

Civic Arts Commission Meeting
Wednesday, April 28, 2021
6:00 PM

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the Civic Arts Commission will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/86147520326>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-900-9128** and enter Meeting ID: **861 4752 0326**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair. To submit an e-mail comment during the meeting to be read aloud during public comment, email civicarts@cityofberkeley.info with the Subject Line in this format: "PUBLIC COMMENT ITEM ##." Please observe a 150 word limit. Time limits on public comments will apply.

Agenda

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT** (for items not on the agenda)
4. **APPROVAL OF MINUTES**
 - a) March 24, 2021 Draft Minutes (Attachment 1)
5. **CHAIR'S REPORT**
 - a) Revisit Commissioner roles on subcommittees

6. PRESENTATIONS and DISCUSSION

- a) Municipal Artists in Residence (Partnership between City of Berkeley and Kala Art Institute)

7. ACTION ITEMS (All items for discussion and possible action)

- a) Approval of slate of Berkeley Art Works Project Grants (Attachment 2)
- b) Draft Public Art Ordinance (Attachment 3)
- c) Affordable Housing for Artists Draft Referral (Attachment 4)
- d) Budget Referral Requests: Arts reopening grant funds, Capital improvement grant funds, and Restoration of festival grant funds to \$158,315 and \$53,350 of public art funds deferred during FY21 budget process. (Attachment 5)
- e) Approval of budget allocation in the amount of \$2,254 for a mosaic tile border art project by Priscilla Hine from the Cultural Trust Fund (Fund 148) FY21 contingency funds.
- f) Approval of budget allocation in the amount of \$35,000 for tile placemaking art project at Aquatic Park from the Cultural Trust Fund (Fund 148) FY21 contingency funds, to match funds provided by Parks.

8. STAFF REPORT

- a) Project updates
- b) Private Percent for Art Quarterly Report (Attachment 6)
- c) Festival Quarterly Report (Attachment 7)
- d) Individual Artist Grantee Presentations – Scheduling for Fall 2021

9. COMMITTEE REPORTS

a. Grants

- John Slattery, Chair
- Kim Anno
- Lisa Bullwinkel

b. Policy

- Kim Anno, Chair
- Lisa Bullwinkel
- Liz Ozol
- Joshua Sifuentes Rodriguez

c. Public Art

- Matt Passmore, Chair
- Kim Anno
- Dana Blecher
- Modesto Covarrubias

d. Representative on Berkeley Cultural Trust

- Lisa Bullwinkel

- e. Representatives on Berkeley Arts Education Steering Committee
 - Liz Ozol
 - Riti Dhesi

- f. Representative on Design Review Committee
 - Modesto Covarrubias

- g. Representatives on Civic Center Arts Hub Exploratory Group
 - Dana Blecher
 - Lisa Bullwinkel
 - Liz Ozol

- h. Representative on Ad-Hoc Artists Affordable Housing Committee
 - Kim Anno

10. COMMUNICATION

11. ADJOURNMENT

Attachments:

1. March 24, 2021 Draft Minutes
2. Slate of Berkeley Art Works Project Grants (**added 04/27/21**)
3. Draft Public Art Ordinance
4. Affordable Housing for Artists Draft Referral (**updated 04/27/21**)
5. BCAC-Letter to Council re Civic Arts Grants 2021 (**added 04/27/21**)
6. Private Percent for Art Quarterly Report
7. Festival Quarterly Report

Staff Contact:

Jennifer Lovvorn

Secretary to the Civic Arts Commission

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ADA Disclaimer

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.

DRAFT MINUTES
Civic Arts Commission Meeting
Wednesday, March 24, 2021
6:00 PM

No physical location; meeting held exclusively through videoconference and teleconference.

1. CALL TO ORDER 6:03 PM

2. ROLL CALL

Commissioners Present: Anno, Blecher, Bullwinkel, Covarrubias, Dhesi, Ozol, Passmore, Slattery.

Commissioners Absent: Rodriguez.

Staff Present: Jennifer Lovvorn, Commission Secretary/Chief Cultural Affairs Officer and Chrystal O'Malley, Civic Arts Analyst.

