

CUBBERLEY CENTER VISUAL ARTISTS STUDIO FACT SHEET

DESCRIPTION OF SPACE:

The Cubberley Community Center (“Cubberley”) is a former high school site, located at 4000 Middlefield Road, between Charleston and San Antonio Roads in Palo Alto. It is leased by the Palo Alto Unified School District to the City of Palo Alto (the “City”). In addition to the artist spaces, Cubberley serves as an auxiliary campus for Foothill College. It also serves as a home to day care providers, private schools, dance organizations, and other community service programs. There is ample parking, and the site is accessible to disabled persons. There are eleven (11) reduced rent single studios and six (6) reduced rent shared studios at Cubberley. When single studios become vacant and available for lease, artists-tenants who currently share space will be given first priority, based upon seniority.

Shared studios, ranging between 360 - 500 square feet, are allocated for each artist. Single studios, ranging between 700 and 1,000 square feet, are allocated for eleven (11) artists each. Some studios include closet/storage areas.

MISSION AND PURPOSE:

Cubberley’s Visual Artists Studio program (the “Program”) supports the mission of the Community Services Department of the City (the “CSD”), which is to engage individuals and families to create a strong and healthy community, through the parks, open space, recreation, social services, arts and sciences opportunities. The Program was initiated in 1989 after the then Division of Arts and Culture (now the Division of Arts and Sciences) committee conducted a survey, which revealed that a lack of affordable studio space for artists was providing challenges for local arts organizations.

By maintaining the Program, the City intends to promote the artistic growth of local artists and provide opportunities for excellence in the visual arts field by offering affordable studio space to highly motivated fine arts artists. The Program is intended to establish a community center for visual artists who support, collaborate, and exchange ideas with one another. The Program is intended to enrich the Palo Alto community through:

- the opportunity to engage and interact with participating artists;
- the services rendered and the teaching provided by participating artists; and
- The donation of art work contributed by participating local artists to the City’s Art in Public Places collection for the education and enjoyment of all citizens.

High school and university undergraduate students are not eligible for consideration as artist-tenants, but candidates for advanced degrees may be considered based upon qualifications as may be determined by the CSD staff.

PERMITTED USES: Seventeen (17) classrooms are available for use by artist-tenants in the form of shared studios or single studios. An artist must use the studio only for producing and displaying artwork, and for no other use without the City’s prior written consent. The prior written consent shall be obtained by means of a written statement that is sent to the CSD’s Division Manager, Arts and Sciences Division, with a copy sent to the City’s Administrative Services Department’s Real Property Division Analyst, declaring the purpose or activity of the studio that is at variance with the production and display of the artist’s work.

The teaching and mentoring of other artists by Cubberley’s artist-tenants are encouraged. If teaching or mentoring is provided for the benefit of the City, even if such actions are paid, such teaching or mentoring can be considered volunteer service, as required in the Lease Agreement. If Cubberley’s artist-tenants provide teaching or mentoring services at their studio spaces independently (outside of the City of Palo Alto), each of these artists-tenants must include a summary statement of fees received for those services in their annual written statement that is required to be sent to the City. As noted above, any Cubberley artist-tenant who is interested in using the studio space for teaching or mentoring activities must seek the prior written consent of CSD’s Division Manager, Arts and Sciences Division.

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PROHIBITED USES: Any artist-tenant, who maintains or intends to maintain a second studio, including a home studio, regardless of the purpose of use, will be disqualified from consideration as an artist-tenant at Cubberley. Storage and live/work uses of the studio space are also not allowed. The artist-tenant cannot use the studio for any other purpose or to engage in, or permit, any other business activity within or from the studio.

MAILING LIST: An artist, who wishes to be placed on an email mailing list for notification purposes whenever the Program is accepting applications, may do so by sending a request for inclusion in the Cubberley email mailing list to:

If by email:

darlene.katsanes@cityofpaloalto.org

If by letter:

City of Palo Alto
Division of Arts and Sciences
Attn: Cubberley Mailing List
1313 Newell Road
Palo Alto, CA 94303

Include the following contact information along with your letter: name, address, email address, and phone number.

The City maintains a mailing list of people who have expressed an interest in receiving an application for space lease.

NOTE: Placement on the mailing list does NOT guarantee a tenancy placement. It only assures you that you will be notified when the next application period opens.

APPLICATION PROCESS: When space becomes available, a Request for Proposals will be sent to artists on the mailing list. The City also advertises the availability of studio space in the local newspaper.

