fund:
 - (1) Increase the Beginning Fund Balance by \$81,000; and
 - (2) Increase the Public Art appropriation to the Office of Economic Development Department by \$81,000.

July 18, 2019

Subject: Negotiate and Execute an Agreement with Zamboom, LLC to install Sonic Runway, at City Hall.

Page 2

OUTCOME

The City Manager or his designee will be authorized to negotiate and execute an agreement with Zamboom, LLC for an amount not to exceed \$500,000 for the fabrication and installation of a long-term version of the artwork, *Sonic Runway*, at City Hall Plaza.

BACKGROUND

Sonic Runway is a light-art installation that visualizes the speed of sound. Live audio input is converted into intricate light patterns that shoot down a corridor of 25 arches, stretching 432 feet, at the speed of sound, so that the movement of sound and lights are synchronized. Standing at the front of the runway, the music visually ripples away from you. Looking back from the far end, you see the sound coming and hear the music just as the visual patterns reach you.

As the first art installation of the *From Playa to Paseo* initiative, a partnership between the San Jose Office of Cultural Affairs ("OCA") and Burning Man Project, the temporary installation of *Sonic Runway* by artists Rob Jensen and Warren Trezevant (Zamboom, LLC) opened to the public at San José City Hall Plaza on November 3, 2017. While OCA and its partners knew the artwork would be popular, it far exceeded expectations. On the opening night, over 1,000 people filled the plaza in front of City Hall and danced to the lights of *Sonic Runway*. From its opening night until its closing night, *Sonic Runway* continued to draw crowds and became a popular gathering place for San José residents of all ages and backgrounds and destination for visitors from throughout the greater San Francisco Bay Area and beyond. Based on its popularity, the installation was extended by an additional two months. An estimated 1.2 million visitations to *Sonic Runway* occurred during its four-month installation from November 2017 to March 2018.

In addition to being visually stunning, the appeal of *Sonic Runway* is in its interactive nature. During its temporary installation at City Hall, it became a canvas for other artists. OCA hosted a weekly series of sixteen music performances called "Sonic Runway: Experiments in Sound," featuring local and nationally renowned musicians "playing" the lights of the runway. Performers included San José Taiko, along with a local youth choir, sound healer, mariachi group, DJs, break dancers, as well as local synth-pop and rock bands. OCA also hosted a closing fashion show at *Sonic Runway* featuring local Bay Area designers and a trunk show with SJMade featuring the products of local creative entrepreneurs. In addition to these programmed events, *Sonic Runway* also became popular location for impromptu performances and photo shoots, including the announcement of the San José Earthquake's new player, and even a marriage proposal. On Instagram alone it received over 3,000 tags.

In response to a memorandum signed by Mayor Liccardo, Councilmember Davis, and Councilmember Peralez, on March 14, 2018, the Rules Committee unanimously recommended OCA to explore a long-term installation of *Sonic Runway* at City Hall Plaza. On January 30, 2019, the City entered into a design contract with Zamboom, LLC to re-design *Sonic Runway* for a long-term installation of up to seven years. Recognizing that the installation would be extended to seven years at the iconic City Hall Plaza, the artists were asked to design a more durable,

July 18, 2019

Subject: Negotiate and Execute an Agreement with Zamboom, LLC to install Sonic Runway, at City Hall.

Page 3

ADA compliant, and aesthetically streamlined version of *Sonic Runway*. After six months of re-design efforts that included numerous meetings with the artists, their engineering team, and staff from the Public Works Department, Transportation Department, Office of Economic Development, and City Manager's Office, a comprehensive final design with engineering analysis and cost estimates has been approved.

ANALYSIS

Sonic Runway demonstrates the power of art to transform civic spaces as evidenced by the activation of City Hall plaza during its previous installation. The activation of City Hall Plaza has been the focus of numerous efforts, including the 2015 public life report, "Re-Imagining the Heart of San José—Making City Hall Plaza a Place for People," by urban design firm, Gehl Studio. During its four-month installation, *Sonic Runway* transformed the often empty plaza into a daily gathering place. *Sonic Runway* became an iconic landmark destination for San José. The long-term installation of *Sonic Runway* will enable City Hall Plaza to fulfill its potential as the true center of downtown, offering opportunities for more robust activation efforts.

The new design for *Sonic Runway* will match the approximate footprint of the previous temporary installation at City Hall Plaza, stretching 432 feet along the East Santa Clara Street sidewalk between Fourth and Sixth Streets. The long-term design consists of weighted steel base plates for the arches, which have a low-profile, beveled edge that allows for ease of flow between the arches for pedestrians, wheelchairs, and bikes. The resulting look is elegant and clean, matching the modern architecture of the City Hall buildings. The weighted bases also provide structural support that allows the artwork to be completely freestanding with no anchoring into the sidewalk. This means that when the artwork is eventually removed, there will be no lasting marks or need for site repairs. As mentioned above, the design team has been working closely with Public Works to ensure the work is ADA compliant. The artist team will provide ongoing maintenance of the work to ensure that it is in full operation.

As part of the new version, the artist team have developed new state-of-the-art sound-responsive light patterns and will regularly update to lighting and sound programming, enabling ongoing new experiences for the public to enjoy. The new design includes a professional quality sound system, increasing its attractiveness to multidisciplinary artists as well as the public in general. Local performing arts groups were consulted to advise on how to further enhance the runway as a venue for artist performances. Once completed, OCA will produce the "*Sonic Runway: Experiments in Sound*" series that will showcase local creative talent and offer a unique art experience for artists and audiences.

