



Civic Arts Commission Meeting

Wednesday, July 24, 2024

6:00 PM

**Meeting Location: Tarea Hall Pittman South Branch Library
1901 Russell St, Berkeley, CA 94703**

Agenda

1. CALL TO ORDER

2. ROLL CALL

Kim Anno, Mayor
Dana Blecher (Chair), District 6
Lisa Bullwinkel, District 4
Modesto Covarrubias, District 7
Kathleen Crandall, District 8
Cristina Ibarra, District 3
No Appointment, District 1
Eduardo Pineda, District 5
Cameron Woo (Vice Chair), District 2

3. LAND ACKNOWLEDGEMENT

The City of Berkeley recognizes that the community we live in was built on the territory of Huchiun (*Hooch-yoon*), the ancestral and unceded land of the Chochenyo (*Cho-chen-yo*) speaking Ohlone (*Oh-low-nee*) people, the ancestors and descendants of the sovereign Verona (*Vuh-roh-nuh*) Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. We acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City

of Berkeley will continue to build relationships with the Lisjan (*Lih-Shawn*) Tribe and create meaningful actions that uphold the intention of this Land Acknowledgement.

4. PUBLIC COMMENT (for items not on the agenda)

5. CHAIR'S REPORT

- a) Special Council Meeting July 30 at 3 PM for the Potential Arts Funding Ballot Measure
- b) Civic Arts Commission Retreat on September 15, 2024 to be held at Shorebird Nature Center

6. PRESENTATIONS, DISCUSSION & ACTION ITEMS (All items for presentation, discussion and possible action)

- a) **Presentation:** San Pablo Specific Plan
Introduced by Jennifer Lovvorn, Commission Secretary/Chief Cultural Affairs Officer and Presented by Robert Rivera, Senior Planner (Attachment 1)
Public Comment
- b) **Action Item:** Approval of Revised Design Development Phase of Artwork for the West Service Center by Lara Kaur
Introduced by Mark Salinas, Public Art Program Lead and Presented by Lara Kaur (Attachment 2)
Public Comment
- c) **Action Item:** Artist Proposal for Cube Space Exhibition, September – November 2024
Introduced by Mark Salinas, Public Art Program Lead and Presented by William Hernández Luege, Cube Space Curator (Attachment 3)
Public Comment
- d) **Action:** FY25 Individual Artist Project Grant Awards
Introduced and Presented by Dana Blecher, Grants Subcommittee Chair (Attachment 4)
Public Comment
- e) **Presentation:** Civic Arts Grantmaking Process
Introduced and Presented by Hilary Amnah, Grants Program Lead (Attachment 5)
Public Comment

- f) **Action:** Council Referral Request for Amendments to the Public Art on Private Development Ordinance and Budget Referral Request for Fee Nexus Study, Introduced and Presented by Commissioner Kim Anno, Policy Subcommittee Chair (Attachments 6, 7 & 8)
Public Comment
- g) **Presentation:** Private Percent for Art Quarterly Report Introduced and Presented by Jennifer Lovvorn, Commission Secretary/Chief Cultural Affairs Officer (Attachment 9)
Public Comment
- h) **Presentation:** Civic Arts Grants-Funded Community Festivals Quarterly Report Introduced and Presented by Hilary Amnah, Grants Program Lead (Attachment 10)
Public Comment
- i) **Action:** Evaluation of New Parkway Theatre for use of cultural or arts space intended for performing arts on Center Street. Introduced and Presented by Jennifer Lovvorn, Commission Secretary/Chief Cultural Affairs Officer
Public Comment

7. STAFF REPORT

- a) Civic Arts Program Updates, Jen Lovvorn
- b) Grants Program Updates, Hilary Amnah
- c) Public Art Program Updates, Mark Salinas

8. COMMITTEE REPORTS

- a) Grants
 - Dana Blecher, Chair
 - Lisa Bullwinkel
 - Cameron Woo
- b) Public Art
 - Modesto Covarrubias, Chair
 - Kim Anno
 - Cristina Ibarra

- Eduardo Pineda
- c) Policy Subcommittee
 - Kim Anno, Chair
 - Lisa Bullwinkel
 - Cameron Woo
- d) Joint Subcommittee with Housing Advisory Commission
 - Kim Anno, Chair
 - Lisa Bullwinkel
 - Kathleen Crandall
 - Cameron Woo
- e) Representative on Design Review Committee
 - Cameron Woo

9. COMMUNICATION (Received from the Public for Items not on the Agenda)

- a) None

10. APPROVAL OF MINUTES

- a) Draft Minutes of June 26, 2024 Meeting (Attachment 11)
 From: Commission Secretary
Recommendation: Approval of June 26, 2024 Meeting Minutes

11. ADJOURNMENT

Attachments:

1. San Pablo Specific Plan Presentation
2. Revised Design Development Phase of Artwork for the West Service Center by Lara Kaur
3. Artist Proposal for Cube Space Exhibition, September – November 2024
4. FY25 Individual Artist Project Grant Awards
5. Civic Arts Grantmaking Process Presentation
6. Berkeley Municipal Code Chapter 23.316 PERCENTAGE FOR PUBLIC ART ON PRIVATE PROJECTS
7. CAC Staff Report Amending Public Art on Private Development Requirement
8. Parks, Recreation and Waterfront Commission Funding Request to Council
9. Private Percent for Art Quarterly Report
10. Civic Arts Grants-Funded Community Festivals Quarterly Report
11. Draft Minutes of June 26, 2024 Meeting

Staff Contact:
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jlovvorn@berkeleyca.gov

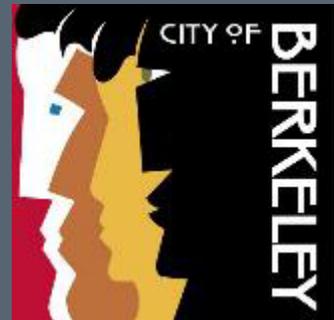
Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

ACCESSIBILITY INFORMATION:

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the ADA Program Coordinator by phone (510) 981-6418 or by TTY/TDD (510) 981-6347 at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

San Pablo Avenue Specific Plan

Status Update and Overview



Agenda

1. Project Overview
2. Status Update
3. Key Existing Conditions Data
4. Community Open House Overview
5. Questions and Discussion

Why the Specific Plan?

1. Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC) Priority Development Areas (PDA).
 - a) ABAG/MTC Grant
2. 2015 City Council Referral
3. Housing Element: Program 27 - Priority Development Areas (PDA), Commercial and Transit Corridors.

Develop a “San Pablo Avenue Corridor PDA Specific Plan, which will increase allowed densities and/or development capacity, and study design standards, public improvements, and mechanisms to incentivize affordable housing.”

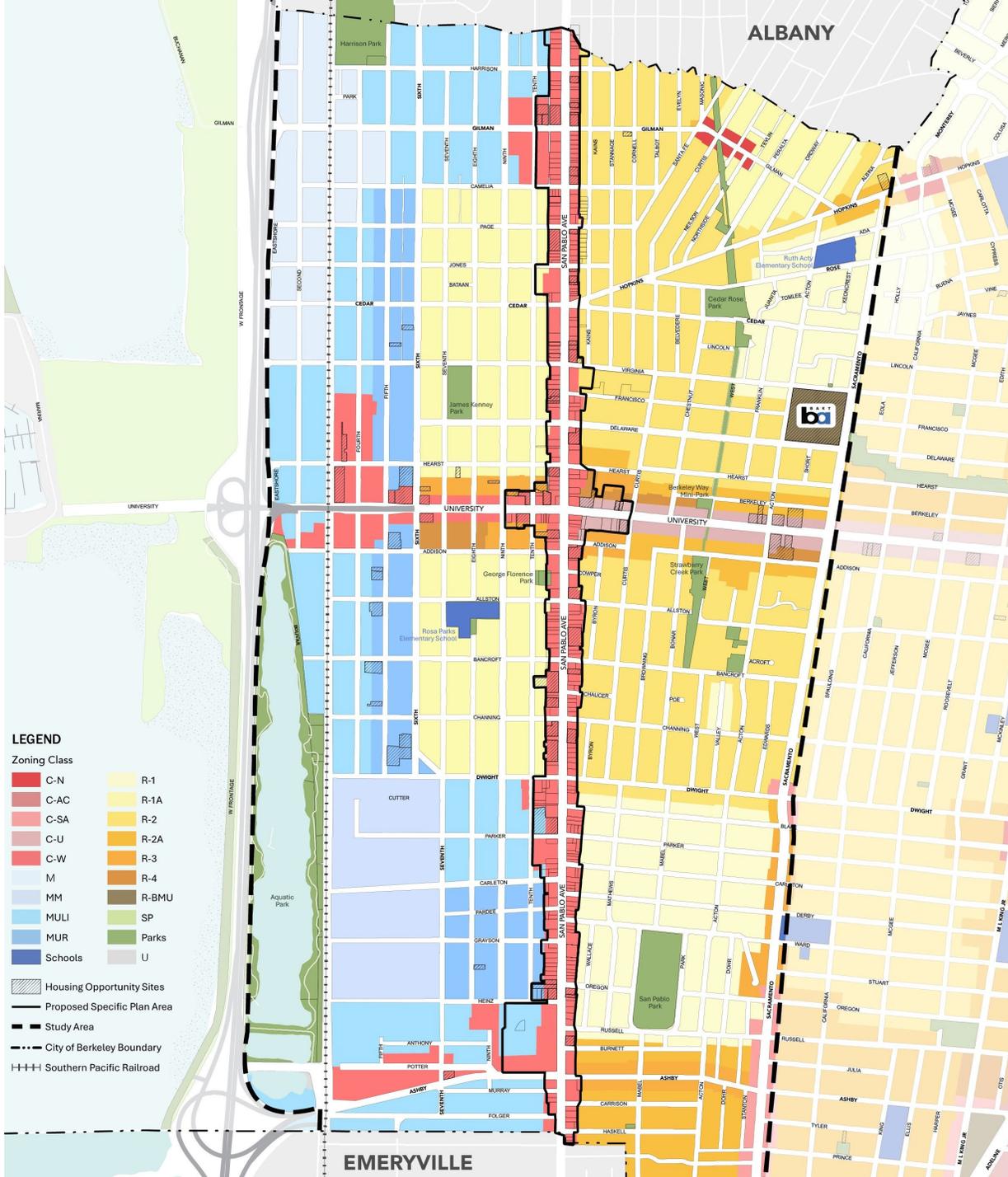
Project Outcomes

What is a Specific Plan?

Articulate a vision for the future of San Pablo Avenue

Define community-based and context-sensitive regulation and policy that can apply to the San Pablo Ave Specific Plan Boundary

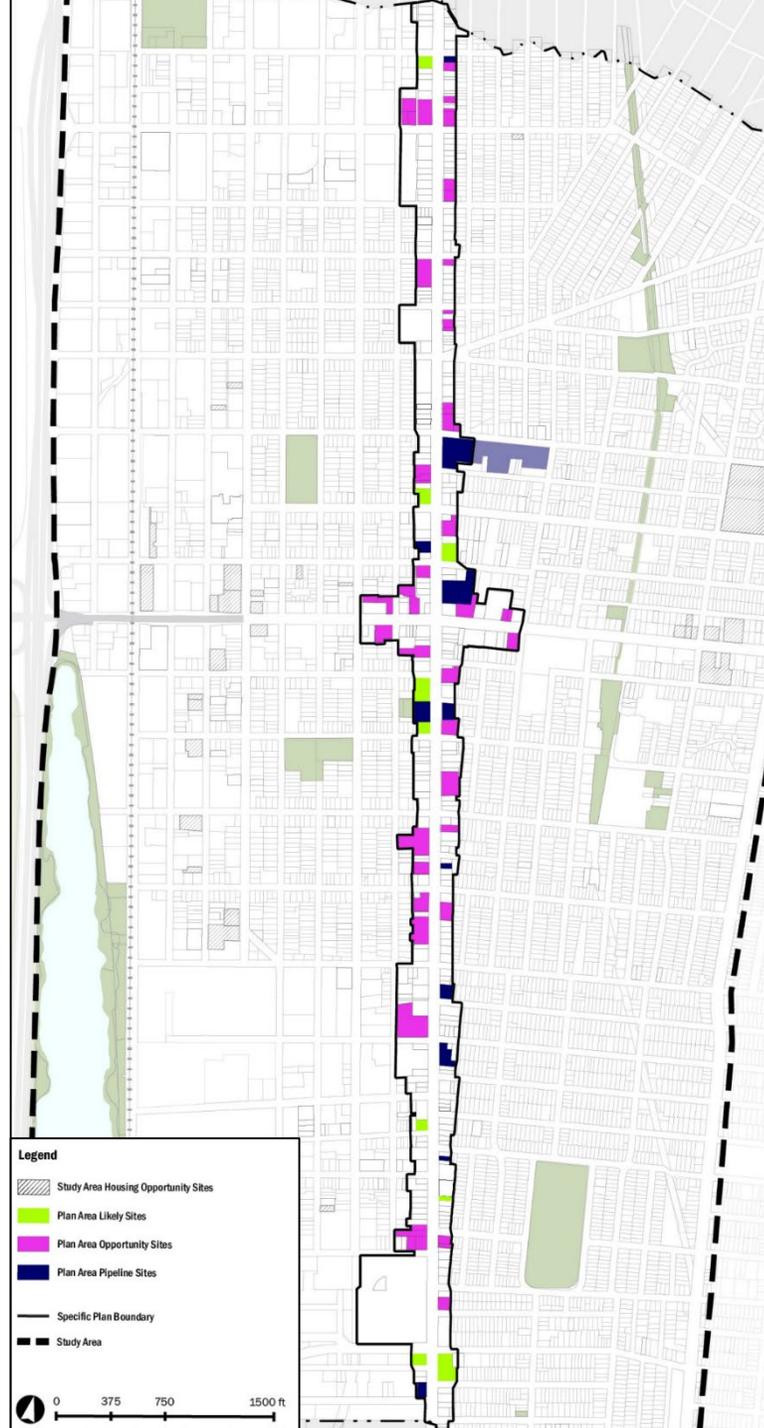
Identify improvements to provide a multitude of opportunities for living, working and community life.



