



Civic Arts Commission
Office of Economic Development

Agenda

Civic Arts Commission

Wednesday, February 26, 2020 at 6:00 – 8:00 p.m.

Tarea Hall Pittman South Branch Library, 1901 Russell St., Berkeley, CA 94703

Please refrain from wearing scented products to public meetings.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT**
4. **APPROVAL OF MINUTES**
 - a) January 22, 2020 Draft Minutes (Attachment 1)
5. **CHAIR'S REPORT**
 - a) Art Ambassador
6. **ACTION ITEMS** *(All items for discussion and possible action)*
 - a) 2542 Durant – Final Art Plan (Attachment 2)
 - b) Cube Space Curator Leila Weefur: Proposed Exhibitions for Cube Space
 - c) Chair and Vice Chair Election
 - d) Public Art Ordinance (Draft Attachment 3)
 - e) Purchase of three framed artworks from Berkeley Art Center: “Trompe L’oeil” by Christine Meuris (\$300); and “2 Twigs #1 Shadow Study” and “3 Twigs Shadow Study” by Toby Kahn (\$295 each) (Attachment 4)
 - f) Raise panelist fee for Arts Organization Review Panels from \$1,000 to \$1,500 for this year (FY21 grant cycle) review process (Attachment 5)
 - g) Reschedule April 22, 2020 Commission Meeting to Wednesday, April 29, 2020
 - h) Revisions to “Public Art on Private Development” Ordinance and Guidelines
7. **PRESENTATIONS and DISCUSSION** *(All items for discussion only and no action)*
 - a) Turtle Island Update by David Snippen, Elyce Klein, and Deb Durant (Attachment 6)
 - b) Art Space Capital Grants Development (Attachment 7)
 - c) Arts Education Grants Development
8. **STAFF REPORT**
 - a) BART Plaza Update – Sound installation by Jim McKee Postponed
 - b) Affordable Art Space Study Underway
 - c) Civic Art Grants Process
 - d) New Framed Artwork Installed in 1947 Center Street and 2180 Milvia Street

9. COMMITTEE REPORTS

- a. Grants (Chair John Slattery, Kim Anno)
- b. Policy (Chair Kim Anno, Lisa Bullwinkel, Liz Ozol, Jennifer Ross)
- c. Public Art (Chair Matt Passmore, Kim Anno, Dana Blecher, Modesto Covarrubias)
- d. Berkeley Cultural Trust Representative (Lisa Bullwinkel)
- e. Berkeley Arts Education Steering Committee Representative (Liz Ozol)
- f. Design Review (Modesto Covarrubias)
- g. Civic Center Vision Subcommittee (Dana Blecher, Lisa Bullwinkel, Liz Ozol, Hiroko Tamano)

10. COMMUNICATIONS

- a) City of Berkeley's Strategic Plan Update Email (Attachment 8)

11. ADJOURNMENT

Attachments:

1. Draft Minutes January 22, 2020 Civic Arts Commission Meeting
2. 2542 Durant – Final Art Plan
3. Public Art Ordinance (Draft)
4. Purchase of three framed artworks
5. Civic Arts Grants Panelist Fee Analysis
6. Turtle Island Update
7. Draft Capital Grant Guidelines
8. City of Berkeley's Strategic Plan Update Email

Staff Contact:

Jennifer Lovvorn

Secretary to the Civic Arts Commission

Berkeley, CA 94704

(510) 981-7533, civicarts@cityofberkeley.info

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Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Civic Arts Office located at 2180 Milvia Street, Fifth Floor, Berkeley, CA 94704.

ADA Disclaimer

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.



Civic Arts Commission
Office of Economic Development

Minutes

Civic Arts Commission

Wednesday, January 22, 2020 at 6:00 – 8:00 p.m.
Tarea Hall Pittman South Branch Library, 1901 Russell St., Berkeley, CA 94703

1. **CALL TO ORDER** 6:01 p.m.
2. **ROLL CALL**
Commissioners Present: Anno, Blecher, Bullwinkel, Ozol, Passmore, Slattery
Commissioner Covarrubias (arrived at 6:06 p.m.), Commissioner Tamano (arrived at 6:04 p.m.)
Commissioners Absent: Ross (Leave of Absence)
Staff Present: Jennifer Lovvorn, Commission Secretary/Chief Cultural Affairs Officer and Mara Engelson, Civic Arts Analyst.
Members of the public in attendance: 2
3. **PUBLIC COMMENT**
2 Speakers
4. **APPROVAL OF MINUTES**
 - a) **November 20, 2019 Draft Minutes (Attachment 1)**
Action: M/S/C (Anno/Slattery) to approve the November 20, 2019 Minutes.
Vote: Ayes —Anno, Blecher, Bullwinkel, Covarrubias, Ozol, Passmore, Slattery, Tamano; Nays — None; Abstain —None; Absent —Ross.
5. **CHAIR’S REPORT**
 - a) The Chair asked for a follow up on the status of the *Berkeley Big People* sculpture.
6. **ACTION ITEMS** (All items for discussion and possible action)
 - a) **Council Information Report on Civic Arts Grants (Attachment 2)**
Action: M/S/C (Covarrubias/Passmore) to approve the Report on Civic Arts Grant with noted corrections.
Vote: Ayes —Anno, Blecher, Bullwinkel, Covarrubias, Ozol, Passmore, Slattery, Tamano; Nays — None; Abstain —None; Absent —Ross.
 - b) **Approval of Grant Application Review Panelists for FY21 Civic Arts Grants**
Action: M/S/C (Anno/Passmore) to approve the Panelists for FY21 Arts Grants with adjustments by Staff.

Vote: Ayes —Anno, Blecher, Bullwinkel, Covarrubias, Ozol, Passmore, Slattery, Tamano; Nays — None; Abstain —None; Absent —Ross.

7. PRESENTATIONS and DISCUSSIONS (All items for discussion only and no action)

- a) Presentation on T1 Update by the Director of Parks, Recreation, and Waterfront; Scott Ferris on Phase 1 and information on Phase 2 development. (Attachment 3)
- b) Presentation of Findings on 1.5% for Public Art Funding Audit by Staff. (Attachment 4)

8. STAFF REPORT

- a) Reminder about elections of Chair and Vice Chair in February.
- b) Private Percent for Art Quarterly Report from supplemental attachment: 9 developers have chosen to do art on site, 19 developers have chosen to pay the in-lieu fee.

9. COMMITTEE REPORTS

- a) Grants — No Meeting
 - John Slattery, Chair
 - Kim Anno
- b) Policy — Met on December, 15, 2020. Committee discussed writing a letter to Council regarding the Grant Process and making revisions to the 1.5% for Public Art Requirement to make it an ordinance and update the process to better align with current City practices.
 - Kim Anno
 - Lisa Bullwinkel
 - Liz Ozol
 - Jennifer Ross
- c) Public Art — Met on January 15, 2020. The agenda included: Turtle Island update of design and progress; Po Shu's Bell design (to be continued next meeting); Council Referrals (Flag design for City of Berkeley; Artistic crosswalks on Telegraph); *Overcoming Obstacles* sculpture that was discovered in Harrison Park.
 - Matt Passmore, Chair
 - Kim Anno
 - Dana Blecher
 - Modesto Covarrubias
- d) Berkeley Cultural Trust Representative — No report. Next meeting is February 12, 2020 at Berkeley Art Center 9:00-10:15 a.m.
 - Lisa Bullwinkel
- e) Berkeley Arts Education Steering Committee Representative — Commissioners attended a meeting with the Visual and Performing Arts Director for BUSD who reviewed instructional hours and ways to further integrate the arts into the school day.
 - Liz Ozol
 - Hiroko Tamano (Alternate)

- f) Design Review — No Meeting in January, but Commissioner mentioned the need to add “Group Living Accommodations” as a building type to Ordinance.
- Modesto Covarrubias
- g) Civic Center Vision Subcommittee — Last meeting included presentation of findings from site surveys and workshop exercise to explore ideas for how the space could be used.
- Dana Blecher
 - Lisa Bullwinkel
 - Liz Ozol
 - Hiroko Tamano

10. ADJOURNMENT Motion to adjourn at 8:07 p.m.

Action: M/S/C (Passmore/Slattery) to adjourn.

Vote: Ayes — Anno, Blecher, Bullwinkel, Covarrubias, Ozol, Passmore, Slattery, Tamano; Nays — None; Abstain — None; Absent — Ross.

Staff Contact:

Jennifer Lovvorn

Secretary to the Civic Arts Commission

Berkeley, CA 94704 (510) 981-7533

civicarts@cityofberkeley.info

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FINAL PUBLIC ART PLAN

2542 DURANT AVENUE

February 14, 2020

E D U C A T I O N

Rhode Island School of Design, Providence RI (RISD)
Bachelors of Fine Arts, Sculpture 2007

Brown University Liberal Arts Courses 2005

Haystack Mountain School of Crafts Summer Course 2006
(Blacksmithing and Mechanisms)

Peters Valley Craft Center Summer Courses 2005
(Blacksmithing and Basket Weaving)

E X H I B I T I O N S
A W A R D S

To The Moon 2017
Curation by Colin Bliss and Will Reeves
The Wurks, Providence RI

Interstice: Memory, Mind & Alzheimer's Disease 2015
Curation by Peter J. Snyder and Babette Allina
Cohen Gallery, The Granoff Center for Creative Arts, Brown University, Providence RI

The Observatory Project 2012
Curation by Babette Allina and Mikhail Mansion
Ladd Observatory, Brown University, Providence RI

Expose (*RK Projects*) 2012
Eastern Butcher Block Factory, Providence RI

De/Construct II 2009
150 Chestnut St. Providence, RI (Nominated for best exhibition in New England)

Structures of Space and Light 2009
The Hope Artist Villiage, Pawtucket RI

We Found Space: Senior Sculpture Thesis Exhibition 2007
22 Conduit St. Central Falls, RI

Cast It, Mold It 2007
Benson Hall Gallery

Sculpture Exhibition 2007
Woods-Gerry Gallery

ROCK PAPERS SCREENS 2007
Benson Hall Gallery

Sculpture Undergraduate Exhibitions
Fall 2004, Spring 2005, Fall 2005, and Spring 2006
191 Westminster Street

Steel Yard Public Projects 2007-2012
Hand Forge Municipal Cans for Bristol, RI 2009 and 2010
At request of the township and then again.
International Charter School of Pawtucket Garden 2008
Collection of Sculptural objects to be placed in the garden.
Rack-a-gami for RISD and town of Warren 2007
Design and fabricated a series of bike racks.

