

Civic Arts Commission

27

CONSENT CALENDAR

October 28, 2025

To: Honorable Mayor and Members of the City Council
From: Civic Arts Commission
Submitted by: Lisa Bullwinkel, Policy Subcommittee Chair, Civic Arts Commission
Subject: Referral Request to Rescind Incorrect Information Related to Turtle Island Monument

RECOMMENDATION

Refer to City Manager to draft a resolution to send to Council for adoption that would correct the historical record found in three Council Resolutions (attached). In the first of these resolutions issued in 2003 the City conducted a procurement process utilizing an artwork title "Turtle Island Monument" (an artwork concept originally created by Lee Sprague and Marlene Watson in the 1990s and recast as a new project by the City) resulting in another artist being contracted in 2006 to unwittingly create artwork for the City using this same title. The 2023 Resolution, related to an aspect of an attempted collaborative redesign of Turtle Island Monument involving the original artists, does not have an executed contract and should be rescinded.

Those three resolutions are:

- 2005 Contract Authorization for Scott Parsons (Contract executed and completed) Attachment 1
- 2006 Contract Amendment Authorization for Scott Parsons (Contract executed and completed) Attachment 2
- 2023 Contract Authorization for Scott Parsons (Contract never executed) Attachment 3

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

Turtle Island Monument is a Strategic Plan Priority Project, advancing the City of Berkeley's goal to provide state-of-the-art, well-maintained infrastructure, amenities, and

facilities. Turtle Island Monument should be the centerpiece of Civic Center Park and instead has sat unused as a fountain and in a state of disrepair for over three decades.

BACKGROUND

In 1991, Lee Sprague and Marlene Watson, artists who are Native American, made a proposal to the City of Berkeley to create Turtle Island Monument in Civic Center Park at the historic fountain which had been broken for decades. The proposed monument was designed to recognize Native American history throughout the Americas commemorating the end of 500 years of resistance and the beginning of 500 years of rebuilding.

The fountain site was dedicated as the location for the future Turtle Island Monument by Council Proclamation (Attachment 4) during the first Indigenous Peoples Day in 1992.

During the 1990s, the monument proposal was reviewed by various Commissions and Council and was revised by the artists many times in response to those reviews, but the monument was never approved to be built and the artists were never placed under contract with the City during this time. The 1997 Historic Landmark Designation application for Civic Center Park included a written description of Turtle Island Monument as it would be installed at the fountain.

In 2003, without contacting the original artists, who had by then moved out of state, the City erroneously issued a Call for Artists (Attachment 5) to complete the project with elements not proposed in the original Turtle Island Monument design. Scott Parsons, a non-native artist, was selected through a competitive proposal process and was issued a contract to create eight medallions to represent different tribes of the Americas and four bronze turtles as part of the creation myth of Native American culture. Mr. Parsons's original proposal included snapping turtles (Attachment 6) however he was directed by the City to change them to sea turtles. Scott Parsons was not aware that he was producing artwork with an appropriated title because he was doing so in response to the Request for Proposals that the City issued. This is a mistake that the City of Berkeley made. Scott Parsons created the proposed art elements which were delivered to the City but not installed at the fountain. Instead, the medallions were placed in storage and the four bronze turtles were put on 'temporary' display in the Civic Center building at 2180 Milvia Street.

Years passed and in 2018 several community members, who were frustrated by the lack of a functioning fountain/sculpture in Civic Center Park, took it upon themselves to initiate yet another concept for the fountain. This triggered the realization that the City needed to resume contact with the original artists of Turtle Island Monument, Lee Sprague and Marlene Watson. City staff engaged the original artists in a listening session, after which they agreed to participate in a design charrette for the Turtle Island Monument project that would include artist Scott Parsons. On March 30, 2023, the City of Berkeley Landmarks Preservation Commission gave approval to the Turtle Island Monument design developed from the Design Charrette that included input from Lee

Sprague, Marlene Watson, Scott Parsons, and others. However, shortly after this approval, tensions emerged, missteps were made, feelings were hurt, and trust was broken.

It was in this context that the City of Berkeley determined that contract negotiations with the artists had reached an impasse and in July 2025 notified the Civic Arts Commission of its intention to cancel the project (Attachment 7). Members of the Civic Arts Commission as well as members of the Native American community who were present at that commission meeting expressed a desire to rectify these missteps and hurt feelings to see Turtle Island Monument through to completion by the original Native American artists, Lee Sprague and Marlene Watson. It is with this intention that this referral is requested. The artists have indicated the desire to go forward, if corrections are made. City staff have also indicated a desire to see this project to completion.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None.

RATIONALE FOR RECOMMENDATION

The Civic Arts Commission wants to foster a positive relationship with the Native community, and it is their intent is to have Turtle Island Monument completed in the heart of Berkeley's Civic Center.

ALTERNATIVE ACTIONS CONSIDERED

None.

CITY MANAGER

The City manager concurs with the Commission's goal to update the record and will work with staff to report back to council if the item is approved.

CONTACT PERSON

Jennifer Lovvorn, Civic Arts Commission Secretary, 981-7533

Attachments:

1. 2005 Contract Authorization for Scott Parsons (executed and completed)
2. 2006 Contract Amendment Authorization for Scott Parsons (executed and completed)
3. 2023 Contract Authorization for Scott Parsons (never executed)
- 4: 1992 Council Proclamation
5. 2003 Call for Artists
6. Parsons original proposal
7. July 2025 Information Report to Civic Arts Commission

RESOLUTION NO. 63,008-N.S

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AND ANY AMENDMENTS WITH SCOTT K. PARSONS FOR DESIGN, DEVELOPMENT AND INSTALLATION OF THE TURTLE ISLAND MONUMENT IN AN AMOUNT NOT TO EXCEED \$34,000; AND ALLOW THE ARTWORK TO BE PUBLICLY DISPLAYED ELSEWHERE UNTIL THE FOUNTAIN IS RESTORED

WHEREAS, in November 1996, Berkeley voters adopted Measure S, which authorized Bond funds of \$4 million in public improvements in the Downtown Area, and a total of \$900,000 in Measure S funds was allocated toward the renovation of Martin Luther King Jr. Civic Center Park, including funds for the Turtle Island Monument; and

WHEREAS, a separate allocation of \$200,000 was made by Council using General Funds toward the project as part of the 2001 budget, for a total project budget of \$1,100,000; and

WHEREAS, a Call to Artist design competition was advertised nationwide in Fall 2003 and proposals were reviewed by a Selection Committee comprised of: two Civic Arts Commissioners, two Parks & Recreation Commissioners, two Landmarks Preservation Commissioners, two members of the Native American community and one Parks Recreation & Waterfront Department staff person; and

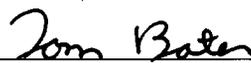
WHEREAS, on April 27, 2005, the Civic Arts Commission approved completing the public art historic turtles for the Civic Center Fountain by Scott Parsons with possible placement in City buildings for display until the fountain is functioning; and

WHEREAS, funds are available in the current year budget in the Measure S fund, budget code 653-5850-450-65.30-XX8P68 and the contract has been entered into the City contract database, and assigned CMS No. TBIDV.

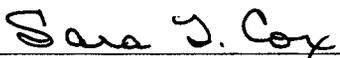
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments with Scott K. Parsons for design, development and installation of the Turtle Island Monument at the Civic Center Park Fountain in the amount of \$34,000; and allow the artwork to be publicly displayed elsewhere until the fountain is restored (Budget Code 653-5850-450-65.30-XX8P68). A record signature copy of said contract and any amendments to be on file in the Office of the City Clerk.

The foregoing Resolution was adopted by the Berkeley City Council on July 19, 2005 by the following vote:

- Ayes: Councilmembers Anderson, Capitelli, Maio, Moore, Olds, Spring, Worthington, Wozniak and Mayor Bates.
- Noes: None.
- Absent: None.



Tom Bates, Mayor

Attest: 

Sara T. Cox, City Clerk

RESOLUTION NO. 63,522-N.S.

EXECUTE AN AMENDMENT TO THE CONTRACT FOR THE DESIGN, DEVELOPMENT AND INSTALLATION OF THE TURTLE ISLAND MONUMENT

WHEREAS, a Call to Artists competition was advertised nationwide in the Fall of 2003 and in April 20, 2005, the Turtle Island Monument Selection Committee chose Scott Parsons as the artist and this vote was unanimously upheld by a vote on April 27, 2005 of the Civic Arts Commission; and

WHEREAS, on July 19, 2005 by Resolution No. 63,008-N.S., the City Council authorized Contract No. 6979 with Scott K. Parsons for the design, development and installation of the Turtle Island Monument, in an amount not to exceed \$34,000 for the period of June 1, 2006 to June 30, 2007; and

WHEREAS, because of the delay in starting the project and the increase in the price of bronze over the last two years, and because the size to cast the turtles and maintain the 3 ft. lengths necessitates an increase of \$1800 (\$400 for each turtle and \$200 for the mold), an increase of the stone medallions from \$5000 to \$6400 (\$1,400), and \$500 in other projected increases; and

WHEREAS, funds are available to perform this work in the FY07 Public Art Fund budget code 657-8704-465-3038 and this contract amendment has been entered in the citywide contracts database, CMS number TBIDV.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to the contract with Scott K. Parsons for the design, development and installation of the Turtle Island Monument, to increase the amount by \$3,700, for a total not to exceed \$37,700 budget code 657-9701-399-9901. A record signature copy of said contract to be on file in the Office of the City Clerk.

The foregoing Resolution was adopted by the Berkeley City Council on December 12, 2006 by the following vote:

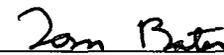
Ayes: Councilmembers Anderson, Capitelli, Maio, Moore, Olds, Spring, Worthington, Wozniak and Mayor Bates.

Noes: None.

Absent: None.

Attest:


Pamyla Means, City Clerk


Tom Bates, Mayor

RESOLUTION NO. 70,974-N.S.

CONTRACT WITH SCOTT PARSONS FOR CREATION OF THREE STONE MEDALLIONS AND PURCHASE OF GRANITE BOULDERS AND BASES FOR ARTWORK ELEMENTS FOR TURTLE ISLAND MONUMENT

WHEREAS, The City of Berkeley's Arts and Culture Plan calls for the enhancement of Berkeley's environment by placing temporary and permanent public art in public spaces throughout the city; and

WHEREAS, The City of Berkeley underwent a public process in 2005 to commission artist Scott Parsons to create four bronze oceanic turtle sculptures and facilitate the creation of stone art medallions by North, Central and South American Indigenous artists and international tribal representatives; and

WHEREAS, the 2023 Turtle Island Monument design calls for the creation of three additional stone medallions created by Scott Parsons to be embedded along with the existing stone medallions into twelve granite boulders; and

WHEREAS, the 2023 Turtle Island Monument design also calls for the four bronze turtles Scott Parsons created for the City in 2006 to be mounted on new granite bases for integration into the new Turtle Island Monument, and

WHEREAS, in order to ensure a consistent look across all granite elements for the new monument, Scott Parsons will also purchase from the same quarry the granite base for the new central turtle, and

WHEREAS, Funding for the artwork contract was set aside in the Public Art in Private Development Budget for FY 2024 (\$36,000) and \$200,000 from Measure T-1 as approved by Council on June 13, 2023; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments thereto with Scott Parsons for the creation of three stone medallions and purchase of granite boulders and bases for artwork elements for Turtle Island Monument with the contract period of July 1, 2023 through March 30, 2025 in an amount not to exceed \$236,000. A record signature copy of said contract and any amendments are to be on file in the Office of the City Clerk.

The foregoing Resolution was adopted by the Berkeley City Council on July 25, 2023 by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Robinson, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: Harrison.



Jesse Arreguin, Mayor

Attest: 

Mark Numainville, City Clerk



Loni Hancock
Mayor

DEDICATING THE SITE FOR THE TURTLE ISLAND MONUMENT

WHEREAS, the Berkeley Resistance 500 Task Force, a broad-based community group, brought the proposal for Indigenous Peoples Day and related activities and programs to the Commission on Peace and Justice, which recommended adoption of the proposal to the City Council; and

WHEREAS, the Berkeley City Council, on 22 October 1991, approved the recommendation for Indigenous Peoples Day and the designation of 1992 as the Year of Indigenous People, including educational events throughout the year and commemorative events on the weekend of 10-12 October; and

WHEREAS, the Task Force proposal also included a monument, now known as the Turtle Island Monument, and the concept for this monument and time capsule are being developed and circulated for review and approval through all necessary City boards and commissions; and

WHEREAS, the Turtle Island Monument is dedicated to all indigenous people of this hemisphere, whose societies flourished centuries before Columbus arrived and which continue on this day, which is seen as the end of 500 years of resistance and the beginning of 500 years of rebuilding;

NOW, THEREFORE, BE IT RESOLVED that I, Loni Hancock, Mayor of the City of Berkeley, do hereby dedicate this site for the Turtle Island Monument to the Native People of this hemisphere on behalf of the non-native people of Berkeley, in recognition of your care for this land long "before Columbus was discovered on our shores" and in honor of your culture and philosophy, which are needed now more than ever if the planet is to survive.

Loni Hancock
Loni Hancock, Mayor



Parks Recreation & Waterfront
Department

PUBLIC ART OPPORTUNITY
CALL FOR ARTISTS
2003
REQUEST FOR PROPOSALS

CIVIC CENTER PARK FOUNTAIN
TURTLE ISLAND MONUMENT
ARTWORK BUDGET - \$35,000

ELIGIBILITY

This is a Call for Artists. This project is open to all artists in the United States. We encourage experience in public art and Native American culture.

LOCATION

In the Civic Center Historic District, at the center of Civic Center Park. The park is bordered by Martin Luther King Jr. Blvd., Allston Way, Center Street and Milvia Street. This project is part of a rehabilitation of the existing park and fountain.

PROJECT DESCRIPTION

The Turtle Island Monument is dedicated to all indigenous people of the hemisphere whose societies flourished centuries before Columbus arrived. Some societies continue to this day, some are extinct. The Turtle Island Monument is based on ancient American Indian legend, which is described below. The monument will consist of 4 turtles placed on the true north, south, east and west axis, mounted in the lower pool of an existing historic fountain; and 8 medallions incorporated into the surrounding plaza surface. At least 1 turtle should have a map of the Americas on its back. The medallions represent different tribes of the Americas, both flourishing and extinct. These medallions shall also be on axis with the turtles.

The Turtle Island Story

Long, long, time ago, a great tree in the Sky World had been uprooted and an empty hole took its place. One day, Sky Woman was peeking into that empty hole to a place far below. She fell into the hole and tumbled rapidly down. At the world below there was only water and water animals. The first to see her falling were the graceful geese. They spoke amongst themselves saying: "Why is she falling straight into the water so fast that she will surely die!" So they flew beneath her and spread their wings that it might slow her descent; and it did.

Down upon the water, some animals called out to a Giant Turtle because his back was the strongest thing in the watery world. The Giant Turtle placed himself directly beneath the falling being, and so ever so gently Sky Woman landed upon his back. But there was barely room for her long slender legs and arms, her feet and hands fell into the water.