Specific Plan Boundary and Study Area

- **Specific Plan Boundary:** Most of the parcels are part of existing West Berkeley Commercial district (C-W)
- **Study Area:** Adjacent neighborhoods with strong relationship to San Pablo Ave area, and part of community engagement process

Plan Area Housing Element Update, Housing Sites Inventory



Housing Element Sites

75 HE inventory sites

51 opportunity sites

9 Likely sites

15 pipeline sites

Housing Element Units

Projected New Units: 3,682

520 on Likely sites

1,139 on Pipeline sites

2,023 on Opportunity sites

Current Housing Units

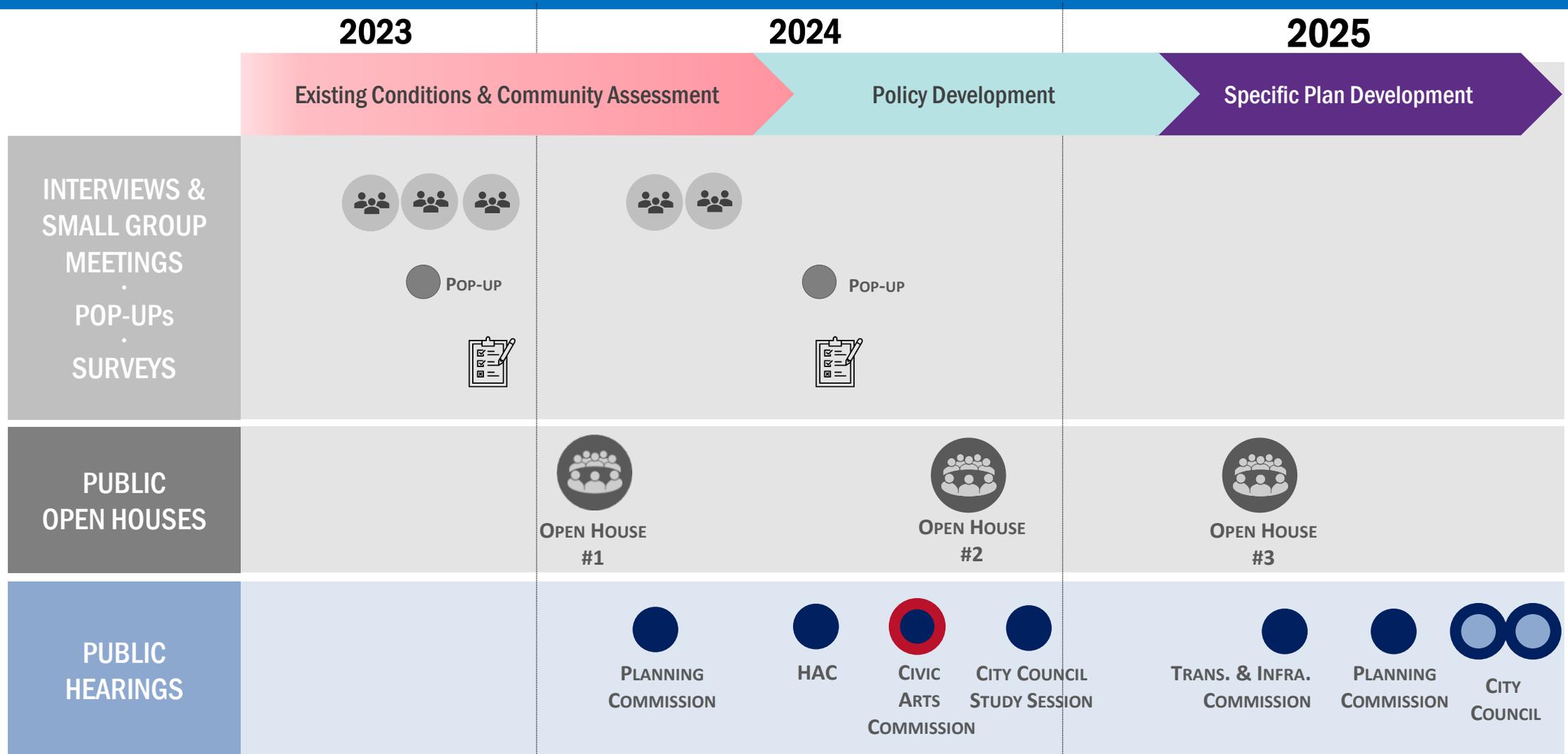
Current Unit Count: 2,588

242 SF detached

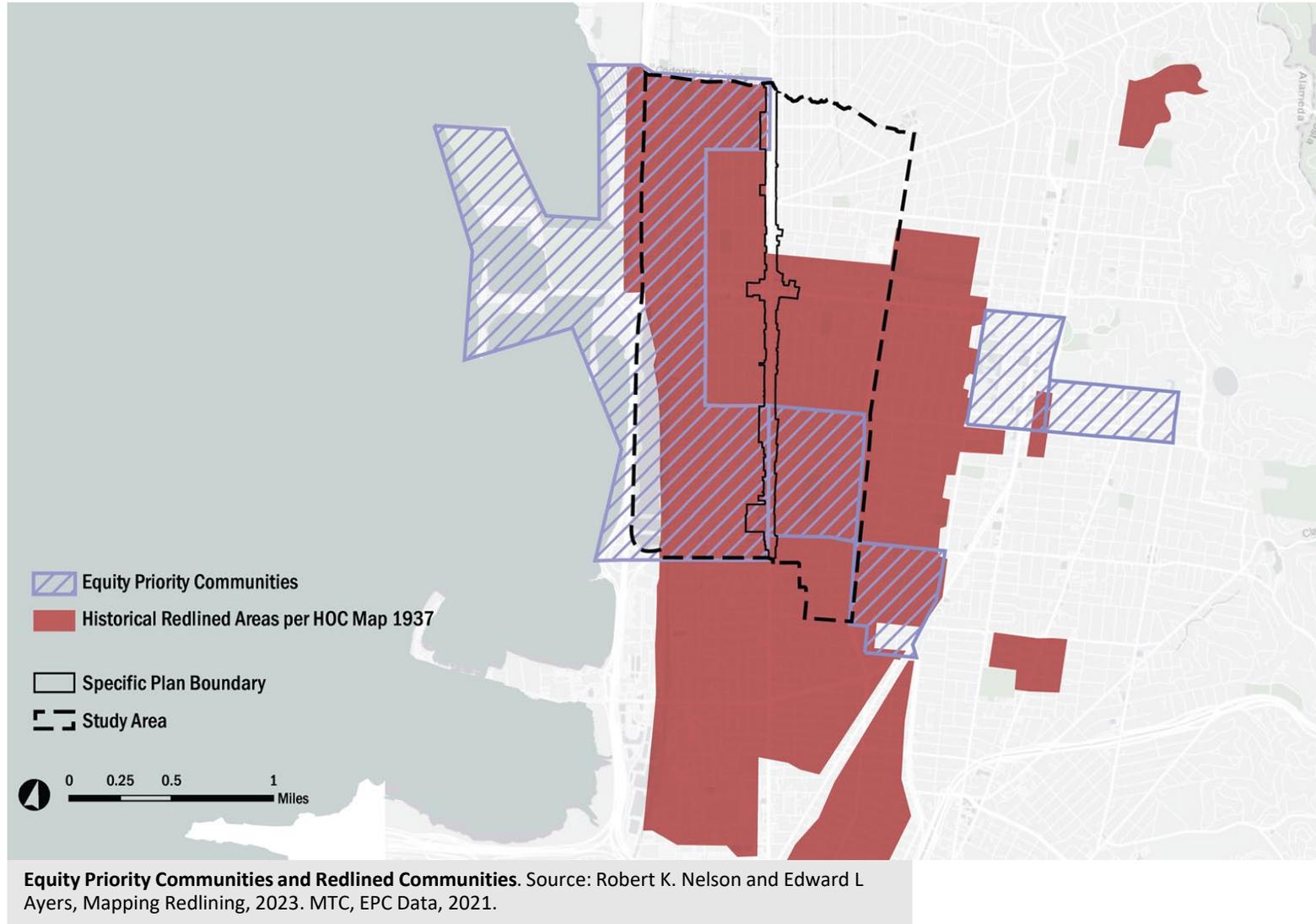
328 MF (2-4 units)

2,018 MF (5+ units)

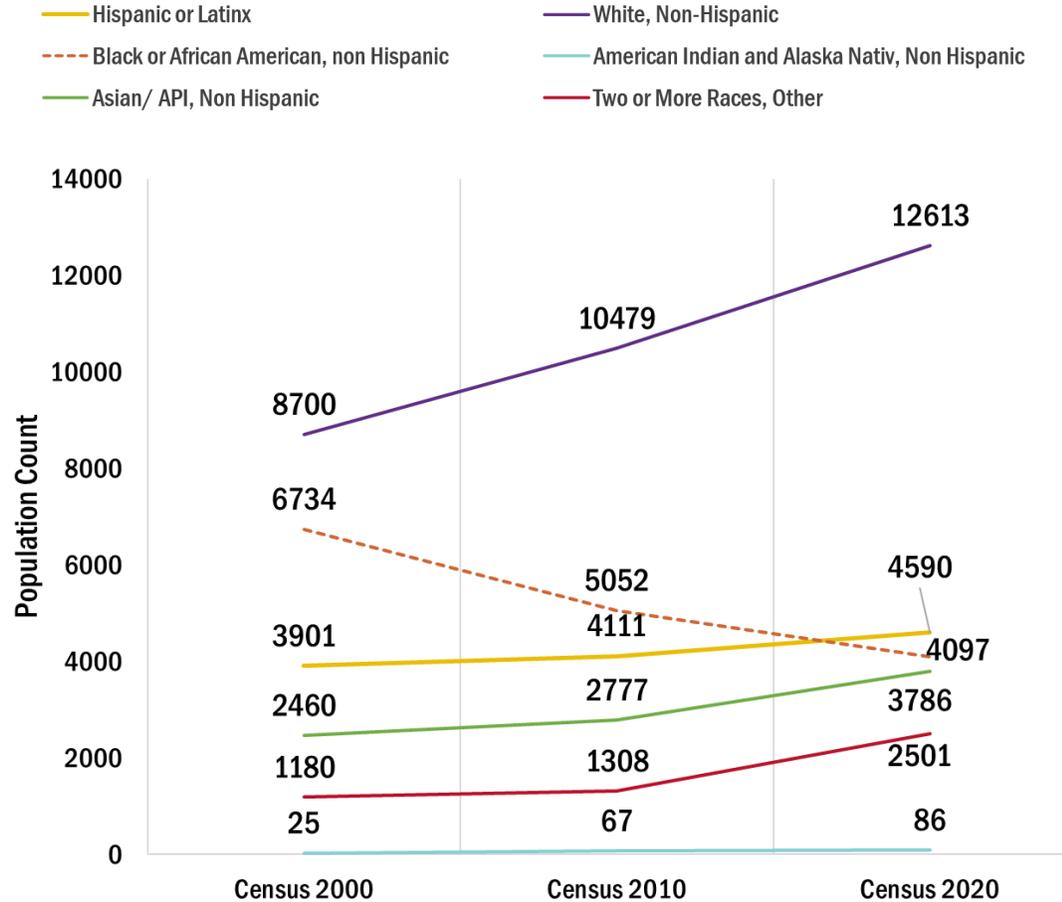
Project Timeline



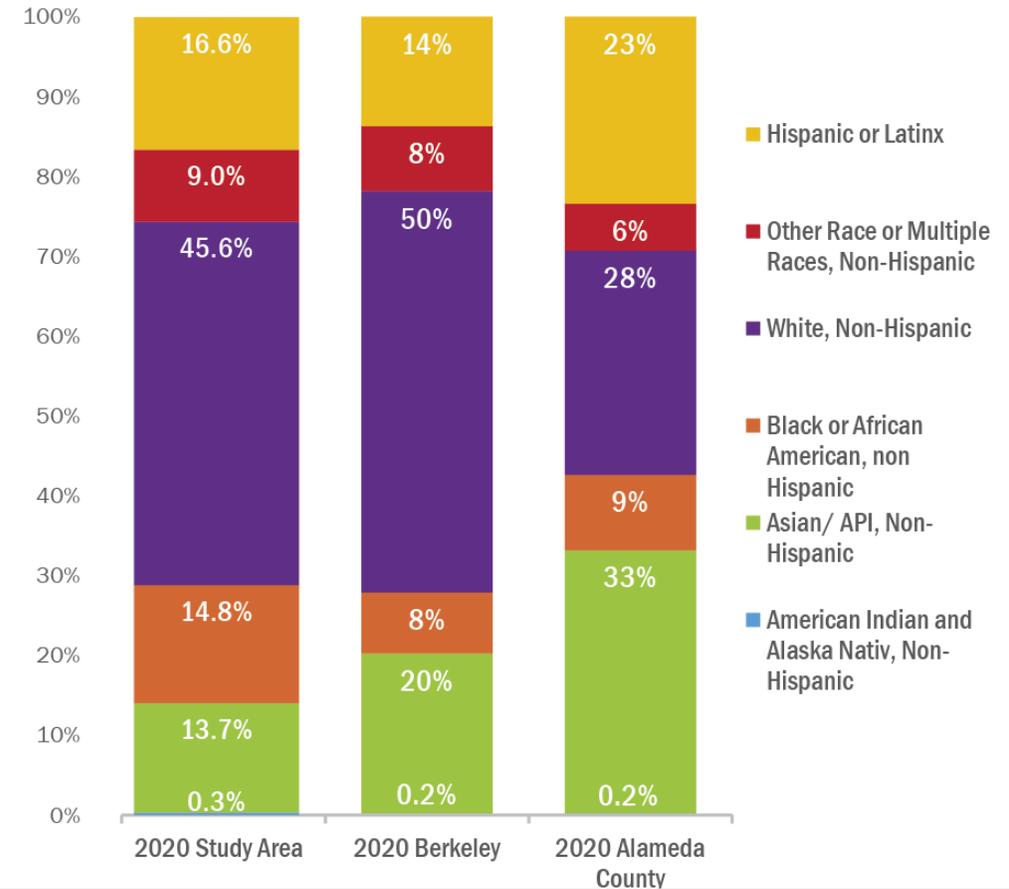
Community Demographics and Equity



Community Demographics and Equity



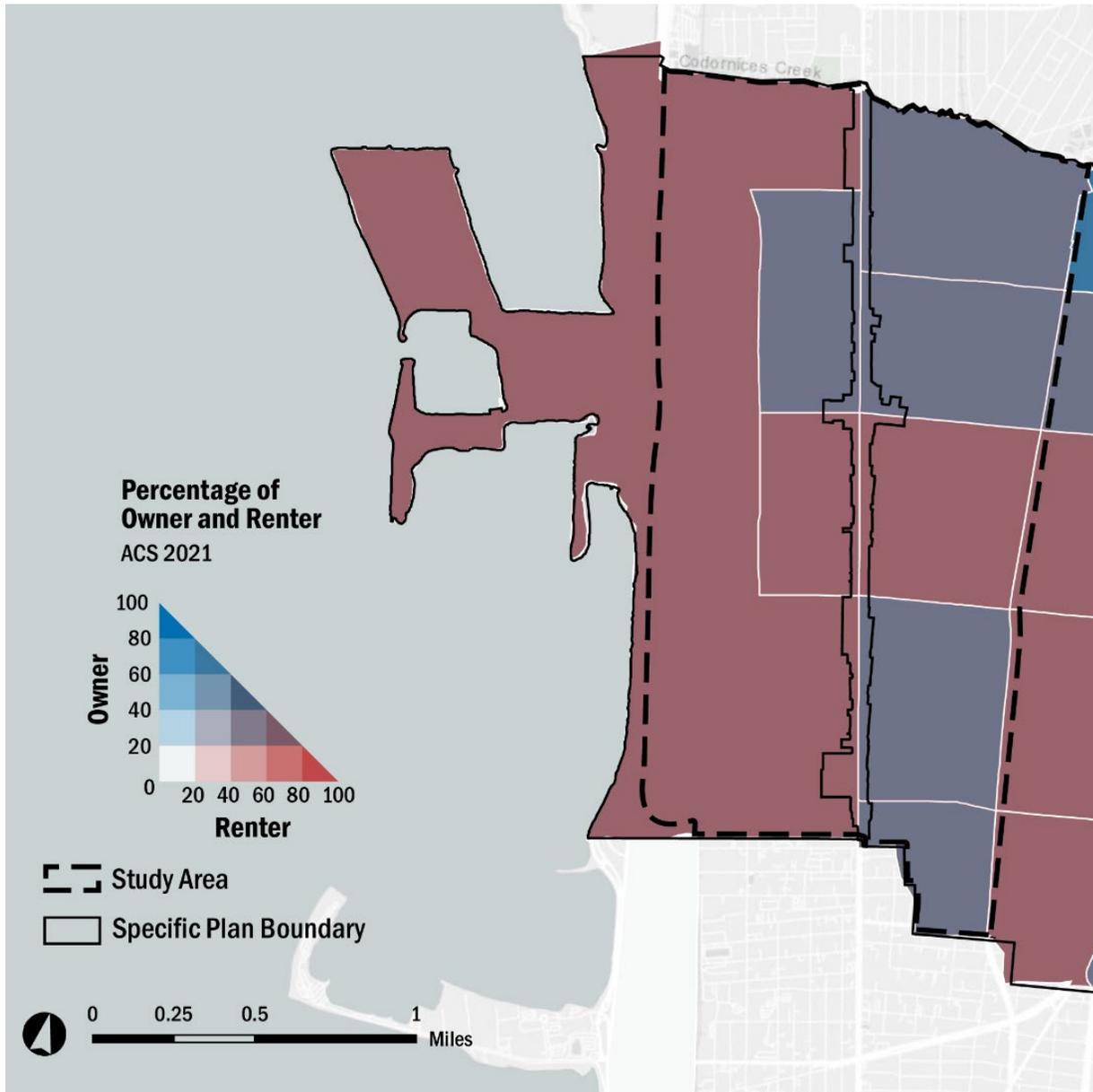
Racial and Ethnic Composition in 2020, Source: U.S. Decennial Census 2020 Table P9