Nominated for Windgate Fellowship 2007
One of two seniors to represent RISD in a national competition

THE STEEL YARD APPRENTICESHIP PROGRAM IN TRADITIONAL OCCUPATIONAL ART 2007
RISCA grant to study timber framing with Tim Whitehouse

EXPERIENCE

The Wurks 2009 – present

Is a space I help found. Based in Providence RI, The Wurks is a collaboratively managed artist's workspace located in Providence's historic mill district. Our space houses communal wood and metal fabrication shops, a print shop, and an exhibition space, as well as sizable studio spaces for both individual artists and groups. The Wurks exists as a place for a diverse group of artists and designers to foster a community of hard work and forward thinking in the Ocean State. Our aim is to provide the conceptual support and the physical equipment necessary for Rhode Island creatives to realize and share their wild visions.

RISD CRITIC 2016-present

Primarily Teach introduction to materials to incoming graduate students.

ID METAL SHOP TECHNICIAN RISD 2012-present

Oversee and Manage the metal shop of the Industrial Design Program. It is a large machine shop with some sheet and bar forming equipment. Primary duties include assisting faculty and students with classes and projects as well as managing and maintaining the equipment and space. Also manage the budget and oversee eighteen student employees.

RISD MUSEUM 2010-2012

Responsible for art handling and installation of paintings, sculptures, and antiquities. Worked extensively on the permanent collection of ancient greek and roman works, permanent collection of medieval and gothic works, Linda Bengalis retrospective, ect. Primarily responsible for any metal mounts, fixtures, displays both in consultation of design and creation of.

ARTIST ASSISTANCE 2008-present

These are a list of artist that I've worked for either consulting, custom fabrication, public installation, and exhibition design/handling/installation.

Doug Borkman
Alba Corrado
Adrienne Evans
Jonathan Glat
Brower Hatcher
Megan and Murray McMillian
Jeff Hesser

Katie Koti
Lucky Leone
Allison Paschke
Denis Pelliteer
Merlin Szasz
Farzin Lotfi-Jam
Dan Clayman

The Steel Yard, Teacher Summer 2007-2012

Have taught introduction to Blacksmithing. I have assisted Andy Donner during his month and a half blacksmithing class and Josh Dow and the Iron Guild's iron casting class at the Steel Yard during the summer, as well as a major contributor to the annual Halloween Iron Pour spectacular. In the past I to managed open studios where maintain many of my responsibilities as a metal shop monitor

Zuerner Design, Designer and Fabricator Summer 2007- 2009

Assist in designing custom furniture, and print and web graphic design. I assist with the manufacture and installation of our custom works. Shop specializes in furniture, cabinets, and other architectural mill work. Currently company is becoming more of an in-house interior architectural firm with both metal and wood working capabilities.

Penland School of Craft, Teaching Assistant for both Iron and Wood Summer 2007

Responsibilities included facilitating faculty, Marc Maiorana and Peter Galbert, and students. Preparing demonstrations and exhibiting and proper safety procedure. Responsible for maintenance of the tools and space in both the Iron Studio and Wood Studio. Also gave slide lecture of my work to the school.

RISD, Foundry and Woodshop Technician Assistant/ Monitor 2004 – 2007

Responsibilities included facilitating faculty and students, demonstrations of tools and proper safety, maintenance of the tools and space in both the sculpture woodshop and foundry. I also manage and run open bronze pours.

RISD, Resident Assistant for Freshmen and Pre-College 2004 - 2007

Responsible for 15-20 high school and college freshmen, acting as a community leader, supporter, mediator, friend, and event organizer. Around people all the time and always helping.

RISD, Teacher Assistant Jeff Hesser 2005-2007

Figure modeling class: 3-D Kinetic Anatomy, and Advanced Figure Sculpture

RISD, Teacher Assistant Alba Corrado 2006, 2007

Intermediate and Advanced Figure modeling, Freshmen 3-D Foundation

RISD, Teacher Assistant Bryce Hobbs 2004

Freshmen Foundation Drawing

S K I L L S

Steel: Proficient at Stick welding, MIG welding, TIG welding (stainless, aluminum bronze, steel), Oxygen and Acetylene cutting and welding, plasmas cutting. Fluent in industrial fabrication equipment (brake, slip roll, shear, ect.) as well as both manual and CNC machining (vertical mill and metal lathe). I have 15 years of blacksmithing experience.

Mold Making: block and case mold for ceramic production (porcelain), plaster waste molds, rubber molds, lost wax ceramic shell, lost wax standard investment, Pattern boards and core boxes, wood molds. All scales from monumental to jewelry.

Modeling/Prototyping: I have 15+ years experience with a variety of life size busts, figures from 2" to ¾ lifesize, as well as developing prototypes of products and consumer goods. Foam (styrene, urethanes, ect.), Clay (oil and water based, wood).

Woodworking: from general carpentry to fine cabinetry and furniture, I am well versed in all machine tools (joiner, planer, table saw, shaper, radial arm saw, lathe) and have experience in timber framing, coppering, steam bending, pattern making and hand joinery

Computer: 5 Years+ SolidWorks and well versed in G-Code and several CAM packages. 10+ Years of Adobe Suite and Microsoft Office and Goggle Applications.

2542 DURANT AVENUE

FINAL PUBLIC ART PLAN

CONSTRUCTION BUDGET FOR ART

Cost of Art (including design, fabrication and installation)	\$42,185.00
Art Consultant Fee	4,200.00

ARTWORK MATERIALS

The sculptures will be cast from raw grey iron. It was selected because of its castability and durability. This is the same material used for many outdoor street applications like tree grates. Because of its high carbon content and the presence of silicon, cast iron has excellent castability. It is durable with excellent resistance to wear and weather and require no maintenance.

RELATIONSHIP BETWEEN ARTWORK AND THE SITE

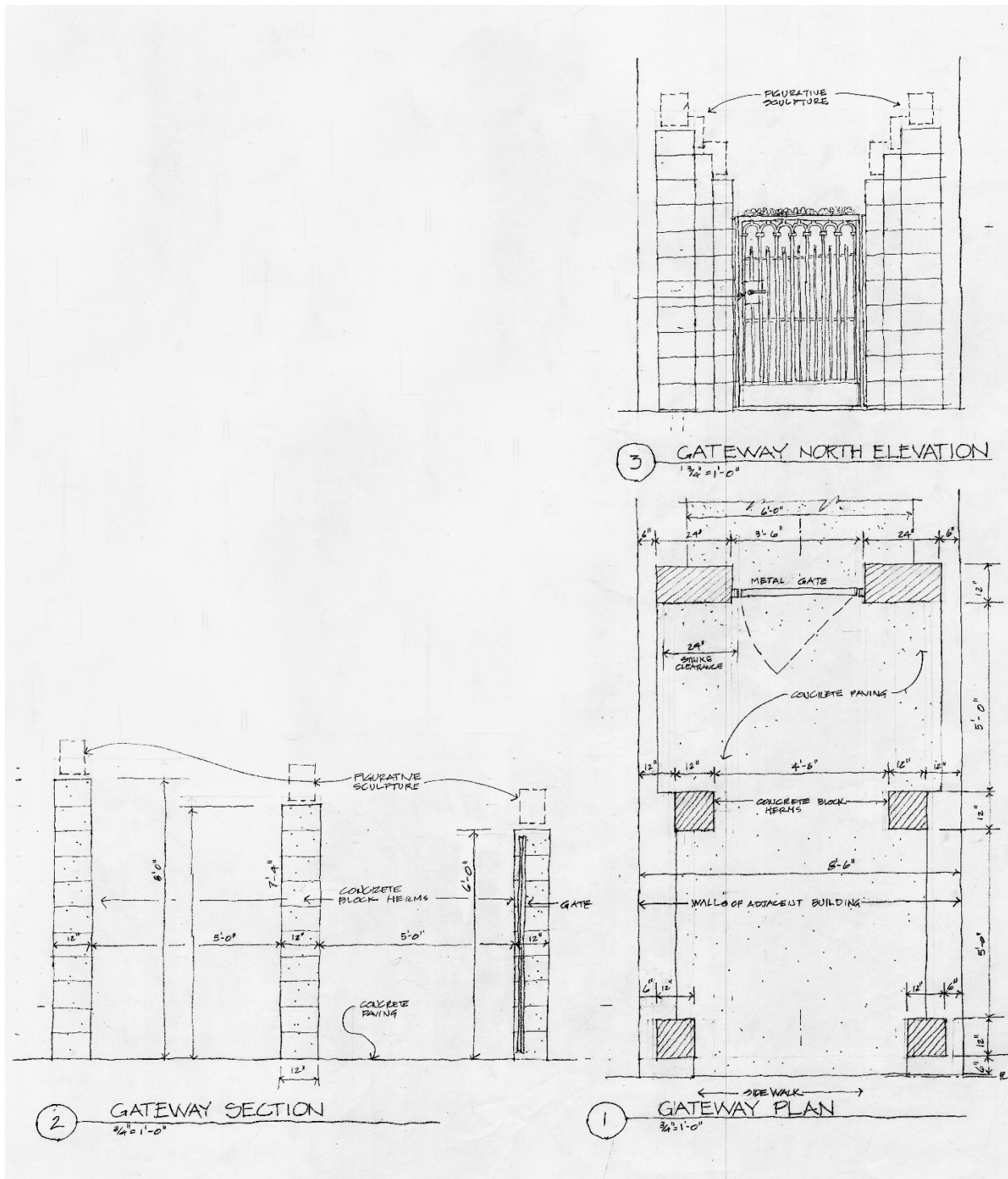
- **Artwork function:**

The purpose of the artwork is to create a sense of entry for passersby, residents, and visitors to the housing units. Three pairs of pillars mark the entrance path. They will be topped with repetitive, identical sculptures. The pairs of pillars descend in height as the pathway narrows to create a false perspective which will serve to visually draw people into the entrance court and elevator lobby of the building.

The developer was interested in a figurative work of art. The artist suggested celebrating the native California Valley Quail as the subject for his sculptures. Quail were once so common in the area that the Peralta family (owners of Rancho San Antonio which included Berkeley) named the creek where they built one of their original homes “Condornices” Creek, meaning “quails.”

- **Conservation and Maintenance:**

Because the sculptures will be cast in a durable metal, a cast iron alloy, and solidly attached to the tops of the concrete block columns, no maintenance will be required. They will acquire a patina with age.



