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OFFICE OF THE CITY CLERK
OAKLAND
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AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Mark Sawicki
Director, EWD

SUBJECT: Caltrans Transportation Art Proposal
for Madison Street I-880 Underpass

DATE: December 21, 2018

City Administrator Approval

Date:

1/10/19

RECOMMENDATION

Staff Recommends That The City Council Adopt a Resolution Authorizing The City Administrator To: 1) Submit An Application And Enter Into An Agreement With The State Of California Department Of Transportation For The Sponsorship And Maintenance Of A Permanent Public Art Project Designed By The Artist Team Machinic LLC ("Future Cities Lab") For The 500 Block Of Madison Street, Under Interstate 880 Between 5th And 6th Streets, As Proposed And Funded By CP V JLS, LLC To Comply With Oakland Municipal Code Chapter 15.78 - Public Art Requirements For Private Development; And 2) Enter Into An Agreement With CP V JLS, LLC For Installation Of The Public Art Project And Ongoing Maintenance Responsibilities.

EXCUTIVE SUMMARY

Oakland Municipal Code (OMC) Chapter 15.78, Public Art Requirements for Private Development, require certain new development projects to include permanent public art or to satisfy the requirement through alternative means. To satisfy this requirement, CP V JLS, LLC proposes to install a permanent public art project referred to as "Light Cloud" on California Department of Transportation ("Caltrans") property adjacent to the private development. "Light Cloud", designed by Future Cities Lab, is an illuminated art installation proposed for Madison Street under Interstate 880 between 5th and 6th Streets in the Jack London Square Neighborhood.

A City Council resolution is required to authorize the City Administrator to submit a Caltrans Transportation Art application to install the artwork on Caltrans property, and to enter into an intergovernmental agreement with Caltrans for ongoing maintenance of this project.

At its meeting of March 5, 2018, the Public Art Advisory Committee (PAAC) voted unanimously to recommend that the City Council approve the proposed permanent public artwork. A copy of the Design Proposal approved by the PAAC is included as **Attachment A**.

Item: _____
CED Committee
January 15, 2019

BACKGROUND / LEGISLATIVE HISTORY

In December 2014, the City Council adopted a new requirement for public art in private development (Ordinance No. 13275 C.M.S.). This original legislation requiring freely accessible public art for certain residential and commercial private development projects went into effect in February 2015. The legislation was amended in July 2017 to clarify specific requirements and allow for implementation of projects in the Public Right of Way within a ¼ mile of the development site (Ordinance No. 13443 C.M.S.). The legislation was further amended in June 2018 to allow projects to be realized on public property under the jurisdiction of other agencies, in accordance with their terms and through other alternative means of compliance (Ordinance No. 13491 C.M.S.). Projects currently proposed for locations outside the development site are required to meet previously established Public Art Program and PAAC criteria for artworks in the Public Right of Way, in addition to any City-related building and encroachment permitting requirements.

As now codified in OMC Section 15.78.070, "Contribution Requirements," included as **Attachment B**, a developer, subject to City approval, may satisfy the public art requirement through alternative means, by installing art on nearby property owned by other public agencies, if the City finds that: 1) the alternative equivalent proposal will further the purposes of the requirement; 2) the cost of the alternative equivalent will be equal to or greater than the cost of the public art contribution that would otherwise be required; and 3) the developer has established to the satisfaction of the City that the alternative equivalent will create freely accessible public art in the City to an equal or greater extent than installation on the development site or payment in lieu of fees. Additionally, the PAAC may recommend reasonable conditions of approval requiring a developer to enter into agreements with the City or other public agencies to memorialize the legal obligations of all parties involved.

CP V JLS LLC's 4th and Madison Project Proposal

For the 4th and Madison development project at 150 and 155 4th Street, CP V JLS LLC selected Future Cities Lab through a competitive process facilitated by Oakland based Community Design and Architecture (CD+A) and art consultants Helene Fried Associates to develop the light-based work for the Public Right of Way.

The City's current private development requirement is for nonresidential development to contribute 1.0 percent and residential development to contribute 0.5 percent of building development costs for public art. The current proposal complies with these requirements, as documented in **Attachment A**. Building construction is underway and scheduled to be completed by the end of 2018. The applicant will be required to obtain a Temporary Certificate of Occupancy until the artwork requirement is completed.

The PAAC provided preliminary conceptual design approval on January 8, 2018. CP V JLS LLC subsequently convened a community meeting on January 25, 2018, at the project site to present the concept and solicit community feedback. Future Cities Lab presented its design approach and strategies for addressing the existing challenges. Community support for making improvements to the underpass was very positive. Documentation of that meeting is included in **Attachment A**.

Caltrans Transportation Art Proposal Requirements

The proposed location is under Caltrans jurisdiction. If approved, this proposal will also require approval and permitting by that agency. Caltrans requires the local government entity, in this case the City of Oakland, to be the applicant for all Transportation Art proposals for state property, as outlined in their Transportation Art guidelines. Due to current Caltrans requirements for Transportation Art Projects, including ongoing maintenance, transfer of ownership and copyright, the applicants and Public Art Program staff consulted with City of Oakland Public Works, Department of Transportation and Planning and Building staff on the feasibility of this proposal prior to submittal. All representatives expressed enthusiasm for the concept and encouraged the applicants to submit a proposal for review.

Future Cities Lab and the consultant team refined the sculptural lighting designs to accommodate Caltrans' lighting requirements and in response to PAAC and community feedback. A revised design was presented to the PAAC on March 5, 2018, and approved unanimously.

If permitted by Caltrans, the artwork will be subsequently permitted by a City encroachment for improvements in the public right of way, and be maintained by CP V JLS LLC. A Transportation Art application for this project will be submitted by the City to Caltrans in early 2019.

Caltrans Maintenance Agreement Requirements

Additionally, Caltrans now requires a separate maintenance agreement for each proposed Transportation Art project. Caltrans' terms require the City to hold all maintenance responsibility for the artwork including, but not limited to: restoration or replacement of damaged artwork; removal of dirt, debris, graffiti, grown vegetation and weeds surrounding artwork and the immediate area City uses to access and maintain artwork; and removal of any harmful items or material on artwork in an expeditious manner. This includes graffiti removal, which must conform to applicable State policies and guidelines that require prompt removal of offensive messages and timely removal of all other graffiti, for the proposed lifespan of the artwork. Caltrans requires all work by or on behalf of the City to be done at no cost to the State. Finally, the City is required to remove artwork whenever, in the opinion of the State, it creates a maintenance or operational concern. Additionally, the requirements state that in the event the City fails to remove artwork in a timely manner, the State may remove artwork and bill the City for all costs of its removal and for the restoration of State owned areas to their original condition.

The City's policy through its Public Art Program regulations requires that art placed in the Public Right of Way under City responsibility make provision for ongoing maintenance of the artwork, which entails entering into agreements with artists and organizations establishing the artist/donor's responsibility to provide maintenance and upkeep.

The proposed resolution authorizes the City Administrator to enter into an agreement with CP V JLS LLC by which they will be required to provide proof of liability insurance to meet Caltrans and City requirements, obtain and comply with any City and State permits that may be required to perform the work, and assume responsibility for ongoing maintenance, cleaning, and restoration of the artwork. The Agreement will also provide for how and when the artwork will be

removed or replaced at the end of its lifespan, and which is tied to the building development lifespan.

ANALYSIS AND POLITY ALTERNATIVES

The Madison Street I-880 underpass adjacent to CP V JLS LLC's Jack London 4th & Madison project is a primary means of connection between the Jack London district and Chinatown, Lake Merritt, and the Lake Merritt BART Station. Throughout the day and night, residents and employees of the Jack London district walk and bike through this space. During the building design approvals process for the project community members, neighbors, members of the Planning Commission, and elected representatives all encouraged CP V JLS LLC to find a way to enhance the adjacent underpass. This location provides a unique opportunity to use public art to create broad community benefit by humanizing the space. CP V JLS LLC has embraced this opportunity to make its project's public art contribution have a broader community impact than just enhancing its own property, and seeks to take advantage of the new provision of the City's Public Art Requirement for Private Development Ordinance to allow the art to transform the daily experience of the broader Jack London, Chinatown, and Oakland community.

This proposal is intended to meet the public art requirement for the development project. If the project cannot be realized to comply with the Public Art Requirement for Private Development Ordinance, Oakland building codes and Caltrans requirements, CP V JLS LLC has the option to propose an alternate artwork and/or location, or to make an in-lieu contribution to the Public Art Project Account, prior to issuance of a final Certificate of Occupancy from the City.

FISCAL IMPACT

No fiscal impact is anticipated by the City other than staff processing and review time not otherwise covered by allowable fee recovery. CP V JLS LLC has committed to covering all permitting and facilitation costs associated with the project, as documented in the City's Master Fee Schedule. The negotiation of agreements and preparation of application materials for projects to be placed on Caltrans property necessitate facilitation and coordination with multiple City departments, including the City Administrator, City Attorney, Economic and Workforce Development, Planning and Building, Public Works and the Department of Transportation. The required public art for private development budget, based on total building development costs, is calculated at \$367,535 for the two addresses at 150 and 155 4th Street.

PUBLIC OUTREACH / INTERESTS

CP V JLS LLC convened a community meeting on January 25, 2018, at the project site to present the concept and solicit community feedback. Future Cities Lab presented its design approach and strategies for addressing the existing challenges. Community support for making improvements to the underpass was very positive. Documentation of that meeting is included in the attached applicant proposal packet (**Attachment A**). The conceptual proposal was presented to the PAAC at its regular meeting in Hearing Room 4 of City Hall on January 8,

2018, and the final design proposal was presented and approved unanimously at the regular PAAC meeting on March 5, 2018.

COORDINATION

This report has been prepared by staff in the Cultural Affairs Division of Economic and Workforce Development. As the first Public Art for Private Development Alternative Compliance submittal, this proposal has been coordinated with the Office of Councilmember Gibson-McElhaney, Department of Transportation, Planning and Building Department, and Public Works Department.

SUSTAINABLE OPPORTUNITIES

Economic: Working with an art budget of \$367,535, CP V JLS LLC will make an investment in the City's public space at no cost to the City. The investment will make the streetscape and surrounding community more attractive for future business and development.

Environmental: This project will provide needed investment at the project site by improving a freeway underpass currently perceived as unsafe and unhygienic.

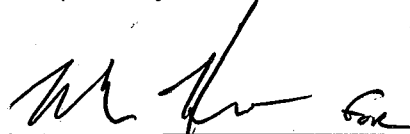
Social Equity: The Public Art requirement for freely accessible artwork provides equal access to the enjoyment and experience of the work by all residents and visitors to the underpass.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt a Resolution Authorizing the City Administrator To: 1) Submit An Application And Enter Into An Agreement With The State Of California Department Of Transportation For The Sponsorship And Maintenance Of A Permanent Public Art Project Designed By The Artist Team Machinic LLC ("Future Cities Lab") For The 500 Block Of Madison Street Under Interstate 880 Between 5th and 6th Streets, As Proposed and Funded by CP V JLS, LLC To Comply with Oakland Municipal Code Chapter 15.78 - Public Art Requirements for Private Development; And 2) Enter Into An Agreement With CP V JLS, LLC For Installation of the Public Art Project And Ongoing Maintenance Responsibilities.

For questions regarding this report, please contact Kristen Zaremba, Public Art Coordinator at 510-238-2155.

