



# CITY OF SAN MATEO

City Hall  
330 W. 20th Avenue  
San Mateo CA 94403  
[www.cityofsanmateo.org](http://www.cityofsanmateo.org)

## Agenda Report

Agenda Number: 21

Section Name: {{section.name}}

File ID: {{item.tracking\_number}}

**TO:** City Council  
**FROM:** Drew Corbett, City Manager  
**PREPARED BY:** Community Development Department  
**MEETING DATE:** September 8, 2020  
**SUBJECT:**  
Racial Equality Community Public Art Project

### RECOMMENDATION:

Provide information and receive Council direction regarding a proposed community public art project that would support the City's commitment to racial equality.

### BACKGROUND:

On July 20, 2020, the City Council adopted a resolution reaffirming the City of San Mateo's commitment to racial equality. The Council also discussed the concept of a community mural or other community art project that would promote racial equity. The Council identified the Civic Arts Committee as the appropriate body to facilitate the community discussion about the form, location, and other ideas that would express the desired message in a long-lasting way. Staff has since researched this matter further and is now returning with information for the Council and requesting further direction.

### ART IN PUBLIC PLACES PROGRAM/CIVIC ARTS COMMITTEE

The Arts in Public Places Program (AiPP) is codified in the City's Municipal Code in 2005 (23.60). This code requires developments with a total permit valuation over \$3,000,000 to either install public art or pay an in-lieu fee at the allocation amount equaling one-half of one percent of the total building valuation. Those in-lieu fees are reserved for the "acquisition, installation, improvement, and maintenance of artwork to be displayed in the City, and the administration of the Art in Public Places Program" and could be used for this project. The current fund balance is approximately \$202,000. The code also assigns the duty of implementing the AiPP Program to the Civic Arts Committee (CAC) and the Community Development Department.

In 2011, the CAC expressed interest in using the in-lieu funds for a public art piece. In coordination with the Parks & Recreation Commission, top choices for art installation locations were identified based on various criteria. At the time, the general assumption was that the art piece would likely be a sculpture or some other type of 3-dimensional art form. In 2014, the Parks & Recreation Commission approved the following standing list in priority order for the CAC to choose from when selecting public parks for future art locations:

1. Gateway Park
2. Hayward Park Square
3. Senior Center
4. Poplar Creek Golf Course
5. Martin Luther King Park
6. Clark Avenue/El Camino Island
7. Laurie Meadows Park

There has been one public art installation through the current AiPP Program, the *Reflections* sculpture in Gateway Park installed in June 2019. There have been no specific discussions or decisions regarding potential locations for public murals.

## MURALS/ALTERNATIVE

### Murals

A large community mural in a high-access location to maximize visibility has been the suggestion and primary focus of the initial discussion. The location could be on public or private property. The following are some considerations with regard to murals:

- City-owned properties with high visibility and accessibility, on a structure appropriate for a large, long-lasting mural are limited. It is possible there may be fences/walls that would be appropriate and staff could explore this further upon Council direction.
- Private property locations would require a detailed agreement with the property owner. The following are considerations associated with private property locations:

#### Potential Benefits

- Many suitable locations with high access and visibility
- Can foster sense of community between property owner and community members

#### Potential Complications

- Finding suitable property with a willing property owner
- Determining a definitive 'lifetime' of the mural, a maintenance plan, and any plans for removal or replacement at the end of the determined lifetime
- Property owner controls structure/building condition and access
- Change in property ownership could result in changes to mural status
- Structure/building condition may require substantial funds for surface prepping in addition to the costs of the mural itself (e.g. design, labor, materials)
- Creating and enforcing consequences for breach of agreement
- The level of desired community engagement will need to be determined and a procedure developed for review and approval of the mural. For instance, would the community have input on the design and themes only, or also artist selection? Could they be involved in the application of the mural? What about form (e.g. paint, tiles, other applied materials)?
- Would the mural be short term or long term? Short term would allow for rotating design and more community involvement, but would be more cost and labor intensive, and would require ongoing City support. A long-term mural would limit opportunities for display of varying designs and viewpoints.

### Alternative

An alternative to a single large mural could be several smaller public murals on a limited number of pre-selected City-owned utility boxes. Following are some considerations with regard to utility boxes:

- Multiple opportunities for direct community involvement and expression would be provided.
- The murals can be applied by direct painting or applied as vinyl wraps that could be removed/replaced as needed/desired.
- The City could provide funding opportunities to involve local businesses/organizations and leverage City funds.
- Utilizing only City-owned utility boxes would provide City control and oversight of each installation.
- The cost would be lower than for a large-scale murals and maintenance would be easier.
- The murals could rotate at set durations allowing for ongoing community involvement and expression and provide continuous interest for viewers.

## PROCESS OUTLINE

The Civic Arts Committee has *Guidelines for the Art in Public Places*, which contains criteria for the evaluation and approval of developer-placed art as well as public art funded by the AiPP. Utilizing those guidelines, a very general outline of the process of selecting public art through the AiPP Program would be as follows:

1. Identify key community and City stakeholders
2. Identify and secure the preferred location
3. Identify interests in the type and possible subject of the art
4. Develop a Request for Proposal (RFP) identifying the desires and parameters of the project

5. Release the RFP for artists' proposals
6. Vet responses and proposals and select the top artist candidates
7. Request preliminary draft and selection mock up, depending on the kind of art and RFP parameters
8. Select artist(s) and recommend to City Council for approval
9. Implement the installation in accordance with the approved project
10. Develop and implement a plan for maintenance/replacement/art rotation, depending on the program needs

Each of these steps would have multiple opportunities for public engagement and public comment. The extent and method of the public engagement desired within the above process would best be identified as soon as possible to assure the process is fully transparent and inclusive.

#### **GUIDANCE FROM COUNCIL**

The Civic Arts Committee is charged with reviewing and approving development art proposals and facilitating the process for procuring public art funded by the Art in Public Places Program. However, they have not yet participated in facilitating an extensive community engagement process such as that which is anticipated with this project. It would be helpful to have the City Council provide the CAC direction on interests and expectations related to the following:

- Does the Council wish to see a single mural or utility box murals?
- Does the Council concur with the general process outlined above?
- How would the Council like the community to be involved?
- What process would be preferred to identify the community stakeholders willing to help shape the project?
- What are the desires with regards to funding the project:
  - Fully paid for via the AiPP fund
  - AiPP fund leveraging community fundraising
  - Fully community funded

#### **BUDGET IMPACT:**

Currently, the Art in Public Places Fund balance is approximately \$202,000. The majority of the recent development projects have chosen to install their own art. As a result, there has been no in-lieu revenue to this fund since 2017 and the same is projected for the next two years. In accordance with the use of funds identified for the program, approximately \$20,000 of the existing balance is intended to be available for maintenance of all public art within the City and program administration as needed. This would leave approximately \$182,000 available for public art projects.

#### **ENVIRONMENTAL DETERMINATION:**

In accordance with Public Resources Code Section 21065, City Council providing direction to staff with regard to public art options is not a project subject to CEQA because the City Council is not taking action at this time.

#### **NOTICE PROVIDED**

All meeting noticing requirements were met.

#### **ATTACHMENTS**

Att 1 – Guidelines for the Art in Public Places Program

#### **STAFF CONTACT**

Heather Stewart, Senior Management Analyst  
hstewart@cityofsanmateo.org  
(650) 522-7164