MINUTES
ART REVIEW BOARD
SPECIAL MEETING OF MARCH 9, 2011

CALL TO ORDER Vice Chair Manuel called the meeting to order at 3:35 p.m.

ROLL CALL

Board Members Present: Chair Carol Lawton (arrived 3:40 p.m.) and Board Members Beth Booth, Jacline Deridder, Laurie Manuel and Preston Metcalf

Board Members Absent: None

Staff Present: Jeff Schwob, Planning Director/Art Liaison/Secretary

APPROVAL OF MINUTES

The minutes of regular meetings of September 16, October 21, November 18, 2010 and February 17, 2011 were approved as submitted.

DISCLOSURES

None

CONSENT CALENDAR

None

PUBLIC/ORAL COMMUNICATIONS

None

CONTINUED PUBLIC HEARING ITEMS

Item 1. **MIDTOWN ART PROGRAM UPDATE** – to receive staff presentation of status of Midtown Project located in the Central Planning Area. The preliminary draft Midtown Community Plan and associated art program is contained within Chapter 3.5, pages 90-96 and Chapter 6.1, pages 148-159 at http://www.fremont.gov/midtown

Art Liaison Schwob noted the item was continued to allow the Board to review the proposed plan in greater detail. He asked if the Board supported the Midtown Art Plan including the proposed funding plan and process for consideration of Art?

Chair Lawton opened the public hearing. As there was no one wishing to speak on the item, the public hearing was closed and brought to the Board for further discussion.

Board Member Preston noted he appreciated that there were options for developers to pay into the fund and found that it was appropriate to allow private developers of larger projects to use a portion of the funding on site for private art.

Board Member Deridder agreed as long as the private Art was publicly viewable.

Art Liaison Schwob noted that this was a requirement of the plan.

Chair Lawton asked why wasn't the Art Board always involved?

Art Liaison Schwob stated that the Art Board Representative would be involved in assisting staff and the developer from the onset. If the direction of the Art Board Representative was followed a staff committee consisting of the Directors of Community Development, Planning and Economic Development could approve the private art. Alternatively, the committee could forward the artwork to the Board for approval. He noted it was also the Council's direction to streamline review processes for projects in this area.

Vice Chair Manuel asked what was the framework for the considering approval or denial?

Board Member Deridder asked was there a direction for the artwork in the Midtown?

Board Member Metcalf stated there should be a purpose or message versus just something decorative.

Vice Chair Manuel asked if there would be a request for state, national or international artists? Would there be an emphasis on cultural matters?

Board Member Metcalf summarized by stating, perhaps their needs to be standards or guidelines for artwork?

Board Member Deridder stated there needs to be a unity of design and used the analogy of a museum gallery. Typically there is a topic or direction not just a random collection.

Board Member Metcalf asked what is the statement the City hopes to make?

Chair Lawton asked if there were any restrictions?

Board Member Booth concurred there needed to be standards.

Vice Chair Manuel liked the analogy of a gallery collection… perhaps the Midtown Art Collection but agreed there needed to be standards or a framework to build upon.

Board Member Metcalf noted that part of the standards needed to address quality.

Vice Chair Manuel was there a Mission Statement for Artwork in the Midtown?

Art Liaison Schwob acknowledged that these were all good questions and comments and nothing in the proposed Plan would preclude the Board from making these determinations as part of the ongoing process of reviewing artwork for the area. Basically, funds would be generated over time; the Art Board would set the criteria; select the artists and implement the plan. Priorities would also need to be addressed. As for Private Art, the Board could also establish guidelines and criteria for private art for use by developers and reviewers.

Board Member Metcalf summarized the motion:

Recommend the City Council approve the Midtown Art Plan and the proposed funding plan with the requirement that private artwork also be brought before the Board for review and approval.

Recommend that upon approval of the Plan by the City Council the Art Review Board be directed to:

1. Develop a framework for future Midtown Art Collection. The framework shall identify a purpose or message and establish the kinds of artwork that will define the Midtown area.

2. Establish a set of standards and guidelines for selection of public art to fulfill the framework.

3. Establish a set of quality standards and selection criteria for private art that supports the framework.

Chair Lawton added that Board review and approval of private art should be seen as positive benefit to private developers and should not be seen as something that will hinder the approval process.

The motion carried by the following vote:

AYES:	5 – Booth, Deridder, Lawton, Manuel, Metcalf
NOES:	0
ABSTAIN:	0
ABSENT:	0

Item 2. **ART IN PUBLIC PLACES PROGRAM POLICY–** to review the revised draft policy prior City Council consideration.

Art Liaison Schwob reviewed the proposed amendments to the policy with the Board, noting the City Council's prior direction subsequent to the Board's requests. A track changes copy of the policy was distributed to the Board and it was suggested that this item be continued for further discussion.

Chair Lawton opened the public hearing.

Margaret Talt, Fremont Cultural Arts Council Board Member, noted the proposed policy was better than the original policy, mainly because it allows the Board to pool generated funds and select appropriate sites. She regretted the certain Board recommended provisions were not included in the Council's direction for revised policy including the ability of the Council to designate additional projects subject to the 1% art contribution and the requirement for an annual report. She noted she was pleased that the policy contained the provision about early consultation with the Art Board for future projects but suggested a person be delegated as responsible for making these arrangements.

Ms. Talt also hoped the Board would do an annual report, study the city and designate art sites, and hopefully include murals and mosaics, which were lacking, and that future art be chosen to represent other cultures in Fremont as required in Section IV, subsection 7 of the policy. Finally, she recommended that a plan for public education for the city's art be created as provide in Section VI, subsection 2.