The animals all knew that deep beneath the water was something firmer, brown and gloppy. So one by one, they dove deep beneath the water trying to bring mud up to the turtle to make more room for poor Sky Woman. None were successful until finally Muskrat, with his dying breath, came out of the water with a tiny bit of mud in his tail. The animals spread this mud all around the turtle, it began to spread all on its own, and then they brought up more. And when Sky Woman had fallen from her lofty world, there had been seeds from the Great Tree which caught in her skirts; these seeds fell upon the mud and grew. And soon the world which had been just water, was very different; it was Turtle Island. It grew and nurtured the native people for many generations.

COMMUNITY PROFILE

The Civic Center Historic District and Civic Center Park define the political, architectural and social heart of the City. Civic Center Park is the site for numerous social events and celebrations throughout the year, including Indigenous People’s Day, Farmers Market, Earth Day and “How Berkeley Can You Be”.

Located in the center of Berkeley’s downtown business and civic core, Civic Center Park is a highly visible, active location, characterized by its variety of uses. Local business and residential neighborhoods surround the Park. Center Street, the busiest pedestrian thoroughfare in Berkeley, runs from the park, east, to UC Berkeley. Up to 1 million pedestrians use the sidewalks of Center Street, annually. Berkeley High School students use the park heavily on a daily basis when school is in session.

In 1992, Berkeley City Council dedicated the fountain and plaza area as the location of the future Turtle Island Monument. The Civic Center District, including the park, was later landmarked in 1997. The current Turtle Island Monument, as approved by the community and Berkeley City Council, is designed to honor and recognize Native American history commemorating the end of 500 years of resistance and the beginning of 500 years of rebuilding.

This public art project aspires to illustrate this history, while simultaneously integrating with the historic architecture of the existing Moderne fountain.

Estimated Time line

<i>Process begins</i>	August 15, 2003
<i>Applications Due</i>	October 15, 2003
<i>Final Selection Begins</i>	November 15, 2003
<i>Final Artist Selected</i>	January 2004
<i>Fabrication Begins</i>	Spring 2004
<i>Project Completed</i>	TBD

Please note that this is an estimated timeline and may be substantially revised to reflect changes based upon the availability of panelists.

APPLICATION DEADLINE

Applications must be received by the Project Manager or postmarked by **October 15, 2003**

Late applications and faxed applications will not be accepted. Send all information and applications to:

Mark Mennucci
City of Berkeley
Park Recreation & Waterfront Department
2121 Allston Way, 1st Floor
Berkeley, CA 94704

The City of Berkeley reserves the right to not award any contracts for this project. This Call for Artists does not constitute an agreement to fund artworks for the site described above. **For more information on this project, please visit the Parks Recreation & Waterfront website at <http://www.ci.berkeley.ca.us/parks/PlanDesignnews.html> and click on the link to Civic Center Park.**

GENERAL Terms

ARTWORK SPECIFICATIONS

Any medium appropriate for use on the project site will be considered. The artwork in the plaza must be designed to meet the City's safety and Americans with Disabilities Act standards. Artwork must be durable, graffiti and stain resistant, slip resistant, easily maintainable, and not a public safety hazard. The Artwork must also withstand submersion in water, since it will be located within a fountain, and interaction from people of all ages climbing in the fountain.

Artist must coordinate with the Project Design Consultant on details describing the Artwork connection to the fountain floor, and medallion inset into plaza surfacing. These details will be required for inclusion in the contract document plan set, for permit approval. Artwork plans and details should be stamped by a licensed engineer or architect.

BUDGET SPECIFICATIONS

The specified budget amount for this project is **\$35,000**. This must cover all costs associated with design, fabrication, permit approval, any required licensed engineer drawings, public review, shipping, oversight of the artwork installation, and travel expenses. In the event that finalists are requested by the Selection Panel to make a model, each finalist will receive an honorarium of up to **\$500**. For the selected artist, **\$5,000**, from the budget, will be allocated to cover any cost attributed to transportation & lodging for the purpose of further public presentation and construction oversight in the City of Berkeley.

SELECTION PROCESS

All applications submitted by the deadline will be reviewed for selection. The candidate's slides and background materials will be screened by a Selection Panel made of 7 members representing the following groups: Berkeley Parks Staff (1), Parks and Recreation Commission (1), Landmarks Preservation Commission (1), Civic Arts Commission (1), and members of the Native American Community (3). This will be done in lieu of presenting in front of the Civic Arts Commission.

The Selection Panel will then select up to three (3) finalists to develop design proposals and maquettes. The finalists will receive an honorarium of **\$500** for further development of the proposed concept and maquette. The proposed concept shall also include a detailed material list and detailed budget. The finalists will be required to present to the Selection Panel at a future time to be determined. The Panel will then select a single artist to complete the Artwork.

Public review of the Selected Artist design proposals and maquettes shall consist of a maximum of three (3) public meetings. These meetings will occur after the Selection Panel has selected the artist. The artist will be required to present their proposal to the Park and Recreation Commission, the Arts Commission, and the Landmarks Preservation Commission. Approval by the LPC will designate notice to proceed with fabrication of full scale Artwork.

All Selection Panel, Committee, and Commission meetings are open to the public. For additional information contact **Mark Mennucci, Project Manager at (510) 981-6436** or E-mail Mmennucci@ci.berkeley.ca.us.

SELECTION CRITERIA

Artists will be selected to develop proposals based on:

- Artistic merit as evidenced by representation of relevant past work in slides and other supporting material.
- Appropriateness of the artist's medium, style, and previous experience as those relate to the project goals and setting.
- Experience with projects of a similar scale and scope including familiarity with public works projects, the public review process, and/or collaboration with City agencies and community groups. Artists must have good communication skills and be able to work with diverse City representatives.
- Extensive knowledge of Native American culture illustrated in past works and submitted proposal.

PUBLIC ART PROGRAM COMMISSIONS

Artists interested in reading this document electronically are encouraged to visit the Parks Recreation & Waterfront website at <http://www.ci.berkeley.ca.us/parks/PlanDesignnews.html> and click on the link to Civic Center Park. For interest in learning about other public art opportunities, visit the Public Art Program web site at <http://www.cityofberkeley.info/civicarts/publicart.htm> or to call the **Civic Arts Program Recorded Information Line** at (510) 981-7543. Information is updated whenever new opportunities arise.

ACCEPTANCE OF PROPOSALS

The Selection Panel reserves the right to reject all design proposals.

MODEL POLICY

In the event that you are asked to develop a model of your proposal, the following policy shall apply. The Selection Panel shall:

1. At its sole discretion, the City of Berkeley will have the unconditional right to own any model selected for evaluation, as part of commission awards or may alternatively choose to retain all such models until completion and approval of project implementation.
2. Require that all proposals and/or models submitted are original and unique.

All artists of all ethnicities and genders are encouraged to apply.

All information contained herein does not constitute either an expressed or implied contract and these provisions are subject to change.

For further information about the Turtle Island Monument Project, please contact
Mark Mennucci, Project Manager (510) 981-6436, FAX (510) 981-6390
Parks Recreation & Waterfront Department
2121 Allston Way, 1st Floor
Berkeley, CA 94704
E-mail: Mmennucci@ci.berkeley.ca.us



Parks Recreation & Waterfront
Department

City of Berkeley 2002/2003 Public Art Projects Application Form

Log # _____

For office use only

- A.** Name(s) _____
 Address _____
 City & State _____ Zip _____
 Phone _____ FAX _____ Email _____
 Website address _____

B. Submitting for the project:

Turtle Island Monument Project, **Deadline, Wednesday, October 15, 2003.**

C. Application checklist: Have you enclosed the following?

To apply, please submit the following:

- A plastic slide sheet containing six (6) slides of relevant previous work, numbered, fully labeled, including artist's name, title of work, date completed, media, dimensions and with a red dot in the lower left corner of each slide.
- Two (2) copies of a one-page corresponding slide list including title, date, media, dimensions, location, and other pertinent information deemed useful in orienting the Selection Panel to your work.
- A self-addressed, correctly sized and stamped envelope for the return of slides and other materials.
- OPTIONAL: One or two relevant printed materials such as catalogues, articles, etc. that might assist the selection panel in understanding applicant's work. All materials should clearly indicate the portion(s) for consideration.

Please submit ten (10) complete, one-sided, collated sets of the following written materials:

Each set should contain one of each of the following, in the order given.

Please do not bind materials and do not submit in plastic sleeves, folders or binders.

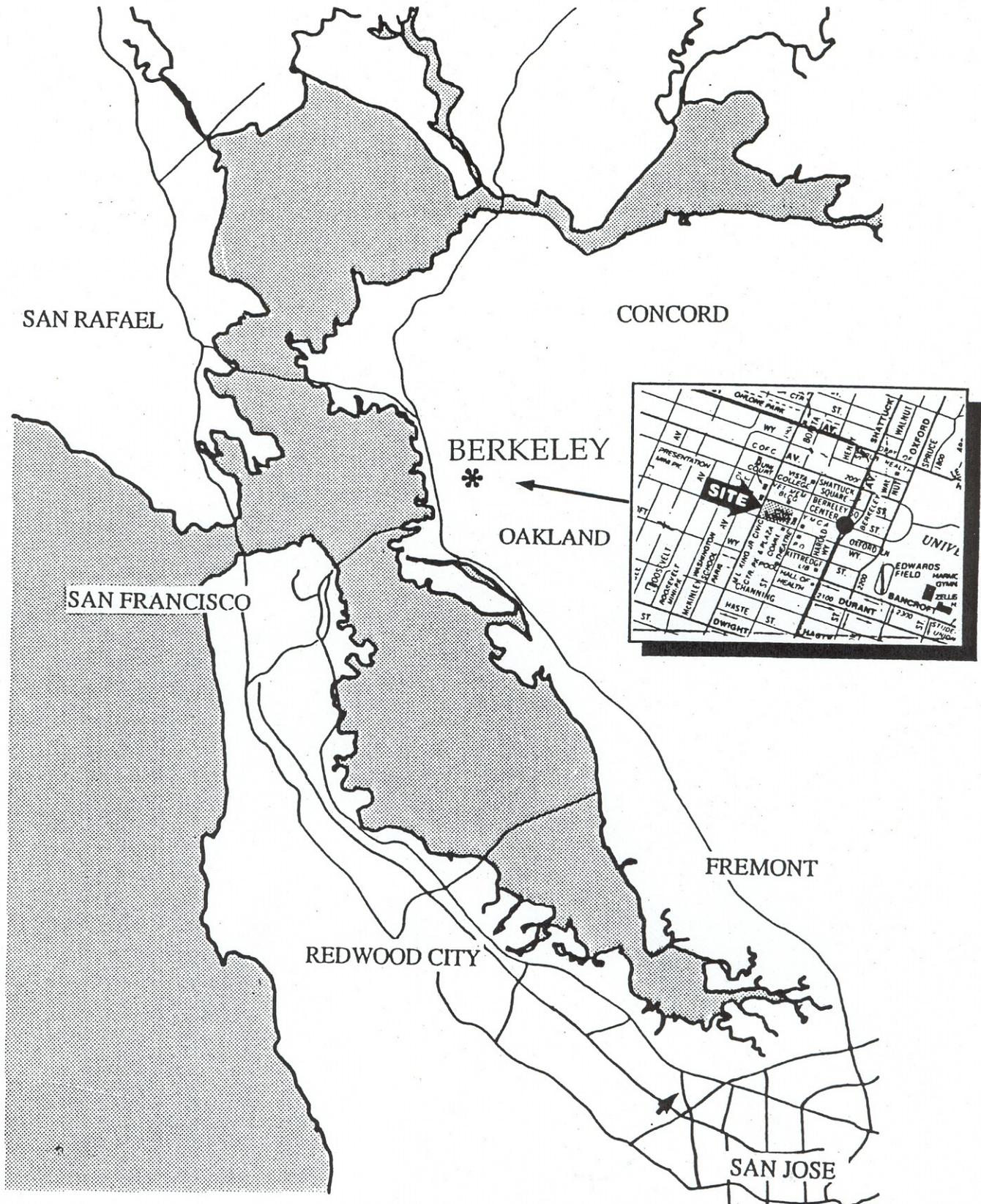
- Artist's statement of interest, briefly noting relevant past experience, conceptual approach for this design, related materials and budget, and other information you wish to highlight about your work and career (1 page maximum).

- A thumbnail sketch of your proposed idea.
- Resume (two pages maximum).
- Names, addresses and phone numbers of three (3) professional references.

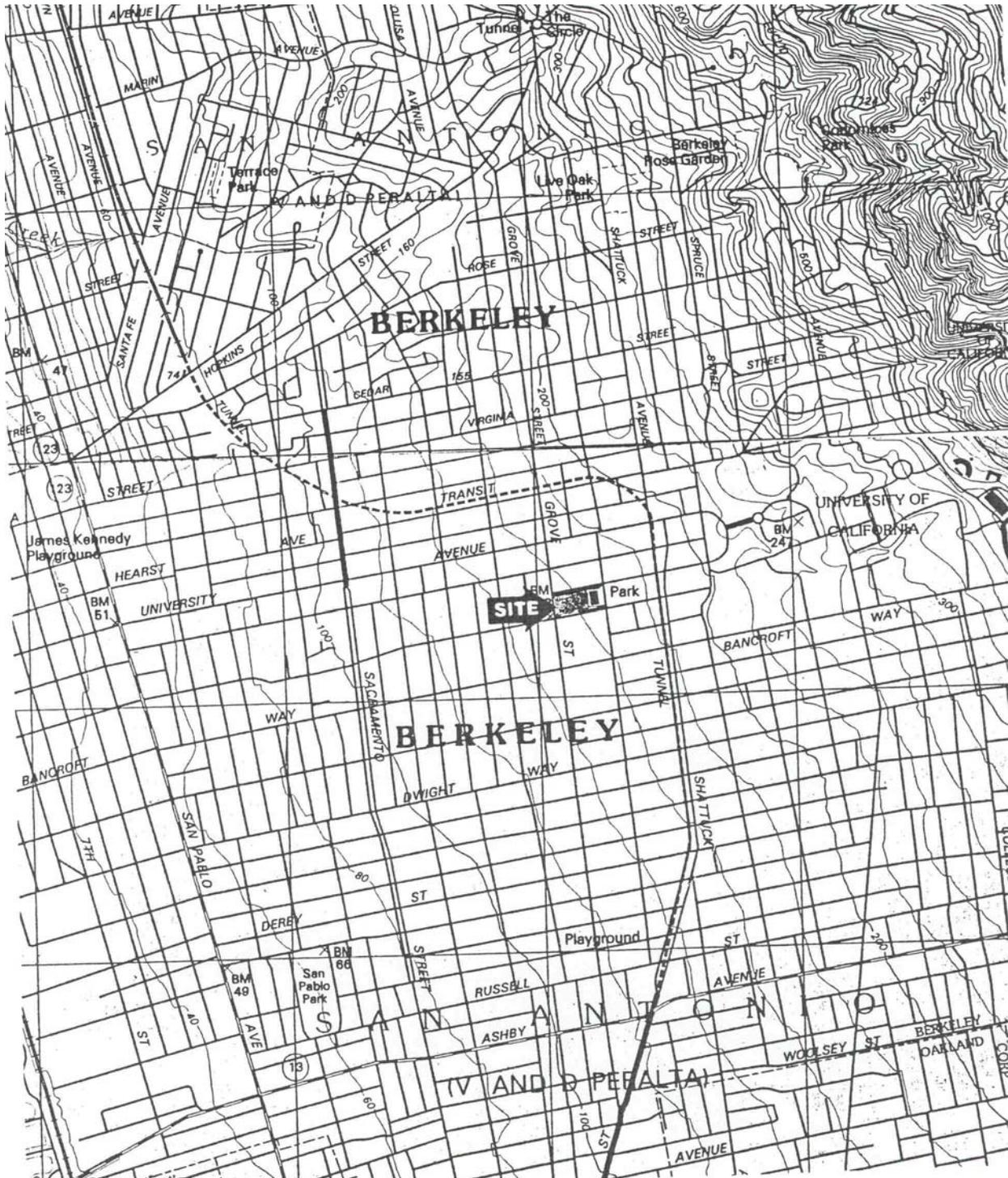
Incomplete or incorrectly assembled applications may not be accepted. Regretfully, neither the Selection Panel, or City of Berkeley Staff, cannot be responsible for lost, missing or damaged materials. The Selection Panel will endeavor to return the originals of application materials to the applicants following the selection.