Racial Shift in Study Area by Census Tracts, Source: U.S. Decennial Census, 2000 Table P7, 2010-2020 Table P9

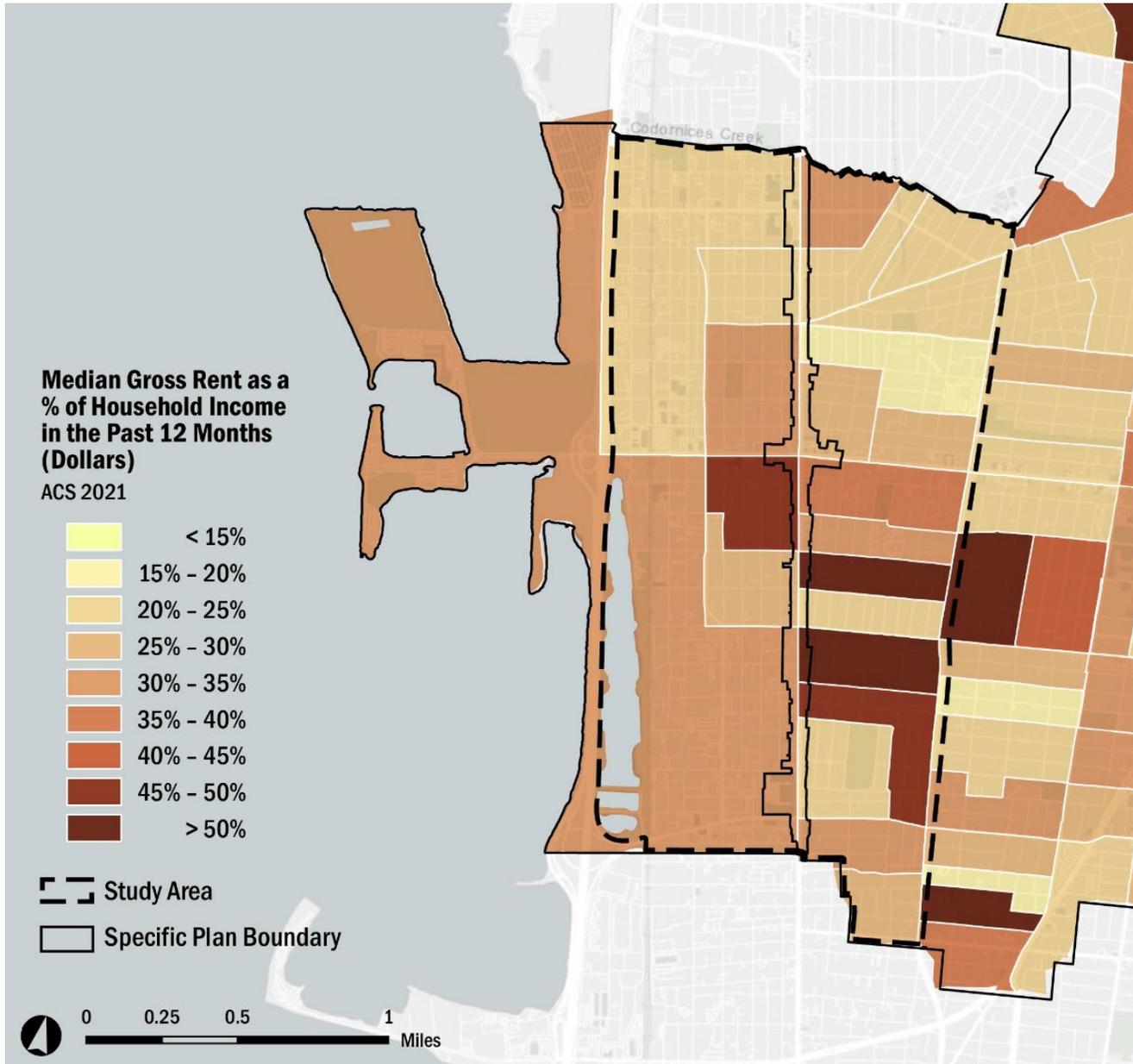
Household Conditions

- The Study Area (**10,781 units**) has a higher share of renters (55.3%) relative to owners (44.7%).
- In 2021, the Study Area contained 319 overcrowded units **30% of overcrowded housing citywide**
- In the area, **Owners' housing costs are a lower share of their income**



Mix of Households that Own or Rent in Berkeley. United States Census Bureau. ACS. 2021, Table DP04.

Household Income and Housing Cost



Median Gross Rent as a Percentage of Household Income in the Past 12 Months (Dollars), ACS 2021 (5-year Estimates)

	Less Than \$10,000:	\$10,000 To \$19,999:	\$20,000 To \$34,999:
Total:	395	602	762
Less Than 20.0 Percent	0	0	6
20.0 To 24.9 Percent	0	0	3
25.0 To 29.9 Percent	18	51	42
30.0 To 34.9 Percent	8	53	41
35.0 To 39.9 Percent	7	24	15
40.0 To 49.9 Percent	0	172	101
50.0 Percent Or More	286	284	548
Not Computed	76	18	6

Rent Burden by Household Income in the Past 12 Months (Dollars), ACS 2021 (5-year Estimates)

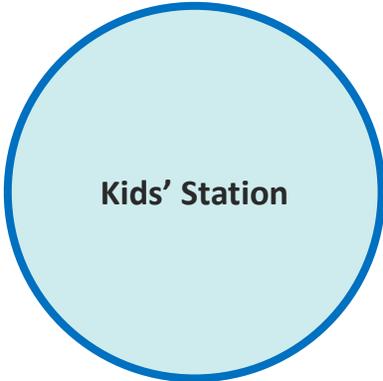
- More than half of tenants are cost burdened
- Over 1,100 renter households earn less than \$35,000 and pay more than 50% of their income for rent.

Community Open House – January 24, 2024



Community Open House – January 24, 2024

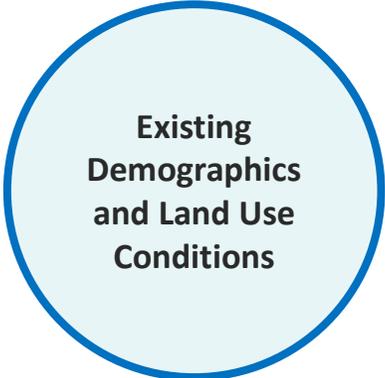
**Let's
Draw!**



1



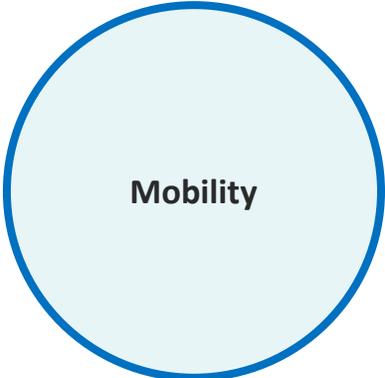
2



3



4



5



6



Community Open House – Housing

Demographics & Housing Affordability

Demographics

Berkeley's population grew by 9% from 2010 to 2020, to 122,580 people. In contrast, the Study Area grew by 16% in that time, to a population of 26,360 people, 22% of Berkeley's total population.

Household and Housing Characteristics

Roughly half of the Study Area households earn less than 80% of Area Median Income (\$39,871) and a third earn less than 50% of Area Median Income. These households would likely be eligible for affordable housing.

In the Study Area, more than half of tenants are cost-burdened, meaning they spend >30% of their gross household income on rent and utilities.

Over the past 20 years, Blacks/African Americans were the only racial group to decline in the Study Area. However, the Study Area continues to have a higher percentage of Black/African American population compared to Berkeley or Alameda County.

What types of housing are most needed?

← Not at all important | Extremely important →

- Affordable Housing (rental)
- Condominium (owned)
- Group Living*
- Artist Housing
- Senior Housing

* Group Living can take many forms, including multi-generational housing, or other community specific groups.

City of Berkeley with grant funding from the Association of Bay Area Governments | Metropolitan Transportation Commission

Projected Housing Development

Current Housing Units

As of As of 2020, there were 2,588 existing housing units in the Specific Plan Area.

- 242 Single Family
- 328 Multifamily (2-4 units)
- 2018 Multifamily (5+ units)

The Housing Element

The Housing Element presents the City's 8-year plan to meet the housing needs of our community including a sites inventory to accommodate the Regional Housing Needs Allocation established by the State.

The Housing Element was recently revised and adopted in early 2023 following an 18-month public outreach and planning process.

Learn more about the Housing Element at the City's website here:

51 Opportunity sites

were identified by the Housing Element within the Specific Plan Area.

Opportunity sites include:

- Vacant or underutilized sites with near-term potential for residential or mixed-use development.
- Some sites used in the 5th Cycle Housing Element but remain available for development.

Policy Highlight: Berkeley Affordable Housing Preference Policy

In July 2023, Berkeley adopted a policy to provide preference for current residents and descendants of residents of the city's historically redlined areas. Households with ties to the area receive priority in leasing new City funded or regulated affordable units. Because much of the Study Area is within the historically redlined area in Berkeley, many former and current residents may qualify for this preference.

Table: Housing Element Update Housing Sites Inventory

	Total Units	100% Affordable		
Approved as of fall 2023	569	63	52	19.7%
Under Review as of fall 2023	2000	100	200	15%
Housing Element Opportunity Sites based on current zoning and density bonus	2000-3000	100-170	200-300	~15%
Total All Sites	4,500-5,500	350-450	500-600	15-16%

City of Berkeley with grant funding from the Association of Bay Area Governments | Metropolitan Transportation Commission

- Overall support for increased housing options
- Affordable housing, condominiums and senior housing are seen as the most important.

“Different kinds of housing. Not just tall apartment buildings and mix of socio-economic groups.”

Community Open House – Land Use Policy

Land Use Policies

Zoning

Properties fronting on SPA are predominantly zoned West Berkeley, Commercial (C-W), Along University Avenue the majority of properties are zoned for C-W and University Commercial (C-U).

Residential, Commercial, Mixed use, and Live-work are permitted in C-W and C-U with applicable permits and subject to development Standards.

Permit Review Process

Two types of review processes: Ministerial and Discretionary Review

Ministerial review is a process involving little to no personal judgment by the zoning officer or Zoning Adjustment Board (ZAB). The zoning officer or ZAB ensure the proposed development meets all "Objective zoning standards" and "Objective design review standards".

Discretionary review is a process for development that is subject to public notice to neighbors, and in some cases, a public hearing.

Many recent State legislation laws have established and expanded eligibility for ministerial and streamlined review including: changes to review timeline and requirements, applicability of the CEQA, and limits to City's discretion.

Key California Laws that Support Housing

- Housing Accountability Act – No net loss of housing capacity
- Senate Bill (SB) 330 - Streamlining
- SB 35 - Ministerial Approvals for affordable housing projects
- Density Bonus Law – waive or reduce development standards

Typical Permits Required

Housing Type	C-W	C-U
Duplex	UP	UP
Multi-Family	UP	UP
Mixed-Use Projects	ZC/AUP/UP	UP
Live-Work	AUP/UP	ZC
Group Living Accommodation	UP	UP

ZC = Zoning Certificate, AUP = Administrative Use Permit, UP = Use Permit, NP = Not Permitted

California Housing Legislation Highlights

As of October 12, 2023

City of Berkeley with grant funding from the Association of Bay Area Governments | Metropolitan Transportation Commission

Land Use Policies

What ground floor uses would you most like to see along San Pablo Ave in addition to typical retail, commercial, and service businesses?

Place a dot along the scale below. If there are specific locations or places you would like to see a new use, place a sticky-note on the map.

← Not at all important

→ Extremely important

Community Gathering Space

Entertainment

Night Life

Art Studios

Galleries

Pop-Up Small Business Space

Recreational Space

Outdoor Community Space

Other important ground floor use: If there is a use we haven't listed, write a sticky-note and place it below.

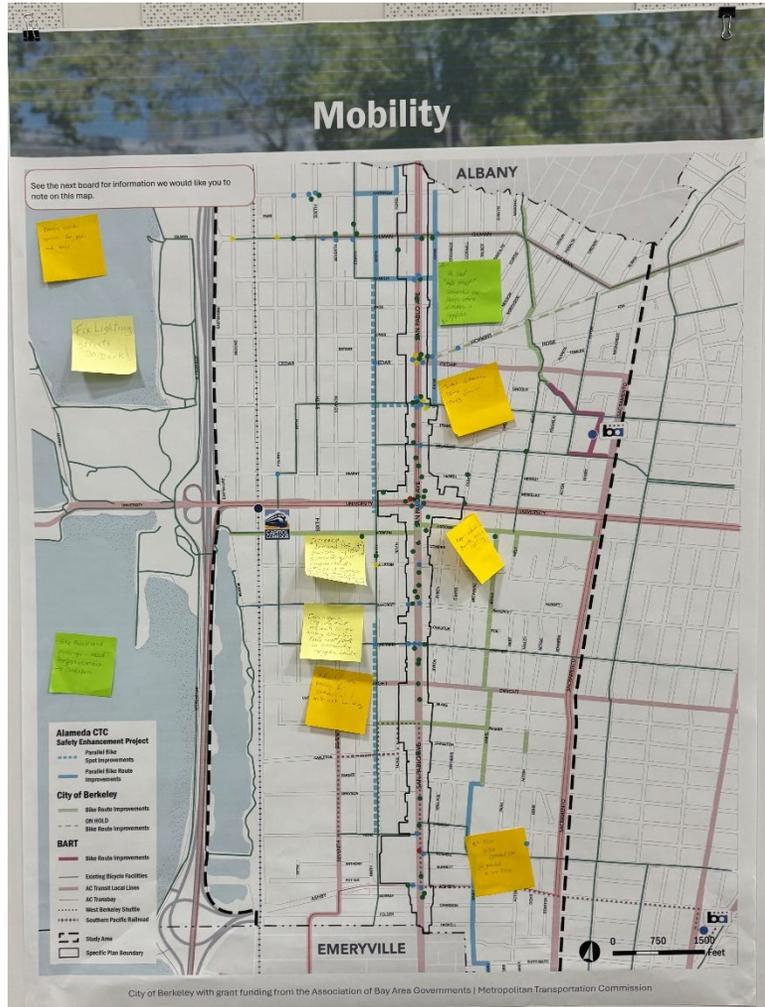
Ground Floor Use Map based on Land Use Codes
Source: City of Berkeley, 2023. Alameda County Assessor's Office Parcel Data, 2023. CD+A, 2023.

