Agenda
Special Arts Commission Meeting

Monday, October 28, 2019
Milpitas City Hall Committee Conference Room
455 E. Calaveras Blvd.
7:00pm

"The Milpitas Arts Commission, in order to enhance the quality of life in its community, shall promote, provide and encourage the arts in the City of Milpitas."

I. Call to Order

II. Pledge of Allegiance

III. Roll Call

IV. Seating of Alternates

V. Approval of Agenda: October 28, 2019

VI. Approval of Minutes: September 23, 2019

VII. Public Forum

Members of the audience are invited to address the Commission on any subject not on tonight's agenda. Speakers must supply their name and address for the record and limit their comments to three minutes. Commissioners cannot respond to issues brought forward, but they may request that the matter be placed on the agenda of a future meeting.

VIII. Announcements/Correspondence

IX. Old Business

1. Work Plan - Chair Agg

Background: At its August 26 meeting, the Arts Commission recommended a draft workplan for City Council's review. In anticipation of City Council approval, the Arts Commission will discuss Commissioners interest and availability to take on work plan items.

Recommendation – Accept Commission volunteers to lead specific work plan tasks.

X. New Business

1. Public Art Fund - City Staff

Background: The Commission will receive an overview of the Public Art Fund, including its history, purpose, current balance, income and expenses.

Recommendation - Receive the report.

2. Season Selection Committee - City Staff

Background: At its October 1, 2019 meeting, the Milpitas City Council approved a restructure of the Youth Theater Contract program into a Community Theater program, which would include show selection by a Committee comprised of contractors, City staff, an Arts Commissioner, a current performer and a current volunteer. Staff seeks a Commissioner to serve on this committee and attend a meeting on Wednesday, November 18, 6:00-7:30 p.m., to review possible shows and select titles for Spring 2020 and all of the 2020-2021 season.

Recommendation – Nominate a Commissioner and an alternate to serve on the Season Selection Committee.

3. Performing Arts Branding - City Staff

Background: At its October 1, 2019 meeting, the Milpitas City Council approved a restructure of the Performing Arts program, which would creation of a Performing Arts brand. Staff seeks a Commissioner to serve on a branding focus group and attend a meeting on Wednesday, November 18, 7:30-9:00 p.m., to review branding ideas and help select a logo for the Performing Arts Program.

Recommendation – Nominate a Commissioner and an alternate to serve on the Performing Arts Branding focus group.

XI. Liaison Reports

1. City Council

XII. Staff Reports

1. Higuera art design to City Council November 5
2. Upcoming Special Events and Arts Events
3. Phantom Art Gallery

XIII. Future Agenda Items - Next regular meetings: November 25, 2019, January 27, 2020.

Milpitas Arts and Culture Grant Update; Potential Artwork Locations

XIV. Adjournment

KNOW YOUR RIGHTS UNDER THE **OPEN GOVERNMENT ORDINANCE**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Arts Commission after initial distribution of the agenda packet are available for public inspection at the Milpitas Sports Center, 1325 E. Calaveras Blvd., Milpitas during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035 Phone: (408) 586-3040 Email: cdiaz@ci.milpitas.ca.gov

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting from Online Services link to the Milpitas Municipal Code link.

If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, call Rosana Cacao (408) 586-3207 or send an email to rcacao@ci.milpitas.ca.gov prior to the meeting. You may request a lager font agenda or arrange for mobility assistance. For hearing assistance, headsets are available in the Committee Room or Council Chambers for all meetings.

CITY OF MILPITAS
MINUTES

Attachment for Item VI

ARTS COMMISSION

Minutes: Regular Meeting of the Arts Commission.

Date of Meeting: September 23, 2019

Place of Meeting: Milpitas City Hall Committee Conference Room

I. Call to Order: Chair Agg called the meeting to order at 7:15 pm.

II. Pledge of Allegiance Commissioner Driggers led the pledge.

III. Roll Call:
Commissioners Present: Agg, Driggers, Hays, Santos and Strauss
Commissioners Absent: Besler and Phan
City Council Liaison: Council Member Montano
City Staff Present: Tegan McLane – Recreation Assistant Director
Alex Andrade – Economic Development Director
Salia Lopa – Senior Public Services Assistant

IV. Seating of Alternates None

V. Approval of Agenda: **MOTION** to approve the agenda for September 23, 2019 with the following amendment to move Item 9.1 Old Business - Work Plan to the end of the Agenda.
M/S: Hays/Driggers **Ayes:** All

VI. Approval of Minutes: **MOTION** to approve minutes for August 26, 2019 as submitted.
M/S: Hays/Driggers **Ayes:** All

VII. Public Forum:

Milpitas resident Evelyn Chua invited the Arts Commission to attend the Filipino Flag Raising Event on Saturday, October 26th from 5:30pm – 8:30pm at the Cesar Chavez Plaza, 457 E. Calaveras Blvd. The event will include entertainment, dancing, singing, fashion show and light refreshments.