Respectfully submitted,



MARK SAWICKI

Director, EWD

Reviewed by:

Roberto Bedoya, Cultural Affairs Manager
Economic & Workforce Development
Department

Prepared by:

Kristen Zaremba, Public Art Coordinator
Cultural Affairs Division

Attachments (2):

- A: Public Art Program and Advisory Committee Design Proposal Review and Recommendation
- B. City of Oakland Municipal Code 15.78 Public Art for Private Development Requirements

**Cultural Affairs Division
Economic & Workforce Development Department**



ITEM IV AGENDA REPORT

To: Public Art Advisory Committee
 Attn: Allison Cummings and Bryan Cain, Co-chairs
 From: Kristen Zaremba, Public Art Program
 Date: March 5, 2018
 RE: Carmel Partners Public Art in Private Development Proposal for JLS 4th & Madison Project- 500 Block of Madison St., by artist team Jason Kelly Johnson and Nataly Gattegno (Future Cities Lab) - Design Review

SUMMARY

Staff requests the Public Art Advisory Committee (PAAC) review and provide comments on the revised designs developed by the artist team Jason Kelly Johnson and Nataly Gattegno (Future Cities Lab), proposed by Carmel Partners for the 500 block of Madison Street (an I-880 underpass) in the public right of way, adjacent to development sites at 150 and 155 4th Street, in accordance with City Ordinance 13443 O.M.S. for Public Art for Private Development.

BACKGROUND

The artist team Future Cities Lab (FCL) was selected for this project through a competitive process facilitated by Oakland based Community Design and Architecture (CD+A) and art consultants Helene Fried Associates.

The PAAC provided preliminary conceptual design approval on January 8, 2018. Carmel Partners subsequently convened a community meeting on January 25th, 2018 at the project site to present the concept and solicit community feedback. FCL presented their design approach and strategies for addressing the existing challenges. Community support for making improvements to the underpass was very positive. Documentation of that meeting is included in the attached packet.

As previously discussed, the proposed location is under California State Transportation Agency (Caltrans) jurisdiction. If approved, this proposal will also require approval and permitting by that agency. Due to current Caltrans requirements for Transportation Art Projects, including transfer of ownership and copyright, staff have recommended that the project be presented to Caltrans as a supplemental lighting enhancement. The applicants and Public Art Program staff have consulted with representatives from Caltrans, and subsequently with City of Oakland Public Works, Department of Transportation and Planning and Building staff, on the feasibility of this approach. All representatives expressed enthusiasm for the concept and have encouraged the applicants to submit a proposal for review.

City representatives from the Department of Transportation and Carmel Partners met with Caltrans staff on February 16, 2018 to review the proposal and Caltrans criteria for Pedestrian Safety Lighting. Discussions regarding Caltrans' final determination for permitting purposes are underway.

FCL and the consultant team have refined the sculptural lighting designs to accommodate Caltrans' lighting requirements and in response to PAAC and community feedback. A revised design is now being presented to the PAAC.

Cultural Affairs Division
Economic & Workforce Development Department



If permitted as a lighting project by Caltrans, the artwork will be permitted through a "p-job" permit for improvements in the public right of way, and remain the property of and be maintained by Carmel Partners. An agreement for ongoing maintenance for the artwork placed in the Public Right of Way will be developed after design approval, prior to installation. If Caltrans will not consider as a lighting project, the City must determine if there is another means to meet Caltrans' Transportation Art project requirements for the project to be realized.

The proposal was designed to comply with the public art in private development requirement, and the City requirement that public art projects intended for placement on City property be reviewed and approved by the Public Art Program and Public Art Advisory Committee prior to proceeding with all other City permitting requirements.

The City's current private development requirement is for nonresidential development to contribute 1.0 percent and residential development to contribute 0.5 percent of building development costs for public art. The current proposal complies with these requirements, as documented in the submittal included here. Building construction is underway and scheduled to be completed by the end of 2018.

If the project cannot be realized to comply with the all the Oakland Public Art Ordinance, Oakland building codes and Caltrans requirements, the applicants have the option to propose an alternate artwork and/or location, or to make an in-lieu contribution to the Public Art Project Account, prior to issuance of a Certificate of Occupancy from the City.

ACTION REQUESTED

The Public Art Advisory Committee is asked to review and provide comments, and/or approve with conditions, the revised public art designs proposed by artist team Jason Kelly Johnson and Nataly Gattegno (Future Cities Lab) proposed by Carmel Partners for the 500 block of Madison Street (an I-880 underpass) in the public right of way, adjacent to development sites at 150 and 155 4th Street, in accordance with City Ordinance 13443 O.M.S. for Public Art for Private Development; and to authorize staff to proceed with facilitation of the proposal and development of a draft agreement for ownership responsibilities and ongoing maintenance of artwork placed in the Public Right of Way.

Respectfully submitted,

Kristen Zarembo, Public Art Coordinator

**Cultural Affairs Division
Economic & Workforce Development Department**



**Public Art Advisory Committee
(PAAC)
March 5, 2018
Minutes**

Members Present: Bryan Cain (co-chair), Allison Cummings (co-chair), Jennifer Kessler, Yulia Pinkusevich, Patricia Cariño Valdez*

Excused: Charmin Roundtree-Baaqee, Chris Treggiari

Absent:

Staff Present: Kristen Zarembo, Public Art Coordinator; Roberto Bedoya, Cultural Affairs Manager

Guests: Helene Fried, Jason Kelly Johnson, Thomas Kronmeyer, Brian McKinney, Greg Pasquali

Meeting Chair: A. Cummings

*Indicates partial attendance

1. Meeting called to order at 5:33 p.m.
2. **Open Forum.**
3. **Minutes: B. Cain moved to approve the minutes of the January 8, 2018 Public Art Advisory Committee meeting. J. Kessler seconded. Motion passed unanimously.**
4. **Action Item: Carmel Partners (Applicant) - Future Cities Lab (Artists) - JLS 4th & Madison (150 and 115 4th Street) Public Art in Private Development Proposal for the 500 block of Madison Street (between 5th and 6th, beneath I-880) / Public Right of Way - Design Review.** Public Art Coordinator Kristen Zarembo introduced the item, noting City representatives and applicant Carmel Partners representative Greg Pasquali have continued to explore the best avenue for realization of the project, and referred PAAC members to the staff report. Pasquali and Future Cities Lab team member Jason Kelly Johnson provided design development updates for their proposal *Lightcloud*, including design modifications made to address Caltrans, City and PAAC comments made since the PAAC's conceptual design review in January. PAAC acknowledged and complimented the team's work invested in the design refinement process, and asked for clarity on Caltrans' requirements, review and permitting timelines, and project schedule. They noted the installation of the project would be a great asset for the underpass. Committee members continued to express their concerns with Caltrans' requirements for artist's projects, noting Caltrans is not supportive of artists' rights and the PAAC's priority to maintain the integrity of the ordinance. G. Pasquali noted that if needed, any proposed revisions to the ordinance to allow the project should articulate a high

threshold for authorization of such a proposal, including authorization by the Public Art Advisory Committee and City Council. J. Kelly Johnson acknowledged the PAAC concerns, noted the artists have consulted with their attorneys regarding the circumstances, and feel positive about the project conditions and their working relationship with Carmel. Committee members requested updates on any minor design revisions realized and inclusion of a formal maintenance program, including maintenance cost estimates, as part of the City – Applicant agreement. **Motion: J. Kessler moved to approve the final design proposal for the JLS 4th & Madison Project, designed by Future Cities Lab. Y. Pinkusevich seconded. Motion passed unanimously.**

5. **Informational Item: Collections Management Updates- Removal of Long-Term Loan, “Two” Sculptures by Rudy Serra, located on the Lake Merritt – Oakland Estuary Channel.** K. Zaremba reported that the Oakland Museum conferred with artist Rudy Serra regarding the removal of the sculpture, which has been at the channel site since the 1982 temporary exhibition coordinated by the City and the Museum. Due to the sculpture’s condition, the artist chose not to take possession of the work, which will be discarded by the General Contractor currently working on site. Committee members noted the City should request proof of destruction, to confirm no remnants of the work remain, and reasserted that the PAAC and the City should always authorize removal of work, just as they authorize placement of work, on City property.
6. **Informational Item: Staff Updates on Pending Projects and Program Activity**
 - a. MacArthur Gateway Arches Design Development –Staff continue to work on final contract approvals. The artist will work on design refinement once the contract is final.
 - b. Public Art in Private Development Updates – In addition to the Carmel Partners proposal, K. Zaremba continues to work with Building and Planning staff and the department director to track all projects in a comprehensive manner. In the interim, staff are available to answer questions about projects on a case by case basis.
 - c. Measure DD Bond Project Updates- Lakeside Green Streets, Garden Gates, Channel and Estuary – K. Zaremba met with the Lakeside Green Streets artists Wowhaus and McGuire and Hester, the contractor, on site to locate the sculpture and discuss installation coordination. Shawn Lovell’s garden gates are coming along. Staff will bring documentation from a studio inspection and recommendations for the gate finish to a future PAAC meeting.
 - d. The Department of Transportation (DOT) and Public Art staff have worked together to refine the artwork design review parameters for all proposals while being mindful of the equity and access goals for the project. Some staff turnover at DOT has necessitated
7. **Discuss Item: PAAC Recruitment- Current Committee Members Expertise.** PAAC members continue to be encouraged to submit candidate resumes. Nominations will be forwarded for formal review at the next meeting. Staff and committee members discussed the City’s Boards and Commissions requirements, and the desire to have a thoughtful discussion about vetting and prioritizing candidates to create a diverse candidate pool and committee.
8. **Discussion Item: Downtown Specific Plan Community Meeting Outcomes.** Committee members discussed their impressions of the meeting, and the range of perspectives from the

broader arts community, and a greater awareness of the resources Visit Oakland receives from the City for promotional purposes, and the value of highlighting the broader arts community as a part of the outreach and marketing.

9. Announcements:

10. Agenda Building: Staff updates on Pending Projects and Program Activity; PAAC recruitment. Paint the streets Department of Transportation program proposals.

11. Adjournment: P. Cariño Valdez moved to adjourn the meeting at 7:34. Y. Pinkusevich seconded. Motion passed unanimously.

www.oaklandculturalarts.org



February 16, 2018

Kristen Zaremba
Cultural Affairs Division, Economic and Workplace Development
City of Oakland
1 Frank Ogawa Plaza, 9th Floor
Oakland, CA 94612

RE: Supplemental Packet Checklist – Public Art for Private Development

Dear Ms. Zaremba,

In preparation for the Public Art Advisory Committee (PAAC) Meeting on March 8, 2018 please find an introduction to a proposed public art project and the Supplemental Packet of Checklist Items attached as required and in compliance with City Ordinance No. 13443 O.M.S. Public Art Requirements for Private Development.

The Madison Street I-880 underpass adjacent to Carmel Partners' Jack London 4th & Madison project is a primary means of connection between the Jack London district and Chinatown, Lake Merritt, and the Lake Merritt BART Station. Throughout the day and night, residents and employees of the Jack London district walk and bike through this tunnel to get into and out of the district. During the approvals process for the project, a number of community members, neighbors, members of the Planning Commission, and elected representatives all encouraged Carmel Partners to find a way to enhance the adjacent underpass. What was described as a "tunnel of yuck" by Mayor Libby Schaaf provides a unique opportunity to use public art to create broad community benefit by humanizing the space. Carmel Partners has embraced this opportunity to make it's project's public art contribution have a broader community impact that just enhancing its own property, and seeks to take advantage of the new provision of the City's art ordinance to allow the art to transform the daily experience of the broader Jack London, Chinatown, and Oakland community.

