



PUBLIC ART ADVISORY COMMITTEE MEMO

Meeting Date: April 15, 2024

To: Public Art Advisory Committee

From: Noreen Leek, Parks & Recreation Director

Subject: Firth Park art restoration project

Background

In 2023, the Public Art Advisory Committee discussed tackling a few small-scale projects. One project included refurbishing the existing art at Firth Park which would include the turtle and helix sculptures.

Discussion

The Committee directed staff to collaborate with the City's Public Works team to determine the scope of work required to repair the Firth Park art pieces and to solicit an estimate. This information is provided in Attachment 1. Please note: this estimate includes additional work for other projects that are not related. For the purpose of this staff report, you are only being asked to consider the scope and estimate for the Firth Park turtle and helix.

If the Committee determines they would like to pursue this project, the next step would be to make a formal proposal to the City Council to allocate the funds required to initiate the repairs. Beyond the repair stage, if the Committee wishes to proceed with a redesign of the art, the following summarized steps would be required per the City's Art Implementation guidelines (Attachment 2):

1. The Public Art Advisory Committee would recommend to the City Council the amount of money from the Public Art Fund to be used for the project and the method of calling for artists.
2. The Public Art Committee would select an artist, or group of artists, through a public process using one of the following methods:
 - a. Request for qualifications (RFQ)
 - b. Request for proposals (RFP)
 - c. Invitational competition.
3. The City Council would review and approve the Committee's recommendation of the artist or artist group.
4. The Public Art Committee and City staff would meet regularly with the selected artist, or group of artists, to develop the Conceptual Design Plan.
5. Once the Conceptual Design Plan is approved by the Public Art Committee, the final design would be reviewed and approved by the City Council prior to installation.

At this time, the Committee should provide direction to staff regarding preferred next steps.

Fiscal Impact

The cost estimate for phase 1 of this project (to repair the existing structures) is \$5,128. Funds to support this effort are available within the Public Art Fund (Fund 275).

Attachments

1. Estimate from Carmel Kabash
2. Public Art Implementation Guidelines



Noreen Leek, Parks & Recreation Director



**708 Humboldt Road
Brisbane, CA 94005
415-368-8963
ckabash@carmelkabashcoatings.com
www.carmelkabashcoatings.com
Lic. No. 1041643**

March 9, 2024

Keegan Black
50 Park Place
Brisbane, CA 94005

Dear Mr. Black,

Please find enclosed my estimate for painting the Helix and Turtle Sculptures at Firth Canyon Park, as well as the Community Park Pony Wall, and the Police Station interior and exterior wall with moisture issue in Brisbane, CA. The project will be my number one priority and will be executed to the highest standards of professionalism.

I bring considerable skill and experience to the project. I serve residential and commercial clients in the Bay Area community. I do both interiors and exteriors.

I do high quality work from the prep work to the finish coats of paint. For preparatory work, I mask surfaces, do extensive scraping and sanding, patch where necessary, dust, and caulk as necessary. Many low-quality painters don't do the prep work that I do. I do a full body prime of surfaces and two finish coats of paint using the highest quality paints. Low bid painters cut corners and spot prime and use fewer coats of paint using substandard paint products. My work lasts years. Low bid painters do paint jobs that need to be done over in only a few years. When a client retains my services, they know they will have a paint job that lasts years without failing.

Please visit my website to learn more about my company's work.

Please feel free to contact me with any questions regarding the project and my qualifications. I hope to have the pleasure of working with you.

Sincerely,

Carmel Kabash

Enc.



**CARMEL KABASH GENERAL CONSTRUCTION
AND PAINTING CONTRACTOR**

Lic. No. 1041643

Estimate

FROM: Carmel Kabash
708 Humboldt Road
Brisbane, CA 94005
415-368-8963

PROPOSAL SUBMITTED TO:

Name: Keegan Black
Phone: (415) 728-7986 Date: 3/9/2024
Street: 50 Park Place
City: Brisbane
State: CA Zip: 94005

I propose to furnish all labor and materials necessary to paint the Helix and Turtle Sculptures at Firth Canyon Park, as well as the Community Park Pony Wall, and the Police Station interior and exterior wall with moisture issue in Brisbane, CA. Specifically, the work to be done is:

