



Recreation Commission Agenda and Report

General Order of Business

- | | |
|------------------------|---|
| 1. Preliminary | 4. Public Communications |
| A. Call to Order | 5. Staff Presentations/Ceremonial Items |
| B. Salute to the Flag | 6. Action Items |
| C. Roll Call | 7. Commission Referrals |
| 2. Consent Calendar | 8. Commission and Staff Communications |
| 3. Approval of Minutes | 9. Adjournment |

IMPORTANT NOTICE REGARDING THE RECREATION COMMISSION MEETING

Pursuant to State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic, the City Council Chambers will not be open for September 2, 2020 meeting of the Recreation Commission. The meeting will be conducted remotely via video/teleconference.

The Public may watch and/or participate in the public meeting by joining the meeting through the Zoom Videoconference link provided below. The public may also join the meeting by calling the below listed teleconference phone number.

Submission of Public Comments: For those wishing to make public comments at the September 2, 2020 Recreation Commission meeting, you may either: (1) submit your comments by email prior to the meeting, or (2) by Spoken Public Comment during the meeting.

How to submit Public Communications/Public Comment by email prior to the meeting:

Send an email to tleung@fremont.gov by 2:00 p.m. the day of the meeting. Please identify the agenda item number and meeting date in the subject line of your email, or specify that it is not related to an agenda item. Emails will be compiled into files by agenda item number, distributed to the Recreation Commission and staff, and published in the City's Agenda Center on www.fremont.gov. Electronic comments on agenda items for the Recreation Commission meeting may only be submitted by email. Comments via text and social media (Facebook, Twitter, etc.) will not be accepted.

How to provide Spoken Public Comment during the meeting: The meeting will begin at 7 p.m. Whether you participate online or by phone, you may wish to "arrive" early so that you can address any technology questions prior to the start of the meeting.



How to provide Spoken Public Comment during the meeting (cont.):

1) By online:

Recreation Commission Zoom Webinar: <https://zoom.us/j/95154008217>

- a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
- c. When the Chair calls for the item on which you wish to speak, click on “raisehand.” Speakers will be notified shortly before they are called to speak.
- d. When called, please limit your remarks to the time limit allotted.

2) By phone:

833-430-0037 (toll free)

Webinar ID: 951 5400 8217

Click*9 to raise a hand to speak, via phone.

Order of Discussion

Generally, the order of discussion after introduction of an item by the Chair will include comments and information by staff followed by Recreation Commission questions or inquiries. The applicant, or their authorized representative, or interested citizens may then speak on the item. At the close of public discussion, the item will be considered by the Recreation Commission and action taken.

Consent Calendar

Items on the Consent Calendar (printed on separate sheet) are considered to be routine by the Recreation Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner or citizen so requests, in which event the item will be removed from the Consent Calendar and considered in its normal sequence on the agenda.

Addressing the Recreation Commission

Any person may speak on any item under discussion by the Recreation Commission after receiving recognition by the Chair. Speaker cards will be available at the speaker’s podium prior to and during the meeting. To address the Commission, a card must be submitted to the Clerk indicating name, address and the number of the item upon which a person wishes to speak. Speakers are required to line up to conserve time between speakers. When addressing the Recreation Commission, please walk to the rostrum located directly in front of the Commission. State your name and address. In order to ensure all persons have the opportunity to speak, a time limit may be set by the Chair for each speaker. In the interest of time, please limit your comments to new material; do not repeat what a prior speaker has said.

Public Communications

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Public Communications section. Please be aware provisions of California Government Code Section 54954.2(b) prohibit the Recreation Commission from taking any immediate action on an item which does not appear on the agenda, unless it meets stringent requirements. The Chair may limit the length of your presentation.

Assistance

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the Community Services Department at (510) 494-4347.

Information

For Information on current agenda items please contact the Community Services Department at (510) 494-4347.

Copies of the Agenda and Report are available at the Community Services Department administrative office at 3300 Capitol Avenue, Building B and are available at each Commission meeting. In addition, complete agenda packets will be available for review at the Commission meeting or at the Community Services Department office three days prior to Commission meetings.

Information about the City or items scheduled on the Agenda and Report may be referred to:

**Tracey Leung, Executive Assistant
Community Services Department
3300 Capitol Avenue, Building B
Fremont, California 94538
Telephone: (510) 494-4347**

Your interest in the conduct of your City's business is appreciated.