ARTWORK LOCATION ON PILLARS

PACKED
LEAD FIBER

S.S. NUT

GILDED BRONZE FEATHER

NOTE: STEEL REINFORCING NOT SHOWN

GILDING ON EYE

CAST IRON BODY

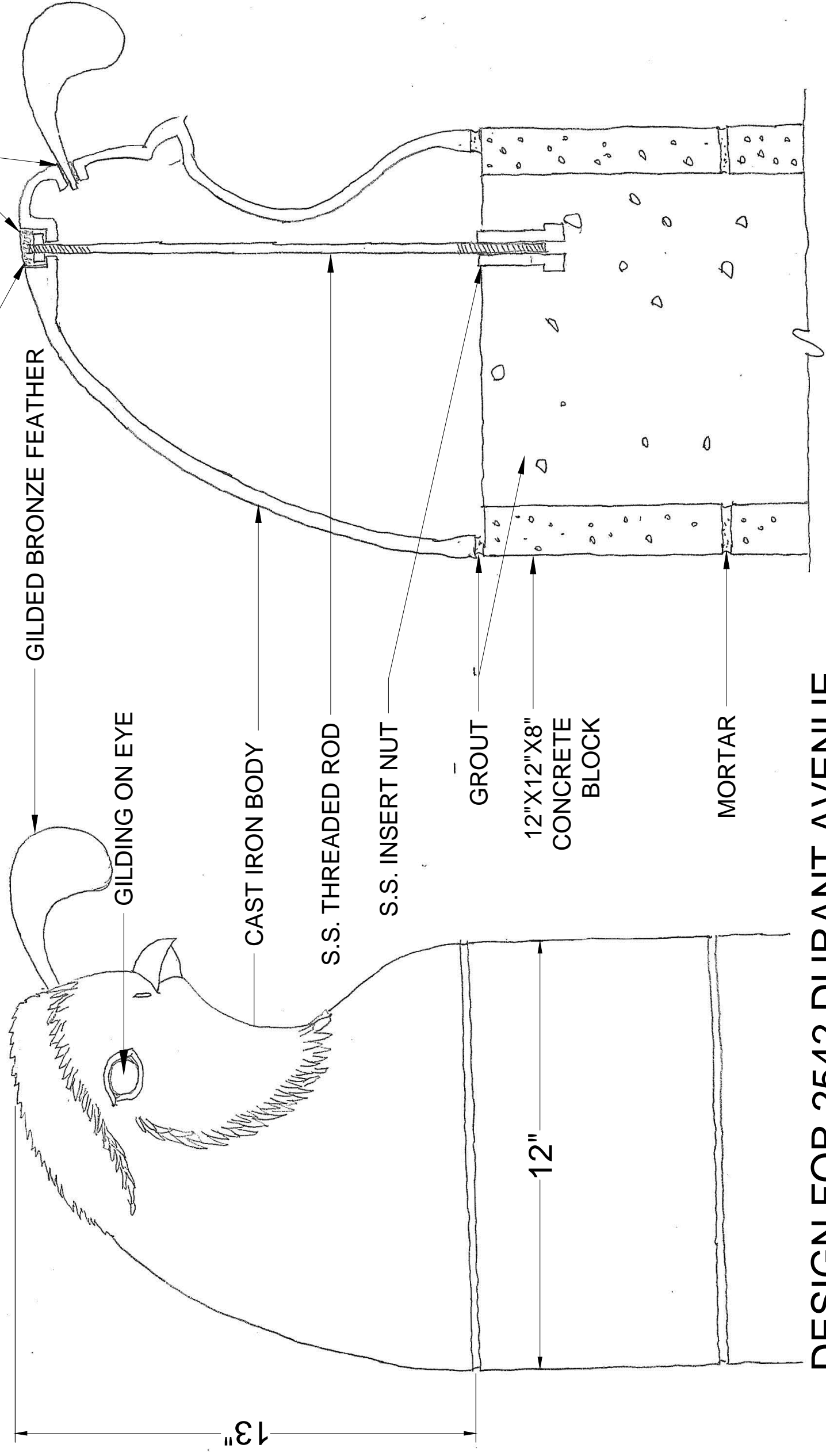
S.S. THREADED ROD

S.S. INSERT NUT

GROUT

12"X12"X8"
CONCRETE
BLOCK

MORTAR



13"

12"

DESIGN FOR 2542 DURANT AVENUE,
BERKELEY, CA

WILLIAM C. REEVES

ART AGREEMENT made February 13, 2020

Between the **OWNER:**
John T. and Marley Lyman
P.O. Box 10608
San Rafael, CA 94912
(415)258-8528

And the **ARTIST:**
William Reeves
33 Acorn Street
Providence, RI 02903
(401)787-2728
wreeves@risd.edu

ARTIST’S RESPONSIBILITIES:

ARTIST to create a unique work of art, description as follows:

Figurative sculpture with six (6) metal castings to be mounted on top of gateway pillars at **2542 Durant Avenue in Berkeley, California** (see attached sketch FIGURE 1).

The ARTIST will communicate with the OWNER’S REPRESENTATIVE, Suzy R. Locke & Associates to review schedule and progress of the artwork deliverables. ARTIST is to complete the project within the time limits established by the OWNER or their REPRESENTATIVE.

DELIVERABLES, APPROXIMATE TIME NECESSARY, AND PAYMENTS DUE:

Contract approval		\$ 1,050	2.5%
Maquette	30 days	\$ 2,100	5%
Clay modeling/sculpting	60 days	\$ 5,250	12.5%
Mold making	30 days	\$ 2,100	5%
Casting			
Including casting materials, metals and finishing			
50% completion	90 days	\$10,500	25%
100% completion	90 days	\$10,500	25%

Installation*

including cast-in-place attachments,
Insurance and shipping

60 days	\$10,500	25%
	\$42,000	100%

* Concrete block posts and electrical work by others.

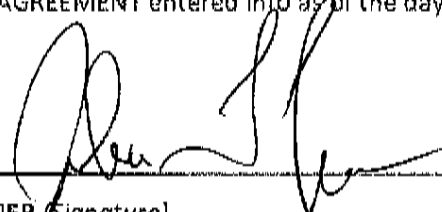
OWNER'S RESPONSIBILITIES:

OWNER will keep ARTIST informed concerning construction schedule and establish ARTIST due dates for each deliverable. Upon approval of each deliverable listed above, OWNER will send payment within 30 days.

TERMINATION:

In the event of abandonment of the project by the OWNER, ARTIST will be compensated for the completed portions of the work.

This AGREEMENT entered into as of the day and year written above.

 2-14-20

OWNER (Signature)

John T. and Marley Lyman

(Printed name)

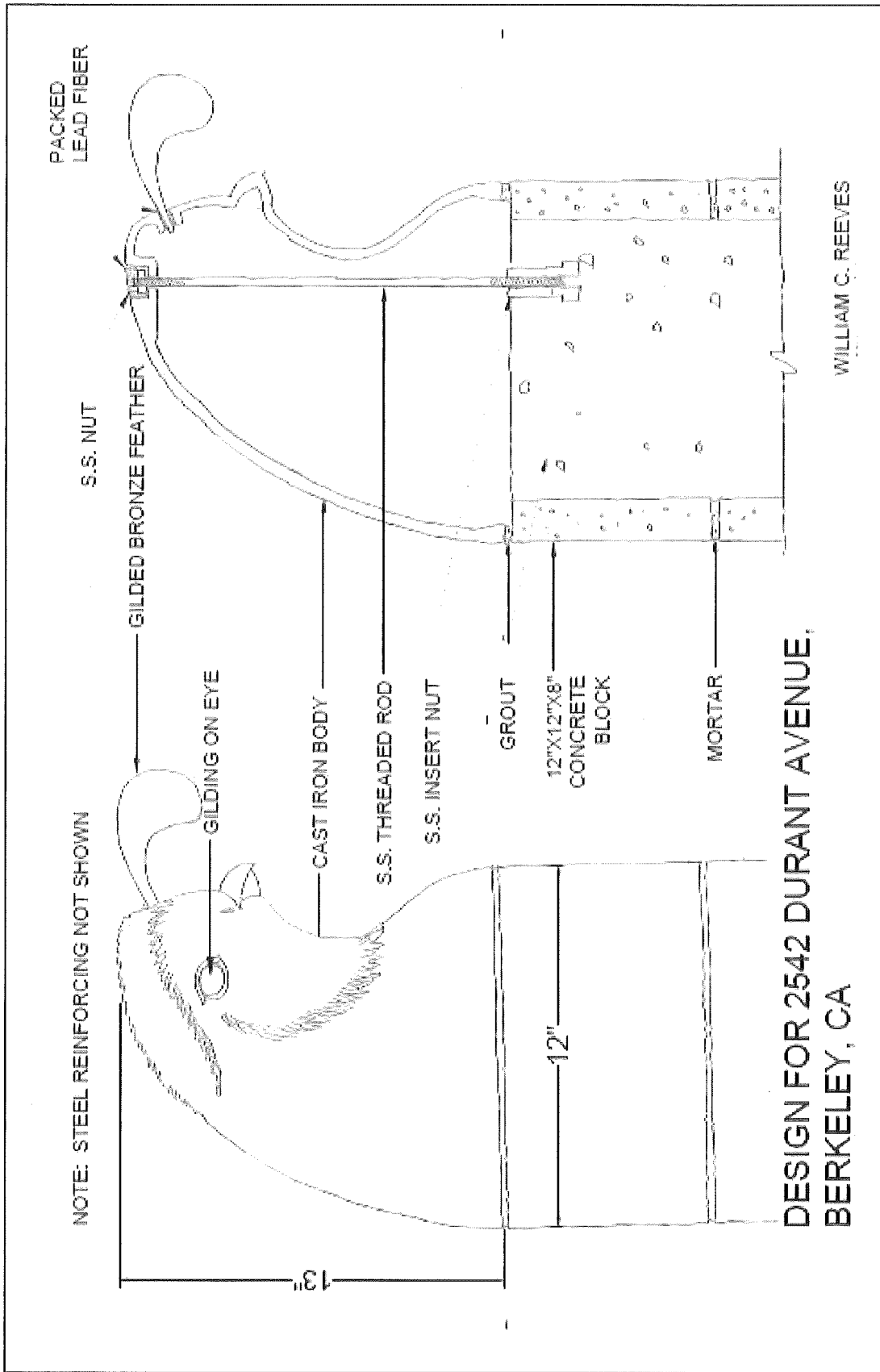


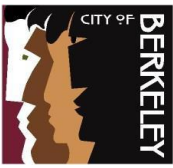
ARTIST (Signature)

William Reeves

(Printed name)

FIGURE 1





PUBLIC ART ON PRIVATE DEVELOPMENT PROGRAM Allocation Declaration

Civic Arts Program
Office of Economic Development
City Manager's Office

(For Use by Applicant Only)

Project Address: 2542 Durant Ave. Berkeley, CA 94704	Project Title: 2542 Durant
Description of Project: 32 Unit, 5 story apartment building w/ ground floor retail	Total Building Permit Valuation: \$4,218,542
Point of Contact (Name & Title): Kirk E. Peterson, Architect	Organization Name & Mailing Address: Kirk E. Peterson & Associates, Architects 5253 College Ave., Oakland, CA, 94618
Telephone: (510)547-0275	Email: Kirk@KPAarch.com

Declaration

I certify that I am the property owner, authorized agent of the property owner or other person having a legal right, interest, or entitlement to the use of the property that is the subject of this declaration. I declare that I shall comply with the requirements of City of Berkeley Municipal Code Section 23C.23.050 in the manner indicated below:

- Placement of artwork(s) on the premises valued at 1% of the total building permit valuation for the development. [1% = \$ 42,185]
- A combination: include on-site publicly accessible artwork valued at less than 1% with an amount equal to 80% of the difference in value paid to the City as an in-lieu fee.
- Depositing into the City's Public Art Fund, payment of an in-lieu fee equal to 0.8% of the total building permit valuation for the development. [0.8% = _____]

Applicant Signature:  Date: September 30, 2019

(For Use by City of Berkeley Only)

<input type="checkbox"/> Apply an in-lieu fee of 0.8% equaling \$ _____	Authorized Signature, Title, Date:
<input type="checkbox"/> Approved for Public Art Plan	Authorized Signature, Title, Date:
<input type="checkbox"/> Apply Administrative Fee (5%) for On-Site Publicly Accessible Art	Authorized Signature, Title, Date:



Civic Arts Program
Office of Economic Development
City Manager's Office

PROCESS FORM

Public Art on Private Development Program

Project Name: 2542 Durant

Address: 2542 Durant Ave. Berkeley, CA 94704

Development Agency/Owner's Name: John T. and Marley Lyman

Contact Person: Kirk E. Peterson

Phone: 510-547-0275

Email: kirk@kpaarch.com

Art Consultant: Suzan R. Locke

Phone: (510)547-5455

Email: suzylocke@comcast.net

Date of Use Permit application: Sept. 16, 2016

1. **Conceptual Public Art Plan** (to be included in Use Permit application)

Date of Completion: _____ Approved By: _____

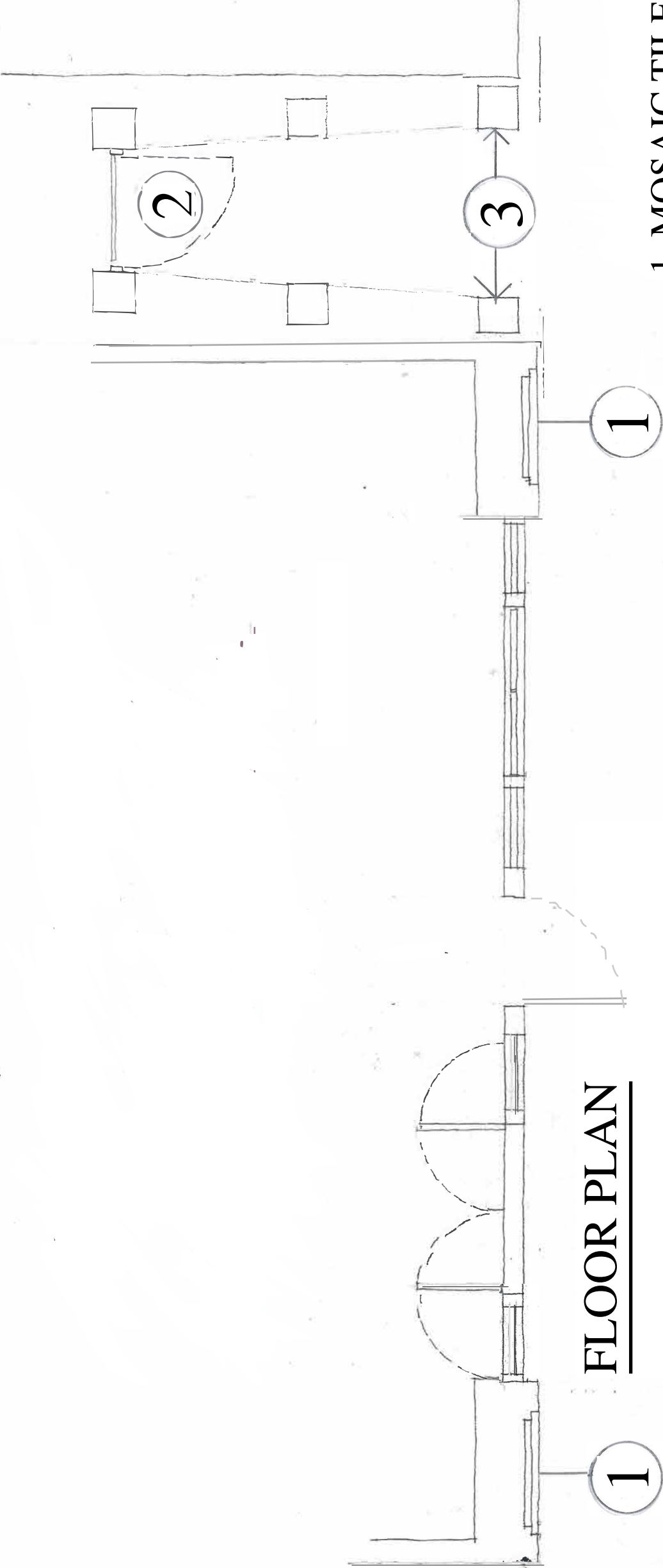
a) Artwork medium:

1. Mosaic tile panels
2. Metal gate
3. Sculpted gate posts—cast stone

b) Proposed artwork location(s). Feel free to attach a map or drawing

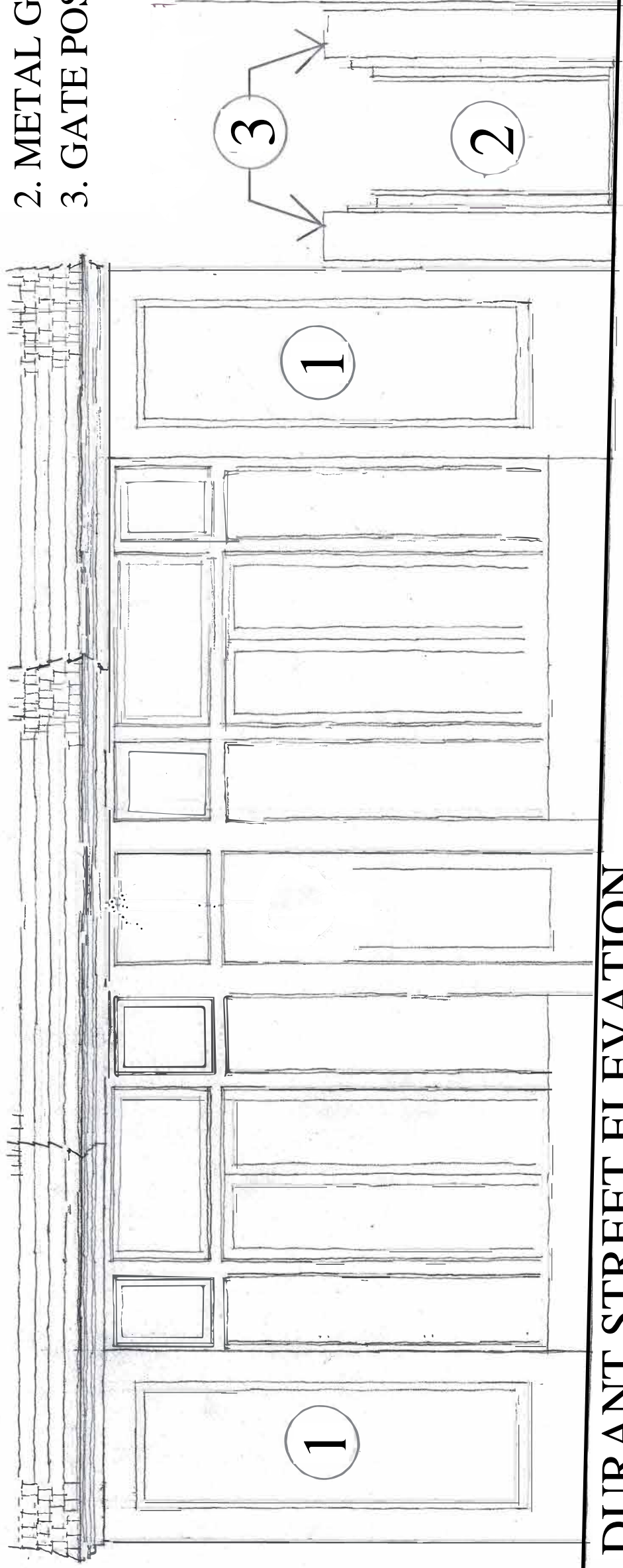
See attached Elevation and Plan with locations noted.

—Developer shall engage the services of an approved public art consultant to proceed—



FLOOR PLAN

- 1. MOSAIC TILE PANELS
- 2. METAL GATE
- 3. GATE POSTS



DURANT STREET ELEVATION

1% ART
 LOCATIONS
 2542 DURANT AVE.
 KPA Assoc. 9•17•2019

PERCENTAGE FOR PUBLIC ART ON MUNICIPAL PROJECTS, BMC CHAPTER XXXX

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Chapter XXXX is amended to read as follows:

Chapter XXXX
Percentage for Public Art on Municipal Projects

Sections:

- 1. Purpose**
- 2. Applicability**
- 3. Exceptions**
- 4. Definitions**
- 5. Budget Appropriations for Public Art**
- 6. Funding Use**
- 7. Management of Public Art**
- 8. Public Art Fund**
- 9. Off-site Works of Art**
- 10. Inclusion of Public Art in Bond Language and Grant Applications**
- 11. Rules and Regulations**
- 12. Effective Date**

Section 1. Purpose

The purpose of this Chapter is to establish a 1.75% public art requirement for municipal capital improvement projects in order to provide the following benefits to the community:

- Maintain Berkeley’s art and culture for generations;
Recognize the vital importance of the arts to the City as a whole;
- Enhance the economic sustainability of artists as a key to the vitality of the City of Berkeley;
- Make a lasting contribution to the intellectual, emotional and creative life of the community at large, and to create a more desirable community to live, work, and recreate.

Section 2. Applicability

This Chapter applies to:

- A. All zoning districts in the City.
- B. New municipal construction projects including buildings, above ground structures, parks, streets, bridges, sidewalks, plazas, and all other municipal construction not listed in “Section 3. Exceptions.”
- C. Municipal renovation or alteration construction projects where 50% or more of the original structure or site is renovated or substantially changed or where constructed additions increase the square footage of the floor space by 50% or more.

Section 3. Exceptions

This Chapter does not apply to the following project types:

- A. Projects where outside funding allocations for public art are limited or prohibited by law or funding agency rules.
- B. Costs of non-construction related activities such as design and engineering costs, studies, reports, leases, and easements and activities in the City's capital improvement budget which are designated as "non-construction" such as land acquisition, environmental review, vehicle and equipment purchases, movable or personal property, computer and software purchases, and debt service.