I have attached the following information and documents for your review:

- Checklist Item #1 – Project Address and Applicant Details
- Checklist Item #2 – Updated Construction Valuation and Art Allocation
- Checklist Item #3 – Preliminary Art Budget, Phase I
- Checklist Item #4 – Value of Artwork


Attachment A- Madison St. Underpass Public Art Design Proposal 1-15-19

- Checklist Item #5 – Artist Resume
- Checklist Item #6 – Artist Contract Design Development
- Checklist Item #7 – Visual Proposal
- Checklist Item #8 – Project Site Plan etc.
- Checklist Item #9 – Artist Statement, Description of Proposed Artwork
- Checklist Item #10 – Materials and Methods
- Checklist Item #11 – Maintenance Plan
- Checklist Item #12 – Planning and Building Documentation
- Checklist Item #13 – Community Outreach
- Checklist Item #14 – Timeline

Required documents pertaining to projects proposed for right of way will be submitted

Please contact me with any questions and thank you for your assistance.

Sincerely,


FOR CTP ✓ JLS LLC

Checklist #1: Project Address and Carmel Partners Details

Project Name: JLS 4th and Madison

Project Address: 150 and 155 4th street.

Art Project Address: 500 block of Madison Street (between 5th and 6th, beneath I-880)

Project Carmel Partners: CP V JLS, LLC

Checklist #2: Updated Construction Evaluation and Art Allocation

Updated Construction Evaluation:

- Building A: \$49,765,812
- Building B: \$23,743,966

Art Allocation:

- 0.5%: \$367,549

See Attachment A (Project Worksheets for verification of above figures)

Checklist #3: Updated Working Budget Including Consultant Fees

Project Budget Summary	
Consultant Fees	\$67,535 (CD+A, Helene Fried Associates)
Public Art Selection Process (Artist Finalist Honoraria)	\$10,000 (5-Artist Finalists honoraria \$2,000.each)
Artist Fee for Design, Fabrication, and Installation	Total \$290,000 (see following page for additional detail)
GRAND TOTAL	\$367,535

See following page for additional budget details related to the Design, Fabrication and Installation of the proposed art project.

FUTURE CITIES LAB

2/16/2018

Artist: Future Cities Lab (prepared by Jason Kelly Johnson & Nataly Gattegno)
JLS 4th and Madiscon Underpass Public Art, Oakland, CA

WORKING BUDGET FOR PUBLIC ART

Total Artwork Budget	\$ 290,000.00
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All Project Phases	% per task	Budget
(Task 1) Artist Fee - Concept Design	3.00%	\$ 8,700.00
(Task 2) Artist Fee - Artist Schematic Design	4.00%	\$ 11,600.00
(Task 3) Artist Fee - Artist Design Development	4.00%	\$ 11,600.00
(Task 4) Artist Fee - Construction Documents	4.00%	\$ 11,600.00
(Task 5) Fabrication	34.00%	\$ 98,600.00
(Task 6) Site Foundation & Electrical	17.00%	\$ 49,300.00
(Task 7) Installation & Close-out	13.00%	\$ 37,700.00
(Task 8) Operational / Close-out	3.00%	\$ 8,700.00
Engineering, Electrical Subcontractors	3.00%	\$ 8,700.00
Contingency	15.00%	\$ 43,500.00
Grand Total	100.00%	\$ 290,000.00

Artist Fees (Task 1-4)	15%	\$ 43,500.00
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Checklist #4: Value of Artwork (sited per Public Art Ordinance)

Artist fee and artwork value: \$290,000.

Checklist #5: Artist Resumes

Future Cities Lab is an Experimental Art and Design Studio operating globally.

Since 2005, founders Jason Kelly Johnson and Nataly Gattegno have collaborated on a range of cutting-edge projects exploring the intersections of art and design with public space, performance, advanced fabrication technologies, robotics, and responsive building systems. Future Cities Lab is an award-winning interdisciplinary studio employing an adventurous team of interaction designers, architects, technologists, lighting designers, digital craftspeople, urban ecologists and more.

Also see Attachment B.

Checklist #6: Artist Contract

For the mobilization and concept development phase of the art project Carmel Partners has taken Future Cities Lab under contract through Carmel's current contract for consulting services on this project with Community Design + Architecture (CD+A). The contract that committed the necessary funds for this first phase of the project was added to CD+A's amended contract and was signed on 1/18/2018.

When the proposed art project moves into the final design, fabrication, and installation phases, Carmel Partners is committed to entering into a direct contract with Future Cities Lab.

Checklist #7: Visual Proposal

See Attachment C – Sheets A-002 and A-101

Checklist #8: Proposed Site Plan, Site Photos, and Project Mock-Up

See Attachment C – Sheets A-010, A-011, and A-900

Checklist #9: Artist Statement and Description of Proposed Artwork

See Attachment C – Sheet A-002

Roles and Responsibilities: Future Cities Lab (Artist) will be responsible for all work on the conceptual and final design of the artwork. Future Cities Lab will also be responsible for the complete fabrication of the proposed artwork, site preparation, and transportation of the artistic elements to the site.

Checklist #10: Materials and Methods Plan

See Attachment C – Sheet A-50

Checklist #11: Maintenance Plan

See Attachment D (Commitment Letter from Carmel Partners and Artists' Maintenance Plan)

Checklist #12: Planning and Building Documentation Requirements

NOTE: This information will be provided as supplemental to this submittal as it becomes available later in the project.

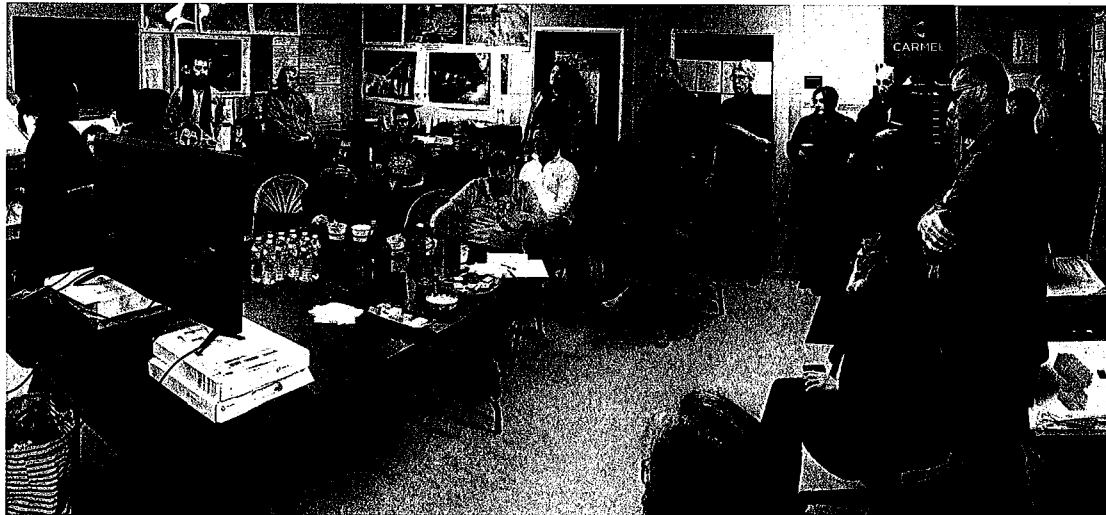
Caltrans Documentation: Some modifications were made to the initial design of the project presented at the January PAAC meeting based on comments provided by Caltrans during an informational pre-application meeting with the agency. Caltrans staff input included guidance on required clearances related to access hatches and other openings at the bottom of the bridge deck, the space between the top of the art fixtures and the bottom of the bridge deck, and the space between overpass support columns and art fixture foundations as well as the color of the lights used in the art project (no colors that resemble the colors used in traffic lights).

See Attachment C – Sheet A-50

Checklist #13: Community Outreach Documentation

Carmel Partners invited neighbors, business owners, and artists to a community outreach meeting that was held on January 25, 2017. In addition, Carmel Partners invited the staff and board of the Jack London Business Improvement District, the Jack London district arts advisory committee, the Chinatown Chamber staff and board, and the Home Owners Association, as well as others.

Supplemental Packet Checklist – Public Art for Private Development
I-880 Underpass at Madison Street Proposed Public Art Project



Following is an excerpt of some of the comments made and questions posed during the meeting that have and will continue to inform the design development of the art project:

- A representative from Chinatown reported that an increase in the overall lighting level is important to the communities Neighborhood Crime Prevention Council.
- Lighting during the day is important as well.
- Understand the different qualities and characteristics of lighting, illumination levels, and rendering of color.
- Coordinate the quality and brightness of light coming from the new fixtures with that from the existing light fixtures.
- Wondering about the possibility of replacing the existing fixtures with the new ones?
- The quality of light from the existing fixtures is not pleasing.
- Design for making the pathway a passage through the underpass without inviting lingering under the freeway structure.
- Question about who will take on the on-going maintenance.
- General support for the proposed art project and appreciation of Carmel having taken on such a complex undertaking.

Also see Attachment E (List of Attendees)

Checklist #14: Timeline

See Attachment F

ATTACHMENT A

Checklist #2: Updated Construction Evaluation and Art Allocation

Applications for which no permit is issued within 180 days shall expire by limitation. No refund more than 180 days after expiration or final.



CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA ■ 2ND FLOOR ■ OAKLAND, CA 94612

Planning and Building Department
www.oaklandnet.com

PH: 510-238-3891
FAX: 510-238-2263
TDD: 510-238-3254

Permit No: B1604005 **Non-Residential Building - New** **Filed Date:** 8/23/2016
Job Site: 180 4TH ST **Schedule inspection by calling:** 510-238-3444
Parcel No: 001 016100100
District:
Project Description: Construction of a new 238 apt for a new residential development located on the corner of 4th St and Jackson St
Related Permits: GR1600105

	<u>Name</u>	<u>Applicant</u>	<u>Address</u>	<u>Phone</u>	<u>License #</u>
Owner:	CP V JLS LLC		1000 SANSOME ST 180 SAN FRANCISCO, CA		
Owner-Agent:	CP V JLS LLC	X	1000 SANSOME ST 180 SAN FRANCISCO, CA	415-231-0221	

PERMIT DETAILS: Building/Non-Residential/Building/New			
General Information			
Green Code Checklist:	2	Sets Of Plans:	3
Surveys:	4	Report - Soil/Geotech:	2
		Structural Calculations:	2
		Energy Calculations (T24):	2
Building Information			
Building Use:	Parking Garage	Number Of Stories:	7
Occupancy Group:	S-2 Storage / Low Hazard	Fire Sprinklers:	Yes
Construction Type:	IA - Noncombustible construction; 3 Hour Fire Rating	Number Of Units:	238
		Floor Area (sq ft):	347443
		No. of Bedrooms:	295
		Conditioned Floor Area (sq ft):	255746
		Occupied Floor Area (Non-Res)(sq ft):	95803
Work Information			
Job Value:	\$49,765,182.00		