Recreation Commission

Jannet Benz
Robby Gill
Brian Hughes
Mia Mora
Larry Thompson
Pavan Vedere
Elissa Winters

Department Staff

Suzanne Wolf, Community Services Director
Kim Beranek, Community Services Deputy Director
Juan Barajas, Park Superintendent
Tara Bhuthimethee, Senior Landscape Architect
Kathy Cote, Environmental Services Manager
Esther deLory, Management Analyst II
Jimmy Dilks, Waterpark Revenue & Sales Manager
Andrew Freeman, Business Manager
Matt Herzstein, Waterpark Operations Manager
Irene Jordahl, Recreation Superintendent I
Mark Mennucci, Senior Landscape Architect
Ernie Moreira, Urban Landscape Manager
Ken Pianin, Solid Waste Administrator
Roger Ravenstad, Parks Planning & Design Manager
Michael Sa, Recreation Superintendent I
Lance Scheetz, Recreation Superintendent I

AGENDA
FREMONT RECREATION COMMISSION
VIRTUAL MEETING VIA ZOOM WEBINAR
SEPTEMBER 2, 2020
7:00 P.M.

1. PRELIMINARY

- A. Call to Order**
- B. Salute to the Flag**
- C. Roll Call**

2. CONSENT CALENDAR

3. APPROVAL OF MINUTES

- August 5, 2020

4. PUBLIC COMMUNICATIONS

5. STAFF PRESENTATIONS/CEREMONIAL ITEMS

5.1 An update of the Parks and Recreation Master Plan will be provided.

5.2 Staff will provide an update on park projects status.

6. ACTION ITEMS

6.1 RECOMMEND THE CITY COUNCIL APPROVE THE RECOMMENDATIONS OF THE ART REVIEW BOARD AND AWARD CONTRACT FOR ART WORK AT DUSTERBERRY NEIGHBORHOOD PARK PROJECT, (PWC 8581)

Recommend to the City Council the first and second choice artist for public art work at Dusterberry Neighborhood Park, as recommended by the City of Fremont's Art Review Board; and to approve and award art contract for the amount of \$55,000.

7. COMMISSION REFERRALS

8. COMMISSION AND STAFF COMMUNICATIONS

9. ADJOURNMENT

**FREMONT RECREATION COMMISSION
VIRTUAL MEETING
SEPTEMBER 2, 2020 | 7:00 P.M.**

STAFF REPORT

6.1 RECOMMEND THE CITY COUNCIL APPROVE THE RECOMMENDATIONS OF THE ART REVIEW BOARD AND AWARD CONTRACT FOR ART WORK AT DUSTERBERRY NEIGHBORHOOD PARK PROJECT, (PWC 8581)

Recommend to the City Council the first and second choice artist for public art work at Dusterberry Neighborhood Park, as recommended by the City of Fremont’s Art Review Board; and to approve and award art contract for the amount of \$55,000.

Contact Person:

Name: Jennie Suen
Title: Landscape Architect II
Dept: Community Services
Phone: 510-494-4744
E-Mail: jsuen@fremont.gov

Name: Roger Ravenstad
Title: Parks Planning and Design Manager
Dept: Community Services
Phone: 510-494-4723
E-Mail: RRavenstad@fremont.gov

Please note: Art Review Board (ARB) interviews and selection will be taken place earlier on the day of September 2. The first and second choice selected artist are listed as “pending” in this staff report. This staff report will be updated shortly before the September 2nd Recreation Commission meeting to list the ARB’s first and second choice artist.

Executive Summary: The Recreation Commission is asked to recommend that the City Council approve the Art Review Board’s (ARB) choice of artist; and approve and award a contract for public art at Dusterberry Neighborhood Park to first choice – **NAME/PENDING**. If negotiations with the first choice artist fall through, to authorize the City Manager to award to second choice – **NAME/PENDING**.

BACKGROUND:

A new, publically owned art piece will be placed in the center of the circular plaza at Dusterberry Neighborhood Park, a new 4 acre park slated to open in the spring of 2022. The Master Plan, which identified the location of the proposed art piece, was adopted by the City Council in June 2019. In addition, the City Council found that subsequent environmental review beyond the Mitigated Negative Declaration adopted by City Council in June 1998 for the Dusterberry Neighborhood Park was not needed pursuant to California Environmental Quality Act (CEQA) Guidelines section 15162. The City of Fremont Art in Public Places Program Policy requires that new projects with a construction estimate of \$1,000,000 or more allocate 1% of its construction budget to artwork.

On September 18, 2019, the ARB provided recommendations to City staff on the type of artist and artwork desired for the site, art piece location, utilization of an online platform for a national call for

artist, and agreed upon the established art budget of \$55,000 (1% of the construction budget of \$5,500,000).

