Title: California Ave Fountain Artist Selection

Subject: California Avenue Replacement Fountain Artist Selection

From: City Manager

Lead Department: Community Services

Recommendation
This report is for information only and no Council action is required.

Background
On November 10, 2008, when the Public Art Commission sought funding approval for a replacement water fountain designed by artist Bruce Beasley in the amount of $190,000 for the public plaza located at the corner of California Avenue and Park Boulevard (CMR:428:08), the Council rejected the staff's recommendation for the funding of the elaborate project and asked the Commission to evaluate the placing of a Beasley sculpture in lieu at the soon-to-be-designed Mitchell Park Library and Community Center. The Council further directed the Commission to create a Request for Proposal with the input of the community for a lower cost artistic fountain and allow for further community input in the selection process. The resulting Colleagues' Memo, dated March 2, 2009, from Mayor Drekmeier, Vice Mayor Morton and Council Member Burt, clarified the resulting confusion regarding the roles of the Council and the Commission in selecting public artwork.

The Public Art Commission held a well-attended community meeting in May 2009, at which time the public informed the Commission of the desirable characteristics of the new fountain. In that discussion, the requirements that the fountain make a, “splashy water sound,” not further impede bike and pedestrian traffic, and not create a large visual barrier came forward as community priorities. Those requirements were set forth in the Request for Proposal. Of the 25 proposals submitted to the Commission, the subcommittee selected five finalists. Then a selection panel made up of key stakeholders and community members selected the final three proposals that would be subject to public input via the on-line Open City Hall web site.

Discussion
The Palo Alto Public Art Commission utilized Open City Hall as a means to collect public input on the final three designs proposed for the S. California Avenue & Park Boulevard fountain, much in the same way that the Council utilizes Open City Hall commentary for
other issues of community interest. The results of the public input period of January 5 - 18, 2011 revealed that the community by far preferred two of the three proposals: the Mike Szabo contemporary fountain and the more traditional Reed/Madden proposal. The numbers gathered on Open City Hall were, as follows: 182 for Szabo’s “Confluence,” 213 for Reed/Madden proposal, and 24 for Oldland’s design. Over 1,000 people visited the web site, and 419 people participated by leaving a comment and selecting their favorite of the three options. There were nine people who had difficulty using the site and they submitted their preference on paper: 8 for Reed/Madden and 1 for Szabo.

The Commissioners carefully reviewed the 64 pages of public comments before the meeting Thursday, January 20, 2010. Former Council Member Jack Morton, who was a member of the selection panel, spoke at the meeting and expressed an opinion that the Commissioners were appointed by the Council to make artistic decisions. Thus, if the art selection was intended to be made by a public vote, then each resident would have been mailed a ballot. Each Commissioner spoke during the meeting, addressing many of the comments made by the public. Ultimately, the comments left by the public influenced the Commissioners’ decisions more so than did the vote count. Commissioner Usich, who grew up in Palo Alto, spoke fondly of the old fountain, but he ultimately decided that the Szabo proposal was more “forward-thinking” and fitting to the community after he read the comments posted on Open City Hall. Commissioner Richter brought up concerns that the Reed/Madden proposal was relying on 40 year old concrete as the core of its newly reconstructed basin.

The Commissioners requested additional information and clarifications from staff. This was not a decision taken without regard to much information from a variety of sources. They voted 5-1 in favor of the Szabo proposal with Commissioner Smit dissenting and Commissioner Coleman absent.

**Policy Implications**

Palo Alto Municipal Code section 2.18.70 delegates to the Commission the responsibility of both “advising the City in matters pertaining to the quality, quantity, scope and style of art in public places” as well as “advising the City regarding amounts to be expended on art in public places.”

Palo Alto Municipal Code section 2.26.060 states, “decisions on artistic matters pertaining to Art in Public Places programs will be made by the City Staff and the Palo Alto Art Commission.” The Code states that the Council will not exercise its independent judgment on artistic matters unless the City Council requests that the artistic matter be separately agendized.”

Use of Open City Hall for informing decision makers with public sentiments is consistent with Comprehensive Plan Policy G-3.
The use of the Art Commission as an advisory body is consistent with Comprehensive Plan Policy G-2.

Creating gathering places for the community by incorporating public art is consistent with Comprehensive Plan Policy L-21

Working with merchants, property owners and staff, the development of a new look for the California Avenue fountain and plaza is consistent with Comprehensive Plan Program L-28.

**Timeline**
Should the reconstruction of the plaza at California Avenue and Park Boulevard be approved as part of the California Avenue streetscape project, the construction of the fountain would coincide with the construction for the overall plaza. Otherwise, the fountain construction could begin as soon as summer 2011.

**Resource Impacts**
The Public Art Commission has budgeted $50,000 in public art funds for the design and construction of the new fountain at California Avenue.