Preparatory Work:

- Contain work area
- Masking
- Scraping
- Sanding
- Patching where necessary
- Dusting
- Caulking – defective and missing caulk will be replaced
- Rust spots will be coated in red oxide
- The surfaces of the Helix and Turtle sculptures will be sanded and rinsed with a phosphoric acid cleaner
- Cracks of the Helix and Turtle sculptures will be patched with Miracle Bond repair epoxy
- For the Community Park Pony Wall, old glue will be ground off and the decorative wave will be put back
- The cracks at the Police Station exterior surfaces will be sanded open and patched with a Shermax urethane elastomeric caulking
- The cracks at the Police Station interior surfaces will be sanded open and patched with a Shermax urethane elastomeric caulking

Painting


- The Helix and Turtle sculptures as well as the Community Park Pony Wall will be primed in a Sherwin Williams Rejuvenate primer
- Surfaces of the Helix and Turtle sculptures will be finished in a Sherwin Williams Emerald Rain Refresh HPA High Performance Acrylic
- The surfaces of the Community Park Pony Wall will receive two finish coats of a Sherwin Williams Sher-Cryl HPA paint
- The exterior of the Police Station will be primed with a Sherwin Williams Loxon Water Blocking Primer and receive two finish coats of a Loxon XP water proofing paint
- The interior of the Police Station will be primed with a Sherwin Williams Loxon Water Blocking Primer and receive two finish coats a Sherwin Williams Duration flat finish paint

General

- We will clean and dispose of refuse

All of the work is to be completed in a substantial and workmanlike manner for the following projects:

- Turtle/Helix Sculptures: \$5,128 in labor and materials
- Community Park Pony Wall: \$4,800 in labor and materials
- Police station interior and exterior water damaged surfaces: \$7,680 in labor and materials

A handwritten signature in blue ink, appearing to read "Carmel Kabash", is centered within a light blue rectangular box.

Authorized Signature

Carmel Kabash

Public Arts Implementation Guidelines

City of Brisbane

Approved by Council 06.17.21

Purpose:

The City of Brisbane adopted a Public Arts Ordinance in 2014 in order to increase citizens' appreciation of art, to improve quality of life, and to enhance Brisbane's identity as a unique community within the greater Bay Area. Additionally, public art should stimulate creativity, imagination, induce creative conflict, and add a unique human quality to the community environment and enrich public spaces. A city rich in art becomes an outdoor cultural museum accessible to everyone.

Public art can and should be an integral part of the design and the planning process of all development.

Goals:

1. **Community Involvement** – A community develops a specific identity and character over time. Residents are uniquely qualified to provide insight into the types of public artwork that are best suited for the community depending on the size of the project. Those who reside in the community are encouraged to participate in the selection process of public art pieces by participating at public meetings.
2. **Diversity of Art** – The collection should be diverse in its representation of artists and artistic styles and be reflective of the ethnic and cultural diversity of the community.
3. **Creation of Sense of Place** – Art is important to our common experience because it brings focus, importance, and cohesion to public spaces. Public art develops images and provides experiences that reflect the historical and cultural essence of a community. Public art transforms public spaces by giving them a context and relevance and making them places of community interest and pride. Public art has the potential to improve the appearance of an entire business block; to heighten the ethnic, historical or cultural aspects of the community and to attract foot traffic to an area that formerly had little or none.
4. **Artist Participation** – By encouraging collaboration between artist, architects, and engineers, we can provide an aesthetic dimension that expands possibilities for creating public spaces for the community.

Definitions:

- **Artist:** An individual or team of individual artists whose body of work and professional activities demonstrate serious ongoing commitment to the fine arts. Members of architectural, engineering, design or landscaping firms retained for the design and construction of a

development project covered by these Guidelines shall not be considered artists for the purpose of meeting the requirement to provide public art.

