

Community Development Department,
Economic Development Division

DATE: June 12, 2024

TO: Visual Arts Committee

FROM: John Lang, Economic Vitality Manager

SUBJECT: **Working Session—Visual Arts Committee Feedback on Public Art Strategy Elements**

PURPOSE

Receive input from the Visual Arts Committee on a range of elements and policies that the City of Mountain View ought to consider for inclusion in developing a public art strategy. Information collected will be provided as an attachment to a City Council Study Session memorandum on a public art strategy to be discussed on October 22, 2024.

BACKGROUND

Beginning in January 2022, Economic Development staff began to have conversations with the Visual Arts Committee (VAC) on reengaging and developing a public art strategy that was postponed with the onset of the COVID-19 pandemic. The original focus of developing an art strategy was to create a strategy for public art in private development per the 2017-19 City Council Work Plan. Recognizing the desire to further grow art in Mountain View from the VAC, staff began to expand the best practice research associated with established Bay Area public art programs. Many public art programs in the Bay Area have a range of policies to support public art in their respective communities. Staff utilized monthly VAC meetings to help provide information to the VAC on art policies and seek feedback and guidance from the VAC. The four types of policies discussed with the VAC included a percent for art on private development policy (original work plan item), a maintenance policy, a donation policy, and a deaccessioning policy. To expand research beyond staff, the VAC formed an ad hoc committee to explore developing goals and other strategies and actions that would support public art in Mountain View.

A City Council Study Session on public art is planned for October 22, 2024. Staff is proposing to present best practices around public art programs and policies and seek Council feedback on various elements to be considered in developing a public art strategy for Mountain View.

ANALYSIS

Current Mountain View Programs and Policies Related to Public Art

The City of Mountain View has not adopted a formal public art strategy; thus, public art has historically centered on three primary programs and one temporary program: Council Policy K-5 (Public Art in Capital Improvement Projects), the rolling programming of art displays within the Center for the Performing Arts and City Hall, and new development opportunities presented within Precise Plans.

1. Council Policy K-5—The Policy, created in 1987 and amended in 2022, requires public art at certain capital improvement projects and states:

“Capital Improvement Program (CIP) projects for new parks, new buildings, major renovations of buildings, new bridges, new or renovated public plazas, new trails or trail extensions, new bicycle/pedestrian over- or under-crossing, or other capital projects as directed by the City Council with construction hard costs of \$1.0 million or greater shall allocate two percent (2%) of the construction budget, not to exceed \$400,000 (Cost Limit), for the selection, purchase, and installation of significant appropriate piece(s) of artwork. The Cost Limit shall be adjusted every five (5) years based on the Construction Cost Index beginning January 1, 2027. All artwork selected and purchased shall be incorporated as an integral part of the project design. This artwork may consist of works integrated into the project, acquisitions, art commissioned, or other appropriate installations. The Visual Arts Committee is responsible for advising the City Council on the selection of art and artists for qualifying CIP projects.”

Over the past five years, Council Policy K-5 facilitated public art at Rengstorff Aquatics Center and Mora, Pyramid, Fayette, and Wyandotte Parks. Additionally, there are currently five CIPs under way with a public art component: (a) Rengstorff Park Tennis and Maintenance Buildings; (b) Transit Center Grade Separation and Access Project; (c) Evelyn and Villa Chiquita Parks; (d) bollards; and (e) Shoreline Boathouse.

2. Land Use Policies—Public art was integrated into the 2030 General Plan, which serves as the guiding document for the City’s physical development and preservation. It includes goals and policies that convey a long-term vision and guide local decision-making to achieve that vision. The plan identified a visual arts goal (POS-11): commitment to the visual arts that celebrate the diversity and aspirations of the City and make art accessible to the entire community.

The General Plan also identified five change areas. These are: East Whisman, El Camino Real, Moffett Boulevard, North Bayshore, and San Antonio. The identification of these

areas resulted in four new Precise Plans: East Whisman, El Camino Real, North Bayshore, and San Antonio. These plans require developers seeking additional development capacity to provide community benefits. One way to do this is to provide public art as a community benefit to meet those requirements. The following is a summary of the four adopted plans:

- a. East Whisman: Public art is incorporated to support City public projects and public spaces in private development projects. In addition, the Plan will integrate findings and direction from the Public Art Strategy.
- b. El Camino Real: Public art will be integrated in public plazas as special street-facing open areas that act as gathering spaces for surrounding neighborhoods. These would be designated as unique and notable destinations with the potential to accommodate a range of activities. Amenities could include benches, art or water features, or other elements.
- c. North Bayshore: Public art is defined as a public benefit where nonresidential projects could earn extra floor area ratio (FAR) if they provide public benefits or contribute to a district improvement project.
- d. San Antonio: Public art is included as part of the design guidelines in which art can be added to enrich the pedestrian experience. The Precise Plan outlines how public art could be incorporated into new development and what the art should be—locally sourced, interactive, interpretive, and functional.