Milpitas business owner Marielena Enriquez introduced artist Marlon Yanes, who is local artist whom Marielena would like to have paint a mural on her Main Street restaurant, Sea Link Cafe.

Artist Marlon Yanes shared digital images of his artwork with the Commission on his electronic device. Mr. Yanes specializing in spray paint murals and temporary chalk art. He has created permanent and temporary commissioned artwork for various cities, including San Jose, Redwood City, and East Palo Alto and at Great America amusement park in Santa Clara.

VIII. Announcements and Correspondence

None

IX. Old Business

1. Work Plan – Chair Agg

Item was tabled due to the late hour and absence if some Commissioners. The Work Plan has been moved to a Special Meeting, to be held on October 28.

X. New Business

1. **Art in Private Development – Assistant Director McLane**
   Assistant Director McLane provided the Commission with a brief presentation on the Commission's role in Art in Private Development. Assistant Director McLane introduced Steve Dolan of Andrea Schwartz Gallery and Rachel Green of Anton Development. Steve Dolan provided the Commission with a presentation of a stainless steel sculpture by Julian Voss-Andreae, proposed for the Anton Aspire Apartments.

   MOTION to approve proposed artwork by Julian Voss-Andreae to be installed at Anton Aspire Apartments, 730 E. Capitol Avenue.
   M/S: Hays/Strauss Ayes: All

2. **Pilot Façade Improvement Program – Economic Development Director Alex Andrade**
   Economic Development Director Alex Andrade provided the Commission with an informational report on the proposed Pilot Façade Improvement Program.

3. **Phantom Art Galley Report – Assistant Director McLane**
   Assistant Director McLane provided the Commission with a report of scheduling plans for FY 2019-2020 and planned exhibits. Ms. McLane also provided the Commission with an informational postcard for the current exhibit featuring collage works by Artist Ronald Appleby and invited Commissioners to attend the Artist Reception on Saturday, October 12 from 1:00 p.m. to 3:00 p.m. Commissioners suggested other avenues to publicize the reception.

XI. Liaison Report

1. City Council - Special City Council Meeting on 9/24 to discuss the Rent Review Ordinance.
2. Staff Report – Oktoberfest on 9/28 from 10:00 a.m.-4:00 p.m. at Milpitas Civic Center, 457 E. Calaveras Blvd.

XII. Future Agenda Items

Work Plan; Milpitas Arts and Culture Grant Update; Public Art Fund Status

XIII. Adjournment

MOTION to request special meeting on October 28, 2019 to discuss Work Plan and any other unfinished business/items.
M/S: Hays/Strauss Ayes: All

There being no further business, the meeting was adjourned at 9:00 p.m. to the next scheduled meeting on October 28, 2019.

Attachment for Item IX.1

Arts Commission Work Plan

Topic/Advisory Area	Tasks	Required Resources	Goal Deadline
Milpitas Arts and Culture Grant Program	Promote public awareness campaign to encourage applications.	Commission, Staff	October 2019
	Select four grant recipients.	Commission, Staff	December 2019
	Research and propose reinstatement of cash grants to accompany space grants.	Commission, Staff	January 2020
Phantom Art Gallery	Review all existing commitments to exhibit work at MCC, Library.	Commission, Staff	October 2019
	Promote public awareness campaign to encourage visitors to Gallery.	Commission, Staff	December 2019
	Review any new artist applications received and recommend scheduling	Commission, Staff	Ongoing
Public Art Installations	Complete selection of Higuera Adobe Park public art.	Commission, Staff, Community	August 2019
	Determine specifications for Montague Expressway Pedestrian Over-Crossing public art.	Commission, Staff, Coordination with VTA	TBD
	Identify at least two additional prospective locations for public art and options for additional low-cost non-traditional art projects.	Commission, Staff	February 2020
	Prioritize and calendar all public art installation locations.	Commission, Staff	February 2020
	Make presentations to local companies illustrating how public art could be used to enhance their properties and promote their businesses.	Commission	Ongoing
City Public Art Collection	Review existing City-owned public art for maintenance, repair needs.	Commission, Staff	February 2020
	Recommend maintenance process for City-owned public art.	Commission, Staff	April 2020

