

AGENDA

REGULAR MEETING – WEDNESDAY, OCTOBER 12, 2022
VIRTUAL MEETING WITH NO PHYSICAL MEETING LOCATION
6:00 P.M.

During this declared State of Emergency, this meeting will be conducted in accordance with California Government Code Section 54953(e), as authorized by resolution. Please contact city.clerk@mountainview.gov to obtain a copy of the applicable resolution. All members of the Visual Arts Committee will participate in the meeting by video conference, with no physical meeting location. Members of the public wishing to observe the live meeting may do so at <https://mountainview.gov/meeting> or <https://mountainview.legistar.com>.

Members of the public wishing to comment on an item on the agenda may do so in the following ways:

1. Email comments to john.lang@mountainview.gov by 5:00 p.m. on the meeting date. Emails will be received directly by the Visual Arts Committee. Please identify the Agenda Item number in the subject line of your email.
2. Provide oral public comments during the meeting.
 - Online: You may join the Zoom Webinar using this link: <https://mountainview.gov/meeting> and entering Webinar ID: 823 5368 8072. You may be asked to enter an email address and a name. Your email address will not be disclosed to the public.

When the Chair announces the item on which you wish to speak, click the “raise hand” feature in Zoom. Speakers will be notified of their turn shortly before they are called on to speak.

- By phone: Dial: 669-900-9128 and enter Webinar ID: 823 5368 8072. When the Chair announces the item on which you wish to speak, dial *9. Phone participants will be called on by the last two digits of their phone number. When the Chair calls your name to provide public comment, if you are participating via phone, please press *6 to unmute yourself.

For instructions on using the “raise hand” feature in Zoom, visit https://mountainview.gov/raise_hand. When called to speak, please limit your comments to the time allotted (up to three minutes, at the discretion of the Chair).

1. **CALL TO ORDER**

2. **ROLL CALL**—Committee members Cliff Bryant, Susi Merhar, Regina Sakols, Tootoo Thomson, Don Whitebread, Vice Chair Toni Hsu, and Chair Jesse Cupp.

3. **MINUTES APPROVAL**

The minutes for the September 14, 2022 meeting have been delivered to Committee members and copies posted on the City Hall bulletin board. If there are no corrections or additions, a motion is in order to approve these minutes.

4. **ORAL COMMUNICATIONS FROM THE PUBLIC**

This portion of the meeting is reserved for persons wishing to address the Committee on any matter not on the agenda. Speakers are limited to three minutes. State law prohibits the Committee from acting on nonagenda items.

5. **UPCOMING AGENDA TOPICS**

This portion of the agenda is reserved for the identification of agenda items for future meetings.

6. **UNFINISHED BUSINESS**

6.1 **CAPITAL IMPROVEMENT PROGRAM (CIP) PUBLIC ART PROJECT UPDATES**

Staff will provide updates on Pyramid Park (CIP Project 17-34), Rengstorff Park Aquatics Center (CIP Project 18-38), Fayette Park (CIP Project 20-48), and Rengstorff Park Maintenance and Tennis Buildings (CIP Project 21-48).

6.2 **PUBLIC ART STRATEGY UPDATE**

Provide feedback and direction to staff on core concepts surrounding the development of a Public Art Strategy.

7. **NEW BUSINESS**

7.1 **AB 361 RESOLUTION TO CONTINUE REMOTE PUBLIC MEETINGS DURING STATE OF EMERGENCY**

Adopt a Resolution of the Visual Arts Committee of the City of Mountain View Authorizing Virtual Meetings Pursuant to AB 361 and Making Required Findings, to be

read in title only, further reading waived (Attachment 1 to the Committee memorandum).

7.2 CENTER FOR THE PERFORMING ARTS CALL FOR ARTISTS

The Committee will discuss potential themes or perspectives for the upcoming call for artists for the Center for the Performing Arts 2023 gallery display.

7.3 2023 VAC COMMITTEE SCHEDULE

As required by City Council Policy K-2, the Committee will discuss and adopt a schedule of meetings for the 2023 calendar year.

The following is the proposed schedule: Second Wednesday of the following months at 6:00 p.m.: February 8, March 8, April 12, May 10, June 14, September 13, October 11, November 8, and December 13. No meetings are proposed on January 11, July 12, and August 9.

8. COMMITTEE/STAFF COMMENTS, QUESTIONS, COMMITTEE REPORTS

No action will be taken on any questions raised by the Committee at this time.

