



Draft MINUTES
ARTS AND CULTURE COMMISSION
Tuesday, January 22, 2024
6:30 p.m.

ARTS AND CULTURE COMMISSION MEETING

CALL TO ORDER

At 6:30 p.m., Chair Maa called the meeting to order at City Hall, 10300 Torre Avenue, Conference Room C.

ROLL CALL

Commissioners Present: Carol Maa, David Wang, Dana Ford, Kiran Rohra
Commissioners Absent: Rani Agrawal
Staff Present: Gian Martire
Presenters: Dorka Keehn
Jennifer Skillings (remote)

APPROVAL OF MINUTES

1. Subject: Meeting Minutes for the December 6, 2023 Arts and Culture Commission Meeting
Recommended Action: Review and approve the minutes for the December 6, 2023 Arts and Culture Commission meeting.

Vice Chair Wang motioned to approve the December 6, 2023 Arts and Culture Commission meeting minutes. Commissioner Ford seconded. Motion carried with 4 yes and 1 absent (Agrawal).

POSTPONEMENTS

None

ORAL COMMUNICATIONS

None

WRITTEN COMMUNICATIONS

None

OLD BUSINESS

None

NEW BUSINESS

2. Subject: Architectural and Site Approval (ASA-2023-013) to consider a public art installation for the Westport Development at 21301 Point Reyes Terrace (APN: 326-027-049, -046).

Recommended Action: Receive a presentation on a public art installation and approve public art application, subject to conditions of the draft resolution.

Gian Martire, Senior Planner, gave a presentation and overview of the proposed Westport development public art installation and the considerations for reviewing art pieces put forth in the Municipal Code (Chapter 19.148).

Chair Maa asked for clarification if the commission's decision would be final and not sent to City Council for approval. Senior Planner Martire stated that that was correct. Chair Maa asked for clarification if the item was approved on condition, would the commission ever find out if the conditions were met. Planner Martire stated that all conditions are subject to final inspection approval and the Conditions of Approval. He clarified that if these were not met, final occupancy would be restricted until the violations were corrected.

Dorka Keehn, art consultant for the applicants, introduced herself and gave a presentation on the Senior BMR proposed art pieces for the Westport Development.

The commissioners asked clarifying questions.

Chair Maa inquired if the retail portion of the development had been determined. Consultant Keehn stated the space had not been leased yet. She stated the original seating outside the area was being replaced by the new art benches.

Commissioner Ford inquired how many people would be able to sit on a bench. Consultant Keehn stated three would fit comfortably. She stated that she had added an additional bench to what was originally proposed bringing the total to five.

Commissioner Rohra asked for clarification of the surface on which the benches would be placed. Consultant Keehn stated the surface would be hard concrete and the benches would be bolted to it.

Vice Chair Wang inquired as to how the five species of oak for the bench designs were selected. Consultant Keehn stated that the species were chosen by the artist because they are all endemic and local to California.

Chair Maa asked what kind of plaque would be present on site. Consultant Keehn stated a steel plaque would have the artist's name, the title, date and description of the piece, and a funding dedication.

Chair Maa asked for clarification on budget for the art portion of the development. Consultant Keehn clarified that it was 1% of the entire budget, but what she was presenting was only two thirds of the development. She stated she would be back at a later date for the senior assisted living portion of the development artwork.

Commissioner Ford asked for clarification if the benches would be hot in the warmer weather. Consultant Keehn stated that the back would be made of wrought iron and not absorb heat. She stated the base would be Ipe wood.

Consultant Keehn gave a presentation on the townhouse proposed art pieces for the Westport Development.

The commissioners asked clarifying questions.

Commissioner Rohra asked for clarification on the dimensions and stability of the piece in the wind. Consultant Keehn stated that the piece was roughly 20'L x 13'H x 14'W. She stated that the sculpture would be structurally engineered and submitted to the Building department for permitting.

Commissioner Ford asked for clarification if birds would be a problem landing on the structure. Consultant Keehn stated that birds were always a factor but was not concerned. She stated the structure would be easily maintained.

Chair Maa asked for clarification on who and what type of maintenance would be performed. Consultant Keehn stated that a maintenance plan and schedule would be developed and provided to the developer.

Vice Chair Wang asked for clarification on the benches and the skateboarder deterrent. Consultant Keehn explained that the benches would be rough concrete wrapped in steel with a small lip, making it harder for skateboarders to ride the edge. Vice Chair Wang asked if this would impact the sitting experience. Consultant Keehn stated it would not. She further explained that the steel wrap would be used for the quotes on the benches with the smallest bench having the dedication plaque. Vice Chair asked what the quotes were going to be. Consultant Keehn stated they would be inspirational and related to dreams and/or butterflies. She said that any suggestions the Commissioners might have could be given to Senior Planner Martire and they would be forwarded to the artist.

Vice Chair Wang asked if there were any details on the butterfly garden. Jennifer Skillings with the Land Team at Taylor Morrison introduced herself and gave a brief description of the company's partnership with the National Wildlife Federation. She stated that the goal was to promote habitats for native pollinators across every community the company builds. She stated that the plants take time to establish, but within a year or two should reach their full potential.

