



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Paul Krutko

SUBJECT: SEE BELOW

DATE: September 7, 2005

Approved

Ray Weiner

Date

9/14/05

Council District: 2

SUBJECT: PUBLIC ART AGREEMENT BETWEEN THE CITY OF SAN JOSE AND BARBARA GRYGUTIS FOR EDENVALE GARDEN PARK PUBLIC ART PROJECT

RECOMMENDATION

Adopt a resolution authorizing the City Manager to negotiate and execute an agreement with artist Barbara Grygutis for the fabrication and installation of a public artwork at Edenvale Garden Park, in an amount not to exceed \$120,000.

BACKGROUND

Two projects comprise the Edenvale Garden Park/Hayes Mansion Phase III improvements: on-site and off-site improvements at Hayes, and implementation of priority master plan improvements at Edenvale Garden Park, which is adjacent to the Hayes Mansion. A public art budget in the amount of \$413,885 was established as part of the Phase III improvements of Hayes Mansion (\$82,777 administration; \$331,108 design/fabrication); at the same time, a public art budget in the amount of \$16,000 (\$2,400 administration; \$13,600 design/fabrication) was established as part of the Edenvale improvements.

At its September 2002 meeting, the Arts Commission approved a plan for the two projects' public art funds that allocated \$114,708 to Edenvale Garden Park (\$17,206 administration; \$17,000 design; \$80,502 fabrication), with the remaining \$315,177 of the total \$429,885 allocated to the Hayes Mansion. At its June 8, 2005, meeting, the Arts Commission approved increasing the artwork fabrication budget for the public artwork at Edenvale Garden Park to \$120,000 to account for increases in construction costs and the cost of additional footings required by the Department of Public Works. The total budget for the public artwork at Edenvale Garden Park was accordingly increased to \$154,206. The budget to purchase

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purchase artworks that will be displayed inside Hayes Mansion will be decreased to accommodate this adjustment.

ANALYSIS

At its November 13, 2002, meeting the San José Arts Commission approved the selection of Barbara Grygutis as the artist to develop a design for public art at Edenvale Garden park. At its December 22, 2003, meeting the Arts Commission approved the artist's proposed design and recommended that the City Manager negotiate and execute a fabrication and installation agreement with Barbara Grygutis. The artwork fabrication contract was postponed due to workload issues. At its June 8, 2005, meeting the Arts Commission reaffirmed its approval of the design and recommended that the City Manager negotiate and execute a fabrication and installation agreement in a total amount of \$120,000. The public artwork will be completed by Fall 2006. Public Art Staff has also initiated the artwork purchase process for Hayes Mansion. An artwork collection will be purchased and installed at the Mansion by early 2006.

The artist's design, entitled *Birds Eye View*, consists of a set of stone staircases, each traversing the adjacent hills, forming small plazas at the apex of each hill. The imagery of artwork references the shadow of a bird in flight.

OUTCOME

Barbara Grygutis' artwork will provide a dramatic hardscape feature at the heart of Edenvale Garden Park, acting as a landmark and gathering place. Its birdlike shape will also be visible from the air demarcating a place of interest and announcing a destination within San Jose.

PUBLIC OUTREACH

Public outreach for this action included a community-based artist selection panel. Public meetings were held prior to initiation of design and, as well, as part of both stages of design approval. The Public Art Committee and the Arts Commission, at their publicly noticed meetings, reviewed the artist recommended by the community and the artist's design proposal. The following community meetings were held in facilitating the development of this project:

| <u>Date</u> | <u>Location</u> | <u>Purpose of Meeting</u> |
|-------------|---------------------|--|
| 10/16/2002 | OCA | Artist Selection |
| 10/22/02 | City Hall | Public Art Committee Reviews Artist Selection |
| 11/13/02 | City Hall | Arts Commission Reviews Artist Selection |
| 03/18/03 | Edenvale Youth Ctr. | Meet the Artist |
| 5/29/03 | Edenvale Gdn. Park | Community Reviews Concept |
| 6/24/03 | Health Building | Public Art Committee Schematic Design Review |
| 12/16/03 | Health Building | Public Art Committee Design Development Review |
| 12/22/03 | City Hall | Arts Commission Design Development Review |
| 06/08/05 | City Hall | Arts Commission Approves Budget Increase |

HONORABLE MAYOR AND CITY COUNCIL

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COORDINATION

This memorandum has been coordinated with the City Manager's Budget Office, and the City Attorney's Office.

BUDGET REFERENCE

| Fund # | Appn # | Appn Name | RC # | Total Appn | Amt. For Contract | 2005-2006 Adopted Budget Page | Last Budget Action |
|--------|--------|-------------------------------|--------|------------------|-------------------|-------------------------------|--------------------|
| 434 | 4252 | Pub Art - Tax Exempt Proceeds | 116723 | \$124,806 | \$120,000 | | |
| | | | | | | | |
| | | TOTAL | | \$124,806 | | | |

CEQA

Negative Declaration PP90-03-078



PAUL KRUTKO

Director, Office of Economic Development