Submit materials to:
Mark Mennucci – Project Manager
City of Berkeley, Parks Recreation & Waterfront Department
2121 Allston Way
Berkeley CA 94704
E-mail: Mmennucci@ci.berkeley.ca.us (510) 981-6436 FAX (510) 981-6390

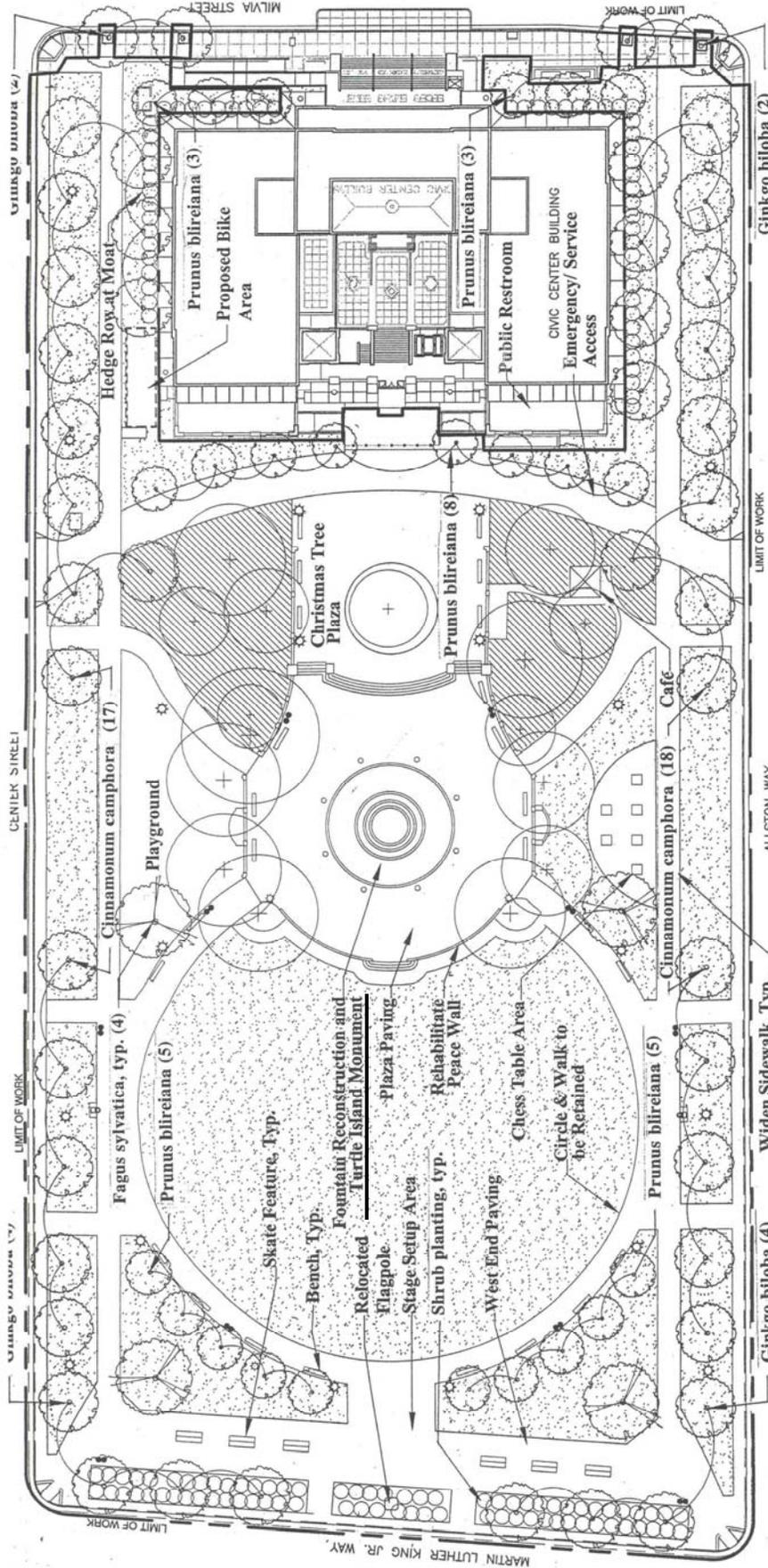
REGIONAL LOCATION MAP



CITY MAP

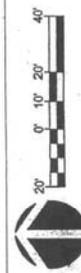


CIVIC CENTER PARK SITE MAP (PREFERRED PLAN)



LEGEND

- Lawn
- Groundcover
- Proposed Tree
- Existing Tree
- Project Limit of Work
- Trash/Recycling
- Drinking Fountain
- Existing Light
- Proposed Light



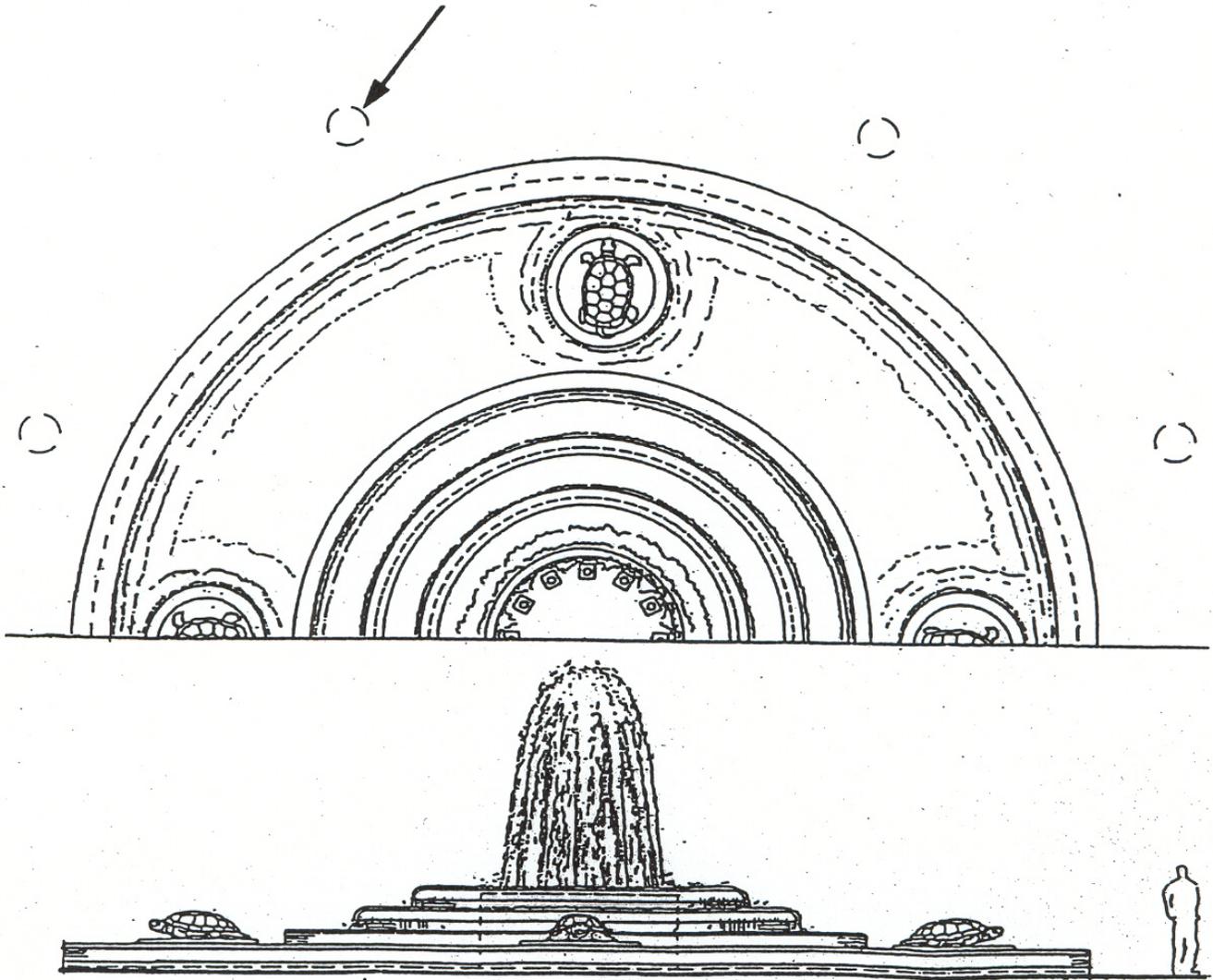
Preferred Plan

MARTIN LUTHER KING JR. PARK / CIVIC CENTER

CITY OF BERKELEY, CA

FOUNTAIN LAYOUT

Proposed Medallions to be Located
in Plaza Paving, Typ.



Turtle Island Monument



Turtle Island Monument

A Public Art Proposal and Collaboration

presented by Scott Parsons

February 16, 2005

*Designed to honor and recognize Native American history
commemorating the end of 500 years of resistance
and the beginning of 500 years of rebuilding.*

THE TURTLE ISLAND STORY

Long, long, time ago, a great tree in the Sky World had been uprooted and an empty hole took its place. One day, Sky Woman was peeking into that empty hole to a place far below. She fell into the hole and tumbled

rapidly down. At the world below there was only water and water animals. The first to see her falling were the graceful geese. They spoke amongst themselves saying: "Why is she falling straight into the water so fast that she will surely die!" So they flew beneath her and spread their wings that it might slow her descent; and it did.

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The animals all knew that deep beneath the water was something firmer, brown and gloppy. So one by one, they dove deep beneath the water trying to bring mud up to the turtle to make more room for poor Sky Woman.

None were successful until finally Muskrat, with his dying breath, came out of the water with a tiny bit of mud in his tail. The animals spread this mud all around the turtle, it began to spread all on its own, and then they brought up more. And when Sky Woman had fallen from her lofty world, there had been seeds from the Great Tree which caught in her skirts; these seeds fell upon the mud and grew. And soon the world which had been just water, was very different; it was Turtle Island. It grew and nurtured the native people for many generations.

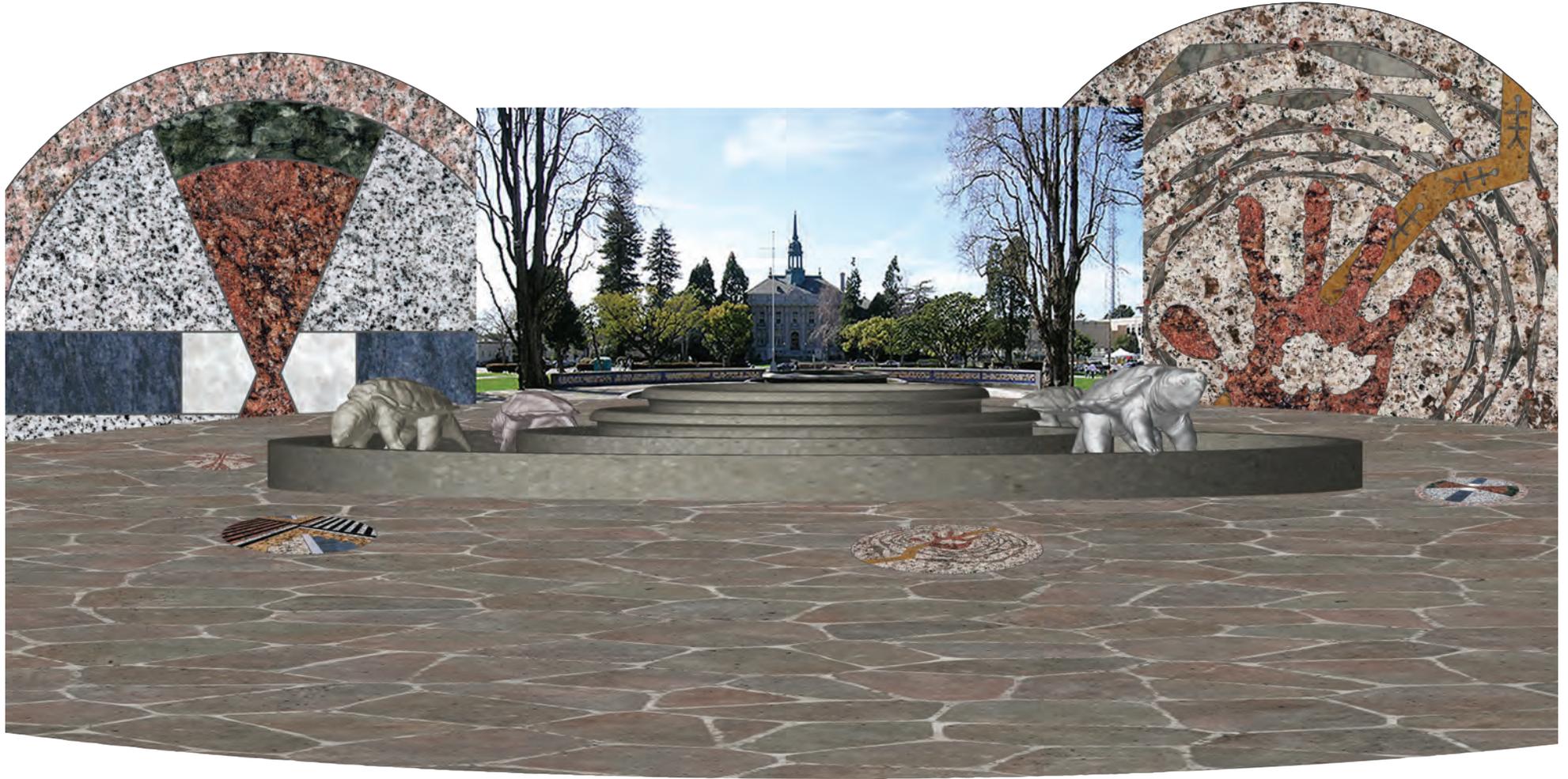


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The Beginning

Once a woman fell from the sky...

