



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Kim Walesh
Jim Shannon

SUBJECT: SEE BELOW

DATE: May 1, 2020

Approved

Date

5/1/20

COUNCIL DISTRICT: 5

SUBJECT: ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT TO PROVIDE THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY WITH PROFESSIONAL SERVICES FOR THE DEVELOPMENT AND IMPLEMENTATION OF PUBLIC ART FOR THE EASTRIDGE TO BART REGIONAL CONNECTOR (EBRC) PROJECT AND ADOPTION OF RELATED APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE GENERAL FUND

RECOMMENDATION

- (a) Adopt a resolution authorizing the City Manager or his designee to negotiate and execute an Agreement to provide the Santa Clara Valley Transportation Authority (VTA) with professional services for the development and implementation of public art for the Eastridge to BART Regional Connector. The VTA is to compensate the City in the not to exceed amount of \$300,000 for these services.
- (b) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:
 - (1) Establish a City-Wide Expenses appropriation to the Office of Economic Development for VTA Eastridge to BART Regional Connector Public Art in the amount of \$75,000; and
 - (2) Increase the estimate for Revenue from Local Agencies by \$75,000.

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OUTCOME

Approval of the recommendations in this memorandum will allow the City to provide professional services to the VTA for the creation of public art for the BART Regional Connector (EBRC).

BACKGROUND

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 locations city-wide). For many years, San José's Public Art Program has been regarded within its field as a national leader. Over its 35-year history, the program has evolved significantly focusing initially on major commissions in the Downtown, then more recently on projects in community facilities throughout the city. Recent artworks at 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 Santa Clara Valley Transportation Authority Bus Rapid Transit project along Santa Clara Street, the Santa Clara Valley of Transportation BART Berryessa Station, and Santa Clara County Public Art Guidelines and Policies. Recognizing this expertise, VTA has requested that the Public Art Program aid in the development of public art for the Eastridge to BART Regional Connector Project (EBRC).

ANALYSIS

The EBRC is part of the larger Capitol Expressway Transit Improvement Project that transforms Capitol Expressway into a multimodal corridor offering bus rapid transit, light rail transit, and safe connections to the regional transit system. VTA first addressed pedestrian access and improved safety measures along the expressway between Quimby Road and Capitol Avenue. This was completed in fall 2012 and included new sidewalks, pedestrian and street lighting, and a landscaping buffer. This was followed by the reconstruction of the Eastridge Transit Center which was completed in 2015. The final portion will extend light rail from the existing Alum Rock Light Rail Station to the Eastridge Transit Center.

The EBRC Capitol Expressway Light Rail Project includes urban design elements and architectural enhancements integrated into the construction. These improvements are engineered by the design team and included as part of the light rail construction contract. Additional opportunities for enhancements and artist participation were identified for the second phase of this process, and VTA hopes to continue the successful partnership with the City of San José Public Art Program to help manage the public art component, engage artists and the community, and work to integrate artworks into construction.

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The total amount of this agreement is for an amount not to exceed \$300,000 with VTA to provide professional public art services through December 31, 2025. Staff has developed a staffing plan to manage the scope of the agreement, so as to appropriately manage the City Public Art Work Plan.

CONCLUSION

Adoption of a resolution authorizing the City Manager or his designee to negotiate and execute an Agreement will allow the City to provide VTA with professional services for the development and implementation of public art for the EBRC.

EVALUATION AND FOLLOW-UP

As described in the Cost Summary/Implications section below, \$75,000 of the grant amount is recommended for appropriation at this time. Staff will bring forward additional appropriation actions to the City Council to recognize revenues as work on the EBRC continues through December 2025.

CLIMATE SMART SAN JOSE

The recommendations in this memo has no effect on Climate Smart San Jose energy, water, or mobility goals.

PUBLIC OUTREACH

This memorandum will be posted on the City's website as part of the May 12, 2020 Council Agenda.

COORDINATION

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

COMMISSION RECOMMENDATION/INPUT

Due to the recent cancellations of the Arts Commission and Public Art Committee meetings, there are no Commission recommendations related to this item.

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

This recommendations in this memorandum recognizes funding of \$75,000 from VTA to appropriate funding to establish a City-Wide appropriation for the VTA Eastridge to BART Regional Connector Public Art project. The funds will provide City staff's professional services for VTA for the development and implementation of public art for the Eastridge to BART Regional Connector. The agreement provides payments up to \$300,000 until the expiration of the contract on December 31, 2025, and the payments will be made in installments from VTA and will reimburse the City for completed tasks. Recommendations to recognize and appropriate the remaining funds available in the agreement will be brought forward as part of a future budget process.

BUDGET REFERENCE

The table below identifies the fund and appropriations proposed to fund the agreement recommended as part of this memo.

Fund #	Appn #	Appn. Name	Current Total Appn	Rec. Budget Action	2019-2020 Adopted Budget (Page)	Last Budget Action (Date, Ord. No.)
001	NEW	VTA Eastridge to BART Regional Connector Public Art	N/A	\$75,000	N/A	N/A
001	R090	Revenue from Local Agencies	\$17,289,710	\$75,000	N/A	02/11/2020, Ord. 79399

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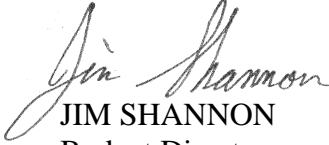
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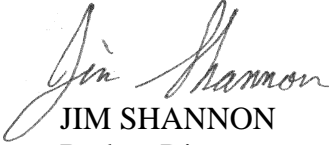
CEQA

Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment, and File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment.

/s/
KIM WALES
Deputy City Manager
Director of Economic Development


JIM SHANNON
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 \$75,000.


JIM SHANNON
Budget Director

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