

City of Palo Alto Colleagues Memo

DATE: April 8, 2013

TO: City Council Members

FROM: Council Member Schmid, Mayor Scharff, Council Member Burt,

Council Member Price

SUBJECT: COLLEAGUE'S MEMO FROM MAYOR SCHARFF AND COUNCIL MEMBERS BURT, PRICE, AND SCHMID REGARDING EXPANSION OF PERCENT FOR ART AND PUBLIC ART IN PRIVATE DEVELOPMENTS AND APPROPRIATE MAINTENANCE OF OUR EXISTING AND FUTURE PUBLIC ART COLLECTION

Recommendation:

- To extend the current One Percent For Art Policy to new and or remodeled private large commercial developments and housing projects with the details of the Policy to be developed by staff and considered by the Policy and Services Committee. Single-family homes, duplexes, triplexes and four-plexes and historical preservation sites would be exempt. The Policy at a minimum should provide that 1) the applicant may choose to pay the 1% in-lieu fee to the Public Art Commission rather than commission artwork at the site; 2) That the care and appropriate maintenance of the artwork will be the responsibility of the private developer; 3) The care and maintenance plan will be reviewed and monitored by the City staff; and 4) The artwork must not be demolished, removed or destroyed without City approval.
- 2 That City Staff be directed to develop a robust plan for consideration by the Policy and Services Committee and then the full Council that evaluates the current modest General Fund contributions and considers a possible administrative fee and or set aside of a portion of the funds received under the current Percent for Art Policy to account for ongoing and future maintenance of the existing and future artworks commissioned under the Percent for Art Policy based on a realistic assessment of the maintenance needs of the Cities Public Art Collection and administration needs of that collection. The goal should be a transition to a self-sustaining robust program that does not rely on general fund contributions.
- 3 The City should welcome and encourage a variety of art experiences including interactive art, sculptures, murals, mosaics, innovative spaces or facades that engage the public and signature architectural features.

Background:

Public art creates a sense of place and personality while fostering the kind of innovative thought that Palo Alto is known for. The City of Palo Alto approved a Percent for Art Policy in September 2005 that earmarks 1% of the construction costs of municipal projects for public art. This policy (1-45/CSD) funded the Jeff Petersen mural at the Children's Library, the Ceevah Sobel piece at the pump station on East Bayshore Road and the Bruce Beasley piece scheduled for installation at the Mitchell Park Library and Community Center as well as other pieces.

Cities across the country are including a percent for art policy for private developments and having positive results. On-site public art enhances the quality of a space and infuses it with character while becoming a notable landmark for the neighborhood. It is not just good citizenship, it is good for business. As Palo Alto continues to develop, the availability of space for public art becomes more limited. With landmark public art, we build our City's identity and engage the public, which is the power of public art. It is important that developers coming to Palo Alto positively impact the development, look and feel of our city. Some of the other California cities with percent for art policies in private developments include Brea, Burbank, Cathedral City, Emeryville, Sunnyvale, Laguna Beach, Walnut Creek, and of course San Jose, San Francisco, San Diego, and Oakland.

The City of Santa Monica, with a very comparable population to Palo Alto and a lower median income, recently initiated a 2% percent for art program for private developments. The policy applies to commercial projects over 7,500 square feet, residential developments of 5 units or more, and remodels over 25,000 square feet. Santa Monica, along with more than 24 other California cities, does offer the option for private developers to pay the percentage to the public art office in-lieu of commissioning a piece of public art. These funds can be used to foster other public art projects and maintain the works in the current Art in Public Places collection.

Under the current policy, there is no provision for the costs associated with the management or maintenance of the artworks commissioned under the Percent For Art Policy. A major issue in public art is funding maintenance and conservation as well as adequate funding to administer the Public Art program. Numerous other cities, including neighboring Berkeley, Emeryville, San Jose, Oakland and Santa Cruz have increased their percentage in municipal projects to 1.5% or even 2% in order to set aside funds dedicated for the routine maintenance of the artwork.

Conclusion

Palo Alto has fallen behind other cities in fostering public art and providing a dedicated funding source for maintenance of our public art collection. It's time for Palo Alto to take the modest step of extending its Percent for Art Policy to private developments and to provide for a dedicated source for maintenance and administration of our public art collection.

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