Once she told him the stars spoke a language
akin to the plains of her home,
a language like rocks.”

Joy Harjo, “The Woman Who Fell From the Sky”

Abstract

“This Monument will consist of four turtles placed on the true north, south, east and west axis, mounted in the lower pool of an existing historical fountain; and eight medallions incorporated into the surrounding plaza surface.”

All of the medallion images will be made by living Native artists. This circle of contemporary images with traditional references will serve to make a connection to the turtle sculptures which will have historical images and maps of the Americas on their shells. I am designating the inner circle as one to honor the past peoples and ancestors. The medallions are a way of thinking about and honoring the past as tangible and immediate, in the here and now—serving as a connection or bridge for those who will visit this park and come to learn, maybe unexpectedly, but to learn from these images the story of Turtle Island.

Foremost to this project is a vision of reconciliation that is living, honest, and authentic. The *connection* of First Peoples to the land and the creation of Turtle Island is primary. This proposal offers an unprecedented multi-visionary approach to the making of this public art monument. Eight contemporary Native artists will create the medallions, each to commemorate his or her own people, the beauty of, and the survivability of Turtle Island. Scott Parsons will sculpt the four turtles and coordinate the overall project.

The Turtles

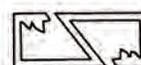
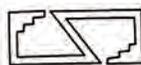
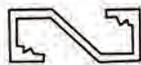
The connection to history and to water.

The four turtles represent the ancient record. Each turtle will be sculpted and cast in stone. Stone is a very traditional medium, it is an ancient material, it connects the artwork to the historic fountain, to geologic time, and to the earth itself. Each turtle will be approximately four feet in length and weigh 2600 pounds.

The turtles are based on the large alligator snapping turtle represented in Plains and Woodlands cultures as a symbol of power and defense. The snapping turtle is both a land and water turtle, capable of navigating under water for more than twenty minutes between breathes. It can weigh 180 pounds or more and live for more than 100 years. The claws of a helper turtle in some traditions of the Turtle Island story describe how the crevices and carved landscapes still seen today were made made when the smaller turtle applied mud to the Great Turtles shell.

The Turtle Island story is a very old story. It has been told many times and in many ways. The challenge is to make the story current with meaning and to recreate the turtles so they are different and come alive and draw people in with interest. The base for each turtle will be slightly below water level. All four turtles will stand with their legs in the water. Three of the four turtles will be taking a drink of water. Their mouths and tongues connecting one to another. The fourth turtle will be posed leaving his platform with his front legs on the exterior lower wall of the fountain.

The shells of the turtles will contain both cast and carved images. The surfaces will be manipulated in a creative, poetic way using an iconography of resistance, such as the double-headed key motif which was brought back into use by the women of Kotyiti during the Pueblo revolts of the 1680s and recalls an even more ancient use of this symbol. The cast images will be cast from separately in stones of different colors. All the imagery on the turtle shells as well as the ring of turtles are part of the ancient record of the Americas.



The Medallions

The connection to First Peoples and the land.

The medallions in turn, connect the present with the past. They form a larger concentric ring, a living circle of contemporary artists' expressions of their traditional cultures' beliefs and artwork. These medallions serve as a way to connect the present to the past and then to make the connection to the present again real and lived. Each medallion will be designed by a separate artist and cut from stone, principally granite, with some marble and other stone inlays. Each medallion will measure three feet in diameter and be in the form of a circle.

The circle of medallions is a symbol of unity and protection for the land and native cultures. Several medallions contain imagery from painted drum heads which recall songs, stories, dancing and ceremonies. The drum resides as a sacred element of the universe, past and present. Other imagery includes shields for the protection of the land and culture. The imagery expresses an interest in physical bodies, animals, elements, the lay of the land, and silhouettes. Together these images are meant to honor the past with a shared vision of the present.

Creating the Turtles

The first turtle will be sculpted in Plastilina or clay. The Plastilina sculpture will be the basis for the four cast turtles. A steel armature will be created inside each casting—this is an epoxy-coated steel that will reinforce the cast stone. Casting is done from a single mold. The stone mix is pressure-injected and consists of carefully graded and washed natural gravel and sands combined with crushed graded stone such as granite, marble, quartz or limestone. The stone is formed in an accelerated natural stone formation process with a polymer added to strengthen the resulting stone to 10,000 PSI—which is well above marble, right up there with granite—and capable of supporting kids and adults alike whom might take to climbing on them. Pigments will be introduced into the stone mix to naturally color each turtle in (subtle) colors of the four directions: white, black, red and yellow.

There will be some intentional variation between the four turtles to make them more alive and interesting, positioning the legs, neck and head differently. I will rework each shell so that each turtle shell will be unique and contain different designs in their shells. Some of these designs will be sculpted in the Plastilina. Other geometric motifs will be cast with a second or third color of stone. These cast stone symbols will be cast first, and then the entire turtle will be cast around these designs. This will allow the integrity of the shell to be continuous in form, across different colors and surfaces.

Constant exposure to water is no problem, there are many cast stone pieces which are permanently installed underwater.

Creating the Medallions

The medallions will be digitally redrawn from the original designs and converted into CAD files. The medallions will be cut by a waterjet machine which cuts the stone from a concentrated stream of water and ruby powder. The larger stone shapes will have a thermal or flamed (textured) exterior surface. Some small areas of the design may have a polished or smooth surface to the stone pieces. All of the cut stones will be epoxied together, so that each medallion can be installed as a single disk unit on site.

Installing the Turtles

Artworks Foundry in Berkeley will be contracted to install the turtles. Each turtle will weigh approximately 2,600 pounds. We will use a forklift to lift each sculpture into place on their base. Each piece will be gently set and marked for precise fitting, then lifted while holes are cut in the base and then reset and epoxied into position. This specification may change to meet the City of Berkeley's requirement for removability. Final specs will be drawn by a licensed engineer and approved by the City of Berkeley prior to installation.

Installing the Medallions

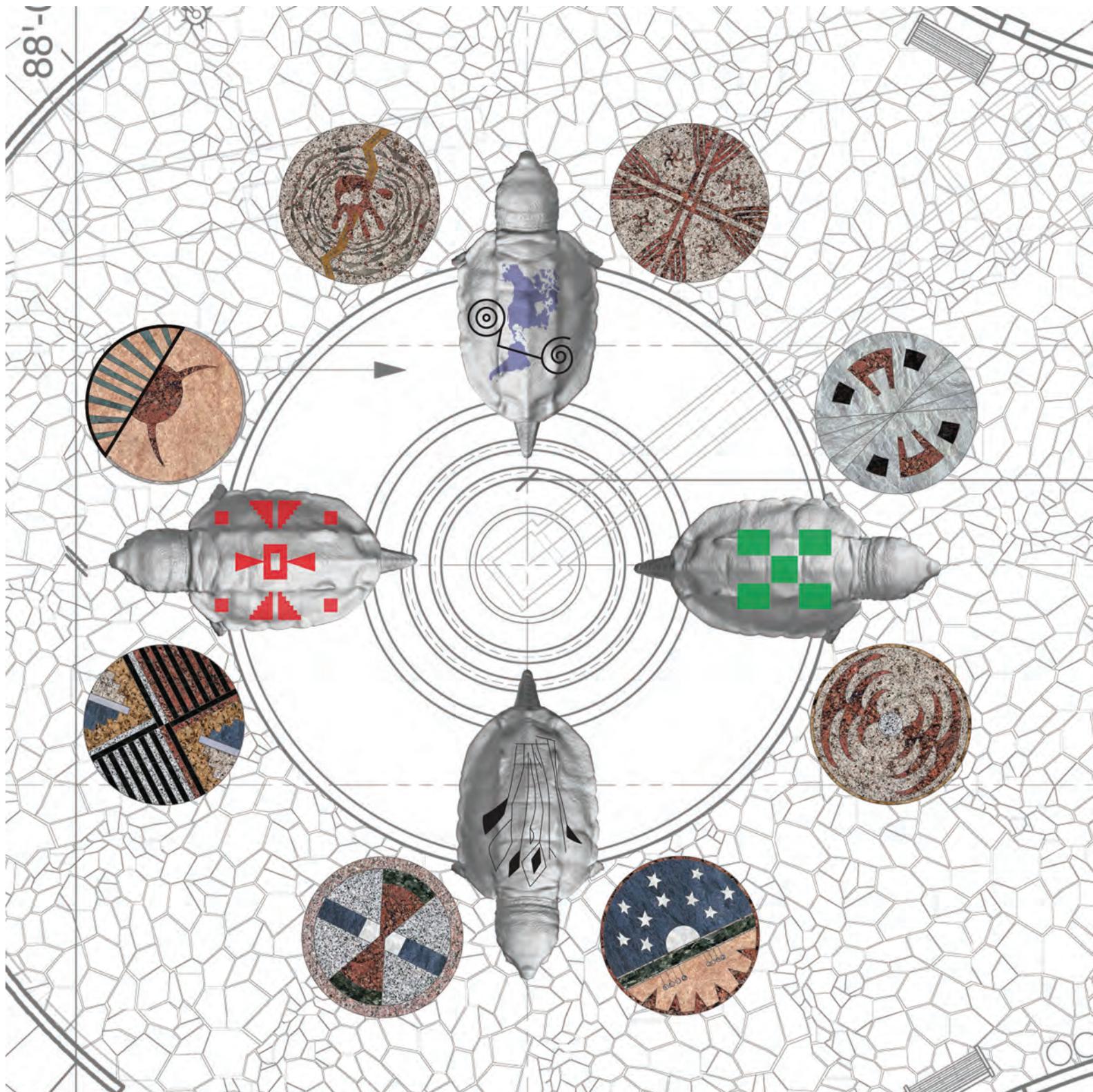
I will coordinate with the City's design consultant and contractor for the installation. I would prefer to obtain some of the paver flagstone material beforehand and have the circle shapes cut into these surrounding stone pieces at the same time the medallions are waterjet cut. This will facilitate a perfectly cut circle surrounding each art medallion.

A licensed tile and flooring contractor will be subcontracted for the installation. An industry standard dry-pack concrete technique will be used to permanently bond each medallion to the dry-pack and subfloor beneath as a single solid piece. The medallions will be 36 inches in diameter and $\frac{3}{4}$ to $1\text{-}\frac{1}{4}$ inch thick stone slab. Some tile pieces may also be used.

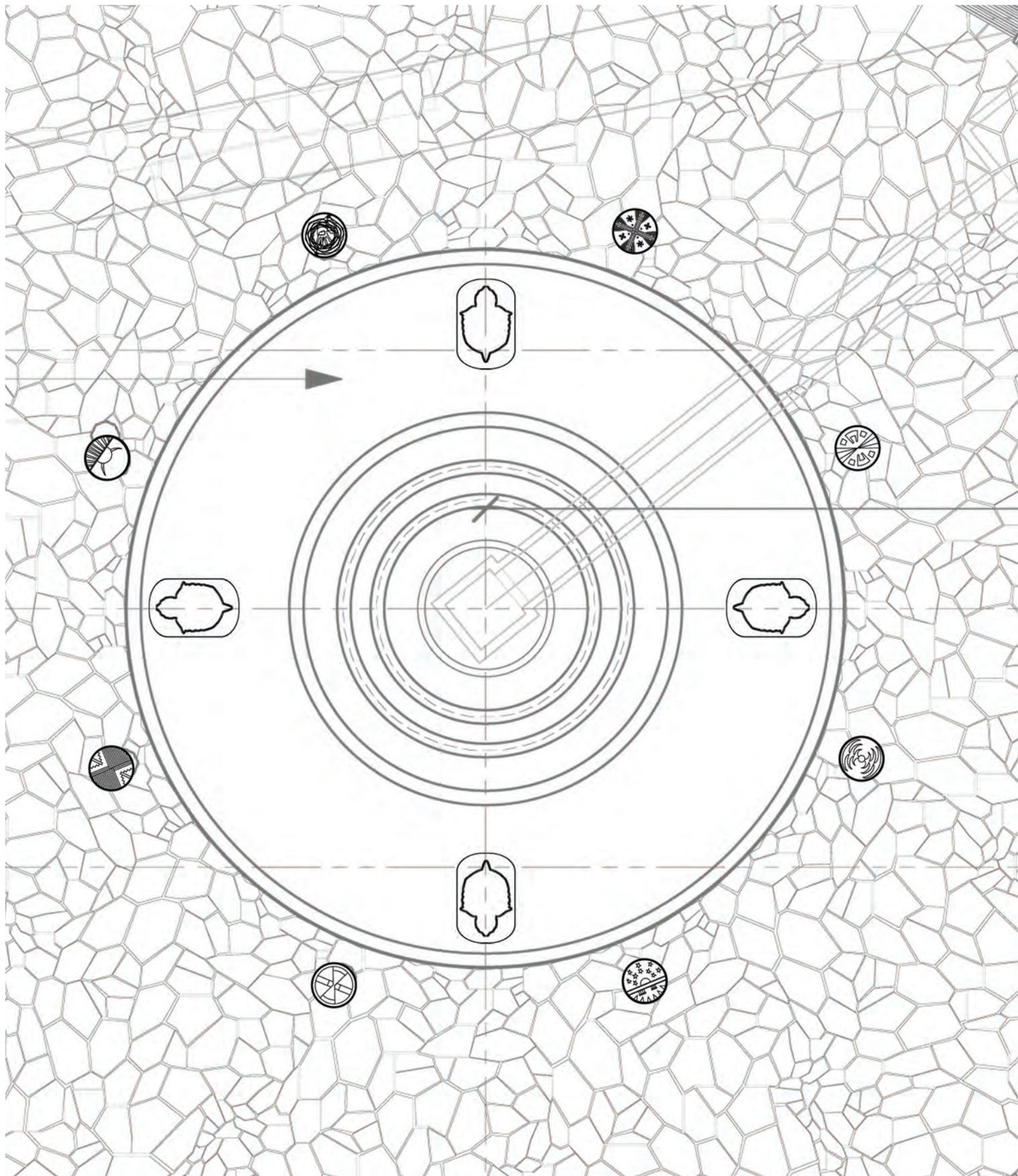
Maintenance

The cast stone turtles should remain maintenance free. They are as hard as granite and will weather as stone. The geometric patterns on the turtles' shells are cast stone as well, and will not fade or peel, or wear off.

Regular cleaning is required for the medallions. Spills should be cleaned when they occur. Dirt may be hosed off with water or a pressure washer. Gum and other debris must be scraped and removed, consistent with the maintenance schedule for the rest of the Park. Colored liquids, like coffee, soda, or oil, left to dry on the surface of the stone will stain the medallions. A periodic treatment of the stone with a color enhancer and sealer is suggested to maintain the vivid coloration of the stone. Long-term: maintenance of the grout may require re-grouting in 15–20 years time.