Applications must be submitted on the City's Request for Proposal forms. During the application periods,

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proposal forms can be downloaded on the following website:

<http://www.cityofpaloalto.org/depts/csd/news/details.asp?NewsID=130&TargetID=28>

OR contact by email, letter or telephone:

Darlene Katsanes
City of Palo Alto
Division of Arts and Sciences
1313 Newell Road
Palo Alto, CA 94303
Phone: (650) 329-2227
Email: darlene.katsanes@cityofpaloalto.org

All proposals received are date- and time-stamped upon receipt by the City.

SELECTION PROCESS: The selection process for Cubberley's artists, who are eligible to lease space, involves a two-step process.

At step one, the artists' images and applications will be initially reviewed by a panel of local artists and visual arts professionals, who are appointed by the City to conduct the review and evaluation. This panel will include a member of the City's Public Art Commission (the "Commission"). Appointments **may** be made by the CSD's staff for the panel of visual arts professionals to visit the artist-applicant in his/her home/studio to evaluate the caliber of current work as well as to interview the artist-applicant with respect to his/her career and artistic direction. By using a point system for ranking the application, the panel will use the following weighted criteria to evaluate each of the received requests:

- Creative excellence or the potential for creative excellence; and
- Role that the artist would play in maintaining a diversity of media, style, and artistic content within the larger Cubberley's artists studios complex.

As a result of the first step, the panel will provide its recommendations for selections.

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At step two, the City's staff will review the panel's selections and will make the final decisions, using a point system to review and evaluate the artists based upon their:

- Past demonstrated service and willingness to volunteer their services to the Palo Alto Arts community;
- Residency in Palo Alto (preferred, but it is not required); and
- Need for studio spaces and the potential impact it would provide to their careers.

As a result of the second step, the CSD's staff will develop a list of selected artists, who are ranked according to the points accrued through both steps of the process. If there is a tie, then a Palo Alto resident will be given first preference. The top five ranked non selected artist-applicants will be informed that they are on a priority-ranked "wait list."

An application and selection process will be conducted approximately every two years in June, at which time up to approximately one-half of the available studio spaces will be made available. Current artist-tenants, who commenced leases of their studios before June 1, 2010, will be permitted to complete the current terms of their leases, provided they otherwise conform to the requirements of these guidelines. For all other artists-tenants, who occupy their premises on or after June 1, 2010, five consecutive years is the term limit established under Palo Alto Municipal Code section 2.30.210(h); they are eligible to reapply and will be permitted to compete with all other artist-applicants on equal terms and conditions.

Should a studio become available prior to the affected artist-tenant's completion of occupancy for the term limit, the City will inform the highest ranked, non-selected artist-applicant drawn from the most recently conducted selection process "wait list" of the availability to complete the unfilled vacancy.

With respect to shared space, the CSD's staff will

make a determination based on compatibility with incumbent artists, media used, and studio usage patterns.

If, for any reason, an artist-applicant elects not to take the space that is offered, the next name on the "wait list" of priority-ranked applicants will be given the opportunity to view and lease the space.

TERMS OF TENANCY:

Lease: The City leases space to artists-tenants on an annual basis; the term is a one-year period. Once an artist-tenant is selected, he/she will not be re-evaluated during the balance of the five-year term, but the City reserves the right to modify this policy upon notice. The artist-tenant will be required to demonstrate, annually, that he/she is meeting the requirements and otherwise maintaining the eligibility standards for continued occupancy as set forth in the criteria for selection. At the end of the fifth year of occupancy, the artist-tenant may be required to resign the space, as the lease term expires at such time. The artist-tenant may submit another lease space application and apply for consideration by a new selection panel.

Rate: The average rental rate at Cubberley is currently \$0.68 per square foot per month for Palo Alto residents and currently \$0.73 per square foot per month for non-Palo Alto residents. This rate is subject to change in accordance with the Municipal Fee Schedule.

Utilities: The City provides and pays for utility services (gas, electricity, water, and sewer and refuse collection services) in connection with such rental. The artist-tenant will provide and pay for any and all telephone service at the leased premises.

Taxes/Assessments: The artist-tenant is responsible for paying any and all taxes and assessments, including, but not limited to, the possessory interest tax that may be attributable to the artist-tenant's occupancy of the Cubberley studio space.

Insurance: The artist-tenant must obtain and maintain and provide to the City proof of insurance

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coverage (Insurance Services Office Commercial General Liability coverage with Comprehensive General, Fire/Legal Liability coverage of at least \$1,000,000 per person and per occurrence).