City of Berkeley with grant funding from the Association of Bay Area Governments | Metropolitan Transportation Commission

- Community gathering spaces, entertainment and nightlife were the most important and most strongly desired ground floor uses

“Community plaza: public open space with green nature at San Pablo Avenue & University”

Community Open House – Mobility



- Walking is identified as the most common mode where participants feel unsafe, especially at night.
- Community members note that San Pablo Avenue at its current state causes stress and serves as a barrier dividing the surrounding neighborhood instead of a community gather and commercial hub.

“San Pablo Avenue is stressful. It acts as a border, and I hate crossing over it. Increase space for people, less space for cars.”

Community Open House – Public Realm

Public Realm Assessment

Streetscape Conditions

Landscape
Street trees and landscaped median define the character of San Pablo Ave.

Sidewalk
The width of the street and the space needed for vehicles and the median constrain the public space of the sidewalk to a typical 13-foot-width along San Pablo Avenue.

Lighting
Existing lighting along the street primarily illuminates the roadway and intersections. Nighttime sidewalk lighting levels tend to be low between intersections, unless storefront uses, buildings, or pedestrian lights at bus stops illuminate the sidewalk.

Street Furniture
Street furnishings such as benches and trash receptacles are almost exclusively at bus stops. There are some businesses that provide street side outdoor "cafe" seating.

Building and Site Frontages

Brick and Mortar Frontages
Many, but not all, brick-and-mortar frontages along the street have articulation, building form, and materials that create a visual relationship between storefront and sidewalk.

Art Along the Street
Painted storefronts with murals provide visual interest when the building does not allow for windows and can represent the culture and values of the local community.

New Mixed-Use Developments
While many of the new retail spaces remain vacant, some have contributed to the landscape character of the street by setting back the ground level of the building to provide additional sidewalk and space of landscape.

Vacancy
Vacant, abandoned, or poor maintained storefronts can create an environment that feels inactive and unsafe.

Activity and use of unused spaces
Some underutilized locations are used by food trucks with their patrons and outdoor seating activating the street.

Semi-Public Spaces
There are no public parks or plazas along San Pablo Avenue, but outdoor dining areas and cafe seating do provide semi-public spaces and life along the street.

City of Berkeley with grant funding from the Association of Bay Area Governments | Metropolitan Transportation Commission

Public Open Space

Which Public Spaces do you use the most? Place a dot on the map.

What types of activities do you do in the Public Spaces? Place a sticky note below.



Sticky Notes

What Public Space improvements or activities would make San Pablo Ave more inviting? Place a dot and add sticky notes with additional ideas.

Places to sit with friends	Active recreation: Nearby running or biking trails.	Community Events
Farmer's market/Night market	Art/Performance Events	

City of Berkeley with grant funding from the Association of Bay Area Governments | Metropolitan Transportation Commission

- Lush tree canopy and open spaces are valued assets, with strong support for maintaining greenery and activating the public realm through art.
- Long term business owners along San Pablo Avenue noted a lack of communication and collaboration among businesses.

“Open public spaces at nodes to foster community, pull buildings back”

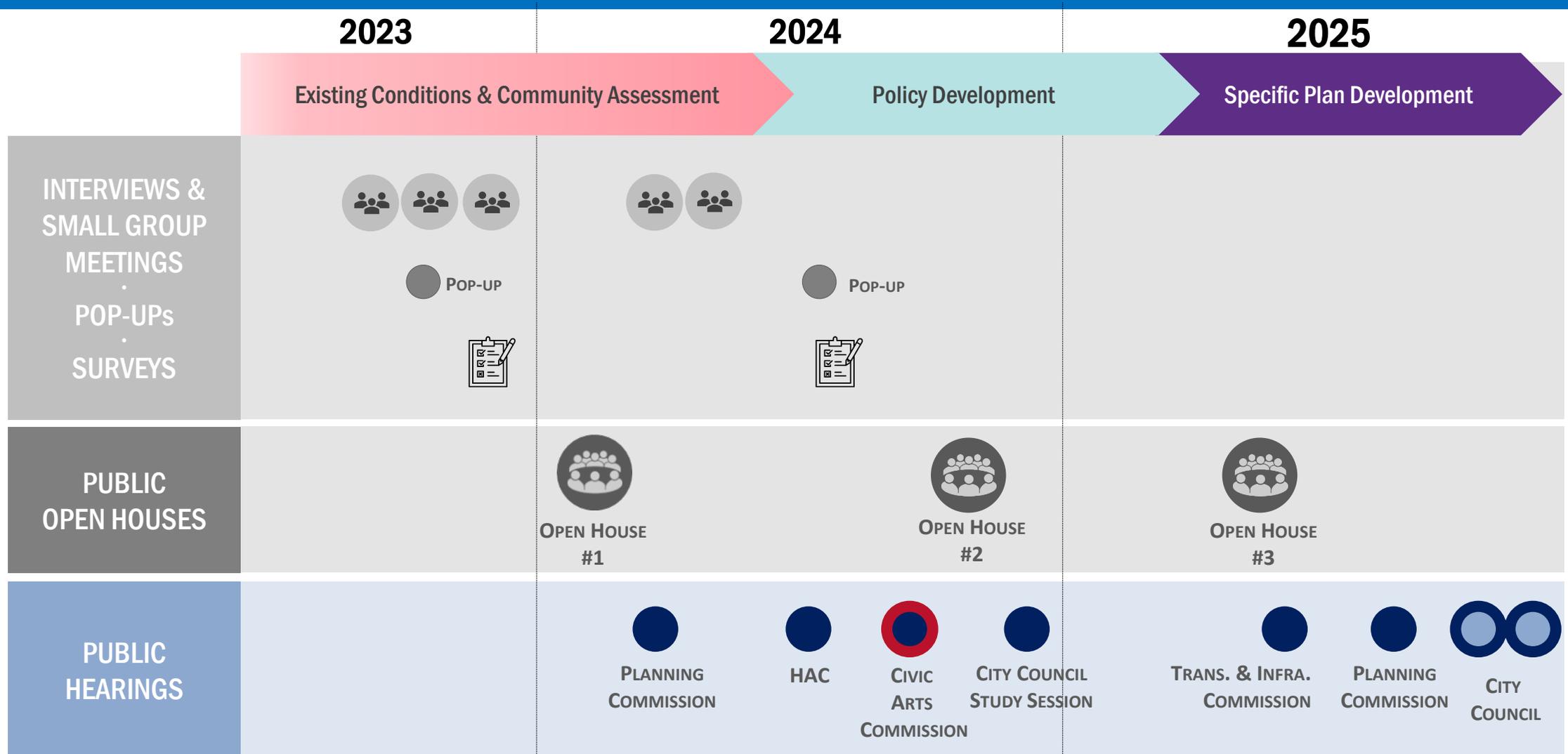
Community Open House – Future Vision



- Community members expressed a desire to see a more engaging and active San Pablo Avenue.
- The top three future aspects
 1. Engaging & Active Building Frontage
 2. Community Events
 3. More Lighting at night

“Lively corridor where people from all walks of life can enjoy, mingle, and support local businesses. Good mix of housing, restaurants, stores (and grocery stores).”

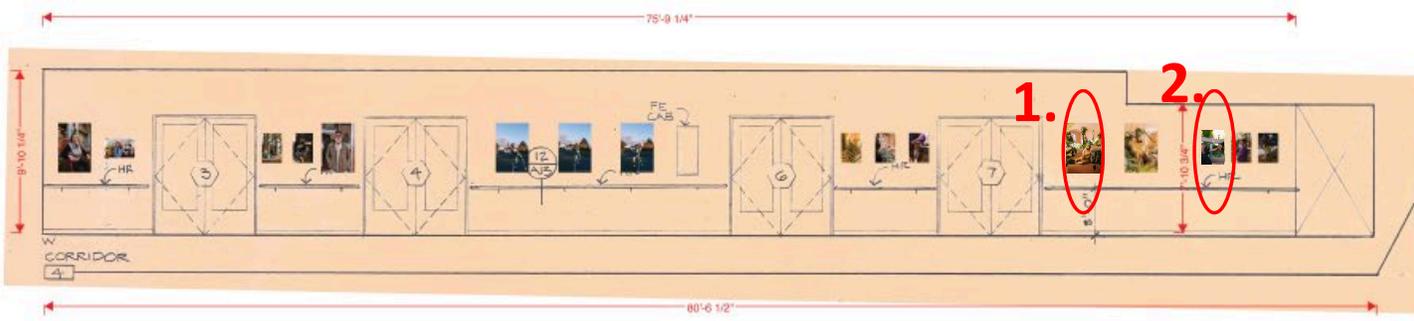
Project Timeline



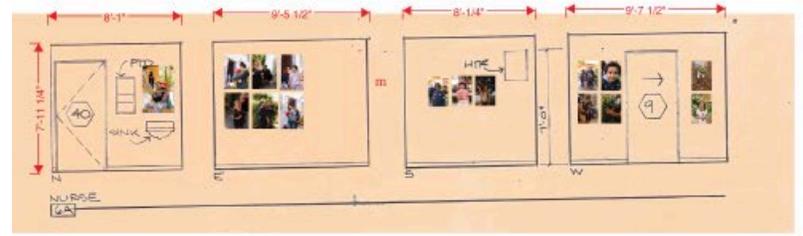
The West Berkeley Service Center Photography Installation

Prepared for: The Berkeley Civic Art Commission

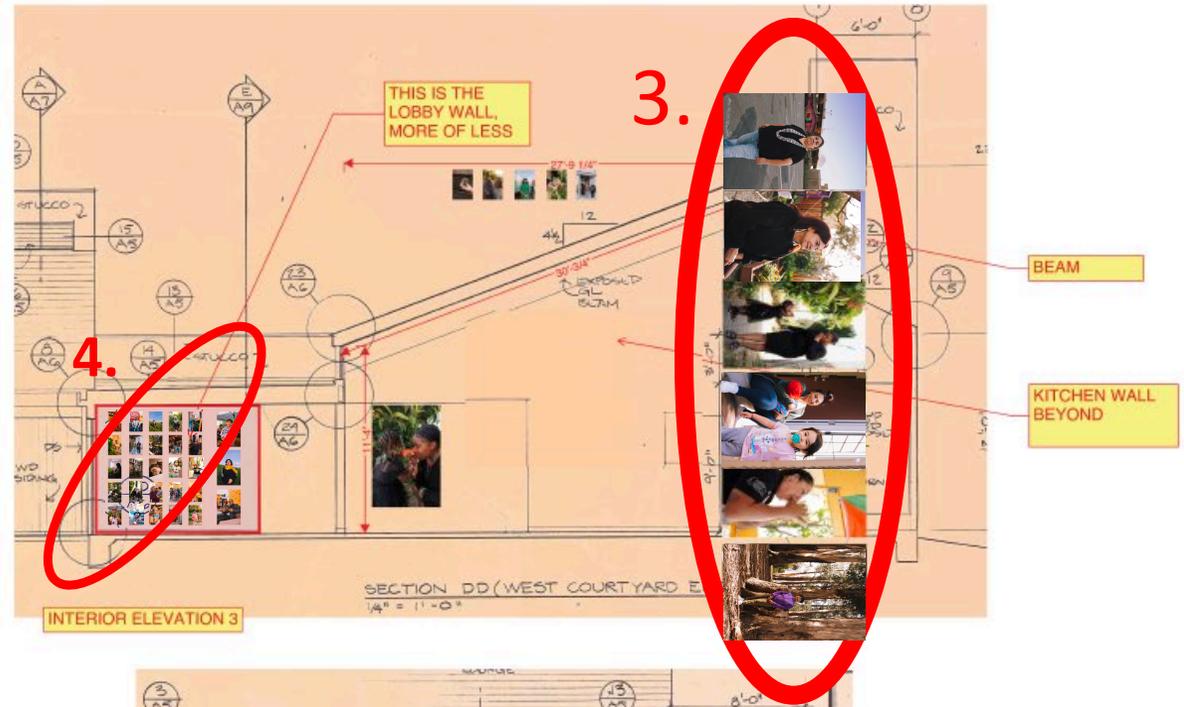
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PHOTOGRAPHY