Members of the public in attendance: 2

3. PUBLIC COMMENT (for items not on the agenda)

0 speakers

4. APPROVAL OF MINUTES

a) **February 24, 2021 Draft Minutes**

Action: M/S/C (Bullwinkel/Anno) to approve the February 24, 2021 Minutes.

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

5. CHAIR'S REPORT

a) 2021 Work Plan – Chair reported that there are twenty seven items on the work plan and asked Commissioners which items are a top priority for each member.

6. PRESENTATIONS and DISCUSSION

7. **ACTION ITEMS** (All items for discussion and possible action)

- a) **Proposed changes to fence mounted flower elements and didactic signage by Michael Arcega for the San Pablo Park public art project**

Action: M/S/C (Passmore/Anno) to approve changes to fence mounted flower elements and didactic signage by Michael Arcega for the San Pablo Park public art project.

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

8. **STAFF REPORT**

- a) New exhibition at Cube Space
- b) Update on sound installation at Bart Plaza
- c) Update on Rumford statue
- d) Update on Study of Affordable Housing for Artists and Cultural Workers
- e) Update on Berkeley Art Works Projects – Selection process commencing
- f) Announce open RFQ for Fine Art Services Providers – Deadline April 6
- g) Schedule for Civic Arts Grant Review Panels
- h) Demographics for Civic Arts

9. **COMMITTEE REPORTS**

- a) Grants — No meeting in March 2021.

- John Slattery, Chair
- Kim Anno
- Lisa Bullwinkel

- b) Policy — No meeting in March 2021.

- Kim Anno, Chair
- Lisa Bullwinkel
- Liz Ozol
- Joshua Sifuentes Rodriguez

- c) Public Art — Met on March 12 to discuss public art ordinance and proposed changes to San Pablo Park public art project.

- Matt Passmore, Chair
- Kim Anno
- Dana Blecher
- Modesto Covarrubias

- d) Representative on Berkeley Cultural Trust — Met on March 10 and discussed BCT

leadership and opportunities to participate in advocacy for funding and reopening.

- Lisa Bullwinkel
- e) Representatives on Berkeley Arts Education Steering Committee Representative — Met on March 22 and discussed reopening of schools as it relates to arts education and planning for BEARS summer arts program.
- Liz Ozol
 - Riti Dhesi
- f) Representative on Design Review Committee — Dana Blecher attended the last meeting to consider replacing Modesto Covarrubias on the Design Review Committee.
- Modesto Covarrubias
- g) Representatives on Civic Center Arts Hub Exploratory Group — The group is starting to set up tours of the Civic Center buildings with groups of six people each due to COVID-19. The group is also creating a survey to gather community feedback and is close to raising the funds to hire a seismic engineer.
- Dana Blecher
 - Lisa Bullwinkel
 - Liz Ozol
- h) Representative on Ad-Hoc Artists Affordable Housing Committee — The group will be scheduling a meeting with affordable housing advocates.
- Kim Anno

10. COMMUNICATION

11. ADJOURNMENT Adjourn 7:28 PM

Action: M/S/C (Bullwinkel/Blecher) to adjourn commission meeting.

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

Staff Contact:

Jennifer Lovvorn

Secretary to the Civic Arts Commission

Berkeley, CA 94704

(510) 981-7533

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will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

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**Berkeley Art Works Projects Artist & Performer Grants -- Round One Award Recommendations
Civic Arts Commission Meeting -- April 28, 2021**

Applicant First Name	Applicant Last Name	Average Score	Amount Requested	Project Theme	Council District
Faye	Carol	921	\$ 10,000.00	Community connection & belonging	District 3
Kate	Pocrass	885	\$ 9,800.00	Community connection & belonging	All
John	Sanborn	700	\$ 9,000.00	Community connection & belonging	District 8
Cecilia	Bowman	655	\$ 2,000.00	Community connection & belonging	District 4
Miriam	Dym	866	\$ 10,000.00	Community connection & belonging	District 5
Jeannie	O'Connor	815	\$ 10,000.00	Economic recovery & resilience	District 1
Aida	Gamez	789	\$ 8,530.00	Community connection & belonging	District 1
Mokhtar	Paki	711	\$ 10,000.00	Community connection & belonging	District 3
Roo	Sczesnak	705	\$ 2,000.00	Community connection & belonging	District 6