- **Arts professional:** An individual who works in the fine arts field (such as arts consultant, fine arts curators, fine arts collectors, art critics, or art educators).
- **Artwork or work of art:** All forms of original creations of visual arts, including but not limited to: 1) sculpture in any material or combination of materials; 2) painting- all media including portable and permanently affixed works, such as murals and frescoes; 3) graphic arts, print making and drawing; 4) mosaics; 5) photography; 6) crafts in clay, fiber and textiles, wood, metal, plastics and other materials; 7) calligraphy; 8) stained glass; and 9) mixed media – any combination of forms or media, including collage.
- **Artwork cost:** Artwork cost is the total amount budgeted by the City for a public artwork project.
- **Building valuation:** The total dollar amount of all construction permits for the same development project using the latest building valuation data as set forth by the International Conference of Building Officials (ICBO) building valuation.
- **Conceptual design plan:** The initial phase of the approval of public artwork that includes review of the artist's or artist team's qualifications, conceptual artwork design, and artwork location.
- **Design:** Artwork detailing project design, including scale drawings within site context, sealed by an engineer, if required.
- **Fabrication:** A detailed description of the methods of fabrication as well as any uncommon or unusual details regarding the approach to creating an artwork piece.
- **Final design plan:** The final phase of the approval of public artwork that involves consideration of a highly defined proposal that conforms to the concept previously considered and approved by the Committee.
- **In-lieu contribution:** In place of an approved artwork on the site, a developer may elect to pay to the City an amount equal to the program allocation set forth in the Public Arts Ordinance. In-lieu fees shall be submitted to the City and deposited into the Public Art Fund before issuance of a building permit for the development project except when a different time period is approved by the Community Development Director and Parks and Recreation Director.
- **Installation:** A detailed description of the installation procedure if the artwork will not be fabricated directly on the selected site. Installation would include the construction of any required footings or foundation.
- **Public art:** Any permanent display of a work of visual art that was specifically designed to be located on a site where it would be easily accessible to the public, either on private or public property within the City of Brisbane.
- **Public art advisory committee:** A committee made of 2 Parks and Recreation Commissioners as designated by the Parks and Recreation Commission, 2 Council Members (the Council's Parks and Recreation Commission Liaisons), and 3 Brisbane Community members, appointed by City Council. The Community members shall serve two-year terms and one of whom will be professionally engaged in the art community, one of whom will be an employee or owner of a business located in Brisbane, and the other member may be either a resident of Brisbane or an owner or employee of a business located in Brisbane. Members of the Public Art Advisory

Committee will be ineligible to propose public art projects while they serve on the Committee and for 1 year after they leave the Committee.

- **Public art fund:** An interest-bearing account that is managed by the City Manager, or designee, into which public art funds, including donated funds, in-lieu funds and/or public art grant funds are deposited.
- **Public place:** An interior or exterior area on public or private property that is easily accessible by and highly visible to the general public.

General Procedure:

Public artwork is limited to permanent visual works of art, as opposed to performing, written, or temporary art. Visual art includes but is not limited to, murals, sculptures, artist-designed landscape features, streetscape features, earthworks, environmental installations, and water and digital displays.

Any money donated to or collected through the Building Permit process will be deposited in the Public Art Fund. The City Manager, or designee, shall administer the funds and establish accounting records according to Generally Accepted Accounting Principles (GAAP). The City Manager or designee will authorize all disbursements from the Public Art Fund. The account shall not be added to the City's General Fund.

The process for selecting the public piece to be installed will depend on whether or not the artwork is commissioned by the City of Brisbane or by a private person or entity.

All privately installed Public Art will be reviewed by a Public Art Advisory Committee. The Public Art Advisory Committee is responsible for reviewing and making decisions on conceptual design plans submitted by a developer of a project subject to the public art requirement.

Additionally, on an annual basis the Public Art Advisory Committee will meet to review the balance of funds in the Public Art Fund to determine if they should propose any projects be initiated and commissioned by the City.

The Public Art Advisory Committee shall ensure all public art projects meet the program criteria and guidelines for selection of an artist or artist team, artwork, and artwork location established in this procedure, before submittal of the Final Design Plan to the City Council.

The following procedure will be used to review and approve public art projects:

Privately Installed Public Art

1. The project contact will meet with the designated staff from the City prior to submitting concept design plans.
2. The developer must contract the services of an artist for any public art project. The developer will provide the work vitae of the art consultant or artist.