INTERIOR ELEVATION 1

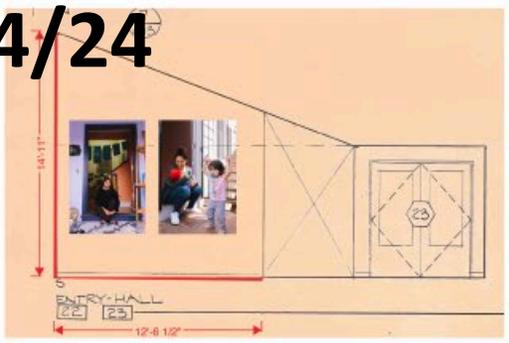


INTERIOR ELEVATION 2

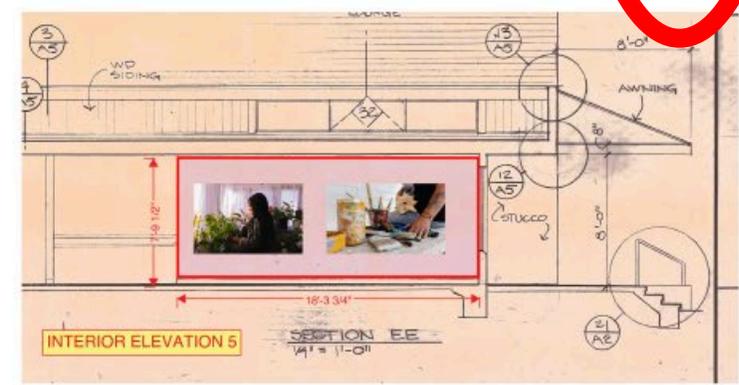


INTERIOR ELEVATION 3

ADDED/CHANGED IMAGES
REQUIRING CAC APPROVAL
7/24/24

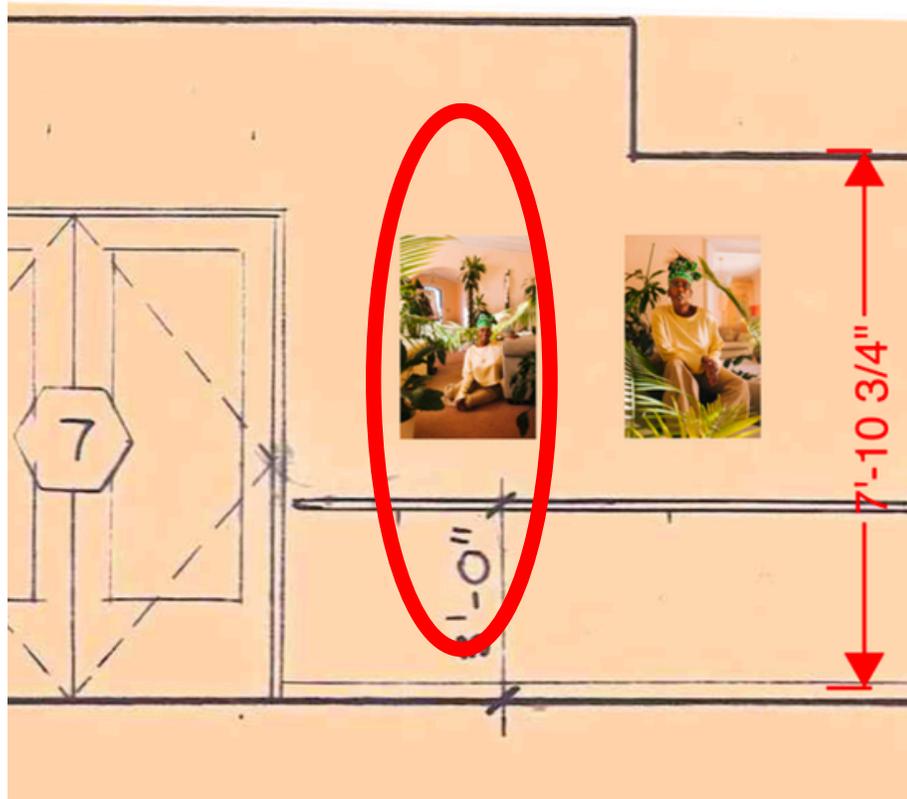


INTERIOR ELEVATION 4



INTERIOR ELEVATION 5

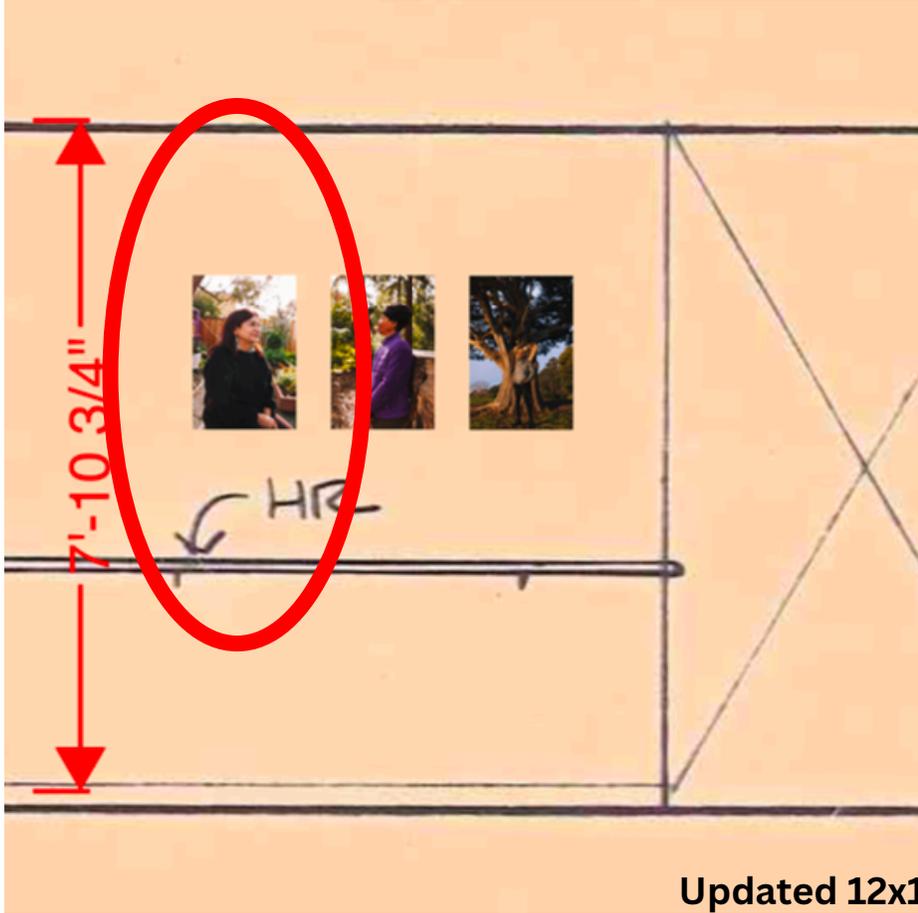
1.



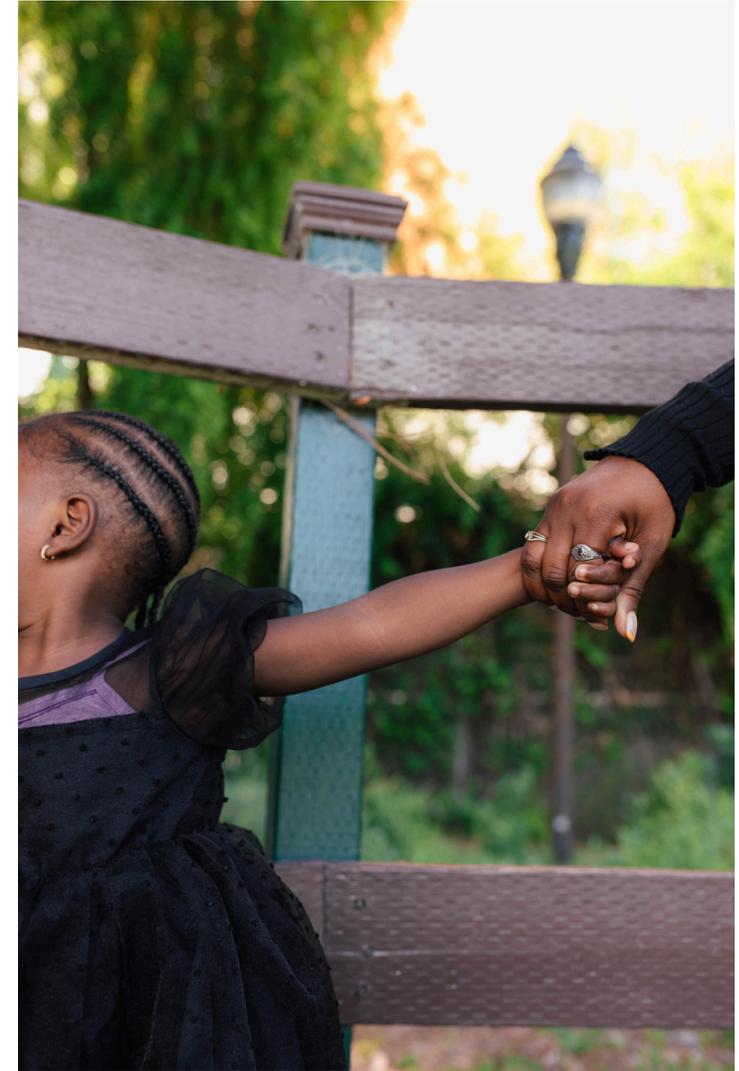
Previously printed as 8x12 - now will be 20x30. Replaced similar image of same community member.



2.



**Updated 12x18 image.
Original print will now be
a canvas print - replacing
with additional
community hands image.**



3.



42x68 fabric prints - Elements Fire Opal Bright White Canvas (425 gsm) lifespan of 20-100 years

PRINTED IMAGE SIZE 42" x 60"

TOTAL USABLE LENGTH 42" x 70" to account for hanging requirements - 2" sewn in dowel pockets on top and bottom of each canvas

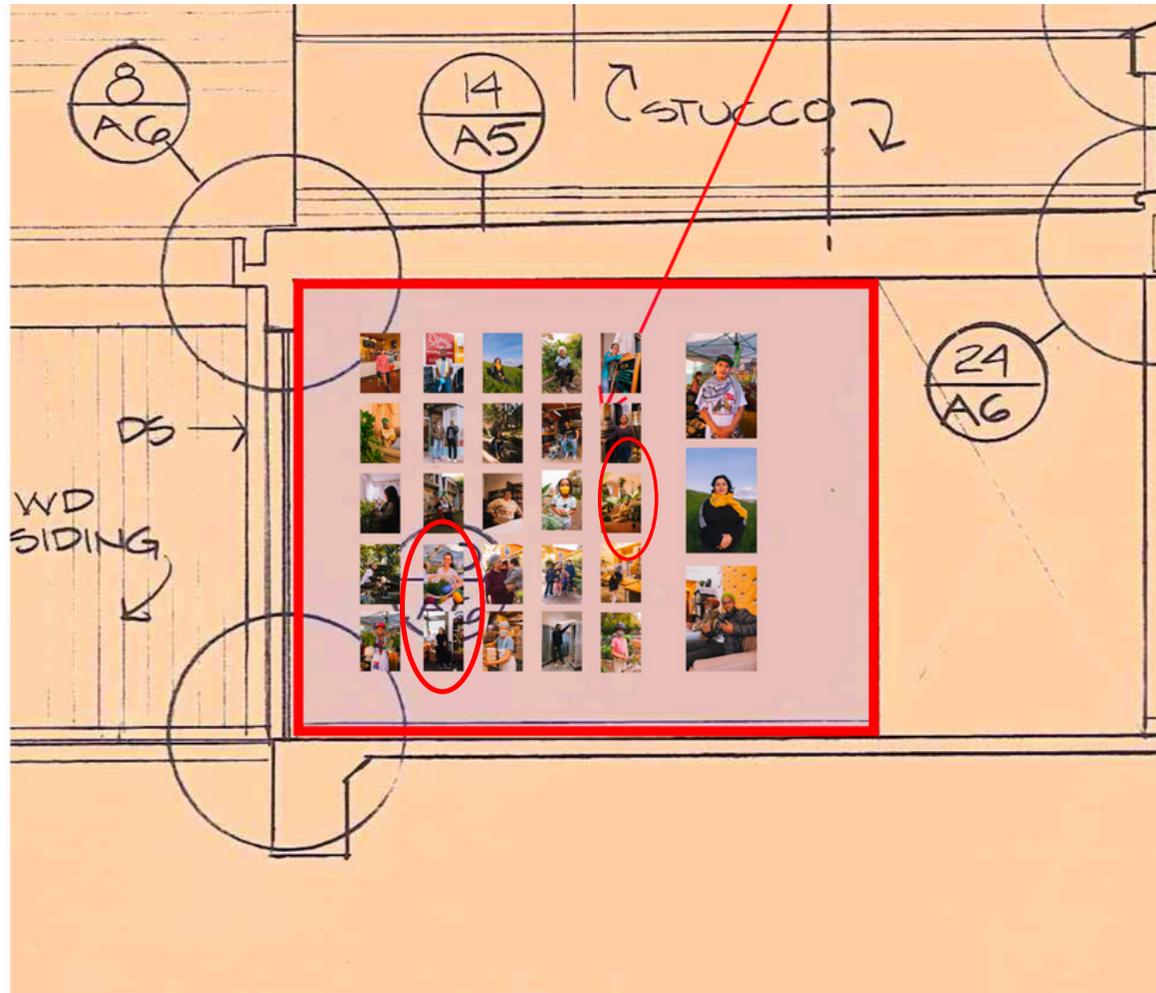
3.

Updated canvas print & order



**new - previously printed
as 12x18**

4.



Replacing 3, 8x12 prints - one is now shown above as 20x30 print. Center image was previously approved as canvas print and image on the left is in front of mural that features Corrina - also represented and featured in the project. Final layout includes representation from across the Berkeley community.



September - November

Cube Space

Artist: Emily Gui

Curator: William Hernandez Luege

About the artist

Interdisciplinary Artist & Educator

- Works with printmaking, sculpture, photography, and installation.
- Explores human relationships with everyday materials, from collections to garbage. Recent work focuses on plant life in California and the cycles of fire, growth, and decay.
- Teaches printmaking at UC Berkeley and UC Davis.

Education

- B.A. in Studio Arts from Bard College.
- MFA from UC Berkeley.
- Awards: Eisner Prize in Creative Excellence, Research Fellowship Award from Berkeley Center for New Media.





Emily Gui
Untitled, 2020
acrylic paint, painter's plastic,
various found discarded
objects

Emily Gui
Untitled, 2020
acrylic paint, painter's plastic





Emily Gui
The Scenic Fire, 2023
Found charcoal on paper



Emily Gui
Astroturf, 2023
Screen print on tracing paper, glue





Key Themes

Landscape and Artifice

•Exploration of Oppositional Categories:

- Utilizes raw and processed materials to investigate themes such as nature versus civilization.
- Places natural materials in artificial settings to alter perceptions of how we engage with these materials in daily life.
- Juxtaposes natural grasses with artificial lawns to critique environmentally unsound land management practices.

Cycles of Time

•Interruption of Natural Cycles:

- Encases materials in resin and uses decayed or fabricated materials to disrupt the natural cycles of growth, death, and burning in the Berkeley Hills.
- Challenges the notion of controlling or dominating these natural cycles.







To: Civic Arts Commission
From: Hilary Amnah, Grants Program Lead
Subject: FY25 Individual Artist Projects Grant Awards

This memo outlines the processes used and recommended funding scenario for the Fiscal Year 2025 Individual Artist Projects grant awards.

1. Guidelines Development

The Grants Subcommittee discussed the FY25 grant program guidelines across five meetings during October and November of 2023. Some of the policy considerations for the Individual Artist Projects grant category at the Grants Subcommittee meetings included:

- Eligibility requirements
 - Whether or not students enrolled in university or college full-time would be eligible
- Review criteria categories and percentages

The Civic Arts Commission approved the final version of the Individual Artist Projects grant guidelines at their December 7, 2023 meeting.

2. Panelist Recruitment

On August 16, 2023, a call for panelists was released to recruit grant review panelists from around the Bay Area. The call was advertised through the Civic Arts newsletter, social media, and direct contact with individuals. The call for panelists closed on November 15, 2023. With a two-year eligibility period, those approved for the panelist pool in the previous grant cycle were also eligible to serve for these grant panels.

3. Grant Opportunity Outreach and Promotion

Grants were advertised in the Civic Arts newsletter, social media, and to previous grant applicants. The City’s communications team advertised the applications through their Community Message channel and through the City’s official social media accounts.

4. Application Period and Technical Assistance

All FY25 grant applications opened on January 8, 2024, and had staggered deadlines.

Grant	Opened	Closed	Application Period
Individual Artist Projects	January 8, 2024	February 28, 2024	7 weeks / 51 days

A Technical Assistance webinar was given by staff for the Individual Artist Projects grant on January 10, 2024 at 5:30 pm. Potential applicants could attend the webinar live or view the recording on our

website. The webinar was advertised in the Civic Arts Newsletter, as an event on the City of Berkeley website, and through social media.

Webinar	Date	Registrants	Attendees
Individual Artist Projects	January 10, 2024	64	37

After applying, applicants were emailed a Grant Application Survey to give feedback about their application experience. A total of 15 Grant Application Surveys were received for this grant category. Data collected in this survey will be used to improve future grant application processes.

5. Panelist Training and Resources

Panelists were selected from the approved panelist pool based on experience relevant to our grant categories and expertise with the artistic disciplines present in the applicant pool. In adhering to our values of equity, Black, Indigenous, and People of Color were also prioritized to serve as panelists.

Panelists were given several resources to help them with their evaluations and prepare them for the grant review panel meeting.

- Panelist Handbook: Staff created a panelist handbook for panelists to reference throughout their review period. The handbook includes definitions of conflicts of interest, instructions for using our grants management system, tips for creating constructive panelist notes, and other information pertinent to panel service.
- Panelist Orientation and Training: All panelists attended an orientation webinar to go over the full grant review process. This training is performed to help orient panelists with the review criteria and prepare them for a productive grant review panel discussion.
- Technical assistance was available to panelists via email, phone, and virtual appointment throughout the review period.

6. Review Panel Meeting

The panel each included three grant review panelists who evaluated and scored all applications using the program’s review criteria. Panelists who had conflicts of interest with applicants recused themselves from reviewing those applications and participating in the application discussion.

The Individual Artist Projects grant review panel had to be rescheduled for July from its original date of May 13 – 14 due to an unexpected panelist absence.

