



# City of Palo Alto

## City Council Staff Report

(ID # 10418)

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**Report Type: Consent Calendar**

**Meeting Date: 6/24/2019**

**Summary Title: Contract Amendment Number Two with Susan Zoccola**

**Title: Approval of Amendment Number 2 to Contract Number C17166591 With Artist Susan Zoccola, LLC to Extend the Term to November 30, 2021 for the Design Development, Fabrication and Installation of Artwork Associated With the Charleston-Arastradero Corridor Project**

**From: City Manager**

**Lead Department: Community Services**

### **Recommendation**

Staff recommends that Council approve and authorize the City Manager or his designee to execute Amendment Number 2 to Contract C17166591 with Susan Zoccola, LLC (Attachment A) for the design, fabrication and installation of artwork associated with the Charleston-Arastradero Corridor Project to extend the contract term to November 30, 2021.

### **Background**

The City of Palo Alto's Public Art Program manages the Art in Public Spaces Project AC-86017 which receives funds transferred annually as part of the budget cycle in accordance with Ordinance Number 5301, Municipal Code Section 2.26.070 (Public Art for Municipal Projects). This ordinance requires the City to set aside one percent (1%) of the annual capital improvement program (CIP) budget for providing public art. The ordinance allows funds from multiple CIP projects to be pooled together to fund a single work of art. The Charleston-Arastradero Corridor CIP will utilize funds from the Art in Public Spaces Project to incorporate art into the project.

Due to availability of local funding and grant funding, the Charleston-Arastradero Corridor CIP construction will be completed in three phases. Phase 1 includes the corridor section of Arastradero Road between Foothill Expressway to Clemo Avenue. Phase 2 includes the corridor section of Charleston Road from Alma Street to Middlefield Road. Phase 3 of construction will be the remaining sections of the corridor between Los Palos Avenue and Alma Street, and Middlefield Road to San Antonio Road. Phases 1 and 2 are currently under construction, and Phase 3 is anticipated to begin construction in October 2019.

The Charleston-Arastradero Corridor is a high volume, 2.3-mile roadway serving 11 schools, several parks, shopping centers, commercial uses, a library, day care centers, non-profit organizations, and two community centers. The corridor extends from East Charleston Road at Fabian Way to Arastradero Road at Gunn High School.

Trial striping plans were previously implemented on Charleston Road in 2006 and on Arastradero Road in 2010 and were approved for permanent retention in 2008 and 2012, respectively. The final phase of the project will install new landscaped medians, corner bulb-outs, green bike lanes, and other enhanced bicycle and pedestrian improvements consistent with the existing striping/roadway configuration. The final phase identified opportunities for "green infrastructure" features to remove pollutants from storm water and reduce storm water runoff.

Extensive public outreach was done to develop the preferred concept plan line to add the landscaping and pedestrian/bicycle improvements to the corridor. The City hosted four community workshops and presented the plan twice to the Palo Alto Pedestrian and Bicycle Advisory Committee while developing a preferred plan line concept that was unanimously approved by both the Planning and Transportation Commission and the City Council.

Following the approval of the concept plan line by City Council in September 2015, the design team began working on the final design for implementation in the spring of 2017. A community workshop was hosted in March 2016 to gain public input on the proposed landscaping plans and planting palette. The landscaping plans presented for comment at the meeting can be accessed here: <http://www.cityofpaloalto.org/civicax/filebank/documents/51412>. The Architectural Review Board approved the landscape plans in July 2017 ([Staff Report #8073](#)).

## **Discussion**

Due to the high visibility of the Charleston-Arastradero Corridor Project and multiple opportunities to incorporate artwork, staff initiated the artist selection process in March of 2016. After reviewing the qualified artists in the Public Art pre-qualified pool, staff presented the work of 20 different artists to a selection panel composed of the project Landscape Architect Linda Gates, Cubberley artist Charles Coates, community member Lynda Lumish, former Assistant Director of Community Services Rhyena Halpern who oversaw the Arts & Science Division, and Public Art Commission Chair Jim Migdal.

From that selection panel, five artists were selected for an interview. Once the interviews were completed, Susan Zoccola was selected as the artist for the project. The Public Art Commission approved Susan Zoccola as the project artist at its [September 15, 2016](#) meeting. The contract was approved by City Council [December 12, 2016](#). Zoccola traveled to Palo Alto in January 2017 to meet with the design team and initiate her design development. Her concepts were approved by the Public Art

Commission [October 19, 2017](#).