9. ADJOURNMENT

JL/6/CDD
819-10-12-22A

AGENDAS FOR BOARDS, COMMISSIONS, AND COMMITTEES

- The specific location of each meeting is noted on the notice and agenda for each meeting which is posted at least 72 hours in advance of the meeting. Special meetings may be called as necessary by the Committee Chair and noticed at least 24 hours in advance of the meeting.
- Questions and comments regarding the agenda may be directed to the Community Development Department at 650-903-6306.
- **SPECIAL NOTICE—Reference: Americans with Disabilities Act, 1990**
Anyone who is planning to attend a meeting who is visually or hearing-impaired or has any disability that needs special assistance should call the Community Development Department at 650-903-6306 48 hours in advance of the meeting to arrange for assistance. Upon request by a person with a disability, agendas and writings distributed during the meeting that are public records will be made available in the appropriate alternative format.
- The Board, Commission, or Committee may take action on any matter noticed herein in any manner deemed appropriate by the Board, Commission, or Committee. Their consideration of the matters noticed herein is not limited by the recommendations indicated herein.
- **SPECIAL NOTICE**—Any writings or documents provided to a majority of the Visual Arts Committee regarding any item on this agenda will be made available for public inspection in the Community Development Department, located at 500 Castro Street, during normal business hours and at the meeting location noted on the agenda during the meeting.

ADDRESSING THE BOARD, COMMISSION, OR COMMITTEE

- Interested persons are entitled to speak on any item on the agenda and should make their interest known to the Chair.
- Anyone wishing to address the Board, Commission, or Committee on a nonagenda item may do so during the “Oral Communications” part of the agenda. Speakers are allowed to speak one time on any number of topics for up to three minutes.

MINUTES

SPECIAL MEETING – WEDNESDAY, SEPTEMBER 14, 2022
VIRTUAL MEETING WITH NO PHYSICAL MEETING LOCATION
6:00 P.M.

1. CALL TO ORDER

Chair Jesse Cupp called the meeting to order at 6:03 p.m.

2. ROLL CALL

Present: Committee members Susi Merhar, Tootoo Thomson, Don Whitebread, and Chair Jesse Cupp.

Absent: Committee members Cliff Bryant (excused), Regina Sakols (excused), and Vice Chair Toni Hsu (excused).

Staff Present: John Lang, Economic Vitality Manager.

3. MINUTES APPROVAL

The minutes of the June 8, 2022 and August 24, 2022 meetings were distributed prior to the meeting and approved as distributed.

Motion—M/S Merhar/Whitebread—Carried 4-0-3; Bryant, Sakols, and Hsu absent—
To approve the June 8, 2022 and August 24, 2022 minutes as presented.

4. ORAL COMMUNICATIONS FROM THE PUBLIC

Bruce England provided the following public comments:

Is there an opportunity for the Visual Arts Committee (VAC) to partner or participate in the Heritage Park project (Pollinator Garden) being done by the Girl Scouts? The VAC should consider ways to incorporate landscaping and art placement interrelatedly. Related to the conversation held at the last Downtown Committee meeting regarding the use of vinyl sheeting for activating vacant storefront windows, it would be preferred to see more historical artifacts or information about Mountain

View instead of decorative vinyl sheet.. Additionally, more private project art collaboration would be desired, as noted in the current work plan for the VAC.

5. UPCOMING AGENDA TOPICS

- In the October Center for the Performing Arts Call for Artists for 2023, the VAC may want to consider a theme or category relative to the call for art.
- Evelyn Avenue and Villa Street Mini-Parks are both upcoming Council Policy K-5 projects.
- Placemaking opportunities related to Pedestrian Mall Interim and long-term capital improvement program (CIP) projects.
- Continued work on the Public Art Strategy.
- Discuss how art placement and landscaping integration can be further explored.

Public Comment: Bruce England commented on the opportunity for more cohesion on the various downtown CIP projects under way that will trigger individual public art projects.

6. UNFINISHED BUSINESS

6.1 CIP PUBLIC ART PROJECT UPDATES

- Pyramid Park, Project 21-45: Construction complete. Grand opening scheduled for the morning of September 24, 2022.
- Fayette Park, Project 20-48: Construction contract is in progress and construction anticipated to begin late September. Estimated completion late spring/early summer 2023.
- Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48: Wrapping up design and will advertise October/November. Construction anticipated to start early 2023.

Public Comment: None.

6.2 ADOPT FISCAL YEAR 2022-23 ANNUAL VAC WORK PLAN

Economic Development staff highlighted and summarized the included changes to the work plan resulting from the June 8, 2022 Visual Arts Committee meeting.

Motion—M/S Cupp/Whitebread—Carried 4-0-3; Bryant, Sakols, and Hsu absent—To approve the 2022-23 Annual Work Plan.

Public Comment: Bruce England commented legislative priority recommendations should come through the Committee work plans. Could the work plans be adopted earlier?

