



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Paul Krutko

SUBJECT: SEE BELOW

DATE: July 23, 2007

Approved

Date

7/25/07

COUNCIL DISTRICT: City-Wide

SUBJECT: ADOPTION OF A RESOLUTION TO ENTER INTO AN AGREEMENT WITH THOMAS SAYRE 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 Thomas Sayre to fabricate and install artwork for the South San José Police Substation, in a total amount not to exceed \$340,000.

OUTCOME

By approving a Fabrication and Installation agreement with Thomas Sayre 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 Thomas Sayre and Mikyoung Kim 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 Thomas Sayre in the amount of \$60,000 on April 12, 2006.

Mr. Sayre proposed an artwork, to be installed on the interior of the building over the public counter, that recognizes the design goals of the building, the underlying community function of the space, its unique location in the city, and his own aesthetic interest. This consideration has led to an artwork that will have strong visual impact, and resonate with visitors to, and employees of the Substation.

The artwork will be a 36' x 12' glass wall. The glass will be patterned to abstractly represent the variations of the landscape/cityscape that comprise the City of San José. An overlay of the major traffic arteries of the city will give context to the abstract patterns. Behind the glass, a field of LED lights will be programmed, via an infrared camera, to "project" the silhouettes of people entering the space. Other elements that represent the layers of community on the landscape, or the landscape itself could be programmed to intersperse with the real-time images of people.

On April 17, 2007, the Public Art Committee, acting for the Arts Commission, accepted the proposed design and recommended approval of the fabrication and installation agreement.

EVALUATION AND FOLLOW-UP

This project will increase the number of artworks in the City's collection. The condition of the artwork will be monitored through OCA's annual collection evaluation process; and any required maintenance funding will be included in the annual Operating Budget. The project is currently within budget and on schedule with a project completion in July, 2009. No additional follow-up actions with the Council are expected at this time.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 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)**
- Criterion 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 August 14, 2007 Council Agenda.

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

1. COST OF PROJECT

Project Delivery/Administration Costs	\$	150,000
Artwork Construction Contract (See Cost Breakdown Below)	\$	340,000
Other Artwork Construction	\$	382,500
Artwork Design		<u>127,500</u>
Total Public Art Project Costs	\$	1,000,000
Prior Year Expenditures	\$	146,335

Less Remaining Encumbrances	\$	<u>18,000</u>
REMAINING PROJECT COSTS	\$	835,665

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 \$1,000 per year. This additional cost will be addressed during the 2008-2009 Operating Budget Process.

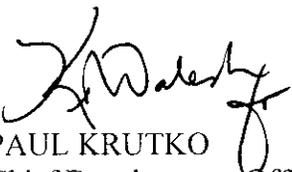
BUDGET REFERENCE

The table below identifies the fund and appropriations proposed to fund the contract recommended in this memo and remaining project costs, including administration, fabrication and installation.

Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	2007-2008 Proposed Capital Budget Page	Last Budget Action (Date, Ord. No.)
<u>Remaining Project Costs</u>			\$838,555			
<u>Remaining Funding Available</u>						
475	4554	Public Art – Police Bond Projects	\$857,000	\$340,000	V-666	6/19/07
<u>Total Funding for Projects</u>			\$857,000	\$340,000		

CEQA

Exempt, File No. PP05-184.


 PAUL KRUTKO
 Chief Development Officer

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