Chair Maa asked for clarification on parking and traffic studies in the area. Senior Planner Martire clarified. Chair Maa asked what constraints were put on developers concerning the buildings and areas available for the public art. Senior Planner Martire stated that the standard requirements were in place, but there were a few waivers for height and setbacks.

Chair Maa opened and closed the public comment seeing no one present.

Chair Maa stated she was very pleased with the art pieces but wished placement had been in more public trafficked areas for more residents to engage and enjoy. She stated, if possible, it would be nice to have more explanation of the art pieces especially the benches. Consultant Keehn stated that unfortunately the development project was farther along when her firm was brought in. She explained that for the third portion of the development they would have more of an opportunity to engage with the landscape and surrounding areas.

Chair Maa stated she was interested in pushing different voices for the quotes to be used on the Kaleidoscope sculpture. She stated she did not want to hear the same tired quotes and voices. Vice chair Wang suggested that local voices that could be tied back to Cupertino might be considered. Consultant Keehn reiterated that any suggested quotes be given to Senior Planner Martire for consideration. Chair Maa stated she wanted an emphasis on undercelebrated voices that give acknowledgement to Cupertino's unique community demographic. Commissioner Rohra supported representation of diversity for the quotes. Senior Planner Martire suggested adding language to the resolution and conditions of approval to capture the idea.

Commissioner Rohra stated that she would like to see the figure for the Kaleidoscope be more abstracted and inclusive and not necessarily female.

Commssioner Ford stated he agreed with the other commissioner's comments and did not have a problem with moving along with the project.

Consultant Keehn clarified and summed up the commissioner's comments.

Commissioner Rohra suggested that for future projects with quotes, that it be opened to the community to make suggestions. Vice Chair Wang stated the idea was more of what he had in mind for local voices.

Vice Chair Wang reemphasized that artwork for the third portion of the development should be more visible and accessible to the general public. He also stated he would like the benches to be more engaging through more detailed explanations about the artwork on the accompanying plaque. Consultant Keehn stated she agreed that the city being more active in the early stages of a development would help make art more accessible and significant. She stated that the plaque for the benches should provide adequate explanation. Chair Maa echoed Vice Chair Wang's statements on the need for earlier involvement to more fully engage the public.

Chair Ma motioned to pass the resolution with the following additions to the conditions:

- The figure for Kaleidoscope Dreams be more abstract.
- The Commission be able to review the quotes proposed for Kaleidoscope Dreams.

- The four quotes for Kaleidoscope Dreams emphasize undercelebrated voices that give acknowledgement to Cupertino's unique community demographic.

Consultant Keehn stated that the artists' time and budget were limited. She stated that they did not have the time for extensive research and community input for the quotes but would welcome suggestions put forward by the Commission. Chair Maa asked if there was a possibility of the project not moving forward if they asked to review the quotes. Consultant Keehn stated that was not the case but emphasized no extensive community engagement would occur to help decide the quotes.

Chair Maa asked for feedback on the motion.

Commissioner Rohra stated she felt the Commission's guidelines for the quotes were sufficient to allow the artist and staff to represent their wishes. Vice Chair Wang and Commissioner Ford agreed.

Chair Ma motioned to pass the resolution with the following additions to the conditions:

- The figure for Kaleidoscope Dreams be more abstract.
- The four quotes for Kaleidoscope Dreams emphasize undercelebrated voices that give acknowledgement to Cupertino's unique community demographic.

Vice Chair Wang seconded the motion. The motion carried unanimously with 4 – Yes, 0 – No, 1 – Absent.

Chair Maa closed the item.

3. Subject: Discuss City Council Work Program Items for 2024.

Recommended Action: Recommend City Council Work Program Items for 2024.

Senior Planner Martire gave a presentation and explained what was expected of the Commission.

The commissioners asked clarifying questions.

Vice Chair Wang asked for clarification of the Commission Governance Reform Package and if there was anything that would affect how commissions operate. Senior Planner Martire stated that it was intended to have procedures operate uniformly across all meetings. Vice Chair Wang asked for clarification of the violation of Commission-Staff relationship section. Senior Planner Martire stated it was probably referring to the Grand Jury report. Commissioner Ford asked for clarification of the \$25,000 additional portion of the item budget. Senior Planner Martire clarified.

Vice Chair Wang asked for clarification of the Revise and Update Heart of the City Special Area item. He asked if this could be tied into transforming unused and underutilized areas with art. Senior Planner Martire stated that it possibly could.

Vice Chair Wang asked for clarification as to what the Commission should be proposing for the following year. Senior Planner Martire stated that the Revise and Update item was on the not funded list. He stated if the commissioners liked an item on the list, they could put it on their recommendation list.

Chair Maa asked for clarification as to why certain items were on the hold list. Senior Planner Martire stated it was a matter of prioritization and availability of funds.

Chair Maa asked if the Art in Lieu fee study and process was accounted for on the Work Program List. Senior Planner Martire clarified that it was not. He stated it was on hold indefinitely. Vice Chair Wang asked for clarification if Art in Lieu was not placed on the recommendation list might in not be revisited. Senior Planner Martire stated that was a possibility.