Nondiscrimination: Artists-tenants are selected without regard to their race, skin color, gender, age, religion, disability, national origin, ancestry, sexual orientation, housing status, marital status, familial status, weight or height. Artists-tenants shall occupy their spaces in accordance with this non-discrimination provision.

ANNUAL REVIEW: In accordance with the terms and conditions of the lease agreement, the continuation of the lease agreement will require an annual review of each artist-tenant as a condition precedent to extending the lease. The evaluation, conducted by the City's staff, will consider among other factors the artist-tenant's productivity as well as his/her stated plans for the next lease term year. If the artist-tenant demonstrates productivity, then he/she will be offered a lease extension for the following 12 months. The evaluation will require that each artist-tenant must submit a written statement that includes the following information:

Documentation of the artist-tenant's productivity during the past year, including a mention of artworks produced, artistic activity, exhibition or program participation, along with plans for the coming year.

The artist-tenant's experience with the leased studio space, including any specific facility needs.

Public outreach/community service efforts, as practicable.

This written statement will be reviewed once each year in the artist-tenant's presence by the CSD's staff. These meetings will occur every May.

ARTIST-TENANT'S RESPONSIBILITIES:

Studio space shall be used on a regular basis, except as such regular use may be temporarily waived, in

writing, by the City. The studio shall serve as the sole studio space used by the artist-tenant.

The artist-tenant must be available to volunteer his/her services to the Palo Alto Arts Community as a term and condition of the lease. Service may include, but is not limited to, volunteering for the benefit of the City, including performing volunteer work for the Palo Alto Art Center, upon request, and volunteering as a member of the Commission, upon request. Teaching classes at or for the Palo Alto Art Center or the Palo Alto Junior Museum and Zoo may be considered by the City as a form of volunteer service. Artists-tenants are strongly encouraged to participate in at least two service projects a year, depending on time availability and commitment.

Each artist-tenant must contribute to the City without charge to the City at least one artwork during each five-year term. The donation is subject to the approval of the Commission and will be deemed a gift made under terms and conditions established by the City. Incumbent artists-tenants shall propose to donate to the City by no later than during the third year of their five-year lease. The process for accepting donations will first involve a visit by one or more members of the Commission to the artist-tenant's studio before a Commission meeting to review the proposed donation of an artwork is scheduled for consideration. The timing of these meetings will be arranged in proximity to Cubberley's Open Studios to ensure that the studios are set up for the viewing of the artworks. Each artist-tenant will be required to provide a list of two or three of his/her artworks from which the Commission may propose to select as a donation by the artist-tenant in fulfillment of applicable terms and conditions of Cubberley occupancy.

Each artist-tenant will be required to actively participate in Cubberley's Open Studio program, unless and until a waiver of this requirement is granted, in writing, by the Division Manager, Arts and Sciences Division.

Artist-tenants shall act as good neighbors with their fellow artists, the community, and the City. This shall

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include respectful communication, being responsive to the needs of the diverse Cubberley community of artists and other groups, and the City's and the CSD's staff. Artists-tenants are expected to participate in artists-tenants' community meetings.

LEAVE PROVISION: Whenever an artist-tenant will be continuously absent from Cubberley for over a one-month period, the artist-tenant shall notify the City, in writing and in advance, of the proposed absence. Notwithstanding the leave of absence, the artist-tenant's obligation to make the rental payments will continue in accordance with the lease agreement.

Under two months' leave of absence: An artist-tenant may be absent from the Cubberley studio for up to two months without consequence; provided, however, the terms of the lease shall apply to the artist-tenant without regard to any provision herein and, in the event of a conflict between the lease and these guidelines, the terms of the lease shall prevail.

Three to six months' leave of absence: The artist-tenant must locate a suitable artist, whose interim occupancy will be subject to the City's and the CSD's staff's approval, to sublet and otherwise occupy the studio space during the artist-tenant's prolonged absence. The artist-tenant will be responsible for any and all actions of the artist-subtenant, who shall be subject to the terms and conditions of the lease agreement.

Over six months' leave of absence: Except as otherwise provided, the terms of the lease with the artist-tenant shall prevail in the event of a conflict with these guidelines. The requirements relating to leaves of absence up to six months, as set forth in the two immediately preceding paragraphs above, also shall apply to the artist-tenant. Under the lease, the City may declare an abandonment of the lease and/or give notice of early termination of the lease to the artist-tenant.

For more information contact the City of Palo Alto, Division of Arts and Sciences (650) 329-2227.