3. Center for the Performing Arts Artist Exhibit—The City of Mountain View annually solicits a Call for Artists to display art pieces within the Center for the Performing Arts (CPA) and City Hall Rotunda (see Figure 1). The six- to eight-week revolving displays allow roughly eight artists to showcase their artwork to both visitors and audiences at the CPA. Artists receive a small amount of compensation for their time setting up and taking down their displays.



Figure 1: Images Associated with Center for the Performing Arts Artist Exhibit and Promotion

For a brief period in 2018, the City of Mountain View launched a Sidewalk Studio Program resulting in select traffic signal boxes near the downtown to be painted by local artists (see Figure 2). One-time funding was established for that program.



Figure 2: Sidewalk Studio Program Boxes in Mountain View (2018)

The VAC receives \$5,000 in General Fund moneys to support the rotating art displays in the CPA and City Hall along with funding the Call for Artist web-based platform (known as CaFÉ) to find artists to develop public art or display in the CPA.

Challenges and Opportunities

Although Mountain View has had Council Policy K-5 for some time, the Precise Plans are relatively new, and the City has not had a comprehensive public art strategy to guide the overall implementation of public art goals in Mountain View.

The City currently does not have framework or policies stipulating the types of public art projects desired in Mountain View or selection criteria. The Precise Plans incorporate mechanisms for facilitating public art opportunities but apply to only certain projects (i.e., those requesting bonus FAR must provide community benefits), and the provision of public art is not guaranteed because there are other options to meet the community benefits requirement. Last, there is no Citywide policy or process for public art on private development projects.

Case Studies of Neighboring Cities Art in Private Development

Jurisdictions across the Bay Area support public art through a variety of strategies and have developed policies to fund public art. Staff completed an initial review of the following

neighboring cities to understand how public art in private development is implemented and supported through policy and program: Cupertino, Los Altos, Los Gatos, Milpitas, Palo Alto, Redwood City, San Mateo, and Sunnyvale.

Table 1: Fees for Art in Private Development with In-Lieu Option for Select Silicon Valley Cities

CITY	FUNDING STRUCTURES	
	Art in Private Development	In-Lieu Option
Cupertino	1% of the first \$100 million construction valuation and 0.9% in excess of \$100 million.	1.25% in-lieu fee.
Los Altos	1% of construction costs.	1% in-lieu fee.
Los Gatos	1% of construction valuation.	In-lieu fee equivalent to public art cost.
Milpitas	0.5% of building development costs for nonresidential building developments over 2,000 square feet.	0.5% in-lieu fee.
Palo Alto	1% of construction valuation for first \$100 million and 0.9% in excess of \$100 million (valuation adjusted with CPI).	1% in-lieu fee.
Redwood City	1% of new commercial development over 50,000 square feet.	1% in-lieu fee. If developer does not spend all 1%, the remaining amount can go into the fee.
San Mateo	1.19% of building permit fee for commercial/multi-family projects over \$3 million construction valuation.	1.19% in-lieu fee.
Sunnyvale	2% of construction valuation. If developer does not spend entire 2%, remaining amount contributed to the public arts fund.	1.1% in-lieu fee.

When private development projects choose not to incorporate art into their development, the cities noted above use funding from in-lieu fees to create mural programs or procure temporary and permanent works of art for their cities. Depending on how an in-lieu ordinance is written, in-lieu fees can allow for more art to be included in a public project (e.g., adding funding to Policy K-5 funding for a CIP project), create opportunities for art to be included in areas that may be built out and not receive new public investment, or allow for the creation of temporary art throughout the city.

Other funding mechanisms to support public art in communities are made through federal, state, and philanthropic organizations.

Question No. 1: In addition to pursuing a percent for public art in private development policy, should the City explore additional funding mechanisms like grants or endowments to support additional public art programming and installations in Mountain View?

Other Policies Considerations for Supporting Public Art

In addition to funding sources for additional art activations, many cities have additional policies that support a full complement to public art programming, including:

- Donation of Public Art—A specific donation policy (different from City Council Policy K-6) for art can provide both guidance and clarity to future donors along with the City on the suitability for acceptance of public art, including long-term maintenance of pieces.
- Maintenance of Public Art—Many outdoor public art pieces are developed and designed to withstand the outdoor elements. Having guidelines associated with art helps ensure the City is following best practice of maintaining art pieces to best support the longevity of the art. Maintenance requirements can include having artists provide specifics on the piece, including appropriate ways to repair or fix it.
- Deaccessioning (Removal) of Public Art—Deaccession is the removal of art from a collection. There are many reasons that art may need to be removed, including for safety reasons, redevelopment of property, or the piece no longer aligns with the community values. Whatever the reason, it is helpful to have a defined process that makes it clear the steps that will be taken to remove art along with either the storage, sale, or destruction of the art piece.