Not to scale



To scale

The Northern Turtle

As the migrations began to end, the record of the people's wanderings was left engraved on rocks over the face of the land. The people at Gila Bend, Arizona, were on their third round when this symbol was inscribed, but stayed for some time, as indicated by the connecting line.

Frank Waters, *The Book of the Hopi*, 1972



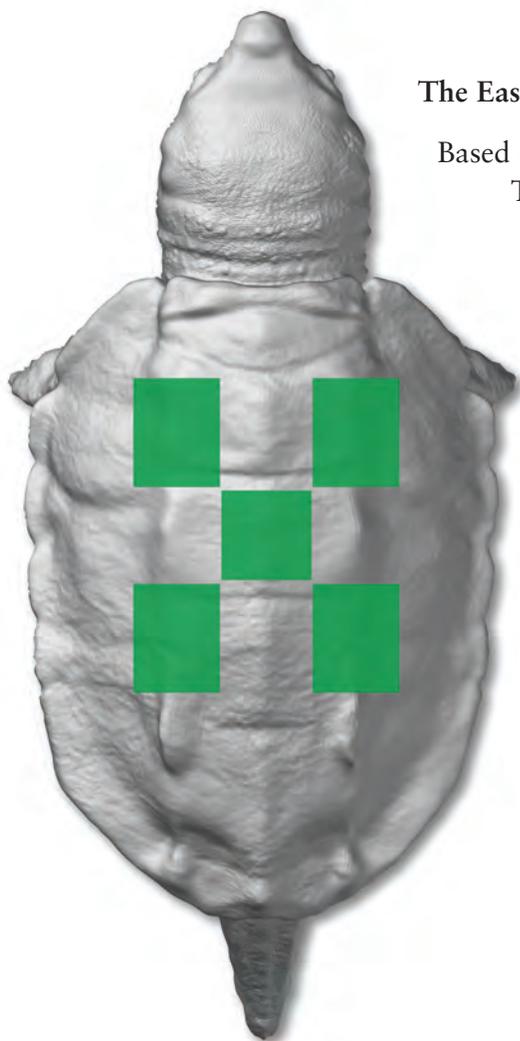
The Southern Turtle

This is the oldest known art in the Americas. These marks were carved in a stone about the size of your palm. They are believed to be part of a horizon just at 12,000 years ago, from the Gault site in Texas. I drew the design from an actual cast of the piece.

This is absolutely the oldest art we have in the New World. The Clovis culture dates to 11,500–11,600 years before the present..

The Eastern Turtle

Based on a 19th-century solidly beaded Arapaho moccasin design.
The five squares in quincunx on a white ground are a turtle.



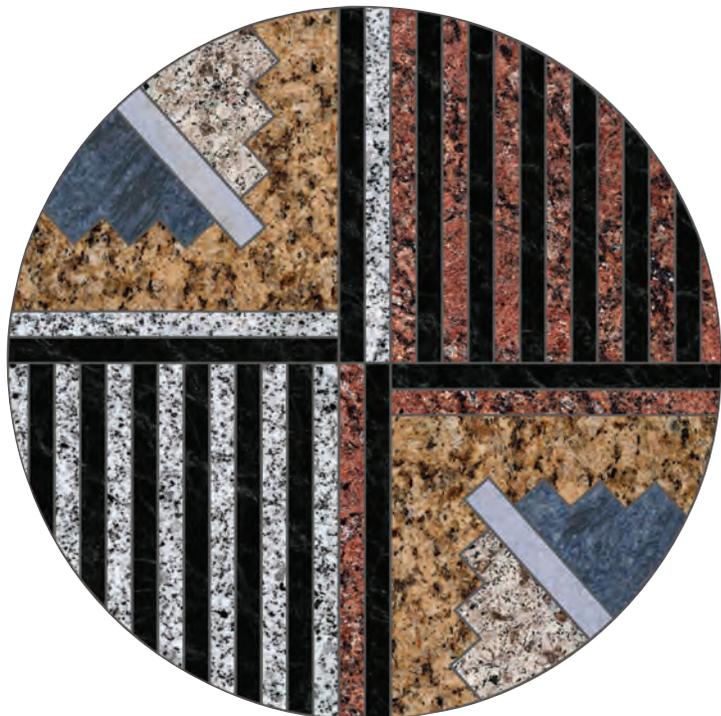
The Western Turtle

Based on a 19th-century solidly beaded Arapaho moccasin design. The center square is the life symbol (hiiteni). The red triangles touching hiiteni are tipis. The small squares are rabbit tracks in snow. The triangular figures represent seats (çioku'utaana").

Alfred Kroeber, *The Arapaho*, 1902–1907

Choctaw/Delaware
David Jones (Buffalo Horn)

David Jones is from the Turtle Clan, his Father, a Choctaw; and his Mother, a full blood Delaware, were of the Turtle Clan. This design comes from a hand drum he painted. The Drum Head is in the shape of a medicine wheel. In most tribes, the Medicine Wheel is for the “four directions” North, South, East & West. Many of the colors chosen are colors used by the Choctaw tribe. The red and black lines are the colors of the Warrior. In the Delaware beliefs, the Turtle was a symbol of Mother Earth and the first of all living things. The upper left and lower right are the Mound—“Nanih Wiya”, from which the Great Spirit created the first of their Choctaw people, who then crawled through a cave into the light of day. The brown granite is meant to be the color of rawhide, a light tan.



Cheyenne River Lakota Tribe (Hohwoju)
Harley Zephier (Wanbli Hoksila)

The hand represents a human being’s commitment to his people. Spiritual powers were asked to accompany the man on his journey.

The spiral is our path through the Creator’s world. All life crosses our path. The stripe is the people’s presence on earth. We were visible, then we seem to have disappeared, but are now protecting our future.

The Lakota Oyate (People), a spiritual existence on Unci Maka (Grandmother earth). Within the Creator’s circle, they lived with all beings.

The world was in balance and a wonderful civilization flourished. Preserving culture, tradition and nature became our responsibility.

commitment to the people’s needs first, was asked of many. These human beings would risk their lives in service to this way of life.





Ohlone
Linda Ohlone

Linda Yamane and I will select an historical Ohlone basket design for this medallion. This is one example. These baskets were originally made of little, circular shell beads which were attached into the coil stitch on the surface. In between the beads were stitched in feathers of the red acorn woodpecker and green Mallard feathers on the exterior. The Ohlone nation are the original inhabitants of the area now known as Berkeley.



Mapuche Kultrung (drum)

Painted drum head design, early 20th century, from Chile, which refers to the four directions of the world.

National Museum of the American Indian, *Native Universe*, 2004



Cochiti Pueblo
Mateo Romero

Tewa shield design created for this project.

Shoshone-Bannock
Ramon Murillo

“Star Drum”

Upper half: Natural stars in dark blue background represents the universe.

Center green horizontal thin rectangle represents mother earth.

Lower center black thin lines connected to a circle represents rain-clouds.

Bottom half: Red-brown triangles surrounded by yellow ochre represent mountains.





**Shoshone-Bannock
Ramon Murillo**

“Shoshone Hand Drum”

Vertical center: The red-brown triangle represents a mountain and tipi, and when repeated makes a classic hour-glass design found in bead work of the 1800s Plains designs.

The six black lines represent the six direction (four cardinal points, mother earth, and the Great Spirit).

The horizontal light blue rectangles represent the sky and water.

**Absaloka
TR Glenn (Pretty Elk)**

This design commemorates the relationship between the Hidatsa and Absaloka (Crow Agency, MT) nations who were once one people.

The Absaroka and Hidatsa both utilize the sun symbols depicted in this design.

The thin vertical triangles represent the two nations lodges: the Absaroka tipi and the Hidatsa earthen lodge.

The four black squares symbolize the unique four-pole construction of the lodges. Four is the most sacred number to both nations.

The Absaloka acquired horses during their migration and shared them with the Hidatsa during their reunion. This event is symbolized in the red horse tracks on the left and right.



Artist Bios



Mateo Romero (Cochiti Pueblo) grew up in Berkeley, California and hung out in the “Park” while attending high school at Berkeley High. Mateo is collected by many museums, including the Denver Art Museum and was part of the “Reservation X” exhibit at the Hood Museum and elsewhere. His MFA is from the Institute of American Indian Arts in Santa Fe. He currently resides at the Pueblo of Pojoaque in New Mexico.

“I am always looking. Through catalogues, Museum shows galleries, newspapers, and other artist’s studios. I am looking for art that is central, forceful, honest. Things that are true about life, elements of a larger human condition, to view, absorb, ingest, and remake as artwork. As I believe in myself, and my need to do this, I also believe in a reconstructive agenda for art and that ultimately things can get better.”

My name is Mary Longman and my Aboriginal name is Aski-Piyewiwiskwew. I am Saulteaux and a member of Gordon First Nation in Saskatchewan. I have received a DFA at the Emily Carr Institute of Art and Design in Vancouver, a MFA at the Nova Scotia College of Art and Design in Halifax, and currently, I am a Ph.D. candidate in the Faculty of Education at the University of Victoria. My dissertation topic is: “Deconstructing Colonial Ideology: Contemporary First Nations Art in Canada.”

As a professional artist, I have been exhibiting my art work consistently for the past twelve years. Some of the galleries that I have exhibited my work in are; the National Gallery of Canada, the Vancouver Art Gallery, the Canadian Museum of Civilization, and the Smithsonian, National Museum of the American Indian.



TR Glenn (Pretty Elk) is a Master Jeweler who fabricates exquisite contemporary jewelry featuring traditional Crow designs using overlay and inlay techniques on silver and gold. Pretty Elk is able to replicate distinctive Crow color design using semi-precious stones, ivory, shell, and buffalo horn. He works out of his studio on the Crow reservation in south central Montana.

Years ago Pretty Elk was relocated to Redwood City, California, as part of a government program, and later moved to San Jose. He attended the Institute of American Indian Arts in Santa Fe. His son is a Ph.D. candidate at the University of California at Berkeley.



Ramon Murillo is a member of the Shoshone-Bannock tribe. His Native American heritage permeates his imagery. Tribal and personal symbols derived from his dreams and participation in various ceremonies lead him on a continual journey depicting life as a human being living in harmony with the Earth and Spirit World.

The 1992 show entitled “Decolonizing the Human Mind” (Seattle, Washington) describes Ramon as having produced profound images that convey the changes he believes is the body and spirit of Indian Country and himself, which is a major test to any peoples’ vision.

Ramon received his MFA in Printmaking from the University of Oregon, and BFA from Idaho State University. He is the first Native art instructor to be employed full-time by Northwest Indian College.

Harley Zephier is an enrolled member of the Cheyenne River Lakota Tribe (Hohwoju) in South Dakota. He lives near Thunder Butte, the north west portion of the Cheyenne River reservation. Harley is also of the Yankton Dakota people of southeastern South Dakota.

Harley has a love and respect for the plains, her peoples, the Lakota/Dakota traditions, and cultures. He envisions all peoples working together, communicating, and practicing in balance with one-another. Being a self-taught artist has allowed him to create unique works of art. His art is created through his heart’s appreciation of the peoples he comes from. The hands are gifts of expression. The senses enrich the finished piece of work. Harley seeks knowledge and direction from the Creator. His greatest influence in pursuing ways of his people was his maternal grandmother. She instilled pride, and gave life lessons to follow his heart.

Harley uses earth-given mediums from Creation, as artful expression. To authentically represent the works of the people, he thanks you for your pursuit of art and life.

Pilamiya, (Thank You)

Mitakuye Oyasin (All My Relatives)



Linda Yamane, Ohlone basketweaver, singer and storyteller, traces her ancestry to the Rumsien Ohlone, the native people of the Monterey area. She has been active in researching and retrieving Rumsien language, song, folklore and basketry. Traditions that were once thought lost. Linda works as a freelance writer, illustrator and graphic designer, and is the newsletter editor for the California Indian Basketweavers Association. She is also a contributing editor to *News From Native California* magazine.



Linda is the author of *Weaving a California Tradition* and co-author of *In Full View- Three ways of Seeing California Plants*. She has researched, compiled and illustrated two collections of Ohlone stories, *When the World Ended, How Hummingbird Got Fire* and *How People Were Made and The Snake That Lived in the Santa Cruz Mountains & Other Ohlone Stories*.

Her thirty years of experience in enrichment education has included training classes for teachers and docents throughout the San Francisco and Monterey Bay areas, six years as an outdoor education teacher for the Youth Science Institute in San Jose, classroom programs and school assemblies, GATE art teacher for San Jose Unified School District, guest speaker in college and university courses, and UC Santa Cruz Extension Instructor.



David Jones is my Christian name. My Choctaw name is Buffalohorn. My family's Choctaw name is Hardwood. We are of the Turtle Clan; I am a full-blood Choctaw/Delaware Indian and a registered artist of the Choctaw Nation of Southern Oklahoma. I spent 17 years in the Marine Corp; several years as the Director of Emergency Medical Services on the Navajo Nation.

My life changed in a single day sixteen years ago, when I was reflecting on my tribal heritage. The inspiration came to me that I was to make a pipe. I did not know where to begin, but I began by finding Catlinite, the red stone generally used for pipe bowls. Having no mentor, and being self-taught was a long process.

Since then I have studied and researched the many different styles of Native American Art, including but not limited to pipes, dance rattles, the breast plate, the pipe axe and other items, most generally used by the Choctaw nation. My work has been distributed around the world and is on display in museums and Universities.

All of my pieces are original, made with my own hands and personal tools. I use only genuine materials. All of my art comes from inspiration—there are no patterns for anything I create.