TOTAL FEES TO BE PAID AT FILING: \$2,079,464.64					
Address Fee	\$135.00	Application Fee	\$70.00	Bedroom Tax	\$29,500.00
CBSC	\$1,791.00	CITY CBSC	\$199.00	CITY SMIP	\$696.71
Certificate of Occupancy/Permit Related	\$705.00	Construction Site Monitoring	\$400.00	General Plan Surcharge	\$213,990.28
Inspection Fee	\$287,440.25	Parking Review	\$462.00	Plan Check - Routed	\$359,293.13
Process Coordination	\$8,622.98	Records Management Fee	\$172,156.11	SMIP	\$13,237.54
School Tax	\$841,229.33	School Tax - City	\$26,017.40	Site Plan Review - Plot Plan	\$658.00
Technology Enhancement Fee	\$95,138.91	Zoning Conditions of Approval	\$17,640.00	Zoning Inspection	\$10,082.00

APPLICANT
COPY

Record ID: B1604005

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Fee Calc. Factor: Job Value(Contractor)\$49,765,132.00 Fee Total \$2,079,464.64

Showing 1-21 of 21

Posting #	Fee Item	Fees	Status	Date	Assessed
<input type="checkbox"/> 2175943	Application Fee	\$70.00	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	CBSC	\$1,791.00	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	CITY CBSC	\$199.00	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	CITY SMIP	\$696.71	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	Certificate of Occupancy/Permit Related	\$705.00	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	Construction Site Monitoring	\$400.00	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	General Plan Surcharge	\$213,990.28	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	Inspection Fee	\$287,440.25	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	Parking Review	\$462.00	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	Plan Check - Routed	\$359,293.13	INVOICED	08/23/2016	
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<input type="checkbox"/> 2175943	Technology Enhancement Fee	\$95,138.91	INVOICED	08/23/2016	
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<input type="checkbox"/> 2175943	Zoning Inspection	\$10,082.00	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	Address Fee	\$135.00	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	Bedroom Tax	\$29,500.00	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	Process Coordination	\$8,622.98	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	School Tax	\$841,229.33	INVOICED	08/23/2016	
<input type="checkbox"/> 2175943	School Tax - City	\$26,017.40	INVOICED	08/23/2016	

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841,229.33 +
 26,017.40 +
 2,079,464.64 =
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Applications for which no permit is issued within 180 days shall expire by limitation. No refund more than 180 days after expiration or final.



CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA ▪ 2ND FLOOR ▪ OAKLAND, CA 94612

Planning and Building Department
www.oaklandnet.com

PH: 510-238-3891
FAX: 510-238-2263
TDD: 510-238-3254

Permit No: B1604010 **Non-Residential Building - New** **Filed Date:** 8/23/2016
Job Site: 431 MADISON ST **Schedule Inspection by calling:** 510-238-3444
Parcel No: 001 016100707
District:
Project Description: New construction for a 92 unit apartment complex, along with 2 retail spaces
Related Permits:

	<u>Name</u>	<u>Applicant</u>	<u>Address</u>	<u>Phone</u>	<u>License #</u>
Owner:	CP V JLS LLC		1000 SANSOME ST 180 SAN FRANCISCO, CA		
Owner-Agent:	Greg Pasquali	X	1000 Sansome St San Some, CA	415 231-0221	

PERMIT DETAILS: Building/Non-Residential/Building/New					
General Information					
Green Code Checklist:	2	Sets Of Plans:	3	Report - Soil/Geotech:	2
Surveys:	4	Structural Calculations:	2	Energy Calculations (T24):	2
Building Information					
Building Use:	Parking Garage	Number Of Stories:	7	Fire Sprinklers:	Yes
Occupancy Group:	S-2 Storage / Low Hazard	Number Of Units:	92	Floor Area (sq ft):	171879
Construction Type:	IA - Noncombustible construction; 3 Hour Fire Rating	No. of Bedrooms:	168	Conditioned Floor Area (sq ft):	124875
Work Information				Occupied Floor Area (Non-Res)(sq ft):	47004
Job Value:	\$23,743,966.00				

TOTAL FEES TO BE PAID AT FILING: \$1,026,356.52					
Address Fee	\$135.00	Application Fee	\$70.00	Bedroom Tax	\$16,800.00
CBSC	\$854.10	CITY CBSC	\$94.90	CITY SMIP	\$332.42
Certificate of Occupancy/Permit Related	\$705.00	Construction Site Monitoring	\$400.00	General Plan Surcharge	\$102,099.05
Inspection Fee	\$137,813.75	Parking Review	\$462.00	Plan Check - Routed	\$172,260.00
Process Coordination	\$4,134.18	Records Management Fee	\$84,970.69	SMIP	\$6,315.90
School Tax	\$410,864.88	School Tax - City	\$12,707.16	Site Plan Review - Plot Plan	\$658.00
Technology Enhancement Fee	\$46,957.49	Zoning Conditions of Approval	\$17,640.00	Zoning Inspection	\$10,082.00

APPLICANT
COPY

Record ID: B1604010

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Fee Calc. Factor: Job Value(Contractor)\$23,743,966.00 Fee Total \$1,026,356.52

Showing 1-21 of 21

Posting #	Fee Item	Fees	Status	Date	Assessed
2175953	Address Fee	\$135.00	INVOICED	08/23/2016	
2175953	Application Fee	\$70.00	INVOICED	08/23/2016	
2175953	Bedroom Tax	\$16,800.00	INVOICED	08/23/2016	
2175953	CBSC	\$854.10	INVOICED	08/23/2016	
2175953	CITY CBSC	\$94.90	INVOICED	08/23/2016	
2175953	CITY SMIP	\$332.42	INVOICED	08/23/2016	
2175953	Certificate of Occupancy/Permit Related	\$705.00	INVOICED	08/23/2016	
2175953	Construction Site Monitoring	\$400.00	INVOICED	08/23/2016	
2175953	General Plan Surcharge	\$102,099.05	INVOICED	08/23/2016	
2175953	Inspection Fee	\$137,813.75	INVOICED	08/23/2016	
2175953	Parking Review	\$462.00	INVOICED	08/23/2016	
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2175953	SMIP	\$6,315.90	INVOICED	08/23/2016	
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2175953	Site Plan Review - Plot Plan	\$658.00	INVOICED	08/23/2016	
2175953	Technology Enhancement Fee	\$46,957.49	INVOICED	08/23/2016	
2175953	Zoning Conditions of Approval	\$17,640.00	INVOICED	08/23/2016	
2175953	Zoning Inspection	\$10,082.00	INVOICED	08/23/2016	

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ATTACHMENT B

Checklist #5: Artist Resumes

RESUME

I-#880 MADISON STREET UNDERPASS
Carmel Partners

FUTURE CITIES LAB

Nataly Gattegno + Jason Kelly Johnson

2325 3rd St. #229, San Francisco, CA 94107

t: 415.255.4879, c: 434.466.6507, e: nataly@future-cities-lab.net, e: jason@future-cities-lab.net

w: www.future-cities-lab.net

+ Education

Nataly Gattegno:

2002 Master of Architecture, MArch, Princeton University

2000 Master of Arts, MA, Cambridge University, St Johns College, UK

1998 Bachelor of Arts, BA Honors, Cambridge University, St Johns College, UK

Jason Kelly Johnson:

2001 Master of Architecture, MArch, Princeton University

1995 Bachelor of Sciences, BSc, University of Virginia

+ Current / Forthcoming Public Art Installations

2020 St. James Park Levitt Pavilion, San Jose, CA [forthcoming]

2018 Lightstreams, MTA Arts + Design, Sea Beach Line Station Public Art, New York, NY [forthcoming]

2017 Chronosphere, Seoul Biennale of Architecture and Urbanism, Seoul, South Korea [currently on view]

2017 Lightweave: Interactive Public Art Installation, North Union Station Underpass, Washington DC

[forthcoming] 2017 Hyposwarm: Graphic Crosswalk, Yerba Buena Community Benefit District, San Francisco, CA

[forthcoming] 2015 Murmur Wall: Interactive Public Art Installation, Palo Alto City Hall, Palo Alto, CA [currently on view]

+ Recent Public Art Commissions

2017 Waveform, Metropolitan State University of Denver, Aerospace & Engineering Sciences Denver, CO

2017 Anemone: Sculptural Shade Canopy, Albany, CA

2016 Chronoscope 1, Soundwave Art Festival, Fort Mason, San Francisco, CA

2015 Data Lanterns: Interactive Public Art Installation, Market Street Prototyping Festival, San Francisco, CA

2014 Lightswarm: Interactive Façade Installation, Yerba Buena Center for the Arts, San Francisco, CA

2014 Datasprayer, Swiss Pavilion, Venice Biennale, Italy

2013 Hydraspan, Yerba Buena Center for the Arts, San Francisco, CA

2012 Datagrove, ZERO1 Biennial, San Jose, CA and artMRKT, Fort Mason, San Francisco, CA

2012 Hydramax, San Francisco Museum of Modern Art, San Francisco, CA

2011 Trilux Pavilion, Museum of Craft and Design, Hayes Valley, San Francisco, CA

2010 Xeromax Envelope, Pratt Gallery, New York, NY

2010 AURORA, Van Alen Institute, New York, NY

RESUME

I-#880 MADISON STREET UNDERPASS
Carmel Partners

+ Recent Private Art Commissions

- 2016 4480 Pixels In Space, Survey Monkey, San Mateo, CA
- 2015 Bitstream, Bitly, New York, NY

+ Recent Public Art Finalists

- 2016 Pomerene Hall Public Art, Ohio State University, Columbus, OH [finalist, ongoing]
- 2016 Assen Railway Integrated Public Art, Assen, Netherlands [finalist, ongoing]
- 2016 Montgomery Street Public Art, Fort Worth, TX [finalist, ongoing]
- 2016 Uber Mission Bay Headquarters Public Art, Uber, San Francisco, CA [finalist]
- 2016 Clemson University Lee III Interior Public Art, Clemson, SC [finalist]

+ Artist Pools

- 2017 2017 Seattle Office of Arts and Culture Public Artist Roster, WA
- 2017 2017/18 Prequalified Artist Pool: San Francisco Arts Commission, CA
- 2017 2017 Prequalified Artist Pool: Houston Art Alliance's, TX
- 2016 2016-2019 Art in Public Places Roster: Oregon Regional Arts & Culture Council, OR
- 2016 2016/2017 Prequalified Artist Pool: City of Palo Alto Public Art Program, Palo Alto, CA

+ Recent Community Engagement / Thought Leadership

- 2017 Association for Computer Aided Design in Architecture, President and Editorial Board
- 2016 Our City: Oakland, Oakland, CA: Advisory Committee
- 2015 Market Street Prototyping Festival, San Francisco, CA: Planning Committee / Neighborhood Captain
- 2014 Audi Innovation Research/California College of the Arts: Beyond Mobility Workshop, San Francisco, CA: Organizers

+ Solo Exhibitions

- 2010 The Aurora Project, Van Alen Institute, NY, curator: Jessica Blaustein
- 2007 Vivisys, Extension Gallery, Chicago IL, curator: Paola Palombo

+ Group Exhibitions

- 2017 Architectural Pavilions: Experiments and Artifacts, Museum of Craft and Design, San Francisco, CA, Curator: Mariah Nielson
- 2017 Luminairy, Art, Tech + Music Festival, San Francisco, CA
- 2015 Blueprint, Storefront for Art + Architecture, New York, NY, Curator: Sebastiaan Bremer & SO-IL 2015
Data Clay, Museum of Craft and Design, San Francisco, CA, Curators: Joshua G. Stein & Del Harrow
- 2014 Blueprint, Kunsthal KAdE, The Netherlands, Curator: Sebastiaan Bremer & SO-IL
- 2014 Bi-City Biennale of Urbanism / Architecture, Hong Kong, Curator: Colin Fournier
- 2013 Dissident Futures, Yerba Buena Center for the Arts, Curator: Betti-Sue Hertz
- 2012 Hydramax, in Utopian Impulse, San Francisco Museum of Modern Art, Curator: Jennifer Fletcher
- 2011 Aurora, in EcoRedux2: Design Manuals for a Dying Planet, Barcelona Design Museum, Curator: Lydia Kallipolitis
- 2011 Supergalaxy, in Architecture Models, Museum of Craft and Design, San Francisco, Curator: Mariah Nielson 2010
Xeromax Air, in BIODIVERCITY: 47 Important Ideas and Technologies for the Urban Environment,
The Australian Embassy Gallery, Washington DC, curator: Natalie Jeremijenko

RESUME

I-#880 MADISON STREET UNDERPASS
Carmel Partners

+ Group Exhibitions (cont.)