\$ 71,330.00 Total Award (Subject to change with staff review/

Berkeley Art Works Projects Microgrants -- Round One Award Recommendations
Civic Arts Commission Meeting -- April 28, 2021

Applicant Name	Proposal	Review Score	Amount Requested	Project Theme	Project Location	Council District
Shannon Koy	Spring Hope: A temporary, student art exhibition to be installed on the Allston Way fence at Rosa Parks School.	86.4	\$ 500.00	Community connection & belonging	The Spring Hope exhibition will be installed on the Allston Way fence at Rosa Parks School.	2
Loretta Drummond	Hellstrip to Habitat: Transform planter strips along 63rd Street to beautiful, low maintenance plantings.	78.4	\$ 500.00	Public health & wellbeing	South Berkeley (primarily 63rd Street between Adeline and King Street)	3
Sarah Chung	Seeking Sisterhood: Six separate paintings throughout the city of honeybee sisters.	75.2	\$ 500.00	Community connection & belonging	unknown	TBD
Noor Brody	"BERKELEY TOGETHER" crossword mural	73.2	\$ 500.00	Community connection & belonging	Still unknown; can be painted on a wall or boarded storefront. I have a preference for west/south Berkeley because there are fewer public artworks in neighborhoods there.	TBD

\$ 2,000.00 Total Awarded

DRAFT BERKELEY PUBLIC ART FUNDING ORDINANCE

ORDINANCE NO. X,XXX

Berkeley Municipal Code Chapter 6.14: VISUAL ART IN PUBLIC PLACES [Or Title 7: FINANCE, REVENUE & TAXES?]

APPROPRIATION FOR PUBLIC ART

(1). Purpose.

The City of Berkeley believes that the cultivation and development of a livable city is enhanced by the presence of public art and creative expressions available for the enjoyment of all members of the community. Public art enhances community vitality, fosters a sense of belonging, and provides opportunities to meaningfully involve community members in the design of their environment. Furthermore, public art provides professional opportunities for artists, which contributes to the economic sustainability of the arts community. The City of Berkeley is committed to strengthening its municipal public art program by enhancing the funds available for public art and ensuring flexibility to provide equitable public art experiences in the City of Berkeley that are timely, meaningful, and relevant. Therefore, it is the purpose of this Chapter and the policy of this City to provide for the allocation of two percent (2%) of the cost of construction associated with municipal capital improvement projects to be paid into the Public Art Fund, which shall be used for art and cultural enrichment of public buildings, parks, streets, and other public spaces in the City of Berkeley.

(2). Public Art Fund Allocation.

(a) It shall be City policy to set aside two percent (2%) of its capital improvement project (CIP) budgets, as defined in this section, for the purpose of providing public art. Except as provided in this section, all CIP projects shall be subject to this policy, including but not limited to buildings, shelters, parking garages and lots, restrooms, small structures, parks, medians, landscaping, plazas, gateways, bridges, walls, tunnels, street and road construction. CIP projects include new construction, as well as renovations and alterations. Salaries and benefits of public employees supporting CIP projects shall not be included in the CIP budget subject to this ordinance. This policy shall apply to all capital improvement projects included in the annual capital improvement program (CIP) budget, as well as capital improvement projects funded through any amendment to the annual appropriation ordinance.

(b) The following CIP projects are excluded from this policy:

- (i) ADA compliance projects (not including projects where ADA compliance is a portion of a larger project).
- (ii) Emergency repair projects.
- (iii) Cyclical replacement and repair of trails, outdoor furnishings, or fencing.

- (iv) Studies and environmental review.
- (v) Roof replacement (not including projects where roof replacement is a portion of a larger project).
- (vi) Mechanical, security, A/V equipment, and HVAC, upgrades and repairs (not including projects where these are a portion of a larger project).
- (vii) Utilities projects, except where the project includes construction or reconstruction of a building.
- (viii) Vehicle repair and replacement.
- (ix) IT purchases and installations.
- (x) Seismic upgrades and waterproofing (not including projects where these are a portion of a larger project).
- (xi) Projects where the majority (more than 50%) of the cost is allocated to elements located underground.
- (xii) Projects where prohibited by federal or state law, including projects or portions of projects funded by grants from non-city sources that prohibit expenditure of funds for art.