Scott Parsons

I am an artist who creates metaphors that open the experience of the built environment to new understandings of history, siting, and the flow of people and their relationship to a site. I received an MFA from the University of Colorado at Boulder in 1990. My experience in public art includes percent-for-art and private commissions for museums, research facilities, university buildings and transportation centers. I work in precast concrete, stone, light (solstice markers), glass, ceramic mosaic, terrazzo and stone in walls, floors, sidewalks and plazas. My design experience includes 3D pre-visualization, fabrication, design-team collaboration and early integration public art planning. My work is reviewed in *Art in America*, *Sculpture*, *Art Papers*, and *Public Art Review*.

| *Public Art*

- 2006** Boehnen Memorial Museum and Visitor's Center
60 ft. dia. outdoor granite plaza.
Mitchell Prehistoric Indian Village, Mitchell, SD
Group II, PC
- 2002** *Algorithmic Tapestry*
Engineering Centers Building
10,200 sq. ft. terrazzo floor.
University of Wisconsin, Madison
Kohn Pederson Fox Associates, PC, and Flad, PC
Wingscape
Hurst Hall
175 ft. stone frieze; 13,000 piece ceramic tile murals.
Western State College, Gunnison, CO
Davis Partnership, PC
Community, Technology, and Innovation
The National Cable Television Center and Museum
Five 50 x 12 ft. digital output murals.
University of Denver, Denver, CO
- 2000** *Solstice Window*
Center of Southwest Studies
Precast concrete window aligned to the summer
solstice sunrise.
Ft. Lewis College, Durango, CO
Klipp Colussy Jenks DuBois Architects, PC
- 1998** *Biomatrices*
Two 17 ft. diameter stone floor rosaces
Laboratory and Radiation Services Building
Colorado Department of Public Health
and the Environment, Denver, CO
The Davis Partnership, Architects, PC
- 1997** *Ha-no-oo: Star Calendar*
500 sq. ft. outdoor granite sidewalk
16th & California Street Light Rail Station
Regional Transportation District, Denver, CO
- 1992** *Quincentenary Project*
100 burnt tips and 29 historical markers
Denver Civic Center Park and State capitol lawn
Fourth World Center, UCD, Denver, CO and the American
Indian Movement of Colorado
Reconciliation Project
22 burnt tips and 9 historical markers
Nobel Institute Peace Prize Forum
Augustana College, Sioux Falls, SD

| *Bibliography*

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"2002 in Review: Public Art," *Art in America*, August
- 2002** Jacob Stockinger, "Exhibit Turns Spotlight on Percent for Art," *Wisconsin Week*, November 20
Jacob Stockinger, "A Pittance for Beauty," *The Capital Times*, October 30
Karen Rivedal, "Science Into Art," *Wisconsin State Journal*, July 10
- 2001** "Recent Projects," *Public Art Review 25*, Fall/Winter
Roberta Bloom, "Art in Public Places," *Colorado Visions*, Fall
Mary Voelz Chandler, "'101 Vampires' a Mouthful," *Rocky Mountain News*, October 5
Michael Paglia, "Summertime Views," *Westword*, July 26
Mary Voelz Chandler, "Gallery Stages 'Group Portrait,'" *Rocky Mountain News*, July 13
Judith Reynolds, "Artwork Shines at FLC Solstice Celebration," *Durango Herald* (front page),
June 22
"Best Bets," *Denver Post*, June 22
- 2000** Roberta Bloom, "Our Public Art Collection: An Expression of Colorado," *Colorado Visions*, Spring
- 1999** Scott Parsons, "Artist's Statement" *Leonardo*, MIT Press, 32:3
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- 1998** Joe Miller, "Stereotype This: Concrete Amnesia," *Art Papers*, November/December
"Recent Projects," *Public Art Review 19*, Fall/Winter
Art in Public Places 1977-1998 (incl. cover image), Colorado Council on the Arts
"Commissions-in-Brief," *Sculpture*, October
"Biomatrices," *Colorado Visions*, Fall
"Recent Projects," *Public Art Review 18*, Spring/Summer
Romalyn Tilghman, "Around and About," *Arts Rag*, January
Roberta Kaserman, "Art in Public Places," *Colorado Visions*, January
- 1997** Lucy R Lippard, *The Lure of the Local: Place in a Multicentered Society*, New York: The New Press
Deborah Karasov, "American Grounding: Comments on the Art of Elegy," *Public Art Review 17*,
Fall/Winter
Jeff Bradley, "Stories Spice Walkway's Dedication," *Denver Post*, October 22
Helen Davis, "Stars Under Their Feet," *Denver Post* (front page), October 21
David Gregg, News 4, KCNC-TV Denver, October 20
David Gregg, First News, KCNC-TV Denver, September 29
- 1994** Steven Rosen, "Grants a Reward to Colorado Artists for Creative Innovation," *Denver Post*,
November 20
Ed Greene, "Interview with Jacquie Creazzo," KCNC-TV Denver, April 22
Kathy Kaiser, "Panorama Picks: The Lure of the Local," *Boulder Weekly*, April 7
- 1993** Julie Jargon, "Eerie 'Hallow's Eve' Exhibit Opens at umc Galleries," *Campus Press*, October
21-27
Tom Noel, "AIM Aims to End Columbus Day Clashes with Aspen in Civic Center," *Denver Post*,
October 16
"Dia de las Brujas," *Silver & Gold Record*, October 14
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Colorado
Lucy R Lippard, "Sniper's Nest: Folding the Tents," *Z Magazine*, May
Denise Uyehara, "Counter-Memorial," *High Performance*, Spring
Mary Motian-Meadows, "Reflections on Native American Art in Colorado," *Colorado Arts*,
December-January
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Denver," *American Indian Anti-Defamation Council Newsletter*, December
Ken Abbott, "Tepee Display Symbolizes Indian Massacre," *Chronicle of Higher Education*,
October 28
"Burnt Offering," *Colorado Daily*, October 21
"Tepees of Protest," *Boulder Daily Camera*, October 20
"In the Spirit of Crazy Horse," *Campus Press* (CU-Boulder), October 15
CNN, October 13
Gemma Lockhart, "A Day to Come Together," *usa Today*, October 12
Patrick O'Driscoll, J Sebastian Sinisi, Jim Carrier, "Columbus Parade Canceled," *Denver Post*,
October 11
Ward Merchant, "Columbus Parade Canceled," *Associated Press*, October 11
Michael Mehle, "Tepee Skeletons to Haunt Parade Route," *Rocky Mountain News*, October 10
Jim Carrier, "Marchin' Orders Out for Parade," *Denver Post*, October 10
Mosaic: Special on the Quincentenary, KCNC-TV Denver, October 10
KCNC-TV News, KUSA-TV News, KMGH-TV News, Denver, October 9-10
"Indians, Italians Discuss Parade," *Associated Press*, September 23
Jim Carrier, "Collision Course for Parade, Tepees," *Denver Post* (front page), September 22
Doug Detisch, "Professor Captures Life through Photos," *St. Peter Herald*, February 6
- 1990** Manu Ghasfari, "Latin American News", KGNU-Boulder Radio, August 5
Carmen Atilano, "Images of El Salvador," *Quinto Sol*, March
- 1987** Charles Nauman, "Painter Depicts Struggle, Hope in Latin America," *Rapid City Journal*,
September 20

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| Exhibitions

- 2003** Museum of New Mexico: Museum of Fine Arts, Santa Fe, NM
William Havu, Denver, CO
- 2002** Gallery of Design, UW-Madison, WI
- 2001** William Havu, Denver, CO
GOOG, Denver, CO
- 1999** Dulaney Architecture, Denver, CO (one-person show)
- 1998** Art Directors Club of Denver Annual Show, CO
Dulaney Architecture, Denver, CO (one-person show)
Arts on Vine, Denver, CO
Canyon Crossing Gallery, Brattleboro, VT
- 1997** Iac Contemporary Art, Albuquerque, NM
- 1996** William King Regional Arts Center, Abingdon, VA
Guadalupe Fine Art, Santa Fe, NM
- 1995** Nicolaysen Art Museum, Casper, WY
Eide/Dalrymple, Sioux Falls, SD
Hays Arts Center, Hays, KS
Robert A. Peck Arts Center, Riverton, WY
- 1994** Umc Gallery, Boulder, CO
- 1993** Umc Gallery, Boulder, CO
CORE Gallery, Denver, CO
Long Island Arts Council, Freeport, NY
- 1992** Gustavus Adolphus College, St Peter, MN (one-person show)
Umc Gallery, Boulder, CO
- 1991** Core Gallery, Denver, CO
- 1990** Cu Art Galleries, Boulder, CO (one-person show)
Rocky Mountain Peace Center, Boulder, CO
Pirate 2/C, Denver, CO
Chicano Humanities & Arts Council, Denver, CO
Sioux City Arts Center, Sioux City, IA
- 1989** Rochester Fine Arts Center, Rochester, MN
Colorado Institute of Art, Denver, CO
- 1987** Dahl Fine Arts Center, Rapid City, SD
Gallery 306, Sioux Falls, SD
Augustana College, Sioux Falls, SD

| Lectures

- 2002** Beyond Bricks & Mortar, School of Human Ecology, UW-Madison,
October 27
Wisconsin Tile & Terrazzo Expo, International Masonry Institute,
Milwaukee, August 16
- 2001** Gallery Talk, William Havu Gallery, Denver, June 30
- 1999** Phantoms of the High Plains, SD Humanities Council, Augustana
College, May 7

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| Education

- 1995** Computer Graphics
Platt College, CO
Highest Honors
- 1990** MFA—Painting
University of Colorado at Boulder, CO
Magna cum laude
- 1987** BA—Spanish, Art and Anthropology
Augustana College, Sioux Falls, SD
Magna cum laude
- 1986** Latin American Studies in Bogotá, Colombia
Hamline University

| Awards

- 2004** Golden Trowel Award
International Masonry Institute
- 2002** Job of the Year
National Terrazzo and Mosaic Association
- 2001** Work Sample Finalist
Creative Capital
- 2000** Research Grant: The Lost Medicine People:
A Northern Arapaho Oral History
Colorado Endowment for the Humanities
- 1999** Artist Project Grant: The Colorado Powwow Highway
Colorado Council on the Arts
- 1998** Open Studio: The Arts Online
Colorado Council on the Arts
Annual Show—Award of Excellence
Art Directors Club of Denver, CO
- 1996** Tier III Award
Scientific and Cultural Facilities District, Denver, CO
- 1995** COVisions Project Grant
Colorado Council on the Arts
- 1994** Fellowship
Art Matters, Inc, NY
- 1992** Quincentenary Award
Chinook Fund, Denver, CO
Lakota Wopila—Honoring Dance
American Indian Movement of Colorado
- 1987** Harold Spitznagle Medal of Fine Art
Augustana College, Sioux Falls, SD
- 1972** International Lego Building Contest
Third Place (Age 7)
- 1970** International Lego Building Contest
Tenth Place (Age 5)

| Teaching

- 1996–2005** Platt College, Aurora, CO
Art History, Computer Graphics, Drawing, Illustration, Multimedia, Web,
Typography
- 1995** Denver School of the Arts, Denver, CO
Photography
- 1994–95** Denver Public Schools, CO
Art, Spanish (Substitute Teacher)
- 1992–93** Gustavus Adolphus College, St Peter, MN
Drawing, Painting, Photography, Screenprinting
- 1988–90** University of Colorado at Boulder, CO
Drawing (Graduate Part-time Instructor)

| Languages

English, Spanish, Northern Arapaho



INFORMATION REPORT TO CIVIC ARTS COMMISSION

Meeting Date: July 23, 2025, 6pm

Subject: Turtle Island Monument Project – Contract Negotiation Impasse

Prepared by: Jennifer Lovvorn, Chief Cultural Affairs Officer

SUMMARY

Following extensive and years-long discussions with Indigenous artists Lee Sprague and Marlene Watson regarding the Turtle Island Monument (TIM) project, negotiations have reached an impasse. Regrettably, the gap between artists' demands and reasonable municipal contract terms cannot be bridged and therefore, the City has concluded that the Turtle Island Monument project cannot proceed with these artists due to the negotiation impasse under current circumstances. Despite multiple proposal iterations and significant accommodation efforts, the gap between the artists' stated requirements and municipal contracting capabilities has proven insurmountable. This report documents the most recent negotiation process, proposals offered, and factors leading to this decision.

PROJECT BACKGROUND

Historical Context

In the 1990s, the Turtle Island Monument (TIM) project was first proposed to the City by Lee Sprague as artist and Marlene Watson as project designer. Both Lee Sprague and Marlene Watson worked with the City of Berkeley and Indigenous communities internationally to develop the monument's design – merging an Indigenous ethic and aesthetic with the requirements provided by the City and its Commissions.

On July 7, 1992, Berkeley City Council approved the recommendation from the Berkeley Peace and Justice Commission for "the creation of the Turtle Island Project, as the native Nation's monument within the Peace Wall circle at Martin Luther King Civic Center Park, as adopted by the Berkeley City Council in the Resistance 500 Task Force Proposal and with the support of the Landmarks Preservation and the Civic Arts Commissions." Also in 1992, the City of Berkeley became the first city in the U.S. to declare and institute Indigenous Peoples Day, to coincide with the 500th anniversary of the arrival of Columbus in the Americas on October 12, 1492.

The original proposal for the Turtle Island Monument project dated 1992 included "a round base of granite with entry from the East. In the center of the circle will be a bronze turtle ... Around Turtle Island will be a circle of water... round tiles with the names of Indigenous nations and people engraved on them. Many of the tiles will be blank, to represent the people who are no longer with us, languages that are not heard anymore, and nations that have ceased to exist since 1492."

In 1997, the City of Berkeley Landmark Preservation Commission initiated a Landmark Application of Civic Center Park¹, and the general concept of the Turtle Island fountain/monument was further described in it as such: "In recent years, the "Turtle Island" fountain design has been revised to incorporate some of the concentric ring arrangement of the current fountain, and reduce the size of the composition to the center of the terrace rather than the entire terrace space. Water would flow outwards and pathways would lead inward, representing the migration of peoples to the Americas across the surrounding oceans." In the Landmark Application, this concept is attributed to Lee Sprague, Potawatomie from Michigan, of the Little River Band of Ottawa Indians, as the original Turtle Island Monument artist.

As stated in the Landmark Application of Civic Center Park, the park has been the site of numerous cultural and civic events of importance to Berkeley's history. Civic Center Park was renamed Martin Luther King Jr. Civic Center Park in 1983, and the park is listed on the National Register under this name.²

Previous Challenges

The project faced significant delays and complications over the past three decades, including:

Late 1990s-Early 2000s:

- Following initial approvals, there was a long delay in advancing the project, during this time Lee Sprague and Marlene Watson left the Bay Area to pursue work elsewhere, while the fountain constructed in 1942 remained inoperable.
- There were numerous project approvals related to the Turtle Island Monument (TIM) in the 1990s and then an appeal of the proposed project was filed as part of EIR process on March 22, 2002). City Council dismissed the appeal on July 9, 2002, after which the project left the domain of public documents.

¹ Landmarks Preservation Commission, Notice of Decision for Meeting on November 3, 1997. Landmark Application for "Civic Center Park, Civic Center Plaza, Provo Park" dated August 27, 1997. Records available for viewing by request to the Planning Department.

²Access the National Register listing of Berkeley's *Martin Luther King Jr. Civic Center Park* online: <https://catalog.archives.gov/id/123858157>, National Archive Identification District Number (NAID): 123858157.

2003-2006:

- 2004: The City of Berkeley approved a master plan for a renovation of the Martin Luther King Jr. Civic Center Park with construction of TIM to start in the park.
- Instead of notifying the original TIM artists Lee Sprague and Marlene Watson, the City sought new artists and architects to work on a revised redesign for the Turtle Island Monument at the park's existing (inoperable) fountain.
- 2005: The City underwent a public procurement process to commission artist Scott Parsons to create four bronze oceanic turtle sculptures and facilitate the creation of eight stone art medallions by North, Central and South American Indigenous artists and international tribal representatives.
- 2006: Artist Scott Parsons created and delivered four bronze turtles and eight stone medallions, but they were never installed at the TIM site because the project was paused due to funding shortages.
- Since delivery, in 2006 the eight stone medallions (art pieces) have been in storage at City facilities (Corp Yard and currently 2180 Milvia storage) and the four bronze turtles have been on display at 2180 Milvia Street (Lobby and 5th Floor) waiting to be installed as part of the Turtle Island Monument at Martin Luther King Jr. Civic Center Park.