Panel	Date	Applications Reviewed
Individual Artist Projects	July 8 - 9, 2024	54

Several applicants attended the public grant review panels, and used their opportunity to address the panel for clarification. Many present applicants expressed gratitude for the panelist comments and for the opportunity to attend the open process.

After the panel meeting concluded, panelists were emailed a Panelist Experience Survey to give feedback about their panel service. Data collected in this survey will be used to improve future grant review processes. Panelists were paid an honorarium of \$25 per application reviewed.

7. Awards and Recommendations

A funding scenario created by staff was reviewed and voted on by the Grants Subcommittee at their July 12, 2024 meeting.

Due to the flat award of \$4,000 for this grant category, only one scenario was presented to the Grants Subcommittee with awards going to the 11 highest scoring applicants. From the City's General Fund allocation of \$500,000 for Civic Arts grants, \$44,000 was reserved for FY25 Individual Artist Projects awards, and \$456,000 is going to the second-year payments for FY24/FY25 General Operating Support grantees.

The Grants Subcommittee voted to recommend the following funding scenario to the Civic Arts Commission.

FY25 Individual Artist Projects

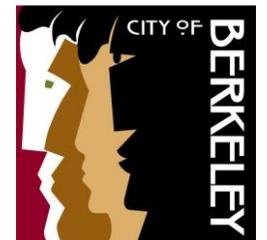
Name	Project	Discipline	Score	Award
A A White	Audiobook recording and social media promotion of The Casebook of Calamities, Volume 1: Terrible People	Literary Arts	343	\$0
Ahna Girshick	Windows of Perception: Experience the world through the lens of AI	Multidisciplinary / Interdisciplinary	393	\$0
Allison Landa	Conflagration	Literary Arts	283	\$0
Amrita	The "Rama Immersive" Project	Visual Arts	433	\$0
Aryadokht Jahanbakhshan	A Staged Reading of a Philippine Fantasy Folktale Musical - "Sultana & The Pearl King"	Multidisciplinary / Interdisciplinary	340	\$0
Barbara	"The Fountain At The Circle" - Berkeley Places	Film and New Media	330	\$0
Ben	"A Toro for Berkeley," a sculptural tribute to the city's commitment to nurturing community.	Visual Arts	337	\$0
Camie Bontaites	AbacUs	Multidisciplinary / Interdisciplinary	373	\$0
Cathy Raingarden	The Boots of Berkeley; Urban Sketches of Berkeley City Workers	Visual Arts	420	\$0
ChingChi Yu	Community Wellness Dance classes and choreography workshops	Dance	453	\$4,000
Chloe Wanaselja	Family Tree: Exploring belonging as a settler through practices of tree and land worship	Visual Arts	350	\$0
Cordy Joan	Transmissions (trans quilt making)	Folk and Traditional Arts	460	\$4,000
Craig Nagasawa	"Atomic Japanese American" - New Performance Video and Paintings by Craig Nagasawa	Visual Arts	467	\$4,000
Dan Flanagan	The Bow and the Brush in Berkeley Schools	Music	283	\$0
Daniel Beckman	Mosaic. View of the Bay and Golden Gate Bridge from house on a Berkeley hill.	Visual Arts	283	\$0
David Aughenbaugh	Worlds within Worlds	Film and New Media	373	\$0
Deanna Ewers	Sunny Smog Digs Berkeley	Multidisciplinary / Interdisciplinary	223	\$0
Eric sometimes e. Frank	Research, engagement, and production support for Berkeley premiere of The Pla[y/n] for Reparation\$	Multidisciplinary / Interdisciplinary	347	\$0
Isaiah Mostafa	The 37 Week Challenge Vol. 2	Music	467	\$4,000
Jay Lotus Allen	Elder Shine: The Golden Years	Multidisciplinary / Interdisciplinary	470	\$4,000
Jen Bloomer	Berkeley Kids Mural	Visual Arts	377	\$0
Jessica Niello- White	Self Portraits for Everybody	Visual Arts	180	\$0
Jodi Lomask	Cross-Pollination	Multidisciplinary / Interdisciplinary	393	\$0
Joyce E. Young	The Words of Wisdom Bearers: What Elders Have to Say	Literary Arts	437	\$0
Jules Shell	San Andreas is a multimedia project highlighting Berkeley's colorful characters + contributions to create community.	Film and New Media	300	\$0
Julia Goodman	Rearrangements: Nothing in Stone for Ursula	Visual Arts	410	\$0
Laura Sheppard	Resistance: A Play about the Women of the French Resistance Movement during WWII	Theater	403	\$0
Laurel	every / day: finding meaning in the (extra)ordinary	Visual Arts	293	\$0
Lawrence Grown	Architecture as Organism	Multidisciplinary / Interdisciplinary	357	\$0
Leah Ryan	Portraits of Our Growth: Exploring Connections Between Artists' Practice and Purpose	Visual Arts	347	\$0
Leslie Reed	Verses in Vision: An Interplay of Poetry and Multimedia Art, inspired by whispers of nature	Multidisciplinary / Interdisciplinary	313	\$0

Luca	Like Heaven Without God	Film and New Media	353	\$0
Lucy Jane Bledsoe	Roll Call of the Dead, a novel-in-progress	Literary Arts	377	\$0
Marikit Mayeno	Exploring the Digital Body	Visual Arts	347	\$0
Martin Perna	Testify: A centennial reading for James Baldwin	Music	470	\$4,000
Megan Levine	The Calculus of the To-do List	Visual Arts	383	\$0
Melinda Lopez	Afro - Iranian 9 that nobody know about them	Film and New Media	363	\$0
Milani	Loving the Black Woman Body and Blood: A Self Love Journey	Literary Arts	457	\$4,000
Mokhtar Paki	Berkeley Dreams	Visual Arts	290	\$0
Nur Yavuz	Dengbej/Bard Music Workshop and Performance: Narratives of Kurdish Women Unveiled	Folk and Traditional Arts	450	\$4,000
Pamela Gleason	Berkeley Guidebook: A Place Like No Other	Literary Arts	377	\$0
pan ellington	Stories On Demand - Analog Tales in a Digital World	Literary Arts	453	\$4,000
Peiting	Chinese Calligraphy as Question: A Cross-Cultural, Interdisciplinary Exploration of Aesthetics, Medicine, Technology, and Education	Multidisciplinary / Interdisciplinary	350	\$0
Rachel Richardson	Smoke Days: A Book of Essays on Living with Fire	Literary Arts	387	\$0
Ramona	Weaving Nature's Gardens: A Practice of Community-Collaborative Place-Weaving	Multidisciplinary / Interdisciplinary	380	\$0
Rebecca Carvalho	A Brazilian immigrant girl in Berkeley finds out that folklore has followed her from home	Literary Arts	370	\$0
Risa Lenore	Agents Of Change- a rollicking multimedia puppet show of five interconnected stories!	Multidisciplinary / Interdisciplinary	460	\$4,000
Sara Frucht	Laser cut acrylic mirror for jewelry, ornaments and constructions	Multidisciplinary / Interdisciplinary	320	\$0
Shabnam Shirvani	The Feathered Serpent	Dance	313	\$0
Shantre	Raw, Black & Blue	Film and New Media	440	\$0
Theresa Wong	Everybody Nose	Music	443	\$0
Wendy Reid	Ambient Bird - Quail Creek	Music	400	\$0
Will	Blacklandia Deluxe	Music	297	\$0
Wyn	Berkeley Beautification Project	Visual Arts	377	\$0
Wyndy Knox Carr	Who IS That Woman? Writing Poetry and Memoir for Self-Worth and CHANGE	Literary Arts	343	\$0
Yano	Opinions Matter in Berkeley	Visual Arts	467	\$4,000
Total				\$44,000

Civic Arts Grants

OFFICE OF ECONOMIC DEVELOPMENT | CIVIC ARTS

JULY 24, 2024



History of Civic Arts Grants Program

- 1991: Council adopted Resolution 55,832-N.S.
- Created grant guidelines
- Open Application workshops
- Designated application review panel
- Public hearing on funding awards



Chingchi Yu, Choreography and Performance, FY21 individual Artist Project Grantee

Grants Program Development



Craig Nagasawa, Visual Artist, FY22 Individual Artist Project Grantee

2016 Program Evaluation

- Implemented program improvements to ensure that the City was serving the needs of the arts community

2019 Program Evaluation

- Scanned grantmaking field for best practices nationally
- Consulted with Civic Arts Commission & Berkeley Cultural Trust on improving program efficiency, equity, and transparency
- Added Festival Grants category

Commitment to Cultural Equity



Annual Berkeley Indigenous Peoples Day Powwow & Indian Market,
FY22 Festival Grantee

Cultural Equity Statement: The City of Berkeley Civic Arts program commits to equity within the arts and culture sector by consistently evaluating its programs and practices. The City recognizes the multiple benefits the arts provide, regardless of race, color, religion, age, disability, national origin, sex, sexual orientation and gender identity/expression.

Beyond ensuring access to the arts, the City of Berkeley commits to supporting artists and arts organizations that represent diverse cultures, life experiences, and socio-economic backgrounds. The City supports the empowerment of perspectives and identities that have been historically and systemically underrepresented.

Civic Arts Grants Allocations

Fiscal Year	Total Amount Awarded	Number of Grants	Avg. Grant Award
FY16	\$229,100	53	\$4,323
FY17	\$378,848	56	\$6,765
FY18	\$497,510	61	\$8,156
FY19	\$500,000	63	\$7,937
FY20	\$650,199	90	\$7,224
FY21	\$579,493	94	\$6,165
FY22	\$714,470	104	\$6,870
FY23	\$696,996	114	\$6,114
FY24*	\$993,782	99	\$10,038

*includes Capital Projects grants: awards of \$145,000 and \$150,000

Civic Arts Grants – Current Programs



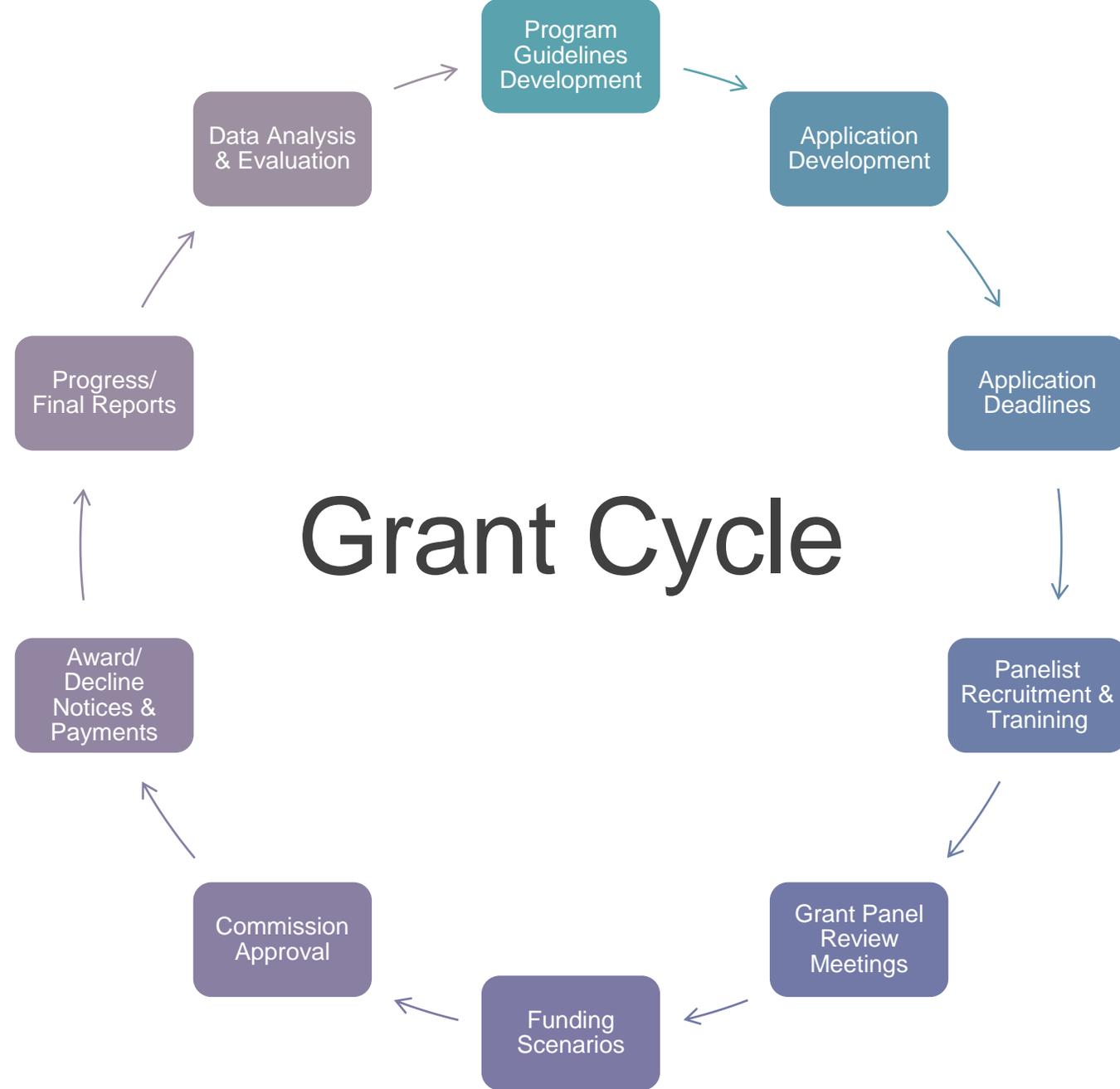
Ann Holsberry, Visual Arts, FY22 individual Artist Project Grantee

Three core program categories:

- Individual Artist Projects
- Community Festivals
- General Operating Support

New grant categories:

- Capital Projects
- Arts Programs



Updates to the Grantmaking Process



Bay Area Children's Theatre, FY22 Arts Organization Grantee

Accessibility

City of Berkeley - OED | Civic Arts

Sign Up Sign In

Welcome back!
Sign in to your Submittable account.