- 2010 Xeromax Envelope, in Envelope, Pratt Gallery, New York, Curator: Christopher Hight
- 2010 Aurora, in Research Through Making, University of Michigan, TCAUP
- 2010 Glaciarium, in Hong Kong / Shenzhen Biennale of Architecture and Urbanism, Curator: Marisa Yiu
- 2009 Desert Prototype, in PROTOTYPES, ROBOTS, DESERT ECOLOGIES, University of Michigan, TCAUP 2008
- GROW:DC, City of the Future Challenge, Union Station, Washington DC, curator: Cassey Jones 2006
- Energy Farm, in Build Boston Exhibition, Boston Society of Architects, Boston, MA
- 2005 Landscape of Variation, in Gallery Kwang, Seoul, S. Korea

+ Fellowships / Awards

- 2016 SXSW Eco Place By Design Interactive Art Award Finalist for Lightswarm
- 2016 Americans for the Arts 'Top 50 Public Artworks' for Murmur Wall
- 2016 Community Contribution Award, Robots in Architecture, Sydney, Australia
- 2016 Fast Company 2016 Innovation By Design Award: Spaces, Places & Cities Honorable Mention for Murmur Wall
- 2014 Smart City Award for Hydramax, Milan Design Week, Italy
- 2013 Emerging Architect, Monterey Design Conference, CA
- 2013 Americans for the Arts 'Top 50 Public Artworks' for Datagrove
- 2011 New York Prize, The Architectural League of New York
- 2010 Van Alen NY Prize Fellowship, Van Alen Institute, New York
- 2009 Muschenheim + Oberdick Fellowships, University of Michigan, TCAUP, Ann Arbor, MI

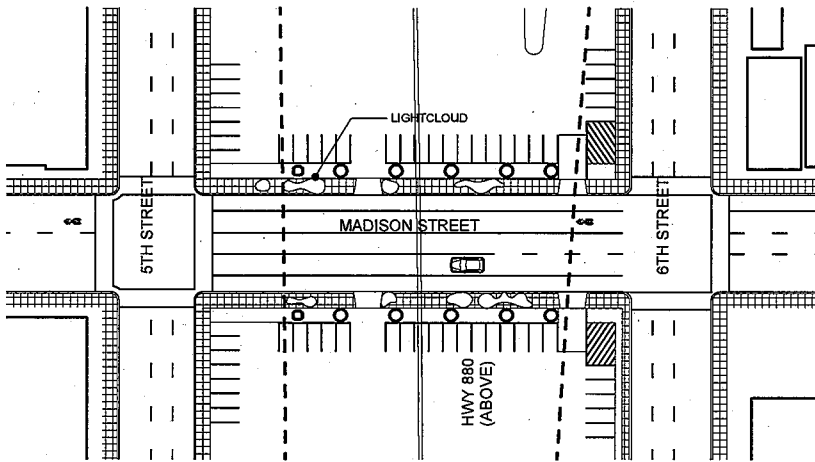
+ Select Lectures/Presentations/Conferences

- 2017 Machines of Loving Grace, Guest Speaker, UCLA, CA
- 2017 Primer Conference, Guest Speaker, Gray Area for the Arts, San Francisco, CA
- 2016 Meeting of the Minds, Invited Speaker, Richmond, CA
- 2016 Meeting of the Minds with Mayor Sam Liccardo, Invited Panelist, Cisco, San Jose, CA
- 2016 Designing For What We Don't Know Yet, Invited Speaker, SPUR, San Francisco, CA 2016
- Arup San Francisco Office 30th Anniversary, Invited Speaker, Arup, San Francisco, CA
- 2016 Rob | Arch 2016, Keynote Speaker, Robots in Architecture, Sydney, Australia
- 2015 Wired City Conference Keynote, Wired Magazine, Tokyo, Japan
- 2015 INST-INT Conference, Invited Speaker, Walker Art Center, Minneapolis, MN
- 2015 TYPO International Design Talks, Invited Speaker, San Francisco, CA
- 2015 Internet of Things Summit, San Francisco, CA
- 2014 A City of Intelligent Machines, lecture at Designers + Geeks, CA
- 2012 Association for Computer Aided Design in Architecture [ACADIA] Conference and Exhibition Chairs
- 2012 TEDx, Los Angeles, Fowler Museum, UCLA
- 2012 Ecologics: Praxis Symposium, Storefront for Art+Architecture, NY

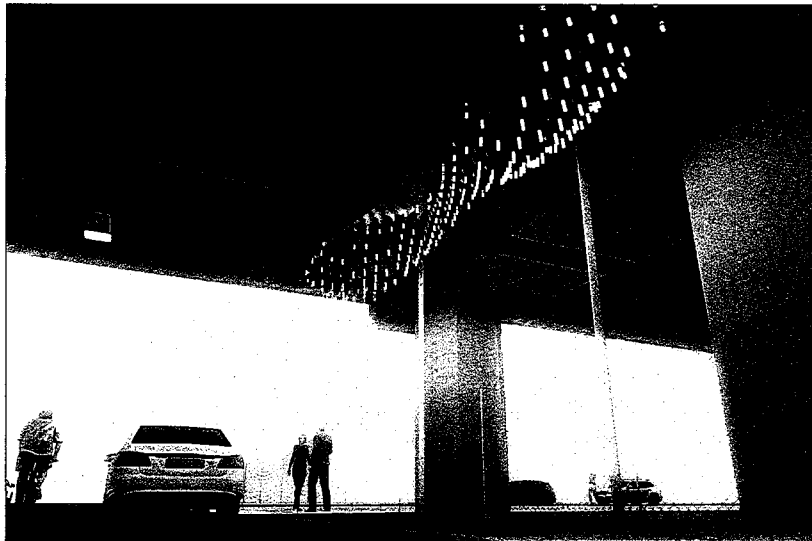
Future Cities Lab has lectured at: Princeton University; Architectural Association DRL, London; Cornell University; Illinois Institute of Technology; University of Pennsylvania; CalPoly; UC Berkeley among others.

ATTACHMENT C

Proposed Art Project



01 SITE PLAN - I-880 MADISON ST UNDERPASS, OAKLAND, CA
Scale: 1/32" = 1'-0"



LIGHTCLOUD

CONCEPTUAL DESIGN SET

TABLE OF CONTENTS

A-000 Cover & Table of Contents

DESIGN

- A-001 Artist Information
- A-002 Project Concepts
- A-010, 011 Proposed Site Plans and Elevations
- A-050 Axon - Typical, Proposed Materials
- A-100 Foundation Plan - Typical, Sidewalk Plan - Typical
- A-101 Reflected Ceiling Plan - Typical, LED Color Possibilities
- A-102 Framing Plan - Typical, Roof Plan - Typical
- A-201 Section - Typical
- A-501 Foundation Detail - Typical
- A-900 Site Photos

ELECTRICAL

- E-101 Site Electrical Diagram

GENERAL NOTES

1. Where the terms "approval equal", "equal to," or other general qualifying terms are used in these notes, it shall be understood that reference is made to the ruling and judgment of the architect.
2. The general contractor shall verify all dimensions and job conditions and shall report to the architect any discrepancies or omissions which would interfere with satisfactory completion of the project.
3. Unless otherwise noted, all dimensions shown are from centerline to centerline, centerline to face of the wall, or face of wall to face of wall.
4. Electrical, mechanical, (and) plumbing, and structural drawings are supplementary to the architectural drawings. Mechanical and electrical fixtures, fittings, outlets, etc. when shown on the architectural drawings are for location information only.
5. It shall be the responsibility of each contractor to check with the architectural drawings before the installation of their work. Any discrepancy between the architect and consulting engineer's drawings shall be brought to architect's attention.
6. Any work installed in conflict with the architectural drawing shall be corrected by the contractor at his expense and no expense to the owner.
7. The construction notes and/ or drawings are supplied to illustrate the design and general type of construction desired and are intended to imply the finest quality of construction, material and workmanship throughout. All errors, omissions and clarifications must be brought to the attention of the architect.
8. The general contractor shall maintain a current and complete set of construction drawings on site during all phases of construction for the use of trades.
9. The general contractor shall notify the architect of any discrepancies between the drawings, these notes, and field conditions before commencing any work and request clarification.
10. The location of the utilities shown on these plans are based on field observation and/or record drawings. The information shown is not necessarily complete and the location of the utilities shown in approximate. The contractor will verify the existence of all utilities in advance of conducting construction operations that could damage these utilities.
11. In the areas where proposed construction may conflict with existing utilities, the contractor will take all necessary precautions to avoid damage to the utilities.
12. Stated amounts are indicative and may be an approximate, and not exact amount. Determining amounts is the responsibility of the contractor.
13. In the technical description are generally known products. The contractor must take account of auxiliary equipment, finishes and neat connections.
14. The contractor must provide samples of all image-defining materials.
15. All steel structure that comes into view is to be held to high aesthetic requirements. All steel structure that comes into view is to be galvanized and painted.
16. All wiring and installation should be in accordance with either National Electric Code (NEC) or the NEPA 70.
17. The building/artwork/design shall be constructed in full compliance with all applicable codes, ordinances, and regulations as well as the drawings and specifications. Any code deficiencies in the drawings recognized by the contractor should be brought to the attention of the architect for clarification.

GENERAL NOTES

1. VERIFY ALL DIMENSIONS AND SITE DETAILS IN THE FIELD.
2. SHOP DRAWINGS SHOULD BE SUBMITTED BY CONTRACTOR FOR ALL TRACES INCLUDED BUT NOT LIMITED TO STRUCTURAL ELECTRICAL AND DATA.