2017-2021 Turtle Island Garden Efforts:

- 2017-2018: Three Berkeley community members conducted advocacy (which consisted largely of visiting many City of Berkeley Commissions and Councilmembers) to convert the inoperable 1942 fountain into "Turtle Island Garden," a new design that did include the four turtles and eight stone medallions delivered by artist Scott Parsons, but did not include water.
- At the time, City staff were not aware of the prior 1990s "Turtle Island Monument" design by artists Sprague and Watson.
- On December 4, 2018, the Berkeley City Council adopted a resolution directing the City Manager to develop a plan for the "Turtle Island Garden" located in the same place as the Turtle Island Monument (the inoperable fountain in Martin Luther King Jr. Civic Center Park).
- On March 21, 2022, the City received a \$591,666 *Clean California Local* grant from CalTrans for the "Turtle Island Garden" and upper civic center plaza improvements.³ The funding for the grant included a date of June 30, 2024, by which the project was originally to be completed.

³ CalTrans, Clean California Local Grant Projects, District 4, Online: <https://dot.ca.gov/caltrans-near-me/district-4/d4-popular-links/d4-clean-california/d4-local-grants>

- When the City held an initial "Indigenous stakeholder meeting" for the garden project, a fundamental problem emerged: the project was built on an Indigenous concept but was proposed by non-Indigenous people.
- After realizing the problem through the course of the stakeholder meetings, City staff re-engaged artists Lee Sprague and Marlene Watson for a listening session, after which Lee Sprague and Marlene Watson agreed to participate in a design charrette for the Turtle Island Monument (TIM) project.

2022-2023: TIM Design Development and Emerging Conflict:

- August 18 & 19, 2022: Design charrette held for development of TIM design which PGA Design was engaged to draw Lee and Marlene's vision into design documents that could be reviewed by the City of Berkeley Landmarks Preservation Commission, and other departments (including the Parks Recreation and Waterfront department) ultimately for permitting and construction.
- It was established that Turtle Island Monument was Lee Sprague and Marlene Watson's intellectual artistic property, as reported to Civic Arts Commission on December 7, 2022.⁴
- March 30, 2023: The City of Berkeley Landmarks Preservation Commission (LPC) grants approval of Turtle Island Monument design developed through the Design Charrette that included input from Lee Sprague, Marlene Watson, Scott Parsons, PGA Design, and others.⁵
- June 2023: Lee Sprague and Marlene Watson requested additional design changes to the LPC approved plan, for TIM which included adding another boulder for the "Turtle Island creation story".
- August 25, 2023, the design team consisting of Parks Recreation and Waterfront Capital Project staff, Civic Arts staff, Scott Parsons, and City's contracted landscape architect for the Civic Center Upper Plaza Improvement Project, met with Lee Sprague and Marlene Watson to attempt to reconcile the proposed design changes, with the approved design and the project schedule. However, the scope of possible changes was limited due to the funding deadline imposed by the Cal Trans Grant. The meeting ended without agreement on feasible design changes.

⁴ City of Berkeley, Civic Arts Commission, Staff Report to Civic Arts Commission, December 7, 2022, Item 5 a. Online: <https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/Civic%20Arts%20Commission%20Meeting%20Late%20Attachments%2012-7-22.pdf>

⁵ City of Berkeley, Landmarks Preservation Commission, Meeting Minutes, March 30, 2023, Item 7. Online: https://berkeleyca.gov/sites/default/files/legislative-body-meeting-minutes/2023-03-30_LPC_Action%20Minutes_FINAL.pdf

2023-2025: Project Crisis Attempted Resolution and Continued Challenges:

- September 2023: Lee Sprague disavowed the design he and Marlene Watson had helped create and accused the City of violating the Indian Arts and Crafts Act by falsely representing Scott Parsons' artwork under his name.

(November 2023-December 2024):

- November 2023: Outside consultants (Kristen Bennett and Jackie De La Cruz) were brought in to work with Lee Sprague and Marlene Watson to resolve issues so that contracts could be agreed to.
- Late 2023 – early 2024: The Upper Civic Center Park improvements are separated from the TIM project to ensure that the CalTrans grant funding was not lost.
- Late 2023 – early 2024: CalTrans grants an extension to June 30, 2025, for project completion. The park improvements include bringing stubbed utilities to the fountain site in preparation for when a contract with the TIM artists (Sprague and Watson) could be executed.
- October 2024: Construction contract for Martin Luther King Jr. Civic Center Park - Upper Plaza Improvements Project is authorized by City Council.⁶
- While the consultants and artists reviewed many proposed contracts over these years, no contract agreements with the TIM artists were reached during this time. By December 2024, the project entered "hibernation" status with no resolution.

RECENT NEGOTIATION TIMELINE

Recent Reengagement (April-May 2025)

In April 2025, the City made renewed efforts to reengage with the TIM artists to identify a viable path forward for project completion. Following email negotiations between Jennifer Lovvorn and the TIM artists, staff presented and emailed new "path forward" proposal iterations to the artists (Sprague and Watson) and met twice on Zoom (May 2 and May 9, 2025).

As negotiations progressed, a significant TIM gap emerged between the artists' demands and what the City could reasonably accommodate. The meetings became increasingly contentious and uncomfortable, with the artists issuing a public press release (May 12, 2025 – Attachment 1) alleging violations of the Indian Arts and Crafts Act and presenting additional conditions for creating the TIM artwork that substantially exceed the City's capacity to fulfill.

Additional Requirements demanded by the artists Included:

⁶ Berkeley City Council, [Item 12](#), October 29, 2024.

- Establishment of a City of Berkeley certification policy relative to the Indian Arts and Crafts Act (communicated verbally May 9, 2025)
- Formal apology from the City (communicated by email May 8, 2025, and verbally May 9, 2025)

In late May 2025, staff discussed with City leadership options for resolution, including discussion of a “path forward plan” dated May 21, 2025 (Attachment 2) that addressed many of Lee Sprague and Marlene Watson’s concerns and represented a viable path for project completion.

Key points of “Path Forward Plan” Proposals Offered by the City (dates October 2024 – May 2025)

Comprehensive Project Implementation Plan

- Resolution Correction: Formal rescission of incorrect historical attributions
- Project Control: Artists' primary role in design development with City providing implementation support
- Procurement for landscape architect for Turtle Island Monument design documents with extensive familiarity and experience working with Indigenous communities
- The exclusion of Scott Parson’s artwork elements (four bronze turtles, eight mosaics) from Turtle Island Monument, as they were not part of the original Turtle Island Monument concept created by Lee Sprague and Marlene Watson in the 1990s.

Multiple Plan Iterations were developed with the Initial plan development starting October 2024 and continuing with multiple revisions through May 2025 addressing artist feedback. The “path forward plan” and the preceding multiple plan iterations always put forth a comprehensive approach centering addressing artistic vision and compensating the artists fairly while maintaining City requirements.

The final path forward plan shared with Lee Sprague and Marlene Watson on June 27, 2025 included a generous fee at a fixed amount to mitigate the risk of not reaching an agreed upon fee with the artists should the amount be determined at a later point in the project:

- Artist Compensation: Fixed \$100,000 per artist for consultation during development of Turtle Island Monument. This amount is inclusive of fee and travel.

Some of Lee Sprague and Marlene Watson listed concerns and demands were not included in the “path forward plan” because they were outside the purview of a public art contract negotiation. City leadership determined that the artists' expanded requirements could not be accommodated within standard municipal contracting procedures and despite good faith efforts on behalf of the City, the negotiations had reached an impasse with no realistic path to working successfully with these artists on this project.

DECISION FACTORS

Demands Outside Contract Scope

The artists' expanded requirements included elements beyond the scope of municipal contract negotiations:

- Indian Arts and Crafts Act Certification Policy: Request for City to establish certification policy relative to IACA compliance – A new certification policy would require broader municipal policy modifications rather than project-specific contract terms
 - Formal City Apology: Request for official municipal apology for past handling of the project. This would be a decision that is beyond the scope of contract negotiations.
-

CONCLUSION AND NEXT STEPS

Project Status

The Turtle Island Monument project is formally concluded due to a negotiation impasse - the inability to reach mutually acceptable contract terms between the artists and the City despite extensive good faith negotiations. The City sent notification to the artists regarding the project conclusion on June 27, 2025 (Attachment 3).

City's Position

- The City respects the artistic vision and contributions of Lee Sprague and Marlene Watson
- Multiple reasonable proposals were developed and offered through extensive iterations from October 2024 through May 2025, in addition to efforts undertaken in the years prior (2022-2024)
- Certain artist demands fell outside the scope of contract negotiations and required broader policy changes beyond project parameters
- The decision reflects procedural limitations rather than lack of commitment to the vision of these artists for a Turtle Island Monument in Berkeley

Public Process

This Information Report provides public transparency about the negotiation process and decision factors. The artists have been invited to participate in public comment during this meeting should they wish to provide their perspective.

No Commission action is required, as this is provided for informational and transparency purposes.

Meeting Information: July 23, 2025, 6pm – Agenda posted July 16, 2025

Public Comment is available for input on this matter in writing ahead of the meeting or at the meeting

Attachments:

1. Turtle Island Monument Press Release issued by John Curl (May 12, 2025)
2. Turtle Island Monument “Path Forward” Project Plan (May 21, 2025)
3. Correspondence with artists (June 27, 2025)



TURTLE ISLAND MONUMENT COMMITTEE

BERKELEY, CALIFORNIA

From: **Turtle Island Monument Committee**

FOR IMMEDIATE RELEASE: May 12, 2025

Contact: John Curl, press liaison, (510) 847-3431

The artists Lee Sprague and Marlene Watson are available for interviews.

Berkeley's Turtle Island Monument Fountain, dedicated to Native America 33 years ago, will finally replace the broken Civic Center Fountain, but Council must remove the last obstacles by acknowledging and correcting the City's past violation of the Indian Arts and Crafts Act.

As public art, the Turtle Island Monument is the artistic and intellectual property of Indigenous artists Lee Sprague and Marlene Watson, protected under the Indian Arts and Crafts Act (IACA) of 1990, and cannot be credited to another artist. Yet that is exactly what the City flagrantly tried to do in 2005. Today we are still undoing the damage and misconceptions caused by the misappropriation of Sprague and Watson's original design.

History and Future of Berkeley's Turtle Island Monument Fountain (TIM)

1992: Mayor Hancock dedicated the Turtle Island Monument, honoring Native America and representing the highest values of the people of Berkeley, at the first Indigenous Peoples Day celebration, which touched off the movement that has since spread around the country and the world. The old fountain had not been in operation for over a decade, and was viewed by all as an eyesore. The artists Lee Sprague and Marlene Watson, both Native people, presented the preliminary architectural drawings with a central turtle presenting the vision, bearing the American continents on its back. The project was enthusiastically approved by the necessary commissions and unanimously by City Council.

1996-1997: Voters approved a \$49 million bond measure which included funds for TIM. But the project was undercut when the entire historic Civic Center was landmarked to prevent unwanted development. During the long delay, Lee and Marlene both eventually left the Bay Area to pursue work elsewhere, while the old fountain remained dysfunctional.

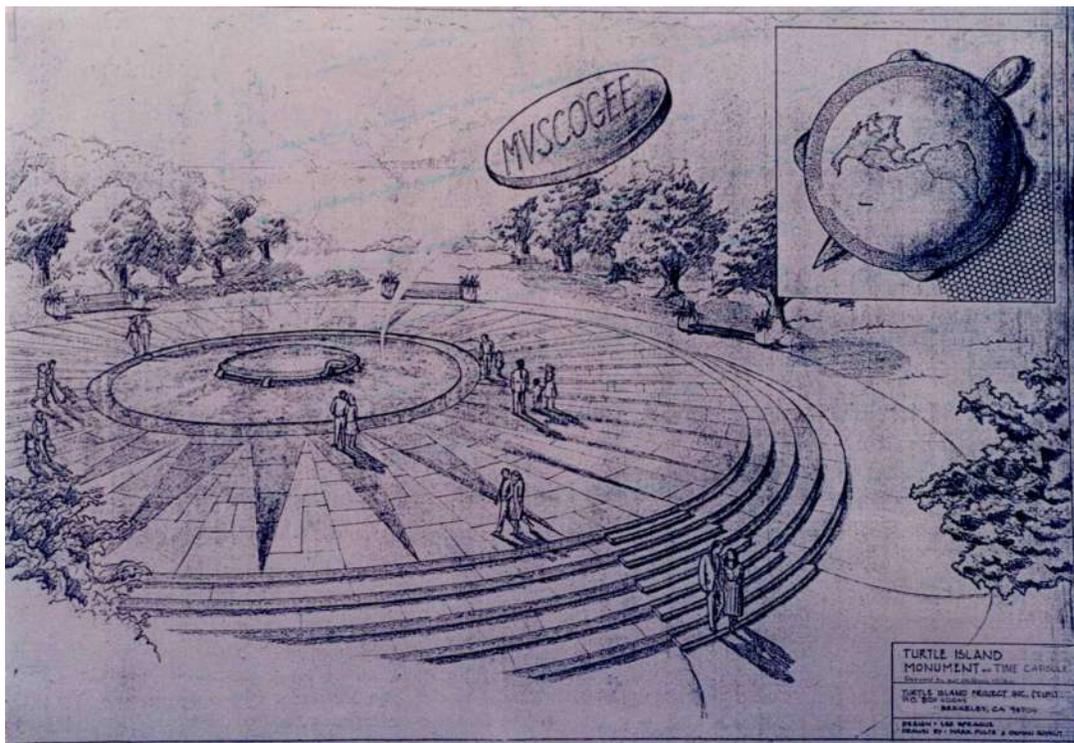
2003-2006: The City approved a master plan for park renovation with construction of TIM to start in 2004. But, instead of making any attempt to notify the artists Sprague and Watson, the

City sought new non-Native artists and architects to work on a revised redesign, in violation of the Indian Arts and Crafts Act, which protects the rights of Indigenous artists. TIM had been a 100% Indigenous concept and design, but the City in 2005 awarded a commission for four bronze turtles, which were not part of the original design, to a non-Native artist. Native people were now entirely excluded from the project, but it was then paused again due to funding.