Email

Password [Forgot?](#)

Sign In

Sign in with Facebook

 Sign in with Google

- Online Grants Management System designed for user-friendliness
- Plain language used in all program materials
- Program guidelines reviewed by City's Disability Services consultants
- Accommodations for applicants with disabilities
- Translation services available

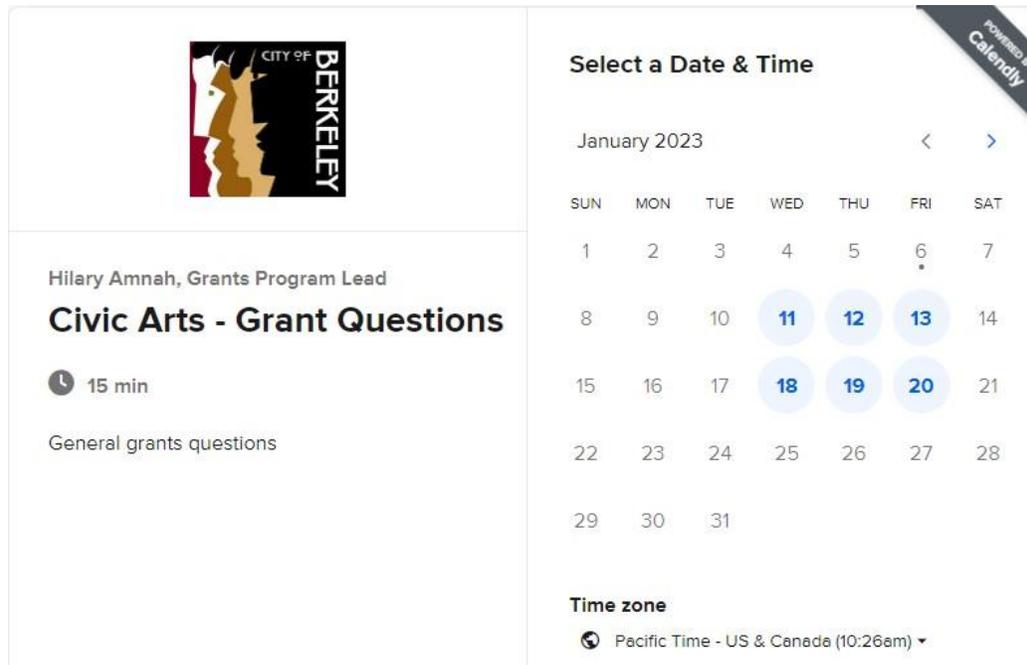
Values-Driven Grant Review Criteria

- Program values are evident through weighted application review criteria
- Cultural Equity criterion appears program-wide in all grant categories
 - Individual Arts Projects: 30%
 - Community Festivals: 25%
 - General Operating Support: 25%
 - Capital Projects: 25%
 - Arts Programs: 25%



SF Bay Brazilian Day & Lavagem Festival, FY21 Festival Grantee

Technical Assistance and Capacity Building



The screenshot shows a Calendly booking interface. On the left, the host's name is Hilary Amnah, Grants Program Lead, and the event title is 'Civic Arts - Grant Questions' with a 15-minute duration. The event description is 'General grants questions'. On the right, a calendar for January 2023 is displayed with dates 11, 12, 13, 18, 19, and 20 highlighted in blue. A 'powered by Calendly' logo is in the top right corner of the calendar area. Below the calendar, the time zone is set to 'Pacific Time - US & Canada (10:26am)'.

- Civic Arts staff available to answer questions related to grant applications, payment procedures, and reporting
- Every grant cycle, grant application workshops for each category (live and recorded)
- Transparent panel process (Applicants invited to application review panel)
- Panelist comments consultation with Civic Arts staff

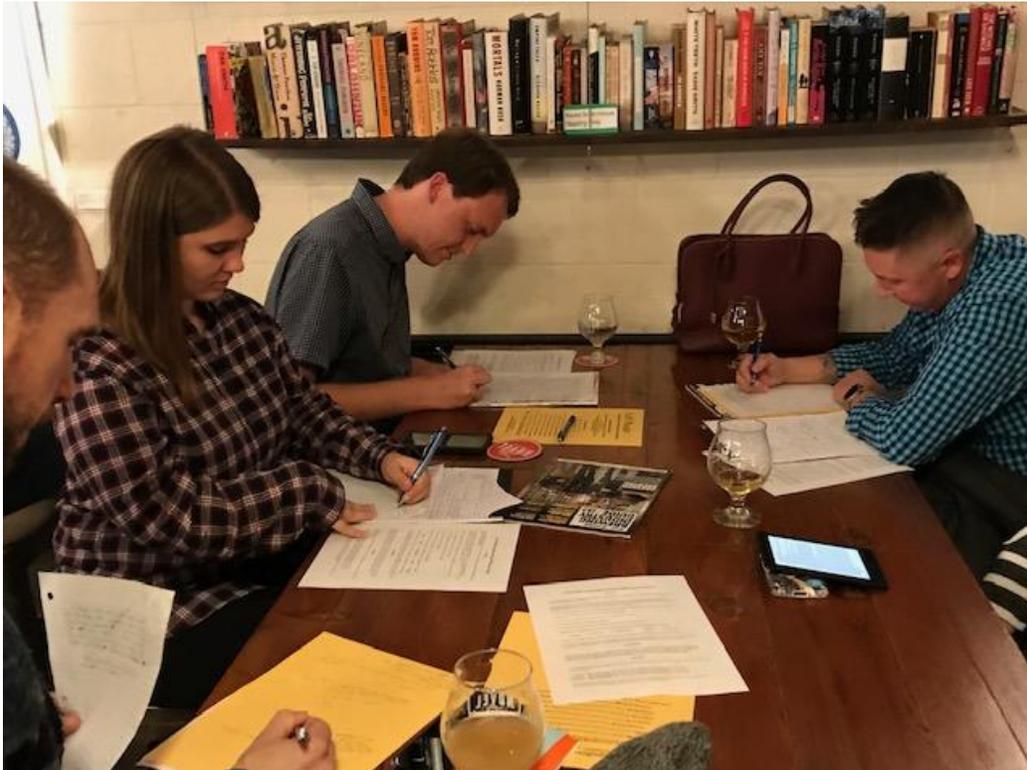
Grant Review Panelists

- Open call for grant review panelists
- Individuals in the greater Bay Area with diverse backgrounds in the cultural sector
- More than doubled panelist pool after successful recruitment
- Prioritization of individuals who are Black, Indigenous, and People of Color (BIPOC)
- Panelists are paid \$25 per application reviewed



Shotgun Players, FY22 Arts Organization Grantee

Internal Program Evaluation



Left Margin LIT, FY22 Arts Organization Grantee

- Continual evaluation of grants programs and processes
- Applicant experience survey
- Panelist survey and debriefing
- Applicant data tracked yearly and analyzed
- Improvements for next grants cycle

City of Berkeley

Civic Arts

Hilary Amnah (she/they)
Grants Program Lead

www.berkeleyca.gov/civic-arts

Questions

Chapter 23.316

PERCENTAGE FOR PUBLIC ART ON PRIVATE PROJECTS

Sections:

- 23.316.010 Chapter Purpose.**
- 23.316.020 Applicability.**
- 23.316.030 Definitions.**
- 23.316.040 General Requirements.**
- 23.316.050 Required Permits.**
- 23.316.060 In-Lieu Fees.**
- 23.316.070 Administrative Regulations (Guidelines).**

23.316.010 Chapter Purpose.

The purpose of this chapter is to establish a public art requirement for private developments to provide the following benefits to the community:

- A. Maintain Berkeley's art and culture for generations.
- B. Recognize the vital importance of the arts to the city as a whole.
- C. Enhance the economic sustainability of artists and arts organizations as a key to the vitality of the city.
- D. Make a lasting contribution to the intellectual, emotional and creative life of the community at large, and to create a more desirable community to live, work, and recreate. (Ord. 7787-NS § 2 (Exh. A), 2021)

23.316.020 Applicability.

- A. *Districts.* This chapter applies in all districts in Berkeley.
- B. *Uses.* This chapter applies to:
 - 1. New multifamily residential projects of five or more dwelling units;
 - 2. New commercial structures; and
 - 3. New industrial structures.
- C. *Project Size.* This chapter applies to all construction of building additions exceeding 10,000 square feet.
- D. *Exceptions.* This chapter does not apply to the following project types:

1. Multifamily housing that has a regulatory agreement with a government agency restricting the rent and limiting tenancy to qualifying households not exceeding specified incomes for at least 60 percent of the units.
2. Buildings with religious assembly uses as defined in Chapter [23.502](#) (Glossary) and buildings with arts and cultural uses. For purposes of this section, "arts and cultural use" means buildings that have as their primary purpose the presentation of one or more cultural resources, and that are operated by public entities or nonprofit organizations dedicated to cultural activities available to a broad public.
3. Transitional housing. (Ord. 7787-NS § 2 (Exh. A), 2021)

23.316.030 Definitions.

A. *Terms Defined.* Terms used in this chapter are defined as follows:

1. *Artist.* An individual independent professional practitioner of the visual, performing, or literary arts, as judged by educational qualifications, a history of creating a body of public or publicly-displayed artwork, critical recognition in publications or online, a record of exhibitions and/or artwork sales. Members of the design team are not artists for on-site publicly accessible art projects. Individuals who have a conflict of interest, including a familial or financial relationship to the developer or design team, are not artists for on-site publicly accessible art projects.
2. *Construction Cost.* The amount determined by the Chief Building Official for purposes of setting the building permit fee in accordance with the most recent building valuation date specified in the building permit fees section of the resolution establishing fees and charges as adopted by the City Council.
3. *Developer.* A person or entity that is financially and legally responsible for the planning, development and construction, or maintenance and operation of any project subject to this chapter.
4. *On-Site Publicly Accessible Art.* An original work by an artist, including, but not limited to, functional art integrated into the building, landscape, or element of infrastructure, including sculpture, monument, mural, painting, drawing, photography, fountain, banner, mosaic, textile, art glass, digital media art, video, earthworks and multi-media installation, that is in a location that is accessible to and available for use by the general public during normal hours of business operation consistent with the operation and use of the premises.
5. *Guidelines.* The guidelines adopted by the City Council pursuant to Section [23.316.070](#) (Administrative Regulations (Guidelines)).

B. *Terms Not Defined.* Terms not defined in this section shall be interpreted to give this chapter its most reasonable meaning and application, consistent with applicable state and federal law. (Ord. 7787-NS § 2 (Exh. A), 2021)

23.316.040 General Requirements.

Developers subject to this chapter shall do one of the following:

- A. Include on-site publicly accessible art valued at 1.75 percent of the construction cost. If the value of on-site publicly accessible art as installed is less than 1.75 percent of the construction cost, an amount equal to 80 percent of the difference in value shall be paid to the City as an in-lieu fee.
- B. Pay an in-lieu fee to the City of 0.80 percent of the construction cost. (Ord. 7787-NS § 2 (Exh. A), 2021)

23.316.050 Required Permits.

- A. *Subject to Laws and Regulations.* On-site publicly accessible art is subject to, and shall comply with, all applicable City ordinances and laws and regulations of other governmental agencies.
- B. *Permits Must Be Obtained.*
 - 1. Before construction, the applicant shall identify and secure all applicable permits from the Building and Safety Division, Public Works Department and other affected City divisions and departments.
 - 2. The process for identifying and securing required permits shall be set forth in the Guidelines. (Ord. 7787-NS § 2 (Exh. A), 2021)

23.316.060 In-Lieu Fees.

- A. *Alternative to On-Site Art.* As an alternative to providing on-site publicly accessible art, the developer may elect to pay an in-lieu fee to the City as set forth in this section.
- B. *Use of Fees.* Any in-lieu fees paid to the City pursuant to this chapter shall be used for art and cultural services as set forth in the Guidelines.
- C. *Amount of Fee.* The in-lieu fee shall be 0.80 percent of the construction cost.
- D. *Time of Payment.* The in-lieu fee shall be paid at the same time as other building permit fees. (Ord. 7787-NS § 2 (Exh. A), 2021)

23.316.070 Administrative Regulations (Guidelines).

- A. *Adoption of Guidelines.* The Civic Arts Commission shall recommend and the Council, by resolution, shall adopt guidelines for the administration and implementation of this chapter.

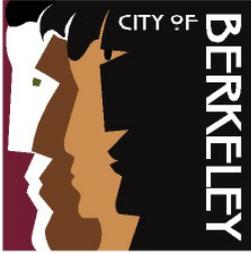
B. *Determining Compliance with Guidelines.* The Civic Arts Commission shall be responsible for determining if On-Site Publicly Accessible Art complies with the Guidelines. (Ord. 7787-NS § 2 (Exh. A), 2021)

The Berkeley Municipal Code is current through Ordinance 7910-NS, passed May 21, 2024.

Disclaimer: The City Clerk's Office has the official version of the Berkeley Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.berkeleyca.gov](http://www.berkeleyca.gov)

[Hosted by General Code.](#)



Civic Arts Program

MEMORANDUM

TO: Civic Arts Commission
FROM: Jennifer Lovvorn, Civic Arts Program
DATE: April 15, 2024
SUBJECT: Implications of Amending the Public Art on Private Development Requirement

The Public Art on Private Development Requirement, Berkeley Municipal Code (BMC) 23.316 (Attachment 1), requires that developers do one of the following:

- A. Include on-site publicly accessible art valued at 1.75 percent of the construction cost. If the value of on-site publicly accessible art as installed is less than 1.75 percent of the construction cost, an amount equal to 80 percent of the difference in value shall be paid to the City as an in-lieu fee.
- B. Pay an in-lieu fee to the City of 0.80 percent of the construction cost.

This requirement applies to:

- New multifamily residential projects of five or more dwelling units
- New commercial structures
- New industrial structures
- All construction of building additions exceeding 10,000 square feet

The following project types are exempt from the requirement:

- Development projects where at least 60 percent of the units are affordable housing
- Buildings with religious assembly uses or nonprofit arts/cultural uses
- Transitional housing

Making any changes to the Public Art Requirement that could be construed as “establishing, increasing, or imposing” a fee would require a nexus fee study to achieve compliance with the state’s Mitigation Fee Act. Development impact fees are imposed on specific development projects to defray the cost of new or additional public facilities that are needed to serve these requirements—here, the public facility is public art. Any action “establishing, increasing, or imposing” a development impact fee that is imposed as a condition of approval of a development project by a local agency is subject to the state Mitigation Fee Act. Its

requirements include preparing a nexus fee study that shows a “reasonable relationship” between the fee and the cost the development imposes on the community. This requirement also includes annual reporting and the nexus study must be conducted again every eight years.

Examples of changes to the Public Art Requirement that may require a nexus fee study include:

1. An increase in the amount of the “percent for art” would qualify as “establishing, increasing, or imposing,” a fee.
2. Changes in applicability such that developers who previously were not subject to it now would be. For example, expressly making buildings that are classified as Group Living Accommodations subject to the art requirement (when they currently are not) would likely require a nexus study first because it would constitute an “increased” fee.
3. Similarly, any other changes to the applicability section (BMC 23.316.020) may result in a change to the basis upon which the fee is calculated and therefore result in an “increased” fee. For example, making changes to language to bring consistency between this requirement and other City requirements, such as the applicability threshold of “five or more dwelling units” to square feet to align with the affordable housing in-lieu fee.
4. Adding another option to allow developers to designate a percentage of construction cost to build non-profit arts venue space would also likely constitute a new or increased fee for the purposes of the state Mitigation Fee Act.
5. Similarly, amending the Public Art Requirement such that it only imposes a fee and does not offer the developer a choice between a public art installation or an in-lieu fee would likely require the City to conduct a nexus fee study.



Parks, Recreation and Waterfront Commission

CONSENT CALENDAR

June 25, 2024

To: Honorable Mayor and Members of the City Council
 From: Parks, Recreation and Waterfront Commission
 Submitted by: Claudia Kawczynska, Chairperson
 Subject: Allocation of funds for a Nexus Study to develop a Parks Impact Fee for new developments

RECOMMENDATION

To provide for the foreseeable new park and recreation needs generated by the City's assigned (RHNA) population growth, the Parks, Recreation and Waterfront Commission recommends that the City Council allocate \$100,000 to fund a Nexus Study, in the FY24/25 Budget, as a first step toward adopting a Parks Impact Fee for new developments.

FINANCIAL IMPLICATIONS

Most Californian cities charge Parks Impact Fees on new development, which generate millions of dollars to mitigate the park needs created by population growth. While a Parks Impact Fee can be established by legislative action, an Impact Study (Nexus) is required.

For example, a modest impact fee of \$5,000 per unit would generate \$0.5M/per new 100 units. If such a fee had been in place in 2022 when the City approved plans for nearly 900 homes, a Parks Impact Fee would have generated \$4.5 million in single year. Thus, any delay is making this upfront investment of \$100,000 to fund a Nexus Study will result in the loss of millions in future funding for our parks!

