



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Paul Krutko

**SUBJECT:** SEE BELOW

**DATE:** September 8, 2009

Approved

Date

9/12/09

**Council District:** Citywide

**SUBJECT: ADOPTION OF A RESOLUTION TO ENTER INTO AN AGREEMENT WITH DEBORAH ASCHEIM 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 Deborah Aschheim for the fabrication and installation of a public artwork at the Norman Y. Mineta San José International Airport Terminal B Arrivals Hall, in an amount not to exceed \$300,000.

## OUTCOME

Approval of a Fabrication and Installation Agreement with Deborah Aschheim for the Norman Y. Mineta San José International Airport will enable the artist to complete and install the artwork design for the Terminal B Arrivals Hall.

## 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 Terminal B Arrivals Hall. Based on the recommendation of a professional selection panel, Deborah Aschheim 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 suspended sculpture entitled *Constellations*. The sculpture is a data-responsive LED light installation translating the daily rhythm of the San Jose Airport's network of flight activity, and the experience of the individual traveler, into a "drawing in space." The sculptural network visualizes connections between San Jose and its destination cities as glowing orbs linked by luminous lines. The narrative aspect of the sculpture is a series of video "pods" describing in human scale experiences in airplanes and on the ground, connecting viewers with individual stories of travel.

On June 8, 2009, the AAPOC reviewed the aesthetic and technical aspects of the artist's Design Development Proposal and recommended approval of the proposal. On June 16, 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

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requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

**This action does not meet any of the above criteria.** However, the 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 September 29, 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 Jose's Economic Development Strategy:

- Build a world-class airport facility and air services;
- Communicate a compelling, consistent community identity for San Jose; 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>
<b>Total Public Art Project Costs</b>	<b>\$ 412,000</b>
Prior Year Expenditures	\$ 55,000
<b>REMAINING PROJECT COSTS</b>	<b>\$ 357,000</b>

#### **2. COST ELEMENTS OF CONSTRUCTION CONTRACT**

Labor	\$ 80,086
Construction Management/overhead	\$ 18,900
Fabrication & Installation	\$ 142,564
Engineering	\$ 23,798
Travel	\$ 3,720

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Shipping	\$ 932
Contingency	\$ 30,000
<b>TOTAL CONSTRUCTION CONTRACT</b>	<b>\$ 300,000</b>

**3. SOURCE OF FUNDING:**

526 – Airport Revenue Bond Improvement Fund

**4. CONTRACT TERMS AND MILESTONES:**

The contract will be negotiated as a 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 appropriation that funds the contract referenced in this memo.

Fund #	Appn #	Appn. Name	Total Appn.	Amount for Contract	2009-2010 Proposed* Budget Page	Last Budget Action (Date, Ord. No.)
<b>Remaining Project Costs</b>			<b>\$357,000</b>			
<b>Current Funding Available</b>						
526	5953	Public Art	600,000	300,000	V - 682	
527	5953	Public Art	401,000		V - 682	
<b>Total Current Funding Available</b>			<b>\$1,001,000</b>	<b>\$300,000</b>		
<b>Total Funding for Remaining Project Costs</b>			<b>\$1,001,000</b>	<b>\$300,000</b>		

\* The 2009-2010 Adopted Capital Budget and the implementing appropriation ordinance were approved by Council on 6/23/09.

**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.