(3) Reasonable efforts to include funds for public art.

(a) City staff shall use reasonable efforts to obtain appropriate approvals from any funding source for any capital improvement project, to allow use of two percent (2%) of such funds for the acquisition of public art as provided in this title. Such efforts shall include, without limitation, identifying public art in grant applications for capital improvement projects, efforts to include expenditures for public art in developer funded infrastructure projects, and efforts to allocate for public art in developer-constructed infrastructure and public facilities.

(b) If the city enters into an agreement with another public entity, whereby city funds are transferred to such other public entity for the capital improvement project that would otherwise be deemed subject to the public art requirements under this title, city staff shall use reasonable efforts to include in such agreement, whenever it is lawful to do so, a requirement that the recipient entity or its successor in interest shall take appropriate measures to insure that not less than two percent (2%) percent of the city funds so transferred are expended for acquisition of public art.

(c) Before proposing a bond issue or making a request for an appropriation for the construction of any of the projects set forth in this Chapter, the officer, board or commission concerned shall add thereto for the Public Art allocation associated with the proposed CIP project, two percent (2%) of the gross estimated construction cost. Where funding eligibility is

limited by law or funding agency rules, the Public Art allocation shall be based upon two percent of eligible construction costs.

(d) Nothing in this section is intended to prohibit the city council from adopting an ordinance or resolution establishing a public art contribution for any project otherwise excluded from this policy or setting the public art contribution for any project at greater than two percent of the CIP budget.

(e) Aggregation of Funds. Funds shall be deposited into the Public Art Fund. Per BMC Chapter 6.14, the Civic Art Commission shall determine public or publically-accessible sites for art funded by the two percent for art policy. Funds may be expended on public art at any appropriate site within the city. Funds from two or more CIP projects may be pooled to fund a single work of art. Funds may be used for permanent or temporary public art.

(f) The Civic Arts Commission shall adopt administrative regulations to implement this section.

(4) Definitions. For purposes of this Section:

- "Alteration" of a building, aboveground structure, or transportation improvement project shall include substantial changes to elements such as walls, partitions, or ceilings on 2/3 or more of the total floor space, excluding basements. "Substantial changes" shall include additions to, renovation of, removal of, and modification of such elements.
- "Civic Art Collection" shall mean the various artworks owned by the City under the jurisdiction of the Civic Arts Commission that are accessioned by action of the Commission into the Civic Art Collection.
- "Construction cost" shall mean the total estimated construction contract award amount, including the costs of all built-in fixtures, unless otherwise agreed to by the Civic Arts Commission. "Construction cost" shall not include movable or personal property or construction cost contingency.
- "Public Art" shall mean the acquisition and installation of original works of art (including limited editions), or temporary installation, 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 the creative work of artists, as approved by the Civic Arts Commission. [See notes at the end for other definition of Public Art included in the BMC]
- "Transportation improvement project" refers to Public Works projects which include both aboveground and below-ground transportation-related projects; boarding ramps; transit platforms; terminals and transportation systems with their attendant passenger amenities, such as shelters, seating, lighting, landscaping, and signage; transportation-related

structures such as maintenance and operating facilities; power substations; and street/highway-related transit improvements such as bridges and overpasses.

(5) Administrative Fees.

The Civic Arts Commission shall supervise and control the expenditure of all funds appropriated for public art and shall allocate up to twenty percent (20%) of said funds for all necessary and reasonable administrative costs incurred in connection therewith unless such administrative fee is limited or prohibited by the funding source.

(6) Maintenance and Conservation Funds.

The Civic Arts Commission may set aside and expend up to ten percent (10%) of the total public art allocation for each project for maintenance and conservation of artworks in the Civic Art Collection. When permitted by the funding source, funds set aside pursuant to this Section shall be invested in an interest-bearing account when the total of such funds set aside exceeds \$10,000.

(7) Miscellaneous Provisions.

(a) Construction and installation of public art shall comply with the requirements of all applicable building codes, laws, ordinances, rules and regulations.