7. NEW BUSINESS

7.1 AB 361 RESOLUTION TO CONTINUE REMOTE PUBLIC MEETINGS DURING STATE OF EMERGENCY

Motion—M/S Cupp/Merhar—Carried 4-0-3; Bryant, Sakols, and Hsu absent—To adopt a Resolution of the Visual Arts Committee Authorizing Virtual Meetings of the Visual Arts Committee Pursuant to AB 361 and Making Required Findings, to be read in title only, further reading waived.

Public Comment: None.

8. COMMITTEE/STAFF COMMENTS, QUESTIONS, COMMITTEE REPORTS

Staff commented that a deaccessioning policy will help address what do with aged or outdated public art and will be brought back under the Public Art Strategy conversation. Committee member Merhar asked if the City has its own historian. Committee member Merhar was interested in understanding the surface and finish of the prefab buildings for the Rengstorff buildings and the proposed murals.

9. **ADJOURNMENT**

The meeting was adjourned at 6:44 p.m.

These Minutes are hereby submitted for approval by John Lang, Recording Secretary.

Approved on _____.

JL/6/CDD
819-09-14-22mn

DATE: October 12, 2022

TO: Visual Arts Committee

FROM: John Lang, Economic Vitality Manager

SUBJECT: **Public Art Strategy Update**

PURPOSE

Provide feedback and direction to staff on core concepts surrounding the development of a Public Art Strategy.

BACKGROUND

The development of Mountain View's Public Art Strategy (Public Art Strategy) looks to expand opportunities for public art within the community with specific strategies and initiatives, which make art more accessible and available within Mountain View. Over the past few months, the Visual Arts Committee (VAC) has been discussing elements of the strategy beginning with a vision statement and various policy considerations.

ANALYSIS

Draft Vision Statement

The creation of diverse public art enriches Mountain View's innovative and creative culture, enhances the vibrancy of our community, supports local artists, and transforms Mountain View into an arts hub.

Draft Public Art Goals

- Building community;
- Placemaking;
- Reflecting heritage; and
- Economic development.

Draft Strategies

- Develop, augment, and refine City policies and procedures to better align and encourage art appreciation and placekeeping;
- Create more public art opportunities throughout Mountain View; and
- Pursue new opportunities for collaboration with artist organizations.

Draft Initiatives

1. Elevate the need and availability of spaces for artists to work and live;
2. Incorporate art and artistic elements to improve wayfinding within Mountain View;
3. Develop a Public Art Fund that supports art appreciation and installations;
4. Improve the jury process for greater artist opportunities and mediums;
5. Develop a comprehensive public and publicly accessible art inventory;
6. Align Council Policy K-5 with recommendations derived from the Public Art Strategy;
7. Collaborate and support artist organizations; and
8. Adopt policies and guidelines that further the vision of the Public Art Strategy.

NEXT STEPS

The VAC will discuss and provide input on basic elements of a public art strategy for further refinement into a draft document.

JL/6/CDD
819-10-12-22M-1

DATE: October 12, 2022

TO: Visual Arts Committee

FROM: John Lang, Economic Vitality Manager

SUBJECT: **AB 361 Resolution to Continue Remote Public Meetings During State of Emergency**

RECOMMENDATION

Adopt a Resolution of the Visual Arts Committee of the City of Mountain View Authorizing Virtual Meetings Pursuant to AB 361 and Making Required Findings, to be read in title only, further reading waived (Attachment 1 to the Committee memorandum).

BACKGROUND

In March 2020, Governor Gavin Newsom issued an Executive Order authorizing exemptions to the Brown Act's teleconferencing rules to facilitate remote public meetings during the declared State of Emergency due to the COVID-19 pandemic. Since March 17, 2020, the City Council and the City's boards, commissions, and committees have conducted their meetings entirely remotely, as authorized by the Executive Order.

Assembly Bill (AB) 361, which became effective on September 16, 2021, allows remote public meetings to continue (under the Brown Act teleconferencing rules exemption) during a state of emergency if State or local officials have imposed or recommended measures to promote social distancing or the legislative body has determined that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees.

Beginning September 28, 2021, the City Council has each month considered the existing circumstances of the COVID-19 pandemic and adopted a resolution pursuant to AB 361 making findings and determining that the City's public meetings may continue to be held remotely for 30 days following the adoption of the resolution. Due to the City Council's summer recess, these findings will need to be made by each legislative body that may be meeting after the City Council's June 28, 2022 AB 361 Resolution expires (July 28, 2022). AB 361 requires that the legislative body consider the circumstances of the emergency and make the required findings every 30 days in order to continue to meet remotely under the Brown Act teleconferencing rules exemption.