On June 1, 2020, a call for artists was announced on CODAworx (a national online platform). Sixteen entries were received at the close of call on June 30, 2020 and fifteen were considered as qualified entries. Of the fifteen, City staff recommended four artists to the ARB.

On July 15, 2020, ARB received a presentation from City Staff recommending four artists. The ARB narrowed the list of artists to three finalists who moved forward to interviews before the ARB.

On September 2, 2020 (**PENDING**), the ARB interviewed the three finalists via Zoom conference call. The finalists interviewed were Adrian Susnea Litman, Gary Slater and Joe Thurston. Based on the interviews, quality of work presented, and history of successful completion of work, the ARB recommended the first choice artist, **Artist 1 – NAME – PENDING** and the second choice, **Artist 2- NAME– PENDING**.

DISCUSSION/ANALYSIS:

Approved by City Council in June 2019, Dusterberry Neighborhood Park is a newly designed park, located at the intersection of Peralta Boulevard and Dusterberry Way.

The Council adopted design includes: a main entry; a central gathering plaza at the center of the park, framed by a trellis; tot-play area with nature play themed structures; a school aged playground area with play and shade structures; looped paths through the park; adult fitness area, basketball half-court; perimeter fencing; drop-in picnic tables; informal lawn play areas; planting areas; benches; and seat walls. (See Exhibit A- Dusterberry Neighborhood Park – Master Plan, June 18th, 2019). To see all pages of the adopted Dusterberry Master Plan go to www.fremont.gov/3291/Dusterberry-Park.

The central plaza area is the formal 65 foot diameter circular gathering space, comprised of specialty paving in the shape of a starburst paving pattern, radiating from the central core to the perimeter, and a partially enclosed 9 foot tall curved trellis with seatwalls, enclosing the space. The central core, 20 feet in diameter, is the area identified by the community and City Council, for the yet-to-be-determined public art piece. (See Exhibit B - Enlargement of Dusterberry Neighborhood Park Art location) The art piece will be maintained by the City and the design for the chosen art piece will take into account the durability and longevity of the piece and maintenance requirements within the neighborhood setting.

The public art work will provide an additional amenity to the park that will attract users, encourage a pleasant walking experience in and around the park and help define the central space of this neighborhood park. Once the City Council considers and selects the final artist, staff will coordinate with the artist and include their proposed foundation design in the public bid to construct the park. Construction of the park is anticipated to begin in spring 2021, with construction completion, including the art piece installation, anticipated for spring 2022.

The three finalists for interview are Adrian Susnea Litman, Gary Slater, and Joe Thurston. They were notified of their interview status on July 31, 2020. As a part of their interview package all three artists were encouraged to refine their proposed art piece. The artist and their art piece are:

1. Adrian Susnea Litman proposed art piece is ‘Celestial Carousel’. Refer to Exhibit "C".
2. Gary Slater proposed art piece is titled ‘Eclipse’. Refer to Exhibit "D".

3. Joe Thurston art piece is ‘Shadow of the Sun’. Refer to Exhibit "E".

Art contract shall be awarded to first choice artist. If the first choice artist cannot fulfill the contract, the contract will fall to the second choice artist.

Public Art Schedule

The following schedule is proposed to move the Dusterberry Neighborhood Park art project forward:

- June 1, 2020 – Complete call for artists and 16 proposal received (complete)
- July 15, 2020 – Art Review Board reviewed artist entries and selected three (3) finalists for presentation and interview (complete)
- September 2, 2020 – Art Review Board interviews and presentation from finalists, with recommendations to the City Council (**PENDING** - complete)
- September 2, 2020 – Parks and Recreation Commission recommendations to City Council.
- October 6, 2020 – City Council Contract to consider contract award to selected Artist
- Fall 2020 to Spring 2021 – Artist completes artwork design

FISCAL IMPACT:

Project Budget and Funding: The project budget is a combination of funds from the Capital Improvement Program and Park Development Impact Fees for a total project budget of \$7,300,000.