(b) Nothing in this Section shall be construed to limit or abridge the jurisdiction of the officer, board or commission of the participating City department to supervise and control the expenditure of project funds other than the two percent (2%) allocation for public art.

(c) This ordinance shall not be applied retroactively to projects for which an public art allocation previously would not have been required, nor to those projects for which project funding has been approved by prior voter action but not yet appropriated or expended. Nor shall this ordinance be construed to allow for an increase in the total public art allocation for a project that is already underway or for which the public art allocation has already been established.

(d) Ownership. All art acquired pursuant to this chapter shall be acquired in the name of the City of Berkeley as part of the Civic Art Collection and title shall vest in the City of Berkeley.

NOTES – Alternate Definitions of Public Art in Berkeley Municipal Code:

BMC Chapter 6.14 VISUAL ART IN PUBLIC PLACES

A. *"Visual art in public places" means any visual work of art displayed for two weeks or more in an open City-owned area, on the exterior of any City-owned facility, in areas designated as*

public areas, lobbies, or public assembly areas, or on non-city property if the work of art is installed or financed, whether wholly or in part, with city funds or grants procured by the City.

B. "Work of art" is an original work by an artist and includes, but is not limited to, functional art integrated into public improvements, sculpture, monument, mural, painting, drawing, photography, fountain, banner, mosaic, weaving, art glass, multi-media, computer-generated art, electronic and media art, video, earth art, installation art, performance and time based works of visual art, and social practice art.

BMC Chapter 23C.23 Percentage for Public Art on Private Projects.

D. "On-Site Publicly Accessible Art" means an original work by an Artist, including, but not limited to, functional art integrated into the building, landscape, or element of infrastructure, including sculpture, monument, mural, painting, drawing, photography, fountain, banner, mosaic, textile, art glass, digital media art, video, earthworks and multi-media installation, that is in a location that is accessible to and available for use by the general public during normal hours of business operation consistent with the operation and use of the premises.

[CONSENT OR ACTION]
CALENDAR
[Meeting Date (MM dd, yyyy)]

To: Honorable Mayor and Members of the City Council
From: Civic Arts Commission
Submitted by: Modesto Covarrubias, Chairperson, Civic Arts Commission
Subject: Direction and Referral to City Manager on Use of Ground Floor Vacant Storefronts as Affordable Artist Live/Work Space

RECOMMENDATION

1. Refer to the City Manager to take the following actions to initiate the process of amending zoning to allow Affordable Live/Work Housing for Artists in ground floor spaces adjacent to the street frontage in lieu of the required retail of commercial use.
 - a. Work with the Planning Department to craft language to expand allowable ground floor uses to include Affordable Live/Work Housing for Artists in desired areas of the City, such as the San Pablo Avenue and University Avenue corridors and other appropriate districts.

2. Refer to the City Manager to develop City policies that encourage adaptive re-use of vacant commercial storefronts for cultural uses **[Question: Cultural Uses or Affordable Live/Work Housing for Artists?]** to aid in maintaining healthy neighborhoods and animate the targeted areas. New policies should:
 - a. Incentivize property owners that have commercial vacancies to consider alternative uses by artists through subsidies.
 - b. Consider incentives such as a tax reduction or credit, low interest loans for improvements, and/or grant programs to support capital improvement costs of converting space to artist affordable live/work housing or cultural use.
 - c. Establish a pilot of the Affordable Live/Work Housing for Artists policy with a focus on the San Pablo and University corridors during the upcoming Fiscal Year 2021-2022 budget cycle.

3. Refer to the Civic Arts Commission (and any other an appropriate City Commission) to develop a clear definition of allowable uses and criteria for artist eligibility. These criteria should:
 - a. Clarify what constitutes desirable and appropriate use, based on review of the City's existing definition for arts and cultural studio uses in the WEBAC zoning code in addition to current best practices. This includes defining

- the responsibility of tenants to maintain a lively street presence and/or frontage.
- b. Define artist eligibility criteria for live/work and work/live applications in the pilot area and the responsibility for applicant selection.