ANALYSIS

Despite the relatively high rate of vaccination in Santa Clara County, the risk of community spread of COVID-19 remains persistent. At the beginning of the year, fueled by the rapid spread of the Omicron variant, the rate of infection reached pandemic highs. The infection rate has since declined in most parts of the State, including Santa Clara County. However, the Governor's declared State of Emergency remains in effect, as do public health orders and recommendations to promote social distancing to mitigate the spread of COVID-19.

These public health measures include the County Public Health Officer's recommendation, issued in September 2021, that public bodies meet remotely to the extent possible, which remains in effect. The Public Health Officer based the recommendation on: "the continued threat of COVID-19 to the community, the unique characteristics of public governmental meetings (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to fully participate in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings), and the continued increased safety protection that social distancing provides as one means by which to reduce the risk of COVID-19 transmission." As recognized by the County Public Health Department, COVID-19 continues to pose imminent risks to the health and safety of meeting attendees.

Adoption of the proposed resolution would allow the Visual Arts Committee to continue to meet remotely, without adhering to the regular teleconference rules, for 30 days. If the Visual Arts Committee does not adopt the proposed resolution, it will no longer be exempt from the physical public access, quorum, and public comment opportunity rules applied to teleconference meetings.

JL/6/CDD

819-10-12-22M

Attachment: 1. Resolution

CITY OF MOUNTAIN VIEW
VISUAL ARTS COMMITTEE
RESOLUTION NO.
SERIES 2022

A RESOLUTION OF THE VISUAL ARTS COMMITTEE OF THE CITY OF MOUNTAIN VIEW
AUTHORIZING VIRTUAL MEETINGS PURSUANT TO AB 361 AND MAKING REQUIRED FINDINGS

WHEREAS, on March 4, 2020, the Governor of the State of California declared a State of Emergency, as defined under the California Emergency Services Act, due to the COVID-19 pandemic; and

WHEREAS, the State of Emergency remains in effect; and

WHEREAS, beginning in March 2020, the Governor's Executive Order N-29-20 (later extended by Executive Order N-08-21) suspended Brown Act requirements related to teleconferencing during the COVID-19 pandemic provided that notice, accessibility, and other requirements were met and the public was allowed to observe and address the legislative body at the meeting; and

WHEREAS, on September 16, 2021, the Governor signed into law Assembly Bill (AB) 361, an urgency measure effective upon adoption, that allows government bodies to meet virtually without conforming to the Brown Act teleconferencing rules during a declared state of emergency if: (1) State or local officials have imposed or recommended measures to promote social distancing; (2) the legislative body is meeting to determine whether, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees; or (3) the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, on September 21, 2021, the Santa Clara County Public Health Officer issued a recommendation, which is still in effect, that public bodies meet remotely to the extent possible "due to the continued threat of COVID-19 to the community, the unique characteristics of public governmental meetings (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to fully participate in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings), and the continued increased safety protection that social distancing provides as one means by which to reduce the risk of COVID-19 transmission"; and

WHEREAS, COVID-19 remains a continuing threat to public health; and

WHEREAS, although the rate of infection and hospitalizations has declined since the winter peaks, the declared State of Emergency and public health recommendations promoting social distancing to mitigate the spread of COVID-19 remain in effect; and

WHEREAS, the State of Emergency has caused and will continue to cause imminent risks to the health or safety of persons attending meetings of City legislative bodies, and there is a need to continue to use teleconferencing for public meetings without requiring that all teleconferencing locations be posted on the agenda and accessible to the public; and

WHEREAS, the City Council and the City's boards, commissions, and committees have conducted their meetings virtually since March 17, 2020, first as authorized by Executive Order and subsequently by AB 361; and

WHEREAS, the Visual Arts Committee has determined that it will hold virtual meetings, with all members, staff, and the public participating remotely without a common physical location; and

WHEREAS, as required by AB 361, the Visual Arts Committee has considered the circumstances of the emergency in making the findings and determinations set forth in this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Visual Arts Committee of the City of Mountain View that:

1. The Visual Arts Committee adopts the recitals set forth above as findings of fact.
2. The Visual Arts Committee hereby finds that a state of emergency continues to exist relating to COVID-19, and the County Public Health Officer has recommended that legislative bodies continue to meet remotely to promote social distancing as a means to reduce the risk of COVID-19 transmission.
3. The Visual Arts Committee shall only meet remotely in accordance with AB 361, with Brown Act teleconferencing rules suspended.
4. This Resolution shall be in effect for 30 days following its adoption.

JL/6/CDD
819-10-12-22vacr