Zamboom, LLC is the limited liability company under which the *Sonic Runway* artists Rob Jensen and Warren Trezevant operate. *Sonic Runway* is an original artwork and the intellectual property of the artists under Zamboom, LLC. The artist recently completed a design phase agreement with the City for the long-term version of *Sonic Runway*, with the deliverables of construction drawings and budget. The fabrication and installation costs for the long-term

July 18, 2019

Subject: Negotiate and Execute an Agreement with Zamboom, LLC to install Sonic Runway, at City Hall.

Page 4

version are projected not to exceed \$500,000 inclusive of contingency. The contract will span fiscal years 2019-2020 and 2020-2021. Installation is tentatively scheduled for June 2020.

As described in the Cost Summary/Implications section below, partial funding for the fabrication and installation of the artwork is included in the 2019-2020 Adopted Operating and Capital Budgets. Recognizing its artistic excellence and community impact, in June 2019, the National Endowment for the Arts (NEA) awarded the City a grant of \$30,000 for this project.

EVALUATION AND FOLLOW-UP

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

PUBLIC OUTREACH

This memorandum will be posted on the City's website as part of the August 13, 2019, Council Agenda.

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 2020-2024 Work Plan and recommended to the Arts Commission for approval 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. City Council approved this project as part of the Capital Improvement Projects (CIP) Art in Public Places 2019-2023 Work Plan on June 18, 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 José 2040*, *Cultural Connection: San José's Cultural Plan*, and *Public Art Next!* Furthermore, public art is a key principal of the City's Economic Strategy.

July 18, 2019

Subject: Negotiate and Execute an Agreement with Zamboom, LLC to install Sonic Runway, at City Hall.

Page 5

COST SUMMARY/IMPLICATIONS

The 2019-2020 Proposed Operating Budget allocated \$150,000 from the General Fund to help fund a long-term installation of *Sonic Runway*, which was previously estimated at a total cost of \$600,000. The remaining funding was to come from Public Art funding in the Construction Excise Tax Fund (\$75,000), the Transient Occupancy Tax (TOT) Fund cultural grants allocation (\$100,000), and other outside grant sources (\$275,000).

However, the final cost estimate has been reduced from \$600,000 to \$500,000 and staff has identified an alternative funding strategy. As shown in the table below, the funding available from the TOT cultural grants allocation is now \$245,000, which reduces the amount needed from outside grant funding to only the \$30,000 provided by the National Endowment for the Arts Grant; however, staff will continue to seek additional grant resources to help offset the TOT allocation. Other grant funding measures are also being sought for ongoing programming to hire local musicians, performers, and artists to activate *Sonic Runway* for public events.

Sonic Runway Installation Funding Strategy

Transit Occupancy Tax Fund	\$245,000
General Fund	\$150,000
Construction Excise Tax Fund	\$75,000
National Endowment for the Arts Grant	\$30,000
Total	\$500,000

The recommended actions include appropriation adjustments to rebudget unexpended Public Art funding from 2018-2019 in the Construction Excise Tax Fund allocated toward this project and the recognition of the National Endowment for the Arts Grant, and will authorize the City Manager or his designee to negotiate and execute a contract in an amount not to exceed \$500,000 with Zamboom, LLC for the fabrication and installation of the long-term version of *Sonic Runway* at City Hall. The period covered by the contract would include fiscal years 2019-2020 and 2020-2021. Any ongoing operations and maintenance costs are anticipated to be minimal, and absorbed within the Transient Occupancy Tax cultural grants administration allocation.

July 18, 2019

Subject: Negotiate and Execute an Agreement with Zamboom, LLC to install Sonic Runway, at City Hall.

Page 6

BUDGET REFERENCE

The table below identifies the fund and appropriations proposed to fund the contract recommended as part of this memorandum, as well as any necessary budget adjustments.

Fund #	Appn #	Appn. Name	Total Appn	Rec. Budget Action	Amount for Contract	2019-2020 Proposed Budget Page*	Last Budget Action (Date, Ord. No.)
001	207F	Sonic Runway – Public Art	\$150,000		\$150,000	IX-11	30286, 6/18/19
461	0096	Cultural Grants	\$8,888,780		\$245,000	X-88	30286, 6/18/19
465	R999	Beginning Fund Balance	\$64,542,149	\$81,000		V-669	79162, 6/18/19
465	5953	Public Art	\$0	\$81,000	\$75,000	V-684	N/A
001	R110	Revenue from Federal Government	\$4,769,023	\$30,000		VI-1	79162, 6/18/19
001	NEW	National Endowment for the Arts – Sonic Runway		\$30,000	\$30,000	N/A	N/A

*The 2019-2020 Proposed Operating and Capital Budgets were adopted by the City Council 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 WALES
Deputy City Manager
Director of Economic Development


JIM SHANNON
Budget Director

HONORABLE MAYOR AND CITY COUNCIL

July 18, 2019

Subject: Negotiate and Execute an Agreement with Zamboom, LLC to install Sonic Runway, at City Hall.

Page 7

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 \$111,000.



JIM SHANNON
Budget Director

For questions, please contact Kerry Adams Hapner, Director of Cultural Affairs, at (408) 793-4333.