Inspired by the water filtration systems in the landscaping and the heavily used bike corridor, the artist developed a series of five sculptures inspired by bike wheels and diatoms. Diatoms are single-celled algae that form a silica-based cell wall. Diatoms exist in all saltwater and freshwater environments, including moist soils, and are shaped like bike wheels.

Informed by the intent of the project – a heavily trafficked corridor in which the streetscape project is intended to enhance bike and pedestrian safety, Zoccola set out to create colorful wheel-based compositions marking entrances and key places along the corridor that would be dynamic for drivers, pedestrians and cyclists alike while marking a few places along the corridor for drivers to pay extra attention looking for cyclists.

Detailed design has been completed, and the footings for the sculptures are scheduled to be poured August 2019 for Phases 1 & 2 and April 2020 for Phase 3. Sculptures are expected to be installed after all construction is complete, which is anticipated for July 2020.

The original contract approved in 2016 had an expiration date of December 31, 2018. Due to construction delays, the contract was amended in December 2018 to extend the expiration date to June 30, 2019. The construction of the corridor has been delayed further, thus requiring a second amendment to extend the term to November 2021. Currently it is estimated that the artwork will be installed in late 2020. There is no change to the contract dollar amount.

### **Timeline**

Phase 1 and 2 of the Charleston-Arastradero Corridor project is under construction. Phase 3 of the project will go out to bid August 2019. The artwork(s) will be installed in coordination with the overall construction project, and is estimated to take place in late 2020.

### **Resource Impact**

This contract amendment will extend the terms in alignment with the anticipated completion date and results in no change to the overall contract amount, which remains at \$90,000 budgeted in the Art in Public Spaces Project AC-86017.

### **Environmental Review**

The subject project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. An Initial Study/Mitigated Negative Declaration (IS/MND) Was Prepared for the Charleston Arastradero Corridor Project in 2004. An addendum to the IS/MND was prepared in conjunction with the

Concept Plan approval in 2015. The planting plan and palette constitute a refinement of the landscaping identified with the Concept Plan and present no environmental impacts beyond those identified in the IS/MND. The project has also been reviewed and approved in conformance with the National Environmental Policy Act (NEPA) ([Staff Report #8073](#)).

**Attachments:**

- C17166591 SUSAN ZOCCOLA Contract Amendment No 2.doc

**AMENDMENT NO. 2 TO CONTRACT NO. C17166591  
BETWEEN THE CITY OF PALO ALTO AND  
ARTIST SUSAN ZOCCOLA, LLC**

This Amendment No. 2 to Contract No. C17166591 ("Contract") is entered into June 17, 2019, by and between the CITY OF PALO ALTO, a California chartered municipal corporation ("CITY"), and Susan Zoccola LLC, located at 4136 Meridian Ave N, Seattle, WA 98103 ("ARTIST").

**RECITALS**

A. The Contract was entered into on November 15, 2016 between the parties for the provision of creating original artworks for the Charleston-Arastradero Corridor.

B. On December 31, 2018 CITY executed amendment No. 1 to extend the contract term to June 30, 2019.

C. Due to delays in the Charleston-Arastradero Corridor project, it is necessary to extend the contract term further to allow for completion of that project prior to installation of the artworks. The parties thus desire to amend the Contract to extend the term from June 30, 2019 to November 30, 2021.

NOW, THEREFORE, in consideration of the covenants, terms, conditions, and provisions of this Amendment, the parties agree:

SECTION 1. Section 2. TERM is hereby amended to read as follows:

"SECTION 2. TERM.

The term of this Agreement shall be from the date of its full execution through November 30, 2021 unless terminated earlier pursuant to Section 23 of this Agreement."

SECTION 2. Except as herein modified, all other provisions of the Contract, including any exhibits and subsequent amendments thereto, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have by their duly authorized representatives executed this Agreement on the date first above written.

**CITY OF PALO ALTO**

**SUSAN ZOCCOLA, LLC**

DocuSigned by:  
*Susan Zoccola*  
16658E02F3AE446  
Susan Zoccola

Artist

APPROVED AS TO FORM: