



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Paul Krutko

SUBJECT: SEE BELOW

DATE: June 4, 2007

Approved

Kay Wines

Date

6/10/07

COUNCIL DISTRICT: City-Wide

SUBJECT: ADOPTION OF A RESOLUTION TO ENTER INTO AN AGREEMENT WITH MIKYOUNG KIM FOR THE FABRICATION AND INSTALLATION OF A PUBLIC ART PROJECT AT THE SOUTH SAN JOSE POLICE SUBSTATION

RECOMMENDATION

Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Mikyoung Kim to fabricate and install artwork for the South San José Police Substation in a total amount not to exceed \$340,000.

OUTCOME

By approving that the City Manager execute a Fabrication and Installation agreement with Mikyoung Kim for the South San Jose Police Substation, the artist will be able to complete and install the artwork design that was developed in collaboration with the architectural design team and Police Department representatives.

BACKGROUND

With the passage of the Public Safety Bond Measures in March 2002, the City of San José is building or upgrading public safety municipal facilities. A 2% public art budget has been established as part of the budget process.

A \$1,000,000 budget for public art for the South San José Police Substation was identified as part of the capital project (\$150,000 for administration; \$127, 500 for design; and \$722,500 for fabrication and installation). Two separate projects were created from this budget.

ANALYSIS

For this project, the Police Department sought an artist/artists of exceptional caliber to integrate with the overall program of the new South San José Police Substation (SSJPS). Goals were determined in several conversations with the design team and the Police Department. The most readily identifiable opportunities included the exterior courtyard, and an interior entry atrium that spans three floors in height. Based on the identified goals, 20 artists from throughout the United States were invited to apply for the project. Half of these artists were from the Public Art Program's existing pre-qualified artist pool. Fourteen artists responded and were considered.

On March 13, 2006, an artist selection panel comprised of two representatives from the Police Department, a representative for the design architect, a community representative from the Public Safety Bond Citizen's Oversight Committee, and an artist representative convened to review the submitted materials. Artists Mikyoung Kim and Thomas Sayre were selected as the project artists; and a budget of \$800,000 was divided equally between the artists. The Arts Commission approved the design contract for Mikyoung Kim in the amount of \$60,000 on April 12, 2006.

Ms. Kim has been working extensively with the project architect, Mallory Cusenbery, to develop an artwork that recognizes the design goals of the base building project, the client, and her own aesthetic interest. This collaboration has led to an artwork that will have strong visual impact, as well as integrated with the landscape and hardscape of the surrounding areas.

The artist has designed an artwork that manipulates land forms and passive water elements on the site. The artwork is a large sculpture, consisting of chevron-shaped, wire mesh volumes enclosing rocks that will filter and retain rainwater. Nestled into the landscape, this series of stepped, green and sparkling sculptural forms will cascade down along the edge of the plaza, defining and embracing the public space. A water retention basin and the landforms are integral parts of the artwork.

On April 11, 2007, the Arts Commission accepted the proposed design and recommended approval of the fabrication and installation agreement.

POLICY ALTERNATIVES

Not applicable.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater.
(Required: Website Posting)

- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

While this contract is under the \$1 million threshold, this memorandum is posted on the City's website for the June 26, 2007 Council Agenda.

Public outreach for this project included community members as part of the selection committee for the artist on the project. Additionally a community meeting was held on 6/19/2006 at the Southside Community Center to introduce interested persons to the artist and her approach to the project. All project design review has been conducted at publicly-noticed meetings open to the general public.

COORDINATION

This item has been coordinated with the Police Department, the Department of Public Works, the City Attorney's Office and the City Manager's Budget Office.

FISCAL/POLICY ALIGNMENT

This project is consistent with the Economic Development Strategy's vision of San Jose as a unique creative and cultural center of Silicon Valley; and as the world's most livable big city, with diverse and distinctive qualities of life.

COST SUMMARY/IMPLICATIONS

I. COST OF PROJECT

Project Delivery/Administration Costs	\$	150,000
Artwork Construction Contract (See Cost Breakdown Below)	\$	340,000
Future Artwork Construction	\$	382,500
Artwork Design		<u>127,500</u>
Total Public Art Project Costs	\$	1,000,000
Prior Year Expenditures	\$	116,445
Less Remaining Encumbrances	\$	<u>45,000</u>
REMAINING PROJECT COSTS	\$	838,555

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2. COST ELEMENTS OF CONSTRUCTION CONTRACT

Materials	\$	260,000
Labor	\$	32,000
Storage and Shipping	\$	25,000
Construction Management	\$	<u>23,000</u>
TOTAL CONSTRUCTION CONTRACT	\$	340,000

3. SOURCE OF FUNDING:

475 – Public Safety Bond

4. FISCAL IMPACT:

Annual maintenance of the artwork is estimated at \$2,000 per year. This additional cost will be addressed during the 2008-2009 Operating Budgeting Process

BUDGET REFERENCE

Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	2006-2007 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
475	4554	Public Art – Police Bond Projects	\$1,212,000	\$340,000	V-853	10/17/06 Ord. No. 27888

CEQA

Mitigated Negative Declaration, PP04-304.



PAUL KRUTKO
Chief Development Officer
City Manager's Office

For questions please contact Barbara Goldstein, Public Art Director, 408.277.5144 ext 27