LEAD ARTIST

FUTURE CITIES LAB
2325 3rd Street, Suite 229
San Francisco, CA 94107
Contact: Jason K Johnson
info@future-cities-lab.net
Phone: (415) 255-4679



GENERAL CONTRACTOR

STRUCTURAL ENGINEER

Benjamin Corolis
benjamin@darlingacornolis.com
(510) 604-6059

FABRICATOR

MACHINIC
2325 3rd Street
San Francisco, CA 94107

URBAN DESIGN CONSULTANT

CD+A
616 18th Street, Ste 420
Oakland, CA 94612
(510) 839-4568

Thomas Kronenmeyer
thomas@community-design.com

Helene Fried
hfassoc@earthlink.net

REVISION NOTES

PAAC MEETING #2
(03/16/2018)

PROJECT NAME

LIGHTCLOUD
SCULPTURAL STREET LIGHTING
I-880 Madison St Underpass
Oakland, CA

SHEET TITLE

COVER

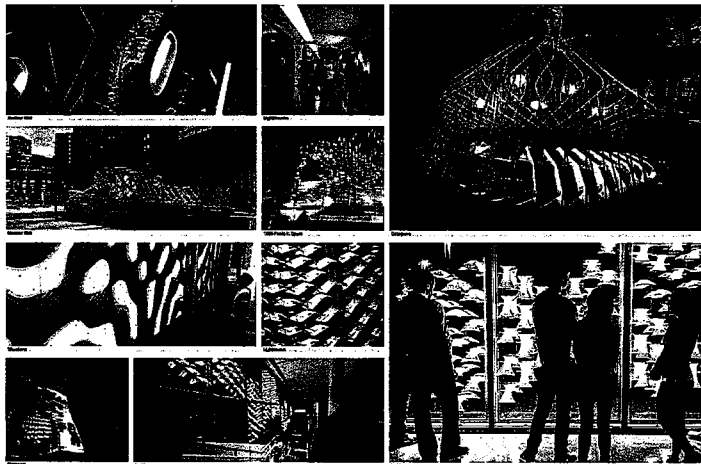
DRAWING SCALE

As noted on drawings
Sheet size: 24" X 36"

DATE ISSUED

18.02.18

A-000



A1 SECTION OF PROPOSED PROJECT BY ARTIST

PROPOSED PROJECT
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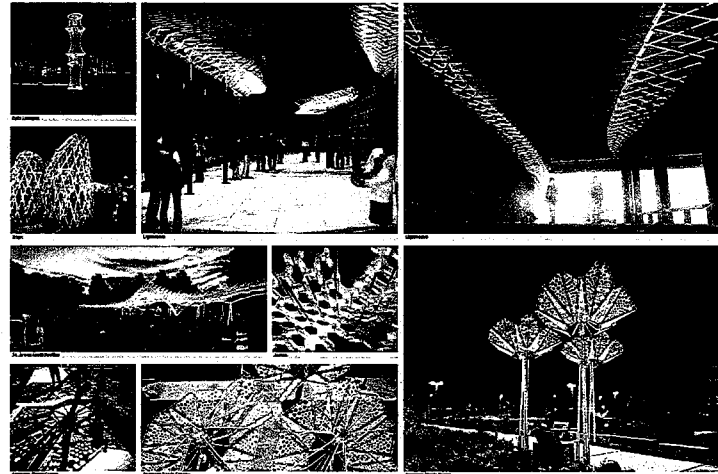
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ARTWORK - NOT FOR PUBLIC DISTRIBUTION

GENERAL NOTES

1. VERIFY ALL DIMENSIONS AND SITE DETAILS IN THE FIELD.
2. SHOP DRAWINGS SHOULD BE SUBMITTED BY CONTRACTOR FOR ALL TRACES INCLUDED BUT NOT LIMITED TO STRUCTURAL ELECTRICAL AND DATA.

LEAD ARTIST

FUTURE CITIES LAB
 2325 3rd Street, Suite 229
 San Francisco, CA 94107
 Contact: Jason K. Johnson
 <info@future-cities-lab.net>
 Phone: (415) 255-4879



GENERAL CONTRACTOR

STRUCTURAL ENGINEER

Benjamin Corolis
 benjamin@darfingacorolis.com
 (510) 604-6059

FABRICATOR

MACHINIC
 2325 3rd Street
 San Francisco, CA 94107

URBAN DESIGN CONSULTANT

CD+A
 610 16th Street, Ste 420
 Oakland, CA 94612
 (510) 838-6568

Thomas Kronenmayer
 thomas@community-design.com

Heleno Fried
 heleno@earthlink.net

REVISION NOTES

PAAC MEETING #2
 (03/16/2015)

PROJECT NAME

LIGHTCLOUD
 SCULPTURAL STREET LIGHTING
 I-880 Madison St Underpass
 Oakland, CA

SHEET TITLE

ARTIST INFORMATION

DRAWING SCALE

As noted on drawings
 Sheet size: 24" X 36"

DATE ISSUED

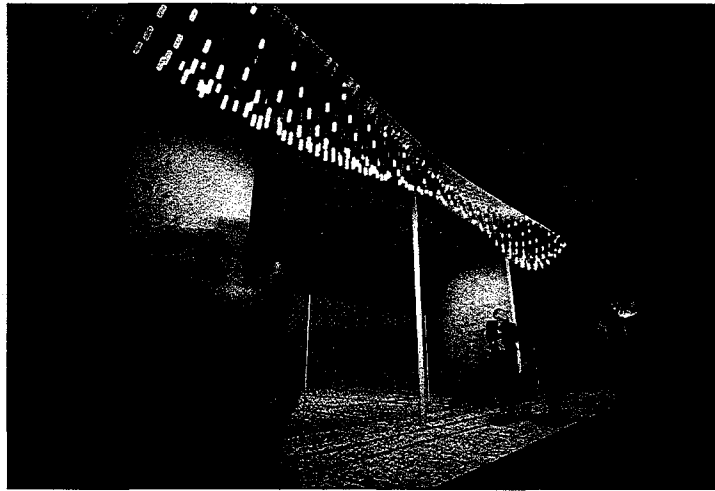
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A-001

ARTIST INFORMATION

FUTURE CITIES LAB IS AN EXPERIMENTAL ART AND DESIGN STUDIO OPERATING GLOBALLY OUT OF SAN FRANCISCO, CA.

Since 2005, founders Jason Kelly Johnson and Nataly Gattegno have collaborated on a range of cutting-edge projects exploring the intersections of art and design with public space, performance, advanced fabrication technologies, robotics, and responsive building systems. Future Cities Lab is an award-winning interdisciplinary studio employing an adventurous team of interaction designers, architects, technologists, lighting designers, digital craftspeople, urban ecologists and more.



A1 MAXIMIZING THE OVERALL AND QUALITY OF THE OVERPASS.

LIGHT CLOUD CREATES AN INTERACTIVE AND IMMERSIVE VISUAL EXPERIENCE FOR PEDESTRIANS WALKING ALONG MADISON ST BOTH DAY AND NIGHT

A011

GENERAL NOTES
 1. VERIFY ALL DIMENSIONS AND SITE DETAILS IN THE FIELD.
 2. SHOP DRAWINGS SHOULD BE SUBMITTED BY CONTRACTOR FOR ALL TRACES INCLUDED BUT NOT LIMITED TO STRUCTURAL ELECTRICAL AND DATA.

LEAD ARTIST
 FUTURE CITIES LAB
 2325 3rd Street, Suite 229
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REVISION NOTES
 PAAC MEETING #2
 (03/16/2018)

PROJECT NAME
LIGHTCLOUD
 SCULPTURAL STREET LIGHTING
 1480 Madison St Underpass
 Oakland, CA

SHEET TITLE
 PROJECT CONCEPTS

DRAWING SCALE
 As noted on drawings
 Sheet size: 24" X 36"

DATE ISSUED
 18.02.18

A-002



A2 MAXIMIZING THE OVERALL AND QUALITY OF THE OVERPASS.

VARIABLE INTENSITIES OF ILLUMINATION CREATE A MEDITATIVE, INTERACTIVE AND PLAYFUL EXPERIENCE FOR PEDESTRIANS.

A02

GENERAL NOTES
 1. VERIFY ALL DIMENSIONS AND SITE DETAILS IN THE FIELD.
 2. SHOP DRAWINGS SHOULD BE SUBMITTED BY CONTRACTOR FOR ALL TRACES INCLUDED BUT NOT LIMITED TO STRUCTURAL ELECTRICAL AND DATA.

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REVISION NOTES
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 (03/16/2018)

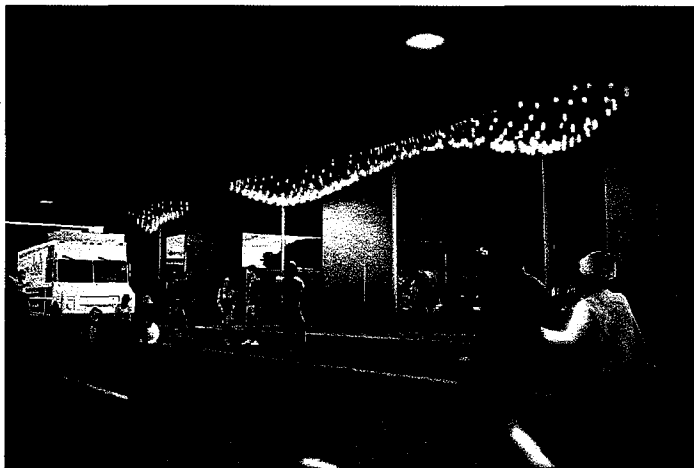
PROJECT NAME
LIGHTCLOUD
 SCULPTURAL STREET LIGHTING
 1480 Madison St Underpass
 Oakland, CA

SHEET TITLE
 PROJECT CONCEPTS

DRAWING SCALE
 As noted on drawings
 Sheet size: 24" X 36"

DATE ISSUED
 18.02.18

A-002



A3 MAXIMIZING THE OVERALL AND QUALITY OF THE OVERPASS.

THE ARTWORK WILL SERVE AS A CATALYST FOR UTILIZING THE UNDERPASS IN NEW WAYS. IT WILL ALSO CONTRIBUTE TO IMPROVE THE OVERALL LIGHTING QUALITY OF THE SPACE.

A013

GENERAL NOTES
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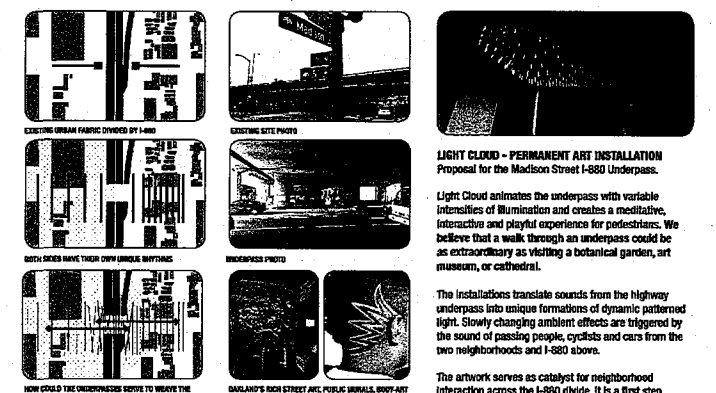
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A-002



EXISTING URBAN FABRIC DIVIDED BY I-880

EXISTING SITE PHOTO

LIGHT CLOUD - PERMANENT ART INSTALLATION
 Proposal for the Madison Street I-880 Underpass.

Light Cloud animates the underpass with variable intensities of illumination and creates a meditative, interactive and playful experience for pedestrians. We believe that a walk through an underpass could be as extraordinary as visiting a botanical garden, art museum, or cathedral.

The installations translate sounds from the highway underpass into unique formations of dynamic patterned light. Slowly changing ambient effects are triggered by the sound of passing people, cyclists and cars from the two neighborhoods and I-880 above.

The artwork serves as catalyst for neighborhood interaction across the I-880 divide. It is a first step towards weaving the neighborhood together.

Similar to the dancing motion of a Chinese celebration dragon, waves of light oscillate through Light Cloud. The quality and placement of lighting elements will also enhance safety and comfort. Ambient light levels can also be increased during the evening and will enhance the overall ambience of the area to ensure visibility and safety of pedestrians by motorists.

