



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Paul Krutko

SUBJECT: SEE BELOW

DATE: March 30, 2009

Approved

Date

4/2/09

Council District: Citywide

SUBJECT: ADOPTION OF A RESOLUTION TO ENTER INTO AN AGREEMENT WITH BJORN SCHULKE FOR THE FABRICATION AND INSTALLATION OF A PUBLIC ART PROJECT AT NORMAN Y. MINETA SAN JOSE INTERNATIONAL AIRPORT

RECOMMENDATION

Adopt a resolution authorizing the City Manager to negotiate and execute an agreement with Bjorn Schulke to fabricate and install an artwork for the Norman Y. Mineta San José International Airport North Concourse Concession Area in an amount not to exceed \$300,000.

OUTCOME

Approval of a Fabrication and Installation agreement with Bjorn Schulke for the Norman Y. Mineta San José International Airport will enable the artist to complete and install the artwork design for the North Concourse concessions area.

BACKGROUND

The *Norman Y. Mineta San José International Airport Public Art Master Plan*, approved by City Council on November 17, 2004, created a framework for a unified public art program at the Airport. The theme of this program is Art & Technology. The intent is to identify San José as a diverse global center for innovation and change in the minds of the users of the airport. Using the tools and technologies developed in Silicon Valley, public art will provide a portal to the region, highlighting the histories and stories that are a foundation of San José's place in today's global economy.

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The 2009-2010 Airport Public Art Work Plan, recommended by the Airport Art Program Oversight Committee (AAPOC) on April 22, 2008, and approved by the Arts Commission on May 14, 2008, calls for commissioning a long-term/permanent interactive artwork sited in the North Concourse's mezzanine area. Based on the recommendation of a professional selection panel, Bjorn Schulke was approved by the Public Art Committee of the Arts Commission on August 19, 2008. An initial budget of \$350,000 was established for design, fabrication and installation of this artwork.

ANALYSIS

In keeping with the Airport's Art & Technology master plan, the artist proposes a sculpture entitled "Space Observer" (working title). The artwork is a 26' tall interactive sculpture exploring the interactions between humans and modern technology. The sculpture stands on three 8' legs allowing pedestrian traffic underfoot. The legs support a propeller-powered rotating body, "wings" for propulsion, and kinetic camera arms that collect live video for display on embedded monitors within the sculpture body. Triggered by motion sensors and custom electronics, movement in the "Space Observer" is dependent upon the presence of its traveling audience.

On March 9, 2009, the AAPOC reviewed the aesthetic and technical aspects of the artist's Design Development Proposal and recommended approval of the proposal. On March 17, 2009, the Public Art Committee approved the Design Development Proposal for an amount not to exceed \$300,000.

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 the Office of Cultural Affairs (OCA) annual collection evaluation process; and any required maintenance funding will be evaluated during the 2010-2011 operating budget process. The Public Art Program will also be actively seeking additional sponsorship to help sustain the Public Art Program at the Airport. In the semi-annual Public Art Program Report, the City Council will be advised when the artwork is completed and installed at the Airport.

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)**

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This action does not meet any of the above criteria. However, the Office of Cultural Affairs (OCA) has included extensive public outreach as a key component throughout the development of the Airport Public Art Program. Public meetings, including community meetings and all meetings of the Airport Art Program Oversight Committee, the Public Art Committee, and the Arts Commission, were posted on the City's website, in OCA's Public Art e-newsletter, and notices were mailed directly to a broad group of stakeholders.

This item will also be posted on the City of San Jose website for the April 21, 2009, City Council Agenda.

COORDINATION

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

FISCAL/POLICY ALIGNMENT

The Airport Public Art Program aligns with the following strategic initiatives in San José's Economic Development Strategy:

- Build a world-class airport facility and air services;
- Communicate a compelling, consistent community identity for San José; and
- Engage private sector leadership for San Jose's economic strategy.

COST SUMMARY/IMPLICATIONS

1. COST OF PROJECT

Project Delivery/Administration Costs	\$ 62,000
Design	\$ 50,000
Cost Elements of Construction Contract	<u>\$ 300,000</u>
Total Public Art Project Costs	\$ 412,000

Prior Year Expenditures \$ 42,000

REMAINING PROJECT COSTS \$ 370,000

2. COST ELEMENTS OF CONSTRUCTION CONTRACT

Labor	\$ 95,000
Construction Management/overhead	\$ 45,000
Fabrication & Installation	\$ 71,500
Engineering	\$ 30,500

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Travel	\$ 15,000
Shipping	\$ 13,000
Contingency	\$ 30,000
TOTAL CONSTRUCTION CONTRACT	\$ 300,000

3. SOURCE OF FUNDING:

526 – Airport Revenue Bond Improvement Fund

4. CONTRACT TERMS AND MILESTONES:

The contract will be negotiated as fixed price according to pre-determined milestones. The term of the agreement will extend through June 2010, unless amended.

BUDGET REFERENCE

The table below identifies the fund and appropriations that fund the contract referenced as part of this memo.

Fund #	Appn #	Appn. Name	Total Appn.	Amount for Contract	2008-2009 Adopted Budget Page	Last Budget Action (Date, Ord. No.)
Remaining Project Costs			\$370,000			
Current Funding Available						
526	5953	Public Art	\$2,150,000	\$300,000	V-983	N/A
Total Current Funding Available			\$2,150,000	\$300,000		
Total Funding for Remaining Project Costs			\$370,000	\$300,000		

CEQA

Resolutions No. 67380 and 71451, PP 09-051


 PAUL KRUTKO
 Chief Development Officer

For questions please contact BARBARA GOLDSTEIN at (408) 277-5144 EXT 27.