FISCAL IMPACTS OF RECOMMENDATION

The financial impact to the City is yet to be determined and would be related to administrative costs to develop and possibly implement the affordable housing program, depending upon how the management of the program is structured. Because the vacancy rate of brick and mortar retail spaces has been increasing over the last few years due to consumers shifting to on-line shopping, the City is already not collecting business license fees from the existing vacant spaces. The City may have a potential net gain relative to revenues since this policy would allow for the activation of the vacant retail spaces and those tenants would pay business license fees. Allowing artists to activate these retail spaces may also help sustain the existing retail spaces by increasing interest in the neighborhood.

CURRENT SITUATION AND ITS EFFECTS

Artists have been significantly displaced from the Berkeley due to the high cost of rent for both housing and studio space in Berkeley. The sculptors, Mildred Howard and Michael Christian, two of the nation and region's most successful artists provide case studies of displacement from Berkeley. The COVID-19 pandemic has further exacerbated this issue.

Housing costs continue to drive artists out of Berkeley. This exodus has accelerated since the COVID-19 pandemic, which has been economically devastating to the arts sector. Berkeley's artists are important contributors to the cultural life, reputation and spirit of innovation of the city. The arts are also a significant economic driver as detailed in the Economic Impact Report included in the City of Berkeley Arts & Culture Plan (2018 Update).

Retail vacancies have risen steadily in recent years as more purchasing has migrated online. The COVID-19 pandemic has accelerated this trend and led to even greater amounts of empty space, even in Berkeley's most popular commercial areas.

Studies recently done by a local citizen's task force of the San Pablo Avenue and University Avenue corridors documented up to 20% of properties either vacant or in risk of default in the areas suggested for the pilot program. **[Describe the local citizen's task force. Who are they, why did they form, when?]**

Removing barriers to adaptive re-use of these spaces holds not only potential to provide a new supply of affordable live/work spaces for artists but activates neighborhood areas that are increasingly unpopulated and in danger of falling into blight. The presence of

artists living and working around the clock has been documented as a key factor in creating more livable, animated urban areas.

The [City of Berkeley Arts & Culture Plan \(2018 Update\)](#), approved by City Council in 2018, provides a framework for supporting the arts within the context of economic growth, and calls for the inclusion of arts and culture in future City plans. Affordable artist housing is identified as the top priority.

The goal of this referral request is to increase active uses of ground floor space and provide a new low impact, supply of affordable live/work spaces for artists.

BACKGROUND

As brick and mortar retail activity has diminished, it has been difficult to fill retail spaces in new construction. In order to meet the needs of developers, existing landlords, and artists who need affordable housing and/or studio space, a new solution is necessary. Vacant storefronts are detrimental to neighborhood businesses and a healthy urban fabric. The utilization of ground floor space for artist live/work will increase the vibrancy of an area and create new housing opportunities for artists at risk of displacement with existing space conversion.

[Hadley Dynak note: Add more data here. Mention San Pablo University inventory. Methodology and detail. Also include reference to any existing City language on vibrancy goals.]

The first goal outlined in the City of Berkeley Arts & Culture Plan (2018 Update) is to: “Increase Access to Affordable Housing and Affordable Spaces for Artists and Arts Organizations.” The plan calls for expanded availability of affordable housing and workspaces for both artists and arts organizations. Specifically the following Policy recommendations are identified:

1.1 c: Facilitate the creation of artist workspaces through land use policy changes, such as encouraging use of ground-floor commercial spaces by individual artists and arts nonprofits.

1.2 b: Identify vacant and underutilized buildings that could be converted for use as artist housing and workspaces.

While West Berkeley is a geography that presents the potential for a greater number of affordable housing units, we recommend that the overall strategy consider citywide affordable housing opportunities for artists and cultural workers.

[Hadley Dynak note: Include more here on MULI history and the importance of other dedicated areas for artist live/work.]

ENVIRONMENTAL SUSTAINABILITY

Limited impact

RATIONALE FOR RECOMMENDATION

Improved use of existing space to increase vibrancy, prevent further neighborhood deterioration, and create additional housing for low income artists and cultural workers.