Section 4. Definitions

For purposes of this Chapter, the following definitions shall apply:

- A. "Administrative Costs" shall mean the expenditures necessary for implementation of the requirements of this Ordinance, including, but not limited to, coordination of artist selection process and approvals, project management, budget and contract oversight, community engagement, public education, installation coordination and collection management.
- B. "Alteration" of a building, above ground structure, park, or transportation improvement project shall include: 1. Substantial changes to elements such as walls, partitions, or ceilings on 50% or more of the total floor space of a building or above ground structure, or; 2. Substantial changes to landscaping, hardscaping, and amenities on 50% or more of a park or other open space, or; 3. Substantial changes of 50% or more to transportation-related structures, facilities, stations, bridges, overpasses, ramps, platforms, streetscapes, streets, sidewalks, and any attendant amenities, such as shelters, seating, lighting, landscaping and signage.
- C. "Annual City Public Art Plan" shall mean the annual planning document which sets forth goals and objectives for development of works of art, including, art developed in conjunction with City construction projects during that Fiscal Year and any expenditures from the City of Berkeley's Public Art Fund.
- D. "Art Enrichment" shall mean the acquisition and installation of original Artwork, including limited editions, or temporary installations, display or presentation of the same, on City property for aesthetic and cultural enhancement of public buildings and public spaces and engagement of the public with creative work of artists, as approved by the Civic Arts Commission.
- E. "Artist" shall mean an individual independent professional practitioner of the visual, performing, or literary arts, as judged by educational qualifications, a history of creating a body of public or publicly-displayed artwork, critical recognition in publications or online, a record of exhibitions and/or artwork sales.

- F. "City Manager" shall mean the City Manager or his/her/their designee.
- G. "Civic Arts Collection" shall mean the various Artworks owned by the City of Berkeley under the jurisdiction of the Civic Arts Commission, which are accessioned by a resolution of the Civic Arts Commission into the Civic Arts Collection.
- H. "Construction Cost" shall mean the total amount appropriated for the construction of an Eligible Capital Project including funding from outside sources. Construction Costs shall be interpreted to include all costs attributable to construction, hazardous materials abatement, and procurement of goods intended for incorporation into the improvement. Construction Cost shall not be interpreted to include costs associated with land use planning consultants, feasibility studies, environmental review, land acquisition costs, legal fees, architecture/engineering costs, construction management, geotechnical surveys, historical surveys, and movable or personal property.
- I. "Conservation Cost" shall mean costs associated with the maintenance and conservation of artworks in the Civic Art Collection.
- J. "Eligible Capital Project" shall mean all improvements to public property which fit the applicability criteria described in Section 2 of this Chapter.
- K. "Off-Site Work of Art" (or Off-Site Artwork) shall mean Works of Art as defined in Chapter 6.14 of the Berkeley Municipal Code which are acquired, created, installed, presented or displayed at a location other than the site of the Eligible Capital Projects from which funds were derived under Section 6 of this Ordinance.
- L. "Public Art Fund" shall mean the budget account established by the City of Berkeley for receipt of funds derived from Eligible Capital Projects which may be expended for the purpose of incorporating artwork into public improvements or acquiring, creating, installing, presenting or displaying Off-Site Artwork.
- M. "Work of Art" (or Artwork) shall mean Works of Art as defined in Chapter 6.14 of the Berkeley Municipal Code.

Section 5. Budget Appropriations for Public Art

- A. The City Council shall provide in the annual Capital Improvement Budget, and any mid-year capital improvement appropriations, for amounts equal to 1.75% of the total amount budgeted for each "Eligible Capital Project" to be set aside and identified as sources of funds to be appropriated and expended for Public Art in accordance with the provisions of this Chapter.

- B. Where a capital improvement project has a scope of work that includes both eligible and ineligible project elements and eligible and ineligible project categories, the budget for public art shall be calculated, at a minimum, in the eligible portions of the project.
- C. Once the appropriation is approved by City Council, a sum equal to 1.75% of the Construction Cost for each Eligible Capital Project shall be transferred to the Public Art Fund.
- D. To the extent practical, for large-scale capital improvement projects funding should be transferred to the Public Art Fund early enough to allow for artist selection to be conducted concurrent with selection of the architect or designer to ensure integration of the artwork into the project architecture.

Section 6. Funding Use

Funds allocated for Public Art in accordance with this Chapter shall be used for the implementation of Art Enrichment in the City of Berkeley as follows:

- A. An amount equal to 70% of each allocation will be spent on direct costs associated with the selection, acquisition, purchase, commissioning, fabrication, placement, installation, exhibition and/or display of Artwork.
- B. An amount equal to 20% of each allocation will be used for Administrative Costs associated with the management of the Public Art projects.
- C. An amount equal to 10% of each allocation will be used for Artwork Conservation Costs.
- D. The Civic Arts Commission may elect to implement a work of art integrated into the Eligible Capital Project, regardless of whether it contributes to the purpose and function of the improvement, including, but not limited to color, shape, design, texture, general appearance, or decoration.
- E. In the event that the final cost of implementing a Public Art Project on an Eligible Capital Project is less than the allocation of 1.75%, the unused funds will be retained in the Public Art Fund and utilized for the creation of Off-Site Works of Art.
- F. In the event that the Eligible Capital Project will result in a public improvement which is inaccessible to the public, or for which it is not feasible to incorporate a public artwork, the funds designated for the Public Art Project shall be transferred to the Public Art Fund and may be used for the creation of Off-Site Works of Art.

Section 7. Management of Public Art Projects

The Civic Arts staff is authorized to manage the development and implementation of the Public Art Ordinance in accordance with Chapter 6.14 of the Berkeley Municipal Code governing Visual Art in Public Places. The Civic Arts staff may use any reasonably efficient means and methods to develop a Public Art RFQ, including, but not limited to, the following:

- A. Retain an Artist to design the Artwork in collaboration with the architects/engineers who are responsible for designing the Eligible Capital Project.
- B. Require as part of the selection process that the architects/engineers who are responsible for designing the public improvement retain the selected Artist as a functioning member of the project team to design the public art concurrently with the design of the Eligible Capital Project.
- C. Require as part of the competitive solicitation process that the contractor responsible for building the Eligible Capital Project must either retain the selected Artist or a qualified installer as a subcontractor to install the Artwork and/or collaborate with the selected Artist to integrate the installation of the Artwork into the construction of the Eligible Capital Project. In all cases, the contractor responsible for building the Eligible Capital Project shall provide for the infrastructure to support the installation of the Artwork, including but not limited to providing any required electrical, mechanical, plumbing, foundations, and any other infrastructure work that must be performed by a licensed contractor for the proper installation and functioning of the Artwork.

Section 8. Public Art Fund

- A. The City Manager shall establish budget accounts to receive funds transferred pursuant to Sections 5 and 6, above. Monies in the Public Art Fund, if not expended in any particular Fiscal Year, shall be carried over to the next Fiscal Year, unless the source of the funds, or applicable laws or regulations, prohibit such action. City departments shall provide accounting documents to ensure that the funds are utilized in a manner consistent with this Ordinance.
- B. Nothing herein shall be interpreted to prohibit the City from soliciting and receiving grants, donations, bequests, or gifts from any source, public or private, for deposit in the Public Art Fund to be expended in a manner consistent with this Ordinance.
- C. Monies in the Public Art Fund shall not be expended for the purposes of awarding grants to artists or arts organization.

Section 9. Off-Site Works of Art

- A. Pursuant to Section 3.12.060 (F) of the Berkeley Municipal Code, the Civic Arts Commission shall review and make recommendations for expenditures from the Public Art Fund for the acquisition, creation, installation, presentation or display of Off-Site Works of Art.

- B. The Civic Arts staff shall manage the acquisition, creation, installation, presentation and display of Off-Site Works of Art.

Section 10. Inclusion of Public Art in Bond Language and Grant Applications

All City departments shall include in any new bond language or application for grant funds for an Eligible Capital Project an amount sufficient for the Art Enrichment, unless said inclusion is limited by law or funding source.

Section 11. Rules and Regulations

It is the intent of the City Council to provide the City of Berkeley with a consistent Public Art Plan and Fund in order to attain the goals of this Ordinance. In the event of dire City of Berkeley Financial hardship the Council retains the ability to arbitrate between the goals of ordinance and the financial viability of the City of Berkeley.

Section 12. Effective Date

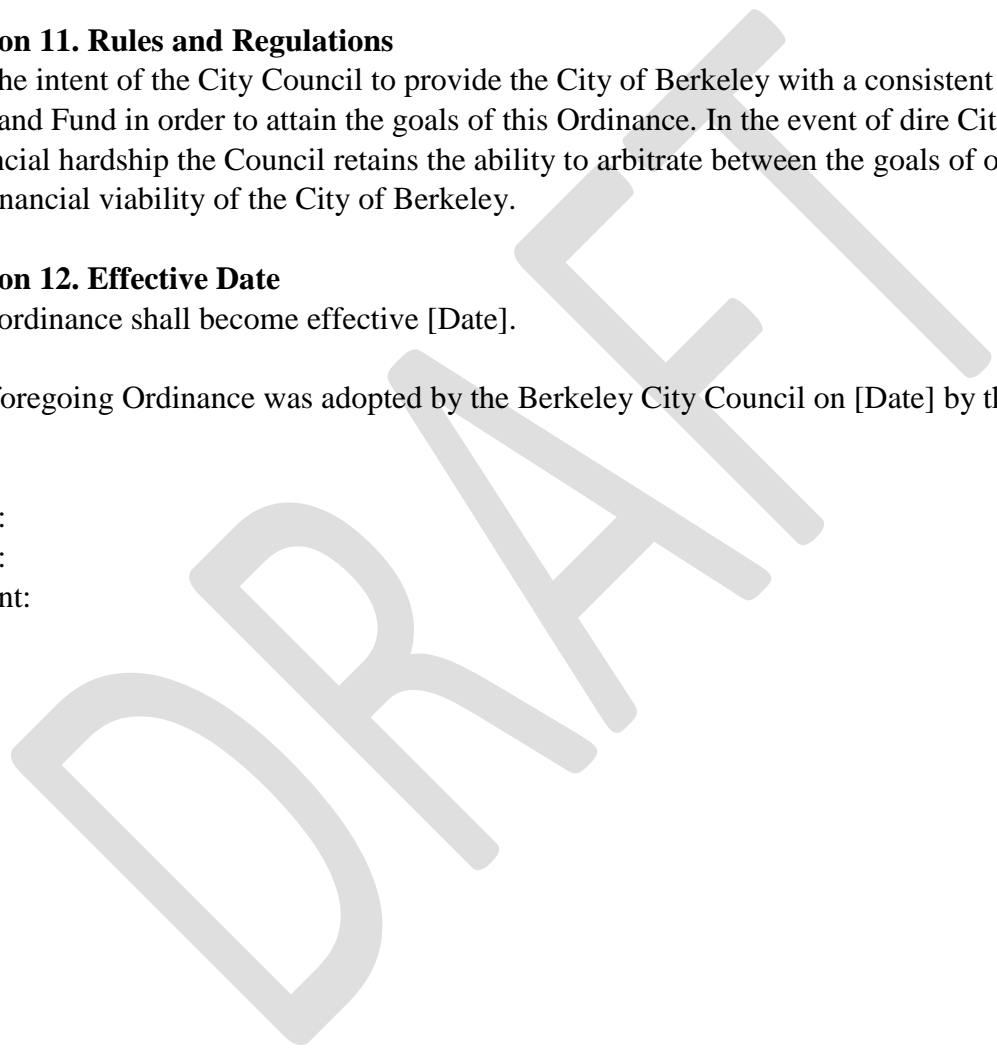
This ordinance shall become effective [Date].