BOTH SIDES HAVE THEIR OWN UNIQUE HISTORY

INDOORSPHOTO

HOW COULD THE UNDERPASS SERVE TO WEAVE THE TWO COMMUNITED TOGETHER

OAKLAND'S HIGH STREET ART, PUBLIC MURALS, BODY ART

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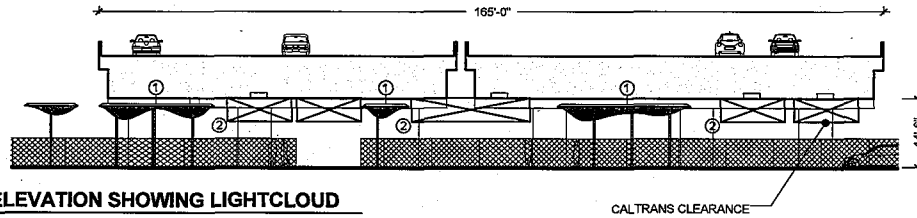
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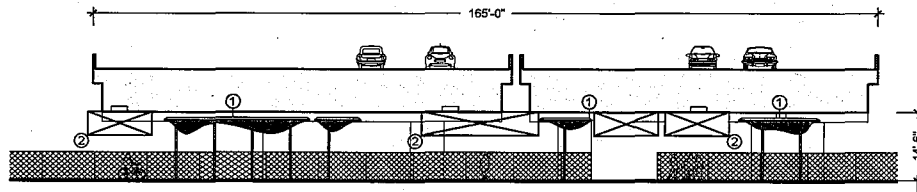
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A-002



03 WEST SITE ELEVATION SHOWING LIGHTCLOUD
Scale: 1" = 12'-0"

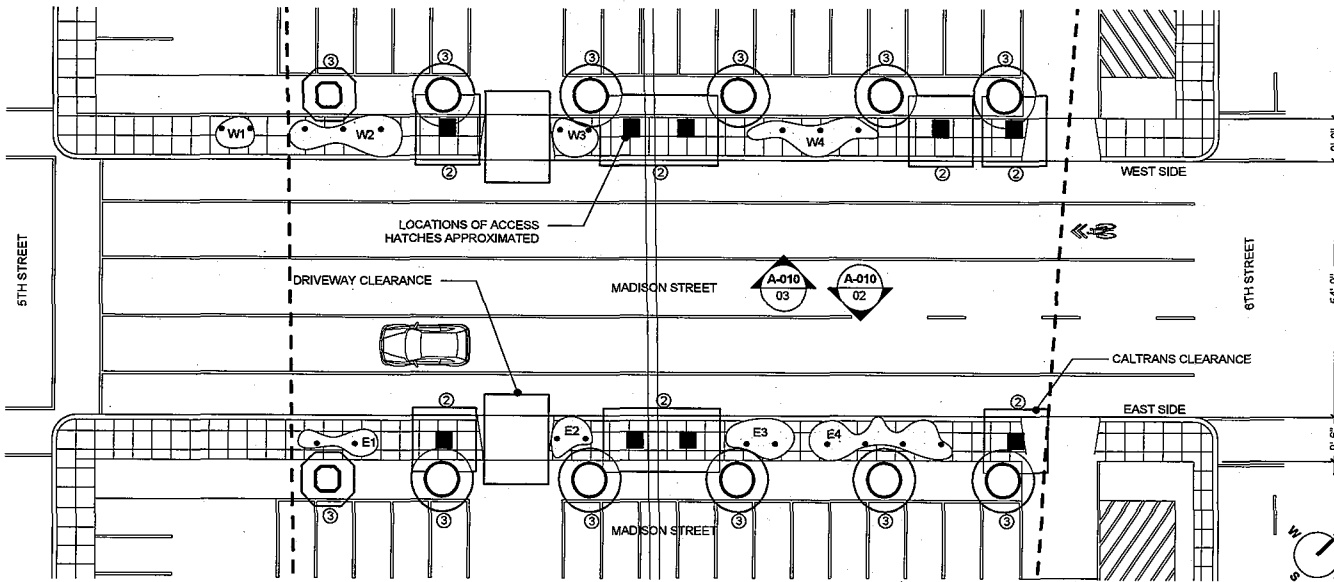


02 EAST SITE ELEVATION SHOWING LIGHTCLOUD
Scale: 1" = 12'-0"

CALTRANS NOTES:

- ① Maintain 12" clearance from bottom of bridge soffit.
- ② Maintain a minimum 5'-0" clearance from any maintenance access hatch and opening
- ③ The light standard must be at least 16" from bent beam and footing must be at least 3'-0" away from column.

Maintain a minimum of 8'-0" clearance above the sidewalk



01 SITE PLAN SHOWING LIGHTCLOUD
Scale: 1" = 12'-0"

GENERAL NOTES

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REVISION NOTES

PAAC MEETING #2
(03/16/2018)

PROJECT NAME

LIGHTCLOUD
SCULPTURAL STREET LIGHTING

1480 Madison St Underpass
Oakland, CA

SITE ELEVATIONS AND PLAN

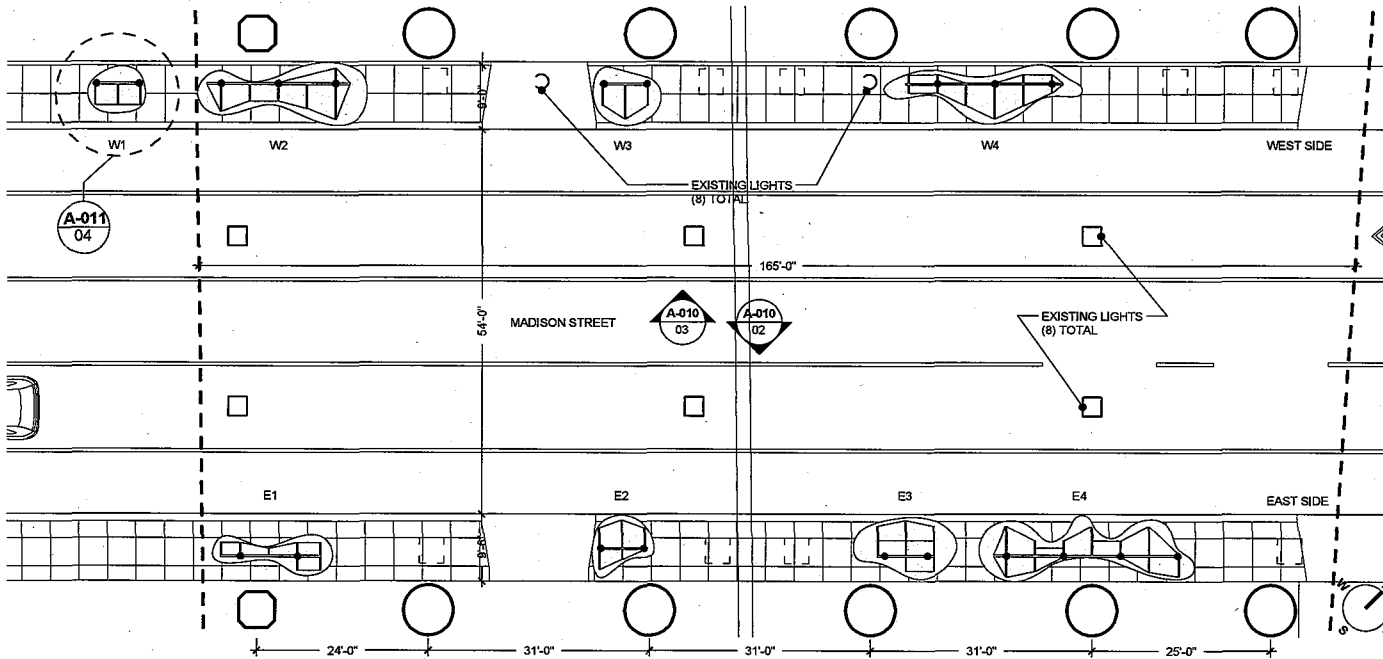
DRAWING SCALE

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18.02.16

A-010



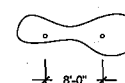
01 FRAMING PLAN
Scale: 1" = 8'-0"

02 TYPOLOGY
Scale: 1" = 8'-0"

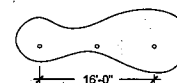
TYPE 1A



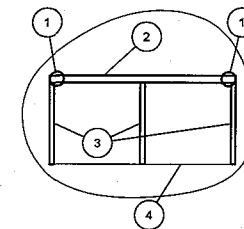
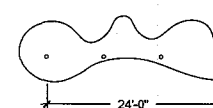
TYPE 1B



TYPE 2



TYPE 3



- 1 - ROUND HSS 6x0.312 COLUMN
- 2 - HSS 6x3x3/8 BEAM
- 3 - HSS 4x2x1/4 CROSS BEAM
- 4 - L2x2x3/16 FRAMING

04 FRAMING CALLOUT

SECTION	TYPE	SPREAD FOOTING	LED PANEL SQ. FT.	COLUMNS ROUND HSS 6x0.312 COLUMN	BEAMS						CROSS BEAMS					FRAMING L2x2x3/16 TYP. LINEAR FEET	
					5'-6" HSS 6x3x3/8 BEAM	8'-0" HSS 6x3x3/8 BEAM	14'-0" HSS 6x3x3/8 BEAM	20'-0" HSS 6x3x3/8 BEAM	22'-0" HSS 6x3x3/8 BEAM	26'-0" HSS 6x3x3/8 BEAM	1'-4" HSS 4x2x1/4	2'-6" HSS 4x2x1/4	2'-10" HSS 4x2x1/4	3'-6" HSS 4x2x1/4	4'-0" HSS 4x2x1/4		4'-10" HSS 4x2x1/4
W1	1A	2	43	2		1											6
W2	2	3	139	3				1									36
W3	1A	2	61	2		1					3		1	2			7
W4	2	3	125	3						1							40
E1	1B	2	61	2			1			7							16
E2	1A	2	53	2		1				1		6					13
E3	1B	2	94	2			1				2	3		1			19
E4	3	4	169	4						1		2		3			51
TOTALS		20	745	20		3	1	1	1	1	9	16	11	2	8	3	188

03 STEEL MEMBER SHEDULE

GENERAL NOTES
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PAAC MEETING #2
(03/16/2016)

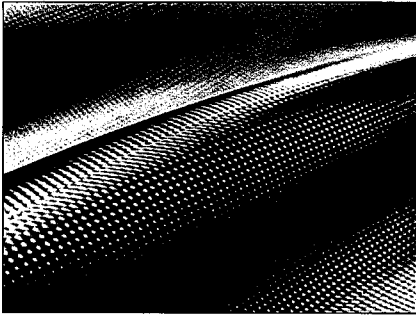
PROJECT NAME
LIGHTCLOUD
SCULPTURAL STREET LIGHTING
1-880 Madison St Underpass
Oakland, CA

