

**City of Oakland**  
**Public Art Advisory Committee**  
**(PAAC)**  
**Minutes**  
**September 8, 2014**

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**Members Present:** Judy Moran (co-chair), CeCe Carpio (non-voting), Kevin Chen, Allison Cummings  
**Excused:** Bryan Cain, Nick Dong, Joyce Gordon, Joyce Hsu, Evelyn Orantes  
**Absent:**  
**Staff Present:** Steven Huss, Cultural Arts Manager; Kristen Zaremba, Senior Public Art Project Manager  
**Guests:** Bruce Stoffmacher, District 4 Councilmember Aide

**Meeting Chair: J. Moran**

1. Meeting called to order at 5:35 p.m.
2. **Open Forum.** No speakers.
3. **Minutes:** A vote on the August 4, 2014 minutes was postponed due to lack of quorum.
4. **Action Item: 1% for Public Art in Private Development – Proposed Amendment to Oakland Municipal Code:** Cultural Arts Manager Steven Huss introduced the item, noting that Public Art Program staff has long supported the prospect of implementing a private ‘percent for art’ ordinance for Oakland. Huss referred PAAC members to review of the municipal code amendment as proposed by Councilmember Schaaf, to require a public art set aside of 1% of the project budget for commercial developments and .5% for residential developments. Bruce Stoffmacher, staff representative for Councilmember Schaaf, thanked the committee members for their service and input on this proposal. He stated that the goal of the amendment is to encourage more public art in Oakland, noting that other Bay Area cities and Emeryville specifically have similar programs.

The PAAC expressed appreciation for the proposal and the prospect of new publicly accessible art it would bring into Oakland. Specific concerns and recommendations raised by the PAAC were:

- A. **Don’t limit opportunities to Oakland artists.** The PAAC cautioned that a robust and well-rounded public art collection should be broadly inclusive and allow work from outside Oakland and the Bay Area as well. Most cities do not place geographic limits on their municipal or private public art opportunities.
- B. **Consider postponing the “cultural space” option until a future date,** (Section 15.70.030 (A.2) in proposed code text). They suggested this proposal warrants additional study. Specifically, any developers’ responsibilities to maintain and operate a cultural space should be clarified, as the City cannot take on management of new space.
- C. **All projects should require ongoing maintenance and be preserved as publicly accessible components of the project in perpetuity.** PAAC members suggested there should be a requirement to maintain artwork in a condition commensurate with the building, especially if an exterior artwork, and an assurance that the artwork, even if portable, would be retained at the designated property. B. Stoffmacher agreed and suggested that the City add a requirement to the existing language around code compliance.

- D. **Incentivize the option to deposit in-lieu fees to the Public Art fund.** PAAC members who have worked with the San Francisco Arts Commission noted that few developers want to contribute the in-lieu fee rather than commissioning a new artwork for their building. The result is few funds that can be administered wisely and with broad perspective by the City's own public art program. They suggested adding an incentive of a .9% contribution in place of 1% contribution to incentivize developers who are not eager to integrate public art into their developments, or for smaller budget projects which offer less opportunity for on-site artwork.
- E. **Provide more clarity on the administration and review process to ensure commissioned work has integrity.** In general the PAAC requested more clarity on how the policy would be implemented, in particular as it relates to staff oversight; the workload impact; how artists would be selected; and how contracts and artwork would be reviewed. They suggested it would be appropriate for the City to see a proposal prior to approval. Staff advised the PAAC that staff from the Public Art Program and Planning & Building Department would jointly develop new implementation procedures. B. Stoffmacher suggested that perhaps artists could be selected from a pre-screened pool and indicated that Councilmember Schaaf would be open to supporting a streamlined process for this purpose.

The PAAC members and staff extended their thanks and appreciation to Mr. Stoffmacher and to Councilmember Schaaf for bringing the proposal to the committee for discussion, and again expressed their support for a private percent for public art program. No motion was made due to lack of quorum.

- 5. **Informational Item: Project Updates: Staff updates on pending and completed projects and program activity.**
  - A. **BART 17<sup>th</sup> Street Gateway – *Shifting Topographies*:** Senior Public Art Project Manager Kristen Zaremba reported that artist Dan Corson's subcontractor, Heavy Industries, will be on site completing sculpture punch-list items for the duration of the week. Additionally, the artist will be working with a local programmer to set the projector lights at the end of the week. PAAC members were invited to stop by the site Thursday or Friday night to observe the programming, as the art lighting will remain off until the glass vent shaft walls are installed in October (estimated) and a dedication is planned for the fall.
  - B. **Measure DD: 12<sup>th</sup> Street – Lake Merritt Boulevard Pedestrian Underpass Project – *Undercurrent*:** K. Zaremba reported that the artwork will be featured as part of the upcoming *Love Our Lake Day* on Sunday, September 14<sup>th</sup> and invited PAAC to attend the event.
  - C. **Measure DD: Lakeside Green Streets – *Makewekkes*:** K. Zaremba shared images of the sculpture fabrication inspection taken at Artworks Foundry's satellite facility in Richmond. The molds will be fabricated and the bronze sculpture will be cast now for cost purposes, then stored for installation in 2016.
  - D. **West Oakland Youth Center:** S. Huss reported that the art tiles have been installed and the project will be completed shortly.
- 6. **Announcements:** K. Chen noted he may be late for the October 6 meeting due to a previous commitment to serve on a Headlands Center for the Arts panel, and asked J. Moran to chair the meeting in his absence.
- 7. **Agenda Building:** Ongoing current and new project updates.
- 8. **Adjournment: There was no meeting adjournment due to lack of quorum.**