Chair Lawton closed the public hearing and brought the matter back to the Board for discussion.

Vice Chair Manuel suggested that Section IV (Criteria for Selection of Art) be refined to further clarify the direction of the Board. She recommended the following language be included in the policy:

> "In performing its duties with respect to the Art in Public Places Program, the Art Review Board shall give special attention to the following matters:
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> 1. The vision/mission statement of the Art Review Board,
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> 2. All forms of visual art,
>
> 3. The architectural, geographical, social/cultural context of the site, and
>
> 4. To acquiring art that reflects diversity if style, scale, form, materials, media, and artistic sources, as well as diverse cultural perspectives.

With respect to Section V (Criteria for Selection of Art Review Board) she recommended the membership selection pool be expanded as follows:

> "Majority of Board will be made up of visual artists, performing artists,

architects, art scholars, art educators, designers, or art collectors. There can also be at large members."

With respect to Section VI (Site Criteria) she recommended the following:

"Board will take into the consideration the following":

1. Visibility
2. Viewer's perspective
3. Public safety
4. Public accessibility
5. Relationship of artwork to existing and future architecture/architectural features, natural features, urban design
6. Users
7. Future development
8. Landscape design
9. Environmental impact

Board Member Deridder agreed with the suggestions noting that there needed to be recognition of all performing arts as public art.

Vice Chair Manuel further suggested that the Mission Statement developed June 23, 2009 by the Board be included in the policy.

The Board generally agreed with the recommendations but wanted to see the Mission Statement again.

It was moved that the staff bring back the policy with these additional changes for final vote.

The motion carried by the following vote:

AYES:	5 – Booth, Deridder, Lawton, Manuel, Metcalf
NOES:	0
ABSTAIN:	0
ABSENT:	0

MISCELLANEOUS ITEMS

A. **Establishing a Permanent Date and Time for Future Meetings**:

Staff noted that the Board had previously voted to change the start time to 3:30 PM and apologized about the February 17, 2011 1:30 p.m. start time.

The Board discussed and determined that the **third Wednesday of the month at 3:30 p.m.** would work for all.

Art Liaison Schwob clarified that this means the next regularly scheduled meeting will be on Wednesday, April 20, 2011 at 3:30 PM in the Niles Room at the Development Services Center.

Board Member Booth noted she would be unable to attend that meeting due to a prior commitment but that the remainder of the Board should proceed with the meeting.

B. **Fighting Blight with Art**:

Board Member Deridder presented a series of photos from various retail areas within the City. It was noted that some storefronts are vacant while others are just missing the opportunity to use their storefronts to effectively merchandise products. It was noted how art and the art community might support some type of assistance program to local merchants and property owners with vacant spaces.

A discussion ensued about how this type of program could be an economic benefit to the City and if the City could offer staff support for this type of program.

Art Liaison Schwob stated that this type of program would be appropriate for reducing blight within redevelopment areas, however, with the Governor's proposal to eliminate Redevelopment Agencies it would be premature for staff to take on this type of program at this time.

Vice Chair Manuel asked if this could be a City economic development program.

Art Liaison Schwob stated that while this may be possible, many of the economic development programs within redevelopment areas were also funded through Redevelopment Agency. He further noted that the city was also facing significant budgetary shortfalls and that staff resources were not likely to be available.

Vice Chair Manuel recollected the condition placed upon the Target at the Fremont HUB, wherein they were to make available showcase windows to display local art.

Board Members noted this was a good idea and thought it could provide a pilot program that could be offered to other merchants, if they desired.

Art Liaison Schwob concurred that this was done for the Target store some time back and agreed to write a letter to the store manager reminding them of the condition and noting there may be interest in using the showcase windows to display local art. He noted he would report back on the outcome.

C. **Central Arts Website for Publicity**:

Art Liaison Schwob noted he had a brief discussion with the City's webmaster and that it is the City's current policy not to create links to other websites unless they were other government agencies or organizations sponsored by the City but that the City will be revisiting the policy in the future as it is approximately 10 years old.

Board Member Booth noted it was important to get out the word about arts in the community. One way to do so would be to join the Fremont Cultural Arts Council.

Art Liaison Schwob noted he had also had a consultation with the City Attorney's Office on the offer of free memberships by the Fremont Cultural Arts Council at their last meeting. He noted that the Attorney's Office advises against accepting such an offer to avoid any disclosure requirement and potential conflicts of interest.

Board Member Booth suggested that Board members, staff and the community be apprised of events and activities either by joining on their own or by at least receiving the free newsletter of events.

Art Liaison Schwob suggested that if members were willing to provide their e-mail address, the newsletter could be forwarded directly to anyone who was interested and that it would also save the Fremont Cultural Arts Council or other arts groups the cost of printing and postage.

D. **Skate Park Opening and Potential Skate Park Art Exhibit**:

Art Liaison Schwob noted that the Skate Park was undergoing a new environmental review. If subsequently approved, and if there isn't any subsequent litigation, the Park could be open in September or October of 2012. He also noted there was no City commitment to a dedication/opening ceremony at this time in light of the budget.

The Board discussed the potential exhibit and potential locations including at the opening and/or at Olive Hyde Gallery.

Board Member Booth stated she would check with the Olive Hyde Gallery on availability during that time frame and report back to staff prior to the next Board meeting, as she could not attend that meeting.

ADJOURNMENT

The March 9, 2011 meeting adjourned at 5:45 p.m.

The next regularly schedule meeting being on **Wednesday, April 20, 2011 at 3:30 p.m.**

APPROVED BY:

Jeff Schwob, Secretary
Art Review Board