The foregoing Ordinance was adopted by the Berkeley City Council on [Date] by the following vote:

Ayes:

Noes:

Absent:





Civic Arts Commission

[CONSENT OR ACTION]

CALENDAR

[Meeting Date (MM dd, yyyy)]

To: Honorable Mayor and Members of the City Council
From: Public Art Subcommittee, Civic Arts Commission
Submitted by: Matthew G. Passmore, Chairperson, Public Art Subcommittee
Subject: 1.5% for Public Art Ordinance for the City of Berkeley

RECOMMENDATION

The Civic Arts Commission recommends that City Council replace the existing 1.5% for Art program, which is currently based upon a Council resolution, with a 1.5% for Public Art Ordinance.

SUMMARY *[This section is included only if report exceeds three pages.]*

FISCAL IMPACTS OF RECOMMENDATION

None. The fiscal impact would remain the same as the current resolution.

CURRENT SITUATION AND ITS EFFECTS

In 1999, the Council passed a resolution establishing the 1.5% public art requirement for certain eligible public construction projects to provide the following benefits to the community:

- Maintain Berkeley's art and culture for generations;
- Recognize the vital importance of the arts to the City as a whole;
- Enhance the economic sustainability of artists and arts organizations as a key to the vitality of the City of Berkeley;
- Make a lasting contribution to the intellectual, emotional and creative life of the community at large, and to create a more desirable community to live, work, and recreate.

While the 1.5% public art program has been successful, the program is based solely upon a Council resolution. The Civic Arts Commission recommends this resolution be replaced with a City ordinance to strengthen its force, efficiency and durability.

BACKGROUND

Berkeley and the Council have an established history supporting the arts. The benefits of public art projects are articulated in the 2017 Arts and Culture Plan, which has been adopted by Council. To give the 1.5% public art requirement more force, the Civic Arts Commission recommends adopting the attached Ordinance, which would supersede the existing Council resolution.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

There are no appreciable environmental impacts to adopting the proposed Public Art Ordinance that have not already been considered when Council passed the public art resolution.

RATIONALE FOR RECOMMENDATION

Publicly accessible art is a benefit to the community at large, as well as inhabitants, employees and users of the particular project. The proposed Public Art Ordinance would strengthen these benefits.

ALTERNATIVE ACTIONS CONSIDERED

None.

CITY MANAGER

The City Manager [TYPE ONE] concurs with / takes no position on the content and recommendations of the Commission’s Report. [OR] Refer to the budget process.

Note: If the City Manager does not (a) concur, (b) takes any other position, or (c) refer to the budget process, a council action report must be prepared. Indicate under the CITY MANAGER heading, “See companion report.”

CONTACT PERSON

[Name], [Title], [Department], [Phone Number]

Attachments: [Delete if there are NO Attachments]

- 1: Ordinance
 - Exhibit A: [Title or Description of Exhibit]
 - Exhibit B: [Title or Description of Exhibit]
- 2: [Title or Description of Attachment]
- 3: [Title or Description of Attachment]

ORDINANCE NO. -N.S.

[TITLE IN ALL CAPS: SINGLE-CLICK HERE AND BEGIN TYPING TITLE TEXT]

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code

[Chapter or section #. Single-click here and type.] is amended to read as follows:

"[BMC chapter/section number and title. Note: Bold title text.]"

"[BMC text. Single-click, type/paste.]"

Section 2. That Berkeley Municipal Code

[Chapter or section #. Single-click here and type.] is amended to read as follows:

"[BMC chapter/section number and title. Note: Bold title text.]"

"[BMC text. Single-click, type/paste.]"

Section [Number. Single-click and type]. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

Exhibits [Delete if there are NO exhibits]

A: Title of the Exhibit

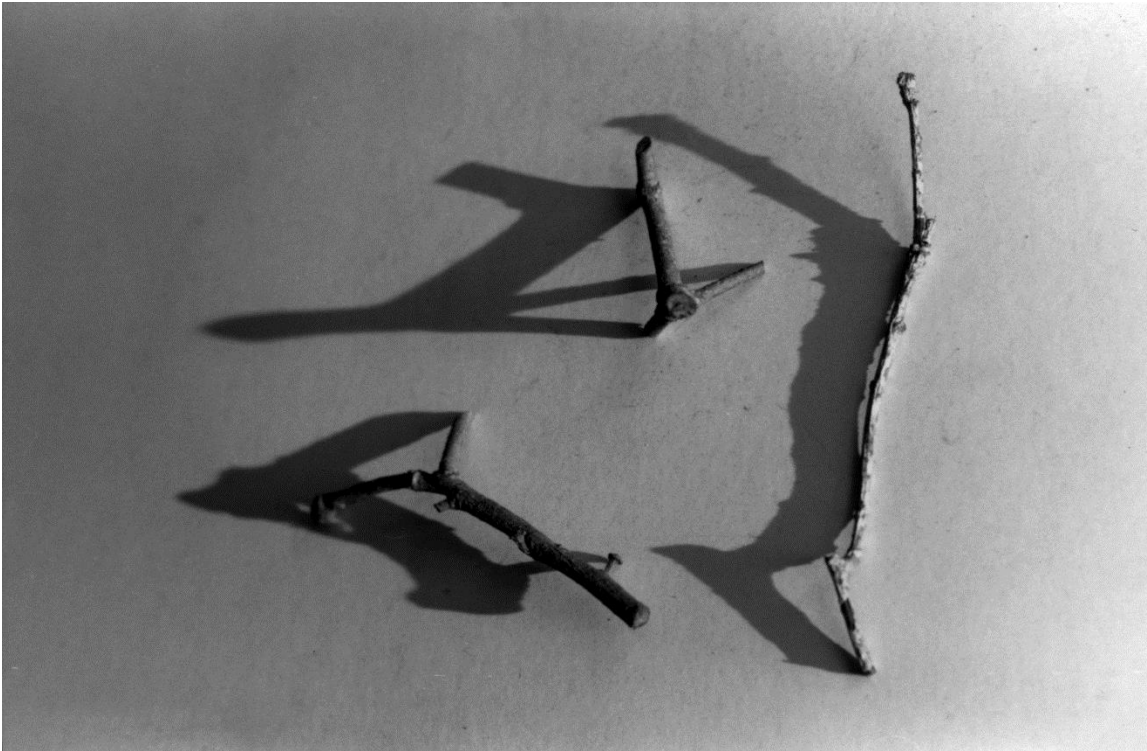
B: Title of the Exhibit

Purchase of three framed artworks from Berkeley Art Center:



"Trompe L'oeil" (2019) by Christine Meuris
Hand block printed Japanese paper, thread and bookbinding cloth
24 in. x 24 in. (\$300)

Purchase of three framed artworks from Berkeley Art Center:



"2 Twigs #1 Shadow Study" by Toby Kahn From the series "Things at Sunset" (2011/2013)
Black and white gelatin silver print
14 in. x 11 in. (\$295)



"3 Twigs Shadow Study" by Toby Kahn From the series "Things at Sunset" (2011/2013)
Black and white gelatin silver print
14 in. x 11 in. (\$295)

Civic Arts Grant FY21

	# of applicants	Current Pay	Fee per Applicant	Proposed Payscale	Fee per applicant	Example Pay scale	Example of Total Pay
Organizations	67	\$1,000.00	\$14.93	\$1,500.00	\$22.39	\$25 per applicant	\$1,675.00
Individual	20	\$500.00	\$25.00	\$500.00	\$25.00	\$25 per applicant	\$500.00
Festivals	22	\$750.00	\$34.09	\$750.00	\$34.09	\$25 per applicant	\$550.00

TURTLE ISLAND FOUNTAIN PROJECT

Date: 13 February 2020
To: Jen Lovvorn, Secretary
Berkeley Civic Arts Commission
Subject: Approval of the Proposed Repurposing of the Fountain in Civic Center Park

This project was discussed with the Public Art Subcommittee on Thursday, 16 January 2020 with a rendering to describe our concept for the revival and completion of the original Turtle Island project. Since then, our research of existing site conditions and construction design details have advanced considerably.

We have presented our proposal to members of the City Council, the Mayor's office, and the Economic Development Department. On Wednesday evening, 12 February 2020 we met with the Parks and Waterfront Commission to present our latest design proposal, and to request their support of our project. We received their unanimous approval, subject to the finalization of a Memorandum of Understanding for ongoing maintenance of the completed project.

The development of a MOU is proceeding with the assistance of the Parks Director and the Legal Department. Ultimate Council approval and authorization of our project for construction must be obtained after these agreements and details have been finalized.

We have contacted the offices of the National Endowment for the Humanities, and the National Endowment for the Arts, as suggested by members of the Civic Arts Commission, for potential grant funding sources. The staff person of the NEH has responded favorably to our project. Accordingly, we will be submitting requests to both NEH and NEA organizations for funding.

As we noted in our previous presentations to the CAC and Public Arts Subcommittee, we have met with members of the local Ohlone tribe for their comments and input to the proposed design elements of this project. Although the turtle mythology and the designs of the eight stone medallions commissioned by the Civic Arts Commission in 2005 are not part of the Ohlone culture and history, we are working with representatives of that tribe to meld these images and elements to honor all Native American tribes in a respectful and comprehensive design.

Our Advisory team membership has increased to include the Marin Circle Fountain board, the Friends of Ohlone Park, local historian Malcolm Margolin, and several local design professionals. We have received a grant from the University of California Chancellor's Community Partnership Fund. Our UC grant faculty partner Professor Walter Hood has been instrumental in the planning of the landscape materials and other design components of our proposal. And, we are preparing for the submittal for additional grants, including an East Bay Municipal District Community Water Smart Garden Grant Program.

Our request at this meeting of the Civic Arts Commission is for your endorsement and approval of our design scheme, subject to the final approval of the City Council, and the adoption of a MOU as noted above. Our website, www.turtleislandfountain.org includes a perspective view, and additional description of our proposal.

Respectfully submitted,

David Snippen, Elyce Klein, and Deb Durant

FY21 Grant Cycle for Berkeley-based Arts Nonprofit Organizations and Arts Programs of Service Nonprofits: July 1, 2020 — June 30, 2021 rolling deadlines; twice a year.