3. Proposals must include preliminary sketches, photographs, or other documentation of sufficient descriptive clarity to indicate the nature of the proposed work.
4. An appraisal or other evidence of the value of the proposed artwork, including acquisition and installation costs. If the value of a proposed artwork (by past records of comparable work sold, etc.) cannot be verified, City staff may choose to have the artist's proposal and or/other completed works appraised by a qualified art appraiser selected by the City. The developer will pay up-front for any art appraisal service fees. This expense will be deducted from the total artwork allocation cost.
5. Preliminary plans must contain such detailed information as may be required by the Public Art Advisory Committee to adequately evaluate the location of the artwork in relation to the proposed development, including compatibility with the character of adjacent conforming developed parcels and existing neighborhood if necessary.
6. A preliminary budget must show the proposed public art project is consistent with the public art ordinance requirements.
7. Within 30 days of receiving a completed application, the Advisory Committee will hold an open meeting to discuss the proposed project. The meeting will be noticed to all properties within 1,000 feet of the property and posted as required by law. With the agreement of the developer, the meeting may take place more than 30 days from receiving the completed application.

The proposed artwork project will be reviewed using the following criteria as applied to the supporting documentation and past projects: Artistic quality (vision, originality, and craftsmanship); Context (architectural, historical, geographical, and socio-cultural context of the site); quality and permanency of materials; maintenance; safety; diversity of artists; representation in the existing collection of publicly-accessible artworks; and diversity of artworks (media, scale, style, intention) in the existing collection of publicly accessible artworks.

8. The Public Art Advisory Committee will make a recommendation on the proposed artwork to the City Council.
9. The City Council will have the final approval for any public artwork project. If the Council does not approve the proposed project, it can refer the item back to the Advisory Committee for reconsideration.
10. All costs of maintaining a privately installed Public Art work will be the expense of the private entity unless the City accepts the Public Art piece as a donation.

Public Installed Public Art

1. The Public Art Advisory Committee will recommend to the City Council the amount of money from the Public Art Fund to be used on any publicly installed public art pieces and the breakout between Administrative and Maintenance costs of the project. The Public Art Advisory Committee will also recommend a location for the art project, type of artwork when appropriate, process for involving the community in the process, and method of calling for artists.

2. The Council will approve available funds for the artwork and solicit members to be part of an Art Selection Committee, if needed.
3. The Public Art Committee shall select an artist, or group of artists, through a public process using one of the following methods:
 - a. Request for qualifications (RFQ)
 - b. Request for proposals (RFP)
 - c. Invitational competition.
4. The City Council shall make a decision on the Public Art Committee's recommendations on the artist or artist group.
5. The Public Art Committee, any outside professional hired by the City for assisting with the selection of the artwork, and the appropriate City staff (as needed for the particular project) shall meet regularly with the selected artist, or group of artists, in developing the Conceptual Design Plan that meets the artwork and location criteria.
6. Once the Conceptual Plan has been approved by the Public Art Committee, the artist or artist's team shall refine the project objectives and the Conceptual Design Plan according to the direction of the Public Art Committee.
7. The Final Design will be approved by the City Council.

Use of Funds

All funds appropriated for public art will be deposited in the Public Art Fund. The City Council shall authorize projects for funding as prescribed in the public art implementation guidelines. In circumstances where it is not feasible to incorporate artistic features into a particular project, such money will be pooled and used for art in other projects. Disbursements shall be made in connection with projects approved by City Council. Nothing herein prohibits the City from soliciting or receiving grants, donations, bequests or gifts from private or public sources.

For individual pieces of art, the Art Advisory Committee will recommend to the City Council what percentage of the funds will be set aside for the Public Art, Maintenance and Administration, and Education based on the guidelines below:

1. Public Art Funds

No less than sixty-five percent (65%) of the fees collected shall be directed for Public Art Acquisition and may be spent for the following purposes:

- a) Artists' services and fees.
- b) Acquisition of art.
- c) Artist selection processes, including jury selection costs and model or design fees.

No more than fifteen percent (15%) of the money collected may be directed for maintenance and curatorial services:

- a) Identifying plaques
- b) Repair, maintenance, surveys, curatorial services, and other conservation work necessary to keep all artworks in the City collection in standard condition.

No more than twenty percent (20%) of the fee may be directed for Public Art Administration and may be spent for the following purposes:

- a) Project administration.
- b) Community education programs, publicity, dedications, and other purposes as recommended by the Public Art Committee and approved by the City Council.