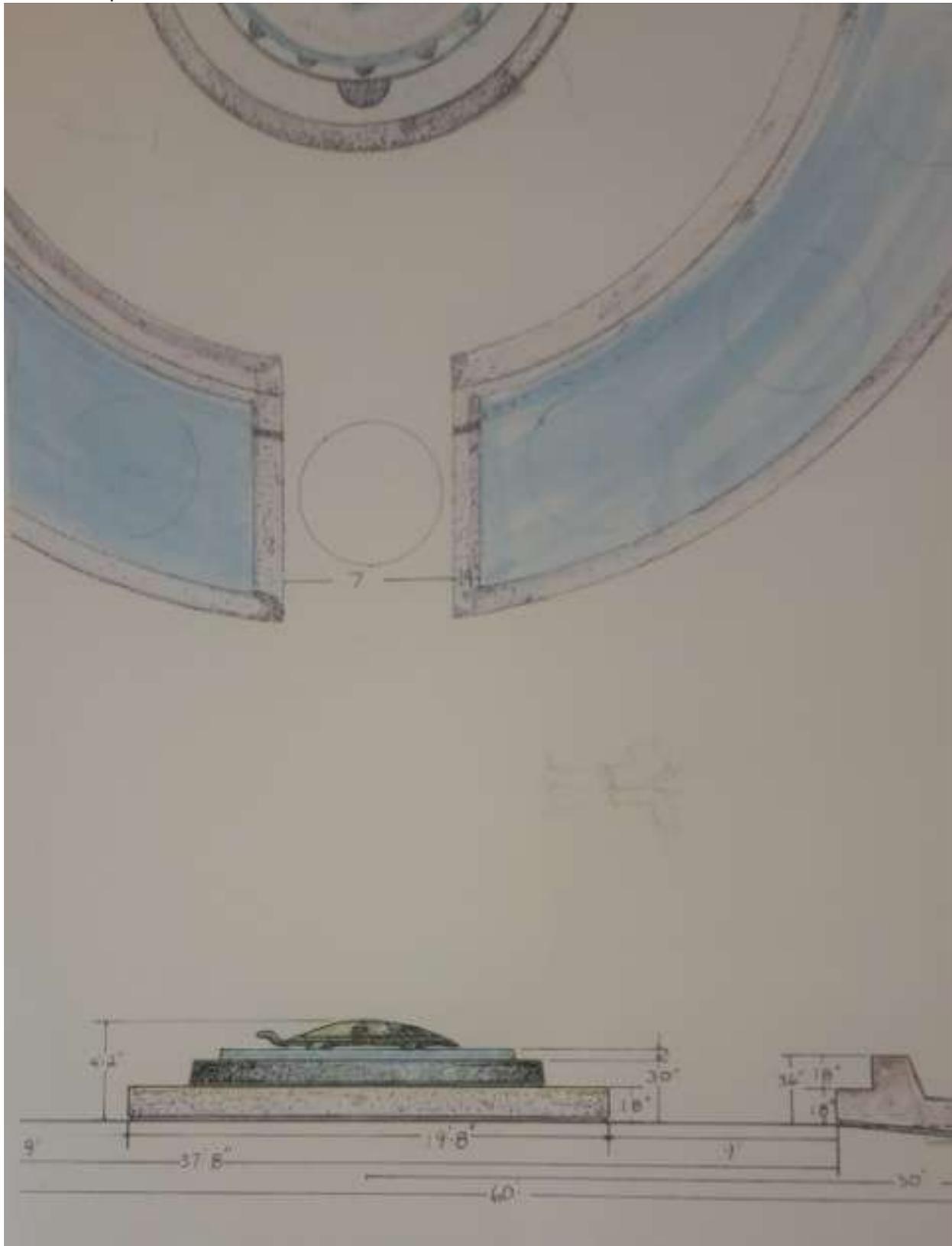
2017-2018: Council directed the City Manager to develop a plan, staff began to re-engage, and a group of non-Native people presented a new idea involving plants and gardens, but the City still made no attempt to contact the artists Sprague and Watson.

2021-2023: City of Berkeley and a non-Native landscape architectural firm began devising another TIM project design when the City finally reached out to contact Sprague and Watson. Lee and Marlene did not give consent to the latest design by the City, but shared their original concept and meaning of the central turtle design of the TIM project. The City passed another misdirected resolution naming the same non-Native artist from 2005 as primary artist for the TIM project to purchase granite stone for the center water fountain. The City needs to acknowledge and remove the four bronze sea turtles already built from any association to the TIM project and MLK Civic Center Park

2024-2025: But the project remains stalled. All past City Resolutions misappropriating TIM to this same non-Native artist need to be rescinded by Council before the TIM project can move forward again. This will open the way after over three decades to finally complete the Turtle Island Monument Fountain project with its original concept and artists, destined to become the beautiful, powerful and profound center of our city.



TIM Concept 1992



TIM Concept 2023



DEDICATING THE SITE FOR THE TURTLE ISLAND MONUMENT

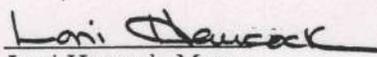
WHEREAS, the Berkeley Resistance 500 Task Force, a broad-based community group, brought the proposal for Indigenous Peoples Day and related activities and programs to the Commission on Peace and Justice, which recommended adoption of the proposal to the City Council; and

WHEREAS, the Berkeley City Council, on 22 October 1991, approved the recommendation for Indigenous Peoples Day and the designation of 1992 as the Year of Indigenous People, including educational events throughout the year and commemorative events on the weekend of 10-12 October; and

WHEREAS, the Task Force proposal also included a monument, now known as the Turtle Island Monument, and the concept for this monument and time capsule are being developed and circulated for review and approval through all necessary City boards and commissions; and

WHEREAS, the Turtle Island Monument is dedicated to all indigenous people of this hemisphere, whose societies flourished centuries before Columbus arrived and which continue on this day, which is seen as the end of 500 years of resistance and the beginning of 500 years of rebuilding;

NOW, THEREFORE, BE IT RESOLVED that I, Loni Hancock, Mayor of the City of Berkeley, do hereby dedicate this site for the Turtle Island Monument to the Native People of this hemisphere on behalf of the non-native people of Berkeley, in recognition of your care for this land long "before Columbus was discovered on our shores" and in honor of your culture and philosophy, which are needed now more than ever if the planet is to survive.


Loni Hancock, Mayor

2180 Milvia Street, Berkeley, California 94704 • Telephone (415) 644-6484
TDD (415) 644-6915

Turtle Island Monument artists Marlene Watson & Lee Sprague.

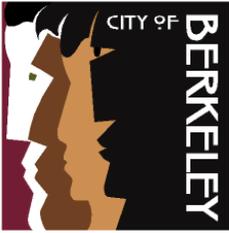


(Photo: Marc Kolsters, Digital Media Services)

"Our original designs connect the indigenous peoples from Turtle Island to the moment when Berkeley recognized indigenous Peoples Day, the first city in the world to do so. Marlene and I worked with Berkeley residents beginning 33 years ago. We are looking forward to seeing water flowing at the fountain at Civic Center, which has faced 50+years of administrative delays. Water is Life. Through our art, the unseen powers, the great mysteries, guide our footsteps and recognize Berkeley's creation of the first Indigenous Peoples Day as a shared dream for generations to come."

Lee Sprague

Mr. Sprague and Ms. Watson are available for interviews.
John Curl, press liaison, (510) 847-3431



TURTLE ISLAND MONUMENT (TIM) PROJECT PLAN

May 21, 2025

Transition of Authority:

- The Civic Arts Program has authority over the project with Artwork Design Approval by the Civic Arts Commission (per Municipal Code 6.14.050) and approval of any alterations to the Fountain by Landmarks Preservation Commission (per Municipal Code 23.402.050).
- Jennifer Lovvorn will serve as project manager.
- These changes support a commitment to honor Lee Sprague and Marlene Watson's original artistic vision.

Plan to Address the Resolution Issue:

- Prioritize the research on rescinding the resolutions that incorrectly named Scott Parsons as the Turtle Island Monument artist
- Jennifer Lovvorn to prepare a draft resolution for Lee Sprague and Marlene Watson's review that:
 - Explicitly acknowledges Lee Sprague and Marlene Watson as the original and current artists of Turtle Island Monument or TIM.
 - Corrects the historical record regarding the artistic vision rooted in the Historic Landmark Designation.
 - Outlines the commitment to implement the artists' (Lee Sprague and Marlene Watson)vision going forward.
- Jennifer Lovvorn to share the timeline for bringing this to the Civic Arts Commission and then to Council.
- Jennifer Lovvorn to utilize already gathered archive of historical documents pertaining to Turtle Island Monument dating back to the 1990s.
- Jennifer Lovvorn to remove the four sea turtles created by Scott Parsons from the Civic Center building located at 2180 Milvia Street.
- Once Resolution is approved, Jennifer Lovvorn to establish a Turtle Island Monument project webpage with regular updates that credit Lee Sprague and Marlene Watson as the original and current artists of TIM.

Project Approach:

This project plan, now framed clearly under Civic Arts management, includes the following elements to directly address Lee Sprague and Marlene Watson's concerns:

- New landscape architect with extensive familiarity and experience working with Indigenous communities.

- Lee Sprague and Marlene Watson’s primary role in design development.
- The exclusion of Scott Parson’s artwork elements from Turtle Island Monument.
- The use of dedicated Civic Arts funds that don’t have spending deadlines to allow the project the time it needs to move forward.

Turtle Island Monument Scope of Project

1. Working with Lee Sprague and Marlene Watson as the artists and with a Landscape Architect (TBD):
 - Complete design of Turtle Island Monument
 - Design approvals and permits as needed
 - Construction Document Package for Bidding
 - Conduct Construction and Specialty Artwork Fabrication Bidding
2. Adding Construction Contractor and Specialty Artwork Fabricator to the team to complete the project with consultation from Lee Sprague and Marlene Watson and Landscape Architect:
 - Construction of Turtle Island Monument
 - Fabrication and Installation of Specialty Artwork Elements

Project Implementation.

1. City to establish Budgets and Council authorization for contracting and Landscape Architect RFP.
2. Lee Sprague & Marlene Watson to be placed under Sole Source Artist Contracts for \$100,000 each covering all project related expenses including travel to consult and guide the development of the Turtle Island Monument, and consultation during construction and fabrication of the Turtle Island Monument. Their scopes of work would be consulting and the artist contracts would not hold any subcontracts. The contract would include the narrative description of Turtle Island Monument from the 1997 Landmark Application language as the basis for the design work.
3. Artwork Foundry to be placed under Sole Source Contract (for Design Phase only) with the City so that their model maker can work with Lee Sprague and Marlene Watson during the design phase to create a model of the central turtle and its relationship to the fountain under Lee Sprague and Marlene Watson’s creative guidance.
4. City to go out to bid for a Landscape Architect with extensive familiarity and experience working with Indigenous communities. The Landscape Architect’s scope of work would be: Working with Lee Sprague & Marlene Watson as advisors throughout entire scope from approvals, through development of Construction Bid Documents and review during construction.
5. Approvals:
 - a. All phases of Artwork Design must be approved by Civic Arts Commission.
 - b. Any structural alterations to the historic fountain must be approved by Landmarks Preservation Commission.
 - c. All contracts over \$50,000 must be authorized by City Council.
6. Bid Documents: Once all approvals are obtained, development of Construction Bid Documents used to bid for the construction of Turtle Island Monument and separate Specialty Artwork Element Construction Documents to bid the fabrication of any specialty artistic elements such as the central bronze turtle and any pavers.
7. Construction Bidding

8. Artwork Fabrication Bidding
9. Council authorization of contracts
10. Award Construction Contract
11. Award Artwork Fabrication Contract
12. Construction of Turtle Island Monument
13. Fabrication and Installation of Specialty Artwork Elements
14. Dedication Ceremony

Civic Center Site – Current Conditions:

The Upper Plaza Improvement Project is currently moving forward as a capital project managed by the Parks Recreation and Waterfront Department with an anticipated completion date of June 2025. The footprint of the fountain has been excluded from the Upper Plaza Improvement Project and reserved for the future Turtle Island Monument to be implemented according to an agreed upon Turtle Island Monument Project Plan. As part of the scope of work of the Upper Plaza Improvement Project, utilities and infrastructure to support the implementation of the Turtle Island Monument are being provided: capped irrigation line for any future plantings, empty electrical conduit for future electrical needs, empty conduit sleeves under the pavers leading to fountain edge for any other needed utilities at the fountain, and the tunnel under the fountain can be utilized for any other needed utilities for the Turtle Island Monument.

Lovvorn, Jennifer

From: Lovvorn, Jennifer
Sent: Friday, June 27, 2025 5:49 PM
To: Lee Sprague; Marlene Watson
Cc: John Curl
Subject: Turtle Island Monument Project - Conclusion of Contract Negotiations
Attachments: Turtle Island Monument Path Forward Plan 5-21-25.pdf

Dear Lee and Marlene,

Over the past couple months, I have been excited to reengage with you both to explore how we might move the Turtle Island Monument (TIM) forward after more than three decades. As you know, the City has made substantial efforts to address your concerns and develop a viable path for project completion.

I was hopeful that the proposed "path forward plan" shared with you starting in October 2024 and developed through many iterations until May 2025 had sufficiently addressed your concerns. There were, however, certain additional concerns and demands, such as the establishment of a City of Berkeley certification policy relative to the Indian Arts and Crafts Act and a formal apology from that City that you made verbally (May 9, 2025) and by email (May 8, 2025), which are not in the purview of a contract negotiation. Because these concerns and demands are not in the purview of a contract negotiation, I cannot feasibly address them. Correspondingly, your concerns and demands asking for the establishment of a City of Berkeley certification policy relative to the Indian Arts and Crafts Act and a formal apology from that City, cannot be included in the plan. What is included in "path forward plan" (attached) is a feasible approach to move the project forward. It aligns with the spirit of the project as described in the press release that John Curl distributed on May 12, 2025.

Please note that the attached plan is substantially the same as the version that was shared with you on May 6, 2025 with the exception of the artist fee determination, which changed from "a yet to be determined" amount to a fixed amount, the text changes are indicated in underline below: *Lee Sprague & Marlene Watson to be placed under Sole Source Artist Contracts for \$100,000 each covering all project related expenses including travel to consult and guide the development of the Turtle Island Monument.*

After extensive discussion and careful consideration of your position and additional requirements relative to what the City can reasonably accommodate through our standard municipal contracting processes, there remains too significant a gap between your demands and what the City can realistically provide.

While I had hoped we could reach an agreement that would allow this important project to move forward in alignment with what the City can responsibly deliver, I must unfortunately inform you that we will not be able to proceed with the Turtle Island Monument (TIM) public art project at this time.

As part of our commitment to transparency and public process, I will be presenting an Information Report about the conclusion of these negotiations to the Civic Arts Commission at their meeting on **July 23, 2025, at 6pm**. This meeting is open to the public and includes an opportunity for public comment. Should you wish to participate in public comment, either remotely via Zoom or in person, please let me know and I will arrange the appropriate connection details. The agenda will be posted on the [Civic Arts Commission Agenda webpage](#) by July 16, 2025.

I want to acknowledge the significance of this project and your long-standing commitment to it. The City's decision reflects the practical realities of municipal contracting requirements and our responsibility to follow established procedures for public projects, rather than any lack of respect for your artistic vision or contributions.

I am attaching the most recent project implementation plan that was under discussion for your reference.

If you have any questions about the Civic Arts Commission meeting or the public comment process, please don't hesitate to contact me.

Respectfully,

Jennifer Lovvorn

Chief Cultural Affairs Officer

City of Berkeley

Attachment: Turtle Island Monument Project Plan (May 21, 2025)