1. PURPOSE, ELIGIBILITY, STANDARDS, GRANT AMOUNTS, USE RESTRICTIONS

1.1 Purpose

The Berkeley Civic Arts Commission recognizes that a healthy civic arts ecosystem requires safe, accessible and healthy land, facilities, and civic infrastructure. Capital Grants are generally limited to comprehensive capital campaigns by non-profit art organizations. They may be used for the acquisition, design, construction, repair, renovation, integrated equipment, rehabilitation or other capital improvements or deferred maintenance of a cultural facility. Any of the following would qualify for consideration under this description:

- Planning or pre-planning of the development or acquisition of arts non-profit facilities;
- Capital improvements to address emergency situations;
- Capital improvements to improve the capacity of the creative space;
- Capital improvements to create significant positive effect on audience accessibility, comfort, and enjoyment
- Integrated equipment.

Only nonprofit organizations pursuing capital projects that will benefit the City of Berkeley and its residents are qualified to apply.

When making funding decisions, priority will be given to:

- Projects that address root problems with substantive solutions;
- Projects with strong evidence of support from the community and the organization's board of directors;
- Projects in areas of the city that face greater challenges in accessing funds for capital projects;
- Projects that incorporate green building and sustainable development practices whenever possible.

1.2 Eligibility

Applications that are complete and submitted online by the deadline will be accepted from all organizations that meet the following conditions:

- Must be housed in the City of Berkeley with its corporate address in the City of Berkeley and/or operate within a City of Berkeley-owned facility;
- Have a majority (at least 51%) of its arts activities in Berkeley for no less than two years;

- Be in good standing with any previous and/or current City of Berkeley Civic Arts Grants and any other City department grants or agreements;
- Demonstrate current nonprofit and tax-exempt status, as identified by Section 501(c)(3) of the Internal Revenue Code.
- Must operate and offer its arts programming in a non-discriminatory manner and in compliance with all applicable laws, including, without limitation, anti-discrimination laws covering protected classes.
- Organizations that are not primarily arts or cultural providers are eligible to apply only if they are committed to the development of an ongoing, substantial, and integral arts program within their organization.

The following additional documentation may be required:

- Organizational by-laws;
- Board of Directors' or advisory group's roster with addresses and term limits;
- A mission statement clearly focused on the development, production, and/or presentation of arts and culture;
- Certification of three years remaining on the affected lease at the start of the grant term, or a year-to-year lease with a minimum of 10 years remaining on the lease;
- Certification that the applicant holds title of ownership of the affected facility.

1.3 Standards of Practice

The following Standards of Practice provide practical benchmarks to guide and measure grant applicants relative to professional practices in the field which support the overall well-being of the arts ecosystem. An organization's adherence to these standards is taken into consideration by the review panel as part of the grant application evaluation as described Section 3.1: Evaluation Criteria and Weighting.

Recommended Minimum Standards of Practice for All Applicant Organizations

Artists who are participating in programming in a substantial way are compensated with at least an honorarium, **except** for:

- Artists enrolled as students who are receiving course credit for their involvement with the organization;
- Artists who are amateur participants in a community arts organization such as a community chorus or a community orchestra;
- Artists who are amateur participants in a non-accredited arts and cultural training program, such as a school of theater or school of dance.

Additional Recommended Standards for Applicant Organizations with average annual budgets above \$500,000

- Has at least the equivalent of one full-time paid employee with duties including executive and/or artistic management;
- Has annual reviewed year-end financial reports;

- Maintains a healthy ratio of budget spent on administration and overhead to programs and artist's fees;
- Artists and staff are compensated at generally accepted professional rate standards for their field within the San Francisco Bay Area;
- Provides reasonable accommodations for people with disabilities to ensure access to offices, rehearsal spaces, training and other facilities necessary to prepare programs.

1.4 Grant Amounts and Distribution

The Capital Grants funds will be based on the City of Berkeley's Fiscal Year budget (July 1 – June 30) and are contingent upon the allocation of funds from the City Council each year.

Funds will be distributed on a six-month cycle (2x year) with **deadlines ??? and ???**

Grants will range from \$5,000 to \$100,000 depending upon project need.

Applications for grants in the later phases of Capital fundraising campaigns are welcome.

Project budget levels will be calculated based on cash income. In-kind donations and volunteer work may be listed but should be kept separately from the budget numbers used for calculating eligibility.

1.5 Funding Use Restrictions

The following restrictions apply to all applicants:

- Applicant organization may not be an agency or department within the City of Berkeley;
- An organization may only apply for one Capital Grant in a five-year period, however applicant may apply for any other category of Civic Arts Grant at any time;
- Any previously awarded Civic Arts Grant must be completed and closed out and final report submitted before new grant funds will be disbursed;
- It is the responsibility of the applicant to secure any required permits for project activities.

The City of Berkeley **DOES NOT** fund the following:

- Organizations or activities that are part of the curriculum of colleges or universities (this does not apply to artistic presentations for units at a university or college that are working on a program outside of the curriculum);
- For-profit organizations;
- Operating expenses for private commercial facilities;
- Deficit or debt reduction.

2. GRANT APPLICATION MATERIALS

In order to be considered for funding, applicants must submit fully completed grant applications and all required application materials online. The Capital Grants Program application consists of the following components:

- General Application;
- Project Description;
- Project Budget
- Staff and/or Project Personnel Bios (relevant to project focus).
- List of Board of Directors with addresses and term limits
- Program Calendar (last, current, and projected year).
- 2 Year Organizational Budget, including budget notes. Is one OK?
- 501(c)(3) Federal Tax Exempt Status Letter (unless fiscally sponsored) Should we give money to fiscally sponsored orgs or just real non-profits???.
If fiscally sponsored: Fiscal Sponsor Supplement including a letter of agreement between applicant and fiscal sponsor and the fiscal sponsor's Federal Tax Exempt Status Letter.

3. EVALUATION CRITERIA & SCORING SYSTEM

3.1 Evaluation Criteria and Weighting

Applications will be evaluated according to the following criteria that are described so that applicants may have an idea of how the panel will score each application:

Project Description and Need _____ 65 percent
Processes to implement work are clear; and work demonstrates high quality and relevance to identified problematic situation.

Capacity _____ 20 percent
Applicant demonstrates qualifications and capacity of staff and board relative to the project and organization demonstrates ability to obtain additional necessary funding. Applicant is in good standing with the City of Berkeley and has met final reporting requirements for previously awarded grants in a timely manner. Organizations who have submitted prior year's final report late will have their scores reduced according to how late the report was submitted. See Section 3.3.

Cultural Equity Impact _____ 15 percent
The organization demonstrates a commitment to cultural equity. For example, strategic board development to ensure that the board of directors includes members from historically marginalized communities. Demonstrates an ability to support Berkeley's diverse cultural traditions and values, including capacity to support and empower the City's underserved communities.

3.2 Rating System

When evaluating each criterion, panelists will use the following 10-point scale, which is then translated to the appropriate weight for each criterion:

- Exceptional (9 - 10 points)
- Somewhat Exceeds Expectations (8 – 8.9 points)
- Meeting Accepted Standards (7 – 7.9 points)
- Needs Improvement to Warrant Funding (6 – 6.9 points)
- Does Not Merit Funding (0 – 5.9 points)

An application must receive an overall score of at least 70 percent of total possible points in order for the panel to consider it for funding. However, achieving a score of at least 70 percent of total possible points does not guarantee that the panel will recommend an application for funding, as funds may not be sufficient to recommend a grant for all applicants that score above the minimum threshold.

4. APPLICATION REVIEW PROCESS

4.1 Eligibility Screening

Civic Arts Program staff will review for completeness and eligibility all applications that meet the deadline. Applications that pass this initial review will then be evaluated for their strengths by a separate Grant Review Panel, which will rely on the application and related materials submitted by applicants.

4.2 Capital Grant Review Panel

The Review Panel is comprised of individuals with substantial background in the arts and a demonstrated commitment to cultural equity, usually drawn from the ranks of experienced and skilled managers and board members of greater Bay Area arts organizations, professional practicing artists from visual and performing arts fields, and experienced arts grant-makers from the philanthropic and public sectors. An open call and application for potential review panelists will be advertised. Review panelists will be approved by the Civic Arts Commission.

Review panelists must not have any conflict of interest, which is defined as a situation in which a panelist has a competing professional, financial, or personal interest, which might make it difficult to fulfill his or her duties impartially and could impair an individual's ability to perform his or her duties and responsibilities objectively. A conflict of interest exists even if no unethical or improper act results. A conflict of interest can create an appearance of impropriety that can undermine confidence in the selection process, the Grants Program, the Civic Arts Commission and the City. If a panelist has a conflict of interest, they must recuse themselves and they must notify the City staff in advance of the panel (so that they're not assigned a lead reader role for those cases) and they must leave the room during any panel discussions regarding the applicant with whom there is a conflict of interest so that the panelist does not influence the process.

The City may engage an experienced consultant to conduct an in-depth examination of aspects of selected applications, in which case the consultant's reports will also be provided to the

Review Panel. In addition, the City may provide prior grant report information and other officially gathered information to the Review Panel.

Applicants are encouraged to attend the Capital Grant Review Panel meeting which will be held during normal City business hours and will be publicly accessible. Staff will send the grant review schedule and meeting location to applicants before the Review Panel meeting. **Can we have some dialogue with applicant, please?**

Applicants are not permitted to address the Review Panel. Panel notes summarizing the Review Panel comments will be made available to applicants upon request following City Council's approval of the annual budget.

4.3 Civic Arts Commission Approval and City Council Review

After the Grant Review Panel has scored all applications, the Civic Arts Commission's Capital Grants Committee meets to develop funding recommendations in alignment with the ranking of scores within each category and to align proposed grant awards with available funds and for consistency with granting policies and guidelines, before forwarding the recommendations to the full Civic Arts Commission.

The award amounts as recommended by the Capital Grants Committee are made public at least five business days prior to the Civic Arts Commission approval. The Civic Arts Commission reviews the funding recommendations for approval and once approved sends the slate of selected grantees and grant amounts to City Council for review. Grant awards are subject to the City Council's adoption of the annual budget, which usually occurs in June.

5. SELECTED GRANTEE CONTRACTUAL REQUIREMENTS

5.1 Business License

Successful grant applicants must have a current Berkeley Business License in order for their grant awards to be processed.

5.2 Invoices

Grantees may invoice for 100% of the grant amount once they have received the grant award invoice/agreement from the City of Berkeley's Civic Arts Program following City Council's approval of the fiscal year's budget.

5.3 Final Report

A final report shall be submitted to the Civic Arts Commission within three months of completion of the project including an updated budget for project expenses, photos of project and ????. Grantees must be current on filing required reports before they can receive grant funding.

5.4 Acknowledging City Support

It is important that the Berkeley community know that their local tax dollars make it possible for them to enjoy the caliber of arts produced in Berkeley. All grantees should recognize Civic Arts

Grants in the same manner in which it recognizes other contributors in terms of benefits, type size on publications, and frequency of acknowledgement. Failure to comply with this request may affect future grant opportunities.