1.	Total funds appropriated to the project (current):		
	540 Park Facilities Development Impact Fees (PWC8581)		\$5,650,000
2.	Total funds recommended for appropriation to the project (Available July 1, 2019):		
	540 Park Facilities Development Impact Fees (PWC8581)		\$1,650,000
		Total funds	\$7,300,000
3.	Estimated Project Design Expenditures:		
	• Conceptual & Preliminary Design, Construction Documents		\$500,000
	• Environmental Phase 1, Phase 2 Reporting		\$152,000
	• Project & Construction Management		\$425,000
	• Consultants and Utility Fees		\$197,000
		Subtotal funds	\$1,274,000
4.	Estimated Construction Expenditures:		
	• Building Demolition and Phase II Mitigations		\$1,500,000
	• Park Development (includes \$55,000 Art Contract)		\$4,526,000
		Subtotal funds	\$6,026,000
		Fund Estimated Remaining at Project Completion	\$0

MAINTENANCE IMPACT: Council has identified a funding source for this project that will fund maintenance specifically for approximately 25 years. This will allow the Park Maintenance Division to either add staff, or add this park to the current maintenance contracts in place so it becomes part of the daily maintenance rotation for those and future companies. The scope of maintenance, and the various daily responsibilities of staff, or their contractors, such as mowing, trash pick up and/or art piece maintenance will be determined as the project gets closer to completion. The proposed art piece is expected to have little or minimal maintenance. Materials for the art piece are of durable materials and moving parts have been designed for longevity with little maintenance.

ENVIRONMENTAL REVIEW:

On June 18th, 2019, the City Council found that subsequent environmental review beyond the Mitigated Negative Declaration adopted by City Council in June 1998 for the Dusterberry Neighborhood Park was not needed pursuant to California Environmental Quality Act (CEQA) Guidelines section 15162. Based on CEQA Guidelines 15303, construction of small structures, such as public art, are exempt from further CEQA review and analysis.

ATTACHMENTS:

Exhibit "A" – Adopted Master Plan, Dusterberry Neighborhood Park, June 2019

Exhibit "B" – Enlargement of Dusterberry Neighborhood Park Art Location

Exhibit "C" – Adrian Susnea Litman Artist Art Package – **Artist Choice Ranking PENDING**

Exhibit "D" – Gary Slater Second Artist Art Package – **Artist Choice Ranking PENDING**

Exhibit "E" - Joe Thurston Artist Art Package - **Artist Choice Ranking PENDING**

RECOMMENDATION:

1. Recommend the City Council approve the first choice/**name** and second choice/**name** artist for public art piece at Dusterberry Neighborhood Park.
2. Recommend the City Council authorize City Manager to award art contract to the first choice/**name** artist.
3. Recommend the City Council authorize City Manager to award art contract to the second choice/**name** should the City be unsuccessful in awarding to the first choice artist.

ATTENDING VIRTUAL MEETINGS

ZOOM WEBINAR RECREATION COMMISSION MEETING

How the Meeting Will Work

Recreation Commission meetings will be held via Zoom Webinar. The City of Fremont Recreation Division is hosting the meeting, the Recreation Commission, Director of Community Services, Deputy Director of Community Services, Parks Planning and Design Manager and staff who have presentations are the **panelists**, and Fremont residents and members of the public – as well as City staff – are **attendees**. Webinar attendees do not interact with one another; they join in listen-only mode, and the host can unmute one or more attendees as needed.

How to Provide Public Comments

Staff at Recreation Division is accepting public comments on behalf of the Recreation Commission via Email. Please add the Recreation Commission meeting date in the subject line such as in the example below.

- **Email Address:** tleung@fremont.gov
- **Subject:** Public Comment for the Upcoming Recreation Commission Meeting 09/02/20 – (Please identify the agenda item number)
- **Send email by:** 2 p.m., Wednesday, September 2, 2020

Live Public Comment: If you are unable to provide a written comment (by email), you may join the webinar as an attendee to comment during the public comment portion of the agenda.

You may access the webinar via the link below. Public participation guidelines are provided in the right column of this page.

- Recreation Commission Meeting Zoom Webinar: <https://zoom.us/j/95154008217>
- By Phone:
833-430-0037 (toll free)
Webinar ID: 951 5400 8217
Click *9 to raise a hand to speak, via phone



Public Participation Guidelines

Below are recommendations from the Recreation Division to be considered for use by members of the public in meetings conducted via Zoom Webinar.

- **Identification:** Upon entering the webinar, please enter your name, number or other chosen identifier, so that the host can call upon you during the public comment period.
- **Raise Hand (pictured above):** You have the ability to virtually raise your hand for the duration of the webinar, but you will not be acknowledged and your mic will remain muted until you are called on during the public comment period. Click *9 to raise a hand to speak, via phone. Click **Lower Hand** to lower it if needed.
- **Public Comment Period:** Use "Raise Hand" to be called upon by the host. The host will unmute your mic and you will have the ability to share your comment. Each speaker is allowed up to three (3) minutes, at the discretion of the Chair. We kindly request speakers to mute or turn down the broadcast, when it is their opportunity to speak, as it may cause interference with the speaker system.
- **Use headphones/mic** for better sound quality and less background noise.