Table 2: Best Practice Polices for Public Art Programs

CITY	Art in Private Development	In-Lieu Option	Percent for Art Public Projects	Donation/ Sponsor Policy	Maintenance Policy	Deaccessioning/ Removal Policy
Cupertino	Y	Y	Y	N	Y	N
Los Altos	Y	Y	Y	Y	Y	Y
Los Gatos	Y	Y	N	Y	N	Y
Milpitas	Y	Y	Y	Y	N	N
Palo Alto	Y	Y	Y	Y	Y	Y
Redwood City	Y	Y	Y	Y	Y	Y
San Mateo	Y	Y	N	Y	Y	Y
Sunnyvale	Y	Y	Y	Y	Y	Y

Question No. 2: Should other policies and recommendations, including a donor policy, maintenance policy, and deaccessioning policy, be considered for inclusion into a public art strategy?

Visual Arts Committee Discussions and Outreach Related to Public Art

The VAC has been reviewing different public art strategies and master plans and has contemplated vision statements, strategies, and goals for consideration in a public art strategy. Conducting working sessions during the monthly VAC meeting along with engaging the community at events, the following vision, strategies, and goals have been discussed.

Draft Vision Statement

- The creation of diverse public art enriches Mountain View’s innovative and creative culture, enhances the vitality of our diverse community, and will create an inspiring and vibrant hub embraced by all.

Draft Public Art Goals

- Cultivate a vibrant civic art culture which builds community and reflects Mountain View’s heritage and diversity.
- Foster placemaking and identity to support economic development and enhance Mountain View’s livability.

Public Art Strategies

- Develop, augment, and refine City policies and procedures to better align and encourage art appreciation and place keeping.
- Expand and enhance public art in Mountain View to make it more prevalent, diverse, relevant, and enriching.
- Broaden the scope of public art in the City by expanding outreach, encouraging public participation, and fostering collaboration.

Potential Actions

- Align and enhance Policy K-5 with recommendations derived from the Public Art Strategy.

- Adopt policies and guidelines for the selection, maintenance, relocation, and deaccessioning of public art.
- Review the City’s donation policy relative to acceptance of gifted works of art or public art funds.
- Review policies regarding insurance requirements and permits for public art.
- Enable early collaboration among architects and artists when designing public facilities and spaces.
- Evaluate opportunities to create a City-sponsored gallery space, artists studio spaces, artist residencies, and artist housing.
- Develop incentives and programming that attract arts and culture-focused enterprises.
- Create a Percent for Public Art for Private Development Policy.
- Create a Public Art Fund that can roll over and grow from year to year.
- Develop processes for allowing a percent for art projects to allocate art to other areas of the City in need.
- Seek additional funding (e.g., grants, tax, donations).
- Improve the jury process for greater artist opportunities and art mediums.
- Establish processes to seek input from the public.
- Regularly promote artist registry signups.
- Develop a comprehensive public and publicly accessible art inventory and update regularly.
- Create development opportunities for committee members and staff.
- Establish workflow with art coordinator.
- Explore alternatives to traditional public art, such as interactive and temporary art, art events, and happenings.
- Define processes to achieve a greater reflection of Mountain View’s diversity in the selected art.

- Provide opportunities for artists to work throughout the community.
- Encourage greater private initiatives in arts and culture.
- Explore more locations for public art, such as art in unexpected places, to activate existing spaces and create new gathering spaces and activate alleys and passageways with public art and lighting.
- Incorporate art and other artistic elements to improve wayfinding throughout Mountain View and commission artistic infrastructure elements, such as bike racks, benches, and shade structures.
- Expand the exhibition of the rotating art exhibit program at City Hall and the CPA to include additional City facilities and community organizations.
- Activate vacant spaces with public art/pop-up gallery.
- Create a sculpture park/trail relocating art from underused areas.
- Support new and existing art events and art programming.
- Evaluate the establishment of an open space program that prioritizes public art in parks, open spaces, and areas to improve access and wayfinding.
- Identify locations for a youth-centered artist or maker spaces and adopt a program promoting and encouraging youth in arts.
- Boost participation and engagement of the general public and seek their representation.
- Develop signature public art programs and events.
- Identify, coordinate, and strengthen relationships with cultural and artist organizations, local institutions, nonprofits, grassroots initiatives, businesses, and City departments and committees.
- Pursue new opportunities for collaboration to increase public understanding, appreciation, and enjoyment of art forms to focus on youth participation in the arts.

Question No. 3: Should elements, such as a vision, goals, and strategies, and actions be included in the development of a public art strategy?

Next Steps

Feedback from this working session will be included as attachment to the City Council Study Session memorandum as part of Council’s guidance on developing a public art strategy. It is envisioned that additional public outreach, including stakeholder outreach with artists, businesses, and the community, will assist in identifying other key themes.

The Council Study Session planned for October 22, 2024 will be an opportunity for Council to provide additional guidance and direction on elements for inclusion in a public art strategy.

~~JL/G/CDD~~

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