DRAFT

Performing Arts Program	Promote public awareness campaign for Performing Arts.	Commission, Staff	December 2019
	Support at least one new Performing Arts opportunity.	Commission, Staff	June 2020
Digital Arts	Research and propose a Milpitas Film Festival to showcase Milpitas filmmakers, and short films about or filmed in Milpitas.	Commission, Staff	February 2020

DRAFT

Attachment for Item X.1

AGENDA REPORT

Arts Commission

DATE: October 28, 2019

TO: Honorable Chair and Commissioners

FROM: Tegan McLane, Community Engagement and Inclusion Administrator / Assistant Director, Recreation and Community Services Department

SUBJECT: **Public Art Fund**

Executive Summary:
The Arts Commission will receive a report on the Public Art Fund.

Staff Recommendation:
Receive the report.

Financial Impact:
The Public Art Fund operates independently from the General Fund.

Donations, developer in-lieu public art fees and accrued interest are deposited directly into the account. Public art expenses, including acquisition and maintenance, are paid directly from the account.

The Public Art Fund currently has a balance of $1,024,641.

Description:
On August 2, 2005, the City of Milpitas adopted a Public Art Ordinance, which included establishing a Public Art Fund to pay for art acquisitions, maintenance and administrative expenses related to public art.

The Public Art Fund was initially seeded with $125,000, from the Redevelopment Agency fund. The Ordinance described the City's intention to continue to seed the Public Art Fund with an additional $125,000 a year for the next three years, and then review a plan to install art valued at 1.5% of the construction costs on Capital Improvement Projects (CIPs) in excess of $1 million.

During the recession, the City determined that the plan to install public art in conjunction with CIPs projects was not practical, and it was never implemented.

However, the Public Art Fund has successfully funded a number of public art projects in Milpitas since its inception, including public art for the Milpitas Library and City Hall, Art in the Park and electrical box artwork throughout the City.

The Public Art Fund has grown steadily with accrued interest, earning more than $40,500 since 2008.

The Public Art Fund has also occasionally received donations, including donations toward the "Kicker Kid" piece at Cardoza Park and toward the piece that will be installed at Higuera Adobe Park in memory of Larry Voellger.

More recently, the balance has grown more rapidly since May 2015, when the City Council adopted a formal "art in private development" ordinance requiring developers of new, non-residential developments of 2,000 square feet or more and developers of residential developments of 20 units or more to install public art valued at one-half of one percent of the Building Development Costs. Under the art in private development ordinance, developers may elect to provide an "in-lieu fee" equivalent to their required public art expenditure, to be deposited into the Public Art Fund for acquisition and placement of art through the City.

In 2016-17, the first year in-lieu fees were accepted, the Fund received $147,267 from the developer of McCarthy Ranch. No developers contributed in-lieu fees in 2017-18. However, last fiscal year, the fund received $473,385 in in-lieu fees, including more from McCarthy Ranch and new residential developments. Since the new year started in July, it has received an additional $290,851 in lieu fees, also from multifamily residential developments.

The fund currently stands at $1,024,641.

Funds may be used for costs associated with acquisition of new public art, maintenance of existing public art pieces and administrative costs related to the public art program. As the advisory body to City Council on matters pertaining to art, the Arts Commission "shall recommend utilization of monies in the Public Art Fund to the City Council."

In the past 10 years, the Public Art Fund has been utilized for:

- Commission of Bill Gould "Green Tree" at Pinewood Park;
- Commission of David Alan's "Minute Man" sculpture at City Hall;
- Relocation of Carla Moss' "Cartwheel Kids" to Milpitas Library entrance;
- Repairs to Carla Moss' "Alviso Adobe Tower" at Alviso Adobe Park;
- Repairs by J. Albrecht to "Legends of Milpitas" at Murphy Park;
- Commission of numerous electrical box paintings;
- Commission of Patricia Vader and Joe Bologna's "Kicker Kid" sculpture at Cardoza Park;
- Commission of Patricia Vader and Joe Bologna "Recreation Players" to be installed at Dixon Landing Park now in the engineering phase;
- Commission of Higuera Adobe Park public art, now in the selection phase;
- And supplies and signage related to public art maintenance, art selection outreach and art events and awards.

Noticing: N/A

Attachments: None