ALTERNATIVE ACTIONS CONSIDERED

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

Jennifer Lovvorn, Secretary, Civic Arts Commission, (510) 981-7533

Attachments: [Delete if there are NO Attachments]

1: [Title or Description of Attachment]

2: [Title or Description of Attachment]

To: Honorable Mayor and Members of the City Council

From: Civic Arts Commission

Submitted by: Lisa Bullwinkel, Vice Chairperson

Subject: Budget and Civic Art Grants Funding

Mayor Arreguín and Council Members,

With that brilliant light at the end of the COVID-19 tunnel, the arts have the ability to come alive once again to provide a renewed sense of joy and celebration of our shared humanity. We are expecting to be inundated with a community eager to gather together to celebrate the end of our isolation.

This awakening is going to tax the arts financially, as it will take additional resources to safely open up performing venues, classrooms, and street festivals. The need for one-time infrastructure needs such as HVAC systems, additional staffing, PPE and other equipment will create an additional burden on these already-stressed organizations.

Since the American Rescue Plan is providing the city with close to \$70M, the Civic Arts Commission is requesting the following:

- Stabilizing the \$500,000 line item in the budget for the Civic Arts Grants for Individuals and Organizations;
- Adding an additional one-time amount of \$750,000 to the Civic Arts Grants for Organizations to address their upcoming needs for reopening;
- Increasing the annual funding for Civic Arts Grants for Festivals from the pre-pandemic level of \$158,315 to \$200,000, as they will now need annual additional funding to provide safety features for event attendees.

Thank you for your continued support of the arts. We know you understand their importance not only as a huge economic driver for our fair city, but the reason we are able to connect to one another without Zoom!



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

To: Civic Arts Commission
From: Jennifer Lovvorn, Chief Cultural Affairs Manager
Date: 04/28/2021
Re: Update on Public Art on Private Development

Civic Arts staff began implementation of the Public Art on Private Development program in the first half of 2017.

To date staff has been in direct contact with 47 developers.

- 10 developers have chosen to do art on site.
- 37 developers have chosen to pay the in-lieu fee.

Projects Implementing On-Site Artwork

Address	Building Valuation	Artwork Value	Status
1717 University	No building permit	NA	Final Art Plan Approved
1950 Addison	\$16,649,030.00	\$252,682.00	Art Installed
2120 Berkeley	\$6,000,000.00	\$60,000.00	Final Art Plan Approved
2503 Haste St	\$18,769,159.00	\$328,460.00	Final Art Plan Approved
2556 Telegraph	\$5,927,000.00	\$103,722.00	Final Art Plan Approved
1110 University	\$1,750,000.00	\$175,000.00	Conceptual Art Plan received
2542 Durant	\$4,218,542.00	\$42,185.00	Declaration received
2435 San Pablo	\$2,854,621.00	\$49,956.00	Declaration received - Eligibility being questioned
1207 10 th Street	\$3,202,228.00	\$56,039.00	Conceptual Art Plan received
2352 Shattuck	\$50,000,000.00	\$400,000.00	Declaration Received/On-Site Art

Projects Paying In-Lieu Fee

Address	Total Building Valuation	Declaration Amount	Status	Fiscal Year
2121 Durant	\$7,523,320.00	\$60,186.56	Check Received	FY19
2029 Blake	\$1,580,000.00	\$126,400.00	Check Received	FY19
2510 Channing	\$13,333,600.00	\$106,664.00	Check Received	FY20
2621 Tenth	\$10,500,000.00	\$84,000.00	Check Received	FY20
739 Channing	\$2,542,309.00	\$20,388.00	Check Received	FY20
2580 Bancroft	\$29,446,236.00	\$235,569.89	Check Received	FY21
2628 Shattuck	\$11,109,882.00	\$88,879.00	Declaration Received	FY21
999 Anthony	\$3,150,000.00	\$25,200.00	Check Received	FY21
2028 Bancroft	\$6,000,000	\$48,000.00	Check Received	FY21
2100 San Pablo		\$144,000.00	Check Received	FY21
2072 Addison	\$9,367,000.00	\$74,936.00	Check Received	FY21
1200 San Pablo	\$15,812,440.46	\$126,499.52	Declaration Received	