CURRENT SITUATION AND ITS EFFECTS

A. Berkeley's Parks Service Standards Are Below Average

The City of Berkeley currently maintains a parks service standard of 2 acres of parks per 1,000 residents. This standard was adopted in the 1977 "Master Plan" and has been incorporated in the City's General Plan guidance ever since; most recently in the City's 2002 Open Space Plan, which is significantly out of date. Furthermore, Berkeley's 2 acres/1,000 residents fails to meet the Quimby Act's base standard of 3 acres/1,000 residents.

The City of Berkeley’s 2 acres/1000 park service standard is below average in comparison to comparable municipalities. The below table shows that Berkeley’s standard is significantly lower than Fremont, Sacramento, Los Angeles, and Fresno..

City	Parks Acres/1000 residents
Fremont	5
Sacramento	5
Los Angeles	4.2
Fresno	3
Berkeley	2

B. Population Growth’s Impact on Parks

Berkeley’s current population is 122,580. Based on the Regional Housing Needs Assessment (RHNA) assigned to Berkeley by the Association of Bay Area Governments (ABAG), Berkeley must accommodate the addition of 8,934 new residential units between 2023-2031. This new growth will bring Berkeley’s population to 140,935 by 2040. To meet Berkeley’s policy goal of 2 acres/1,000 residents would require 52 acres of new parkland by 2040.

C. Berkeley’s Current Parks Taxes Insufficient is to Meet Future Needs

The existing City Parks tax of \$0.213/ft2 is needed primarily for maintenance of existing park facilities and is insufficient to cover major capital improvements or property acquisition for new parks. Thus, the City’s current parks taxes are not intended or expected to address the impacts of residential and employee population growth.

D. Parks Impact Fees Mitigates Growth Impacts on Parks

Each of the Cities in Table 1 has a parks impact fee, which is charged to new development to mitigate the impact of new growth (residents and employees) on parks infrastructure. Park impact fees may be used to pay for park land, park improvements, community centers, recreation facilities, trails, open space, and etc.

Santa Monica, a city to which Berkeley often compares itself, currently charges the following park impact fees:

- Single Family Residential – \$9,092 per unit
- Multi-Family Residential – Studio/1 Bedroom - \$4,927 per unit
- Multi-Family Residential – 2+ Bedrooms - \$7,936 per unit
- Retail \$1.78 per square foot
- Office \$2.75 per square foot
- Medical Office \$1.51 per square foot
- Lodging \$3.71 per square foot
- Industrial \$1.55 per square foot

In FY 2021-22, the City of Santa Monica collected \$1,952,613 in parks impact fees and expended \$944,782 from its improvement fund.

The City of Berkeley does not have a parks impact fee. By way of information, Berkeley does have a “Percent for Art Policy” that assesses a fee [BMC 23.316], which applies to multi-family residential development and commercial developments and requires on-site artwork values at 1.75% of construction costs: or an in-lieu valued at 0.8% of the construction costs: or combination of the two.

D. Procedure for Adopting a Parks Impact Fee

Adopting a Parks Impact Fee does not require a vote of the people, and it can be approved by City Council action after complying with the Mitigation Fee Act and conducting requisite public hearings. A Parks Impact Fee would be charged only on new development. Accordingly, it would provide a way for new growth to contribute a “fair share” to address the parks infrastructure need created by that growth.

The process for adopting impact fees is well-established. The principal requirement is the preparation of a “Nexus study.” Nexus studies are typically prepared by well-established professional consulting firms with expertise in municipal finance and real estate issues. After completing the nexus study, the final step is to determine and adopt a fee for each land use through the legislative process, after evaluating local policy and financial considerations, and deciding how the impact fee program will be implemented. This step includes an evaluation regarding whether fees should be charged at or below the maximum nexus fee amount and how the impact fee program will be implemented, including how fees may be annually adjusted.

E. Summary

Berkeley is not keeping up with its *modest* park service standard. As the City’s residential and employee population grows—as it must grow as the City responds to its Regional Housing Needs Allocation—Berkeley’s parks infrastructure will foreseeably fall further behind. Berkeley is an outlier in terms of its being a densely urbanized area that has not adopted a Parks Impact Fee.

Adopting a Parks Impact Fee will require a meaningful allocation of resources (i.e., funding of a nexus study) as well as a commitment of staff time from PRW, Planning and Economic Development and resources to support the preparation of the nexus study. However, it is well established that new development may be asked to pay for its “fair share” of the cost attributable to the increased demand for public facilities: the City Council has the legal authority to adopt a Parks Impact Fee (and has adopted other impact fees); and that—considering Berkeley’s projected growth—meaningful funding to meet the needs of that growth would be generated by a Parks Impact Fee.

CITY MANAGER

The City Manager takes no position on the recommendation contained in this report.

COMMISSION

At a regular meeting on May 8, 2024, the Parks, Recreation and Waterfront Commission M/S/C to approve recommendation and designate Abshez, Kawczynska, and Wozniak to present PRW Commission at City Council meeting re: budget: (M/S/C: Cox/Hurtado/U) Ayes: Cox; Diehm; Hurtado; Kawczynska; Lee; Ranuzzi; Wozniak; Noes: None; Absent: Abshez.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONAL FOR RECOMMENDATION

See body of report.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Roger Miller, Secretary, Parks, Recreation and Waterfront Commission, 510-981-6704
Claudia Kawczynska, Chairperson, Parks, Recreation and Waterfront Commission

FY25 Grant-Funded Community Festivals: July 2024 - October 2024

Festival	Description	Start Date	Website	District(s)
San Francisco Mime Troupe "Free Shows in the Parks" Berkeley	"Free Shows in the Parks" embody San Francisco Mime Troupe's commitment to accessible and thought-provoking and empowering social change theater.	7/1/2024	https://www.sfmt.org	District 8 District 4 District 5 District 1
Telegraph Second Sundays	FREE Summer Festival every Second Sunday with live music, entertainment and activities, boosting economic activity for brick-and-mortar businesses and vendors.	7/14/2024	https://www.telegraphberkeley.org/	District 7
North Shattuck Summer Block Party Series	Celebrate summer in Berkeley – local music, artisan vendors, barbecue, wine and beer. Outdoors on historic Vine Street at Shattuck	7/27/2024	https://www.northshattuckassociation.org	District 4 District 5
The Berkeley Aquatic Park Youth Festival: A Bike and Boat Parade	Berkeley youth will decorate bikes and boats to participate in a parade at in the Berkeley Aquatic Park	8/3/2024	https://watersideworkshops.org/	District 2
The Front Row Music and Arts Festival (FRMAF)	The FRMAF is a day long celebration of music and the arts in Berkeley, held in Downtown on 2 stages.	8/24/2024	downtownberkeley.com	District 4
Forgotten Frontlines: World War II's Asia-Pacific Theater and the Road to Partition	An artistically curated audio visual exhibit installation, combined with regional folk music, teach audiences about forgotten WWII histories finally found.	8/31/2024	https://www.1947partitionarchive.org	District 4 A portion of the Festival will take place outside of Berkeley
SF Bay Brazilian Day & Lavagem Festival 2024	Free community festival featuring a day long celebration of African Brazilian music and dance	9/1/2024	brasarte.com	District 1
Family Empowerment Conference	Celebrating Black Children with Disabilities	9/14/2024	www.familyresourcenavigators.org	Unsure at this time
Berkeley Maqam Festival: Cross-Roots and Encounters	Maqam Music Concerts, Basics Drum Workshop, Basics Dance Workshops, Children's Space , Culinary Activations, Craft+Art Vendors, Intentional Community Space	9/20/2024	anatolianarts.org	District 5
EBCLC Community Open House & Celebration	EBCLC is committed to actualizing community power by hosting a civic engagement festival celebrating artistic diversity and encouraging voter registration.	9/26/2024	ebclc.org	District 3
Ho'ōla Nā Leo: Celebrating Hawaiian Sound Healing	Hawaiian traditional sound healing, encompassing various aspects of this ancient practice, including the use of voice, drums, and rattles.	9/28/2024	holistichonu.com	District 1
Comunidad En La Placita	The Berkeley Latino Heritage Month Celebration	9/28/2024	https://www.instagram.com/unidxs_berkeley/	District 4
Watershed Environmental Poetry Festival	The annual Watershed Environmental Poetry Festival inspires engagement with the natural world through poetry, literature, live music, and environmental commentary.	10/5/2024	https://poetryflash.org/programs/?p=watershed	District 4 District 1

32nd Annual Indigenous Peoples Day Powwow and Indian Market	Free to the public open-air Bay Area Native American Powwow and Artist Market	10/12/2024	https://www.ipdpowwow.org/	District 4
Capoeira: Our Life-Giving Waters	The Afro-Brazilian art form of capoeira will be shared in its cultural richness - martial arts, dance, and music.	10/18/2024	https://berkeleycapoeira.com/festival	District 1
Community Music Day	Community Music Day is Crowden's annual musical carnival featuring an Instrument Petting Zoo, face painting, crafts, and concerts for all!	10/20/2024	https://www.crowden.org/	District 1
Dia de los Muertos	Music, Crafts for youth, Live entertainment, Community resources, Food and Merchandise vendors	10/26/2024	riseyouth.org	District 4 A portion of the Festival will take place outside of Berkeley



Draft Minutes
Civic Arts Commission Meeting
Wednesday, June 26, 2024
6:00 PM

Meeting Location: Tarea Hall Pittman South Branch Library
1901 Russell St, Berkeley, CA 94703

Agenda

- 1. CALL TO ORDER:** 6:03 PM
- 2. ROLL CALL**
Commissioners Present: Anno, Blecher, Bullwinkel, Covarrubias, Crandall (Arrived 6:22 PM), Passmore, Pineda, Woo
Commissioners Absent: Ibarra
Staff Present: Hilary Amnah, Grants Program Lead; Jennifer Lovvorn, Commission Secretary/Chief Cultural Affairs Officer; Mark Salinas, Public Art Program Lead
Members of the public present: 4
- 3. LAND ACKNOWLEDGEMENT**
- 4. PUBLIC COMMENT** (for items not on the agenda): None
- 5. CHAIR'S REPORT**
 - a) Appreciation for Commissioner Matthew Passmore's service on the Civic Arts Commission
 - b) Mildred Howard sculpture ribbon cutting event
 - c) Review of Commission meeting protocol changes announced last month
 - d) Reminder: Upcoming Civic Arts Commission Retreat on September 15, 2024 and retreat planning
- 6. PRESENTATIONS, DISCUSSION & ACTION ITEMS** (All items for presentation, discussion and possible action)

- a) **Action Item:** Approval of Design Development Phase of Artwork for the West Service Center by Lara Kaur
M/S/C (Woo/Crandall) to approve Design Development Phase of Artwork for the West Service Center by Lara Kaur.
Vote: Ayes — Anno, Blecher, Bullwinkel, Covarrubias, Crandall, Passmore, Pineda, Woo; Nays — None; Abstain — None; Absent — Ibarra.
Public Comment: None
- b) **Discussion:** FY25 Community Festivals and Arts Programs Grant Process Memo
Public Comment: None
- c) **Action:** FY25 Community Festivals Grant Awards
M/S/C (Bullwinkel/Covarrubias) to approve FY25 Community Festivals Grant Awards Scenario 1 and 2.
Vote: Ayes — Anno, Blecher, Bullwinkel, Covarrubias, Crandall, Passmore, Pineda, Woo; Nays — None; Abstain — None; Absent — Ibarra.
Public Comment: None
- d) **Action:** FY25 Arts Programs Grant Awards
M/S/C (Bullwinkel/Crandall) to approve FY25 Arts Programs Grant Awards.
Vote: Ayes — Anno, Blecher, Bullwinkel, Covarrubias, Crandall, Passmore, Pineda, Woo; Nays — None; Abstain — None; Absent — Ibarra.
Public Comment: None
- e) **Action:** Approval of Commission Subcommittees and Subcommittee members
M/S/C (Anno/Woo) to approve Subcommittees and members as follows:
- Grants: Dana Blecher (Chair), Lisa Bullwinkel, and Cameron Woo.
 - Public Art: Modesto Covarrubias (Chair), Kim Anno, Cristina Ibarra, and Eduardo Pineda.
 - Policy Subcommittee: Kim Anno (Chair), Lisa Bullwinkel, and Cameron Woo.
 - Joint Subcommittee with Housing Advisory Commission: Kim Anno (Chair), Lisa Bullwinkel, Kathleen Crandall, and Cameron Woo.
 - Representative on Design Review Committee: Cameron Woo
- Vote: Ayes — Anno, Blecher, Bullwinkel, Covarrubias, Crandall, Passmore, Pineda, Woo; Nays — None; Abstain — None; Absent — Ibarra.
Public Comment: None

- f) **Discussion and Action:** Discussion of Potential Arts Ballot Measure and Approval of Letter to Council
M/S/C (Bullwinkel/Woo) to approve Arts Ballot Measure Letter to Council with Chair edits.
Vote: Ayes — Anno, Blecher, Bullwinkel, Covarrubias, Crandall, Passmore, Pineda, Woo; Nays — None; Abstain — None; Absent — Ibarra.
Public Comment: None
- g) **Discussion:** Berkeley Arts and Music Summit and Berkeley Cultural Trust
Public Comment: None
- h) **Discussion:** Report on Community Convening to Discuss a West Berkeley Arts & Culture District
Public Comment: None
- i) **Presentation:** State Designation Process for Cultural Districts
Public Comment: None
- j) **Presentation:** FY23 Artist Grantee Showcase Video
Public Comment: 2
- k) **Presentation:** FY24 Public Art Accomplishments
Public Comment: None
- l) **Action:** FY25 Civic Arts Commission Work Plan
M/S/C (Covarrubias/Passmore) to approve FY25 Civic Arts Commission Work Plan.
Vote: Ayes — Anno, Blecher, Bullwinkel, Covarrubias, Crandall, Passmore, Pineda, Woo; Nays — None; Abstain — None; Absent — Ibarra.
Public Comment: None

7. STAFF REPORT

- a) Grants Program Updates, Hilary Amnah
- b) Public Art Program Updates, Mark Salinas

8. COMMITTEE REPORTS

- a) Grants – Met on June 17, 2024 to discuss grant awards and annual work plan.
 - Dana Blecher, Chair
 - Lisa Bullwinkel

- Cameron Woo
- b) Public Art – Met on June 25, 2024 to discuss annual work plan.
 - Matt Passmore, Chair
 - Kim Anno
 - Cristina Ibarra
- c) Policy Subcommittee – No report
 - Kim Anno, Chair
 - Lisa Bullwinkel
 - Cameron Woo
- d) Joint Subcommittee with Housing Advisory Commission – Next meeting is June 27, 2024
 - Kim Anno, Chair
 - Lisa Bullwinkel
 - Cameron Woo
- e) Representative on Design Review Committee – Met on June 20, 2024.
 - Cameron Woo

9. COMMUNICATION (Received from the Public for Items not on the Agenda)

- a) None

10. APPROVAL OF MINUTES

- a) Action Item: M/S/C (Woo/Pineda) to approve Draft Minutes of May 22, 2024 Meeting.

Vote: Ayes — Anno, Blecher, Passmore, Pineda, Woo; Nays — None; Abstain — Bullwinkel, Covarrubias, Crandall; Absent — Ibarra.

11. ADJOURNMENT 9:06 PM

- a) Action Item: M/S/C (Bullwinkel/Woo) to adjourn.

Vote: Ayes — Anno, Blecher, Bullwinkel, Covarrubias, Crandall, Passmore, Pineda, Woo; Nays — None; Abstain — None; Absent — Ibarra.

Staff Contact:



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