Grant recipients must acknowledge the City's financial support in all appropriate materials and media. The acknowledgement should read, "Supported in part by a Civic Arts Capital Grant from the City of Berkeley" or similar language, unless the City is a part of a list of supporters. In the latter case, the acknowledgement may say simply City of Berkeley. Grantees must display the City's logo whenever other sponsor logos are displayed, and in accordance with City logo use guidelines.

City of Berkeley Arts Learning Project Grant Guidelines

FY21 Grant Cycle for Berkeley- based Arts Education Projects: July 1, 2021 — June 30, 2022

1. PURPOSE, ELIGIBILITY, GRANT AMOUNT, USE RESTRICTIONS & FISCAL

SPONSORS

1.1 Purpose

The Arts Learning Project Grants support arts learning projects for Berkeley Unified students from pre-K – 12th grade.

Applicants may be individual artists living and producing art in Berkeley, an arts organization with corporate address in Berkeley, or a teacher who works in a Berkeley Unified School. The project must deliver arts experiences for a student population in BUSD within the grant period.

Such activities may include, but are not limited to:

- collaboration between artist(s) and classroom teacher(s) to develop an integrated unit, combining content knowledge (e.g. science, social studies, math) with relevant arts experiences as tools for inquiry and as ways to demonstrate learning
- visual and performing artist residencies occurring during the curricular school day
- visual and performing artist residencies occurring during afterschool programming
- paid high school apprenticeships with arts organizations, focused on art production, tech/AV, or art promotion or arts administration.

1.2 Eligibility

Applications that are complete and submitted by the deadline will be accepted from applicants that

meet one of the following conditions:

- Artist is a continuous resident of the City of Berkeley since January 1, 2018.
- Arts organization has corporate address in Berkeley and has operated in City of Berkeley since January 1, 2018
- Teacher is employed by Berkeley Unified School District since January 1, 2018 and works in a pre-K through 12 grade setting.

Additionally, applicant meets the following conditions:

Proposed projects must include hands-on art making experiences for students in the visual or performing arts during the grant period.

Applicant must demonstrate partnership through a letter of commitment. A partnership consists of an art partner (individual artist or arts organization) and an arts learning population (e.g. English teacher's 4 classes at XYZ middle school, CDC Site XYZ, 2nd grade teachers at school XYZ)

Artist may not be enrolled as a full- time student at the time of the application or during the grant period.

Artist may not be an employee of the City of Berkeley, nor plan to be employed by the City of Berkeley at any time during the grant window.

Applicants cannot receive funding for two consecutive grant cycles in the Art Learning

Project category. Arts Learning Grantees are required to sit out for one year after each funded grant cycle. In addition, grantees are required to close out a grant before applying for new funding.

Please note: Individual Artists are not required to use a Fiscal Sponsor to apply for an Arts Learning

grant. Individual Artist Grantees will be paid directly from the City of Berkeley and not through a Fiscal

Sponsor.

1.3 Grant Amount

Grant amounts are up to \$10,000.

Note: Although a budget is not required for the grant application, applicants should be aware of the tax^[1]

implications upon receiving the award and maintain the documents required for reporting on state and

federal income taxes.

1.4 Funding Use Restrictions

Grant funds may not be used for the following:

Project activities outside of the City of Berkeley.

Projects for which the main intent is curation, archiving, or journalism.

Deficit or debt reduction.

An Arts Learning Grant Award may not be combined with another Arts Learning Grant

Award to work on the same project.

2. GRANT APPLICATION MATERIALS

In order to be considered for funding, applicants must submit fully completed grant applications and all

required application materials. The Arts Learning Grant application consists of the following components:

General Application

Resume

Proof of Residency (artist, arts org) or employment status (teacher)

Work Samples and Descriptions

Project Description

Letter of commitment from collaborating partner

3. EVALUATION CRITERIA & SCORING SYSTEM

3.1 Evaluation Criteria and Weighting

Applications will be evaluated according to the following criteria which are described so that applicants

may have an idea of how the panel will score each application:

Artistic & Professional Quality _____ **35 percent**

The applicant's art and cultural work demonstrates high quality or promise through its artistic history, accomplishments, and examples of previous work.

Quality of Proposed Project _____ **40 percent**

Project goals and processes are clearly defined, demonstrate originality, clarity and depth of concepts.

Artist demonstrates that the proposed project will positively impact students' understanding of art form and subject matter, skills and appreciation of the art form.

Cultural Equity Impact _____ **15 percent**

Demonstrated ability of the applicant to support Berkeley's diverse cultural traditions and values, including capacity to support the City's underserved communities.

Applicant clearly articulates how their project or artistic expression is rooted in and reflective of historically marginalized communities and geographically underserved areas of the city.

Public Programming or other activities that reach out to economically disadvantaged communities and communities that lack conventional arts venues or formal arts programs.

3.2 Rating System

When evaluating each criterion, panelists will use the following 10- point scale, which is then translated

to the appropriate weight for each criterion:

Exceptional (9 - 10 points)

Somewhat Exceeds Expectations (8 – 8.9 points)

Meeting Accepted Standards (7 – 7.9 points)

Needs Improvement to Warrant Funding (6 – 6.9 points)

Does Not Merit Funding (0 – 5.9 points)

An application must receive an overall score of at least 70 percent of total possible points in order for

the panel to consider it for funding. However, achieving a score of at least 70 percent of total possible

points does not guarantee that the panel will recommend an application for funding, as funds may not

be sufficient to recommend a grant for all applicants that score above the minimum threshold.

4. APPLICATION REVIEW PROCESS

4.1 Eligibility Screening

Civic Arts Program staff will review for completeness and eligibility all applications that meet the deadline. Applications that pass this initial review will then be evaluated for their strengths by a separate Grant Review Panel, which will rely on the application and related materials submitted by

applicants.

4.2 Grant Review Panel

The Review Panel is comprised of individuals with substantial background in the arts, usually drawn from

the ranks of experienced and skilled managers and board members of greater Bay Area arts organizations, professional practicing artists from visual and performing arts fields, and experienced

arts grant- makers from the philanthropic and public sectors. An open call and application for potential

review panelists will be advertised. Review panelists will be approved by the Civic Arts Commission.

Review Panelists must not have any conflict of interest, which is defined as a situation in which a

panelist has a competing professional, financial, or personal interest, which might make it difficult to

fulfill his or her duties impartially and could impair an individual's ability to perform his or her duties and

responsibilities objectively. A conflict of interest exists even if no unethical or improper act results. A

conflict of interest can create an appearance of impropriety that can undermine confidence in the

selection process, the Grants Program, the Civic Arts Commission and the City. If a panelist has a conflict

of interest, they must recuse themselves and they must notify the City staff in advance of the panel (so

that they're not assigned a lead reader role for those cases) and they must leave the room during any

panel discussions regarding the applicant with whom there is a conflict of interest so that the panelist

does not influence the process.

Applicants are encouraged to attend the Grant Review Panel meeting which will be held during normal

City business hours and will be publicly accessible. Staff will send the grant review schedule and meeting

location to applicants before the Review Panel meeting.

Applicants are not permitted to address the Review Panel. Panel notes summarizing the Review Panel

comments will be made available to applicants upon request following City Council's approval of the

annual budget.

4.3 Civic Arts Commission Approval and City Council Review

After the Grant Review Panel has scored all applications, the Civic Arts Commission's Grants Committee

meets to develop funding recommendations in alignment with the ranking of scores within each

category and to align proposed grant awards with available funds and for consistency with granting

policies and guidelines, before forwarding the recommendations to the full Civic Arts Commission.

The award amounts as recommended by the Grants Committee are made public at least five business

days prior to the Civic Arts Commission approval. The Civic Arts Commission reviews the funding

recommendations for approval and once approved sends the slate of selected grantees and grant

amounts to City Council for review. Grant awards are subject to the City Council's adoption of the

annual budget, which usually occurs in June.

5. SELECTED GRANTEE CONTRACTUAL REQUIREMENTS

5.1 Invoices

Grantees may invoice for 100% of the grant amount once they have received the grant award invoice/agreement from the City of Berkeley's Civic Arts Program following City Council's approval of the fiscal year's budget.

5.2 Final Report

All Grantees must complete and submit the City's Final Report form for the grant no later than 60 days

after the fiscal year end and must demonstrate that the grant- funded project was developed and

presented in Berkeley with meaningful, accessible engagement of the public during the grant period.

Applicants who do not submit a final report will be ineligible from applying for any future Civic Arts Grants.

5.3 Acknowledging City Support

It is important that the Berkeley community know that their local tax dollars make it possible for them

to enjoy the caliber of arts produced in Berkeley. All grantees should recognize Civic Arts Grants in the

same manner in which it recognizes other contributors in terms of benefits, type size on publications,

and frequency of acknowledgement. Failure to comply with this request may affect future grant opportunities. Grant recipients must acknowledge the City's financial support in all appropriate

materials and media. The acknowledgement should read, "Supported in part by a Civic Arts Grant for Individual Artists from the City of Berkeley" or similar language, unless the City is a part of a list of supporters. In the latter case, the acknowledgement may say simply City of Berkeley. Grantees must display the City's logo whenever other sponsor logos are displayed, and in accordance with City logo use guidelines.

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5.4 City Permits and Permissions The awarding of funds does not imply that the Civic Arts Program or any other City department will produce, exhibit, promote or present the art created. It is the responsibility of the applicant to secure a venue, appropriate insurance and any required permits for public presentations. If the proposal includes components that require City permits or approvals such as publicly installed art, street closures, sound amplification in public space, or murals, the applicant will be solely responsible for securing the necessary permits, permissions, and approvals. This planning should be reflected in your project timeline. Please note that any art installed with these grant funds on property owned by the City of Berkeley must be reviewed and approved by the Civic Arts Commission starting with the Public Art Committee of the Commission. This applies to murals, public sculpture, and similar projects. It will be the responsibility of the grantee to build this process into their grant plan and timeline. Please contact Civic Art Program staff if you have questions

Lowvorn, Jennifer

From: Lowvorn, Jennifer
Sent: Friday, February 21, 2020 9:49 AM
To: Lowvorn, Jennifer
Subject: FW: Strategic Plan Info Session and Quarterly Report

From: McDonough, Melissa
Sent: Friday, January 24, 2020 4:25 PM
Subject: Strategic Plan Info Session and Quarterly Report

Hi Commission Secretaries!

Thank you so much for helping me get the word out to Commissioners about the Strategic Plan Info Session. We had very good turnout and attendees seemed interested in the Strategic Plan and our progress on various projects. For any Commissioners that missed the event but are curious, there is an [off agenda memo](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_General/Commissioners%20Info%20Strategic%20Plan%20012220.pdf) (https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_General/Commissioners%20Info%20Strategic%20Plan%20012220.pdf) available which includes slides from the presentation. Also, the City just released the [Strategic Plan Quarterly Report](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_General/Strategic%20Plan%20Update%20012420.pdf) (https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_General/Strategic%20Plan%20Update%20012420.pdf) —please do share it with your Commissioners.

Best regards,

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