1951 Shattuck	\$60,000,000.00	\$480,000.00	Declaration Received
2015 Blake	\$30,789,675.00	\$246,317.00	Declaration Received
2198 San Pablo Ave	\$5,800,000.00	\$46,400.00	Declaration Received
2325 McGee Ave	\$1,000,000.00	\$8,000.00	Declaration Received
2527 San Pablo Ave	\$7,400,000.00	\$59,200.00	Declaration Received
2650 Telegraph	\$5,784,712.00	\$46,278.00	Declaration Received
3000 San Pablo	\$9,624,410.25	\$72,329.13	Declaration Received
1900 Fourth Street	\$70,000,000.00	\$560,000.00	Declaration Received
2000 Dwight	\$14,453,124.00	\$115,625.00	Declaration Received
2590 Bancroft	\$13,870,446.00	\$110,964.00	Declaration Received
1835 San Pablo	\$11774,450.00	\$94,198.00	Declaration Received
2176 Kittredge	+/- \$29,000,000.00	\$236,792.00	Declaration Received
2136 San Pablo	\$13,109,831.87	\$104,878.65	Declaration Received
1367 University Ave	\$956,398.89	\$7,651.19	Declaration Received
600 Addison	\$195,822,120.00	\$1,566,577.00	Declaration Received
2317 Channing	\$5,000,000.00	\$40,000.00	Declaration Received
3031 Telegraph	\$39,000,000.00	\$312,000.00	Declaration Received
2023 Shattuck	?	\$30,822.00	Declaration Received
1650 Shattuck	\$4,000,000.00	\$32,000.00	Declaration Received
2210 Harold Way	\$7,000,000.00	\$122,500.00	Declaration received
2701 Shattuck	\$4,669,113.00	\$37,352.90	Declaration received
2000 University Ave	\$5,173,564.54	\$41,388.52	Declaration received
2229 4th/2222 5th Street	\$2,170,026.00	\$17,360.21	Declaration Received
2221 4th,2216 5th St	\$10,900,000.00	\$87,200.00	Declaration Received
1914 5th Street	\$28,048,232.06	\$224,385.86	Declaration Received

Estimate Projection of future funds not yet received	\$4,826,718.98
Administrative Cost (20%)	\$965,343.80
Conservation of the City's collection (10%)	\$482,671.90
Projection of Funding for Art Projects (70%)	\$3,378,703.29

Guidelines of Use of Funds

The Funds can be used for:

1. Grants to nonprofit arts and cultural organizations for the provision of Publically Accessible Cultural Services to Berkeley's communities
2. Commissions for Art in public places including unique permanent and temporary artworks, and enhancements to City-funded capital improvements projects for public art on City property or public rights of way
3. 20% Administration of the Private Percent Art Fund
4. 10% Conservation of the City's collection of public art

FY21 Festivals Pivoting to Online/Broadcast/other Media

1. Inferno Theatre's annual Contemporary Diasporas Festival June 25-26, 2021

<https://infernotheatre.org/>

What is your plan for pivoting your event to be in compliance with the City of Berkeley's health orders?

Last year, our seventh annual Contemporary Diasporas Festival was streamed online on June 19 and 20, 2020. Due to the COVID-19 health restrictions, we streamed 16 original videos created by 30 individual artists (17 artistic groups) specifically for our Online Festival, and many of them referenced the COVID-19 experience.

Since we launched our digital festival, these videos have been viewed over 400 times in Berkeley, Oakland, San Francisco, and 8 different countries including Argentina, India, and the Netherlands. The 2020-2021 pandemic is still ravaging, so we are planning to have another virtual Festival in order to comply with the City of Berkeley health orders. All the planning and the presentation of the artwork will be done online.

What format will you use to present or host your event?

Following the success of the seventh online festival. The eight annual Contemporary Diasporas Festival will be hosted online. The event will be streamed on Friday, June 25, and Saturday, June 26, 2021, beginning at 7 pm. Both nights will be followed by a live talkback following the streaming of the artistic works. The talkback will give audience members a chance to interact with the artists via video conference. We will assemble the collection of videos from the artists, prepare the platform from which the videos will be streamed, and prepare the talkback logistics. We will also curate and create images and publicity materials to be posted on social media and on the Inferno website.