Chair Maa asked for clarification on how funded items were chosen and prioritized. Commissioner Ford asked if the Commission had the ability to swap ranking priorities. Senior Planner Martire clarified that they could add items to the recommendation list if they chose to. Commissioner Rohra asked for clarification if the Commissioner should be proposing recommendations that were in the scope of Arts and Culture. Senior Planner Martire stated that each commission is considered to have their own expertise. He stated that of the four goals stipulated for the City Work Program, Quality of Life was probably the most applicable to Arts and Culture.

Chair Maa suggested the commissioners broaden the scope of their recommendations to include items where Arts and Culture could have an influence not normally recognized. Vice Chair Wang stated they could collaborate and have an impact in areas not traditionally considered within their jurisdiction. Senior Planner Martire suggested that language to unfunded items could be added to ask that Arts and Culture be part of the process. Chair Maa asked if they could insert themselves in projects already funded. Senior Planner Martire stated that those projects were already set. He stated unfunded and new projects were a better possibility.

Commissioner Rohra voiced concern that the commission was not having enough impact in early development phases of projects. She suggested the commission insert themselves in unfunded items where they could possibly make an impact. Senior Planner Martire suggested the commissioners take those ideas and concepts for public engagement and craft a new recommendation.

Vice Chair Wang asked for clarification on the FY 2023/24 City Work Program funded projects and the To be Considered Projects lists. Senior Planner Martire stated that the funded projects

were already approved and the To Be Considered Projects were on the list already for possible inclusion on the FY 2024/25 City Work Program list.

Vice Chair Wang suggested as one of their recommendations, part two of the Revise and Update the Heart of the City from the To Be Considered list. Chair Maa stated she wanted the description to be more significant and palatable to City Council. Vice Chair Wang asked if the description could be rewritten to be more art centric. Senior Planner Martire stated they could possibly add a third point. The commissioners worded a third point to add to Revise and Update the Heart of the City item as follows:

- Include standards for early engagement of the AACC in the development process in evaluating uses to revitalize new and existing local public facing commercial uses (retail/restaurant/entertainment/professional office, etc.).

The commissioners agreed to check multiple goals for the item including Public Engagement and Transparency, Sustainability and Fiscal Strategy, and Quality of Life.

Chair Maa and the commissioners discussed the possibility of engaging with private business owners to enhance their properties.

Chair Maa asked for other suggestions.

Commissioner Rohra suggested an art talk with goals covering Public Engagement and Quality of Life. She also stated she would like to see a program that had greater focus on the community culture aspect of the Arts and Culture commission. She suggested an event in the same respect as the Artist Awards where different cultures are invited and asked to represent and educate the community. She stated that partners could be found to minimize the impact on City staff time. Chair Maa stated that the Parks and Recreation department holds a number of ethnic culture events throughout the year and she did not want to take away from those. She stated that maybe they could find a way to be more involved in those events.

Commissioner Ford left the meeting at 9:04 p.m.

Commissioner Rohra asked for clarification as to the next steps in the process. Senior Planner Martire stated that a motion is made to be on the final list. When approved it will be sent to the City Manager's office. He stated the list will then be submitted to the City Council for their consideration.

Vice Chair Wang asked that the Art in Lieu Policy be considered for the recommendation list. Senior Planner Martire stated that having it on the list would allow for more staff time to be dedicated and make it a priority. Chair Maa asked that the scope be broadened to include allocation, distribution and use of funds concerning art for development projects. Senior Planner Martire suggested the commissioners revisit Chapter 19.148: Required Artwork in

Public and Private Developments in the City Municipal Code in conjunction with the Art in Lieu Policy. A second recommendation title was decided on as Art in Public and Private Development with the following description:

- Revisit Municipal Code standards for the art in public and private development, including the standards in the Municipal Code and developing an Art-in-lieu fee policy.

Chair Maa asked for additional goals to be checked for the item. The commissioners agreed on Public Engagement and Transparency, Sustainability and Fiscal Strategy, and Quality of Life.

Vice Chair Wang asked if a third recommendation should be proposed. Chair Maa and Commissioner Rohra stated they were satisfied with the two recommendations.

STAFF AND COMMISSION REPORTS

None

COMMISSIONER ATTENDANCE AT UPCOMING MEETINGS AND EVENTS

The Mayor's meetings is bi-monthly and alternate between in-person and remote. The meetings must be attended by either the Chair or Vice Chair.

Commissioners to attend the upcoming Mayor's meetings as follows:

March – Vice Chair Wang (virtual)

FUTURE AGENDA SETTING

Vice Chair Wang reminded the Commission of their request for a discussion on procedure and process for future Artist Award Program cycles.

ADJOURNMENT

Chair Maa adjourned the meeting at 9:21 p.m. to the March 25, 2024, meeting at 6:30 p.m.

Respectfully Submitted by,

Jon de Ridder, Administrative Assistant
Community Development Department
Minutes approved at the _____ regular meeting