SITE FRAMING PLAN, TYPOLOGY, AND FRAMING SCHEDULE

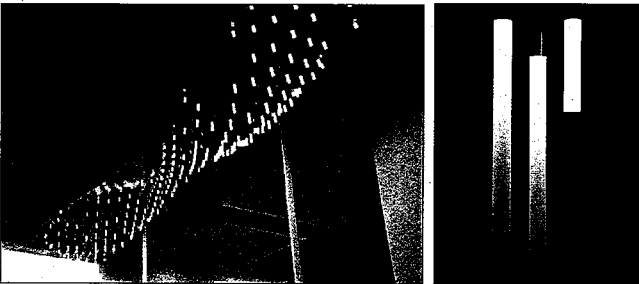
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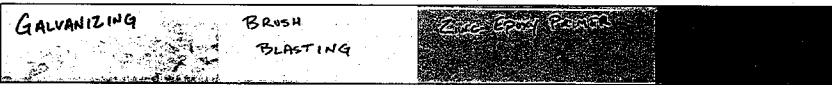
A-011



A. GFRP FINISH



B. LED DIFFUSERS

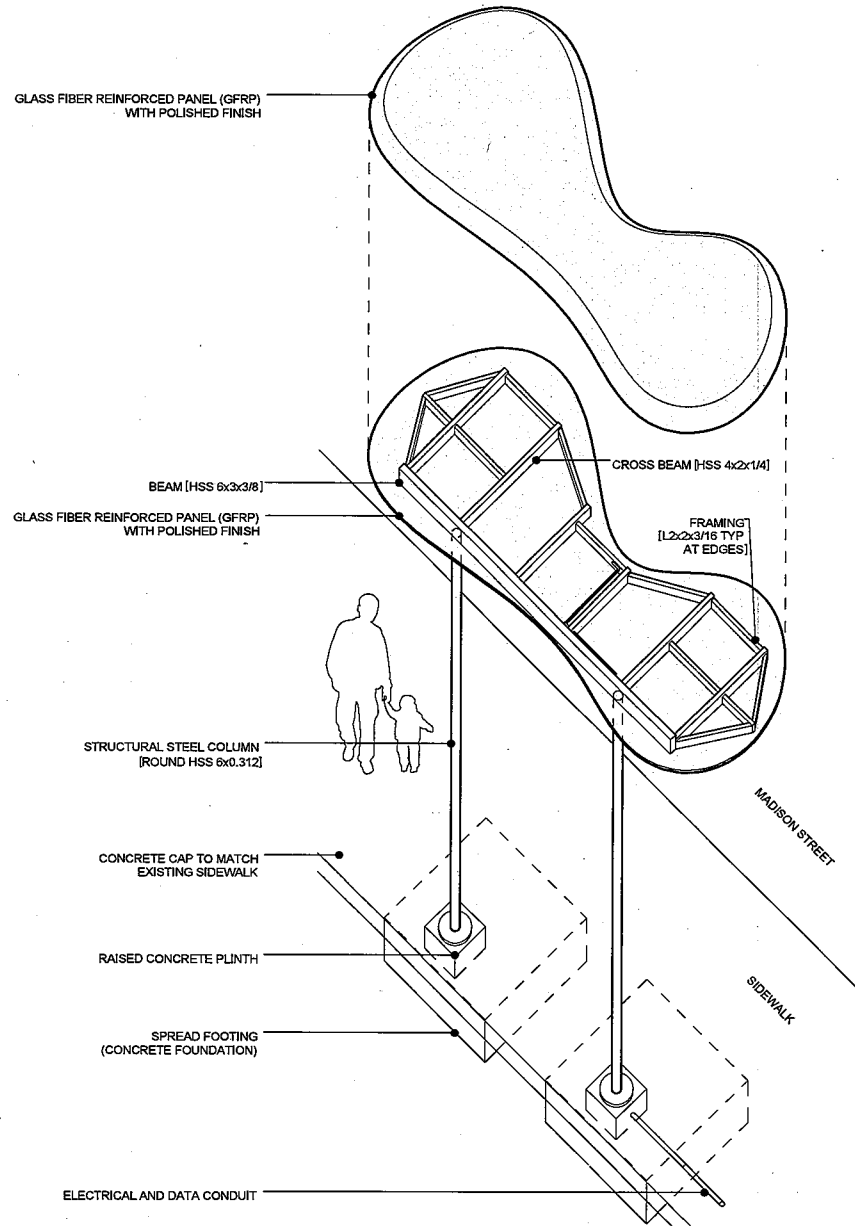


C. PHYSICAL EXAMPLE OF THE STEEL FINISH PROCESS (FINAL EPOXY COATING)

02 MATERIALS & METHODS

- A: GFRP: Glass Fiber Reinforced Panel, polished smooth and painted with a clear coat.
- B: LED DIFFUSER: Custom cast frosted acrylic tip to both diffuse light and conceal the RGB LED diodes.
- C: STEEL FINISH: Four part epoxy based process: Galvanizing, brush blasting, zinc epoxy primer, epoxy coating (Federal Grey RAL 7012).

01 SCHEDULE OF MATERIAL FINISHES



03 AXON - TYPICAL 2 COLUMN ASSEMBLY

Scale: 1" = 2'-0"



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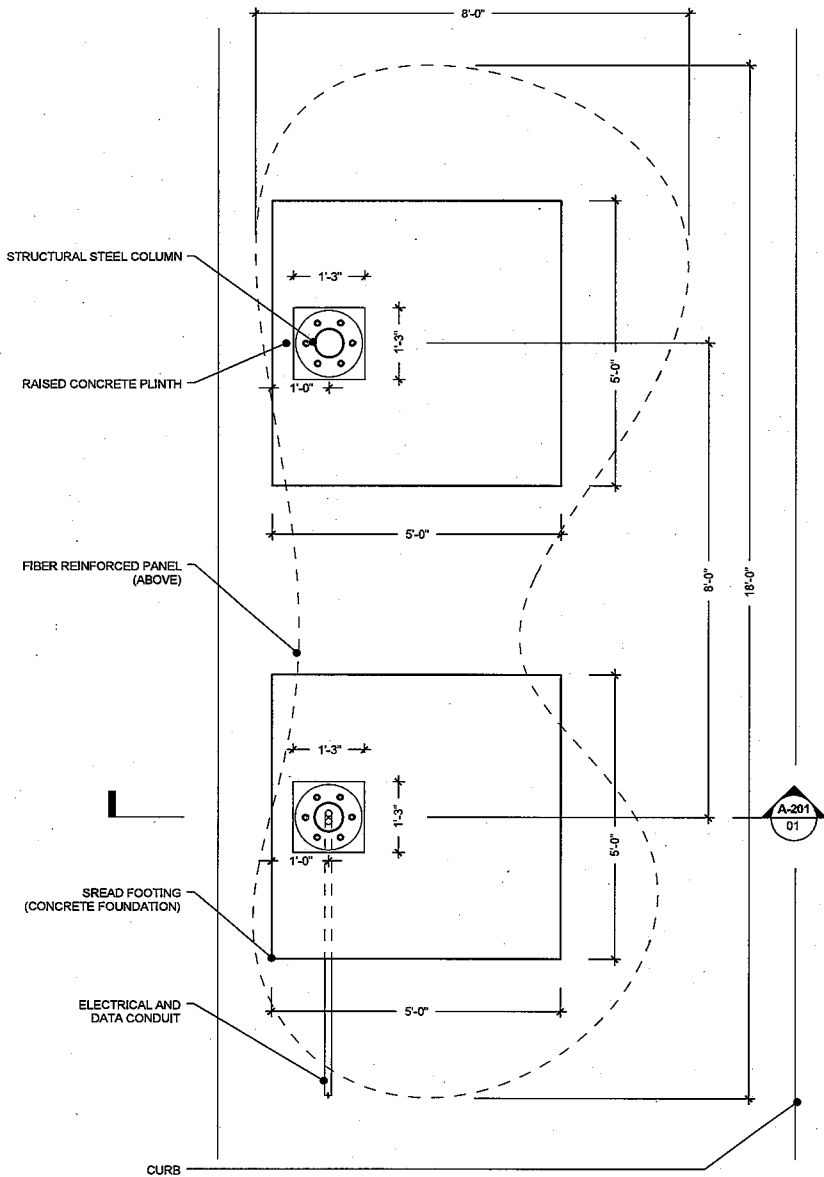
LIGHTCLOUD
SCULPTURAL STREET LIGHTING
1480 Madison St Underpass
Oakland, CA

AXON AND PROPOSED MATERIALS & METHODS

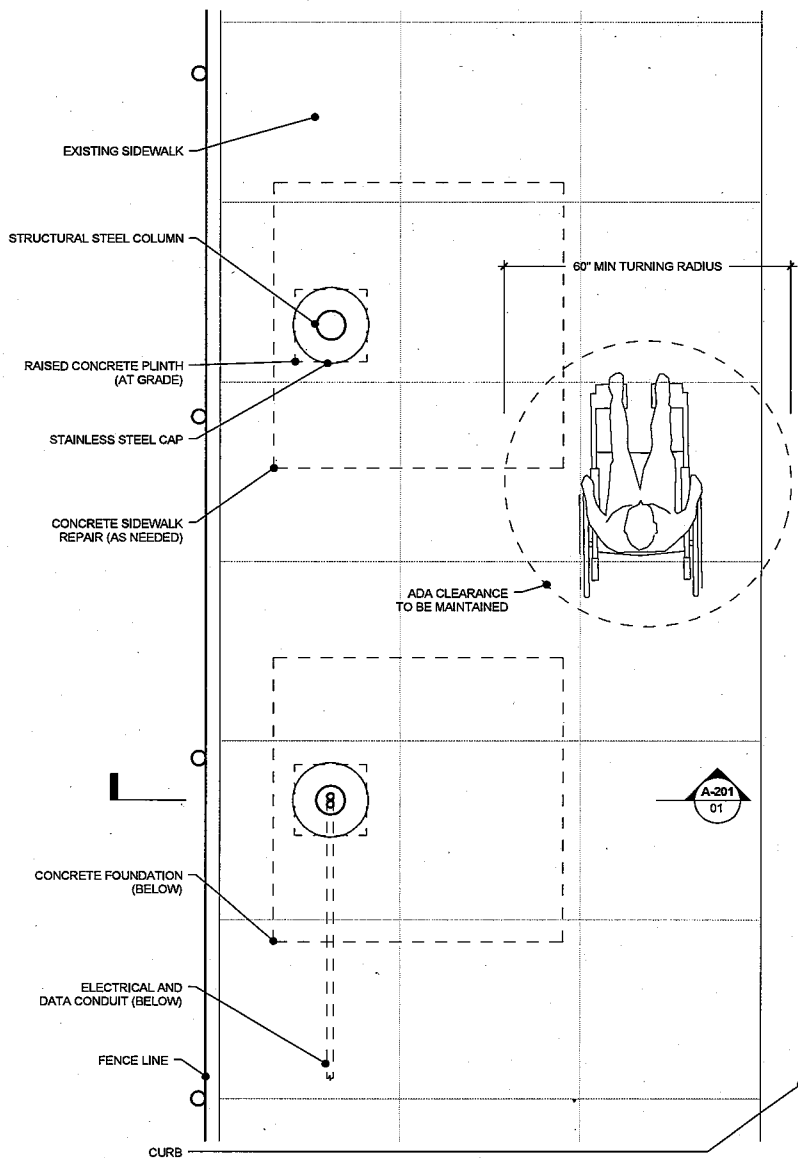
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A-050



01 FOUNDATION PLAN - TYPICAL
Scale: 1" = 1'-0"



02 SIDEWALK PLAN - TYPICAL
Scale: 1" = 1'-0"

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PROJECT NAME
LIGHTCLOUD
SCULPTURAL STREET LIGHTING
1-880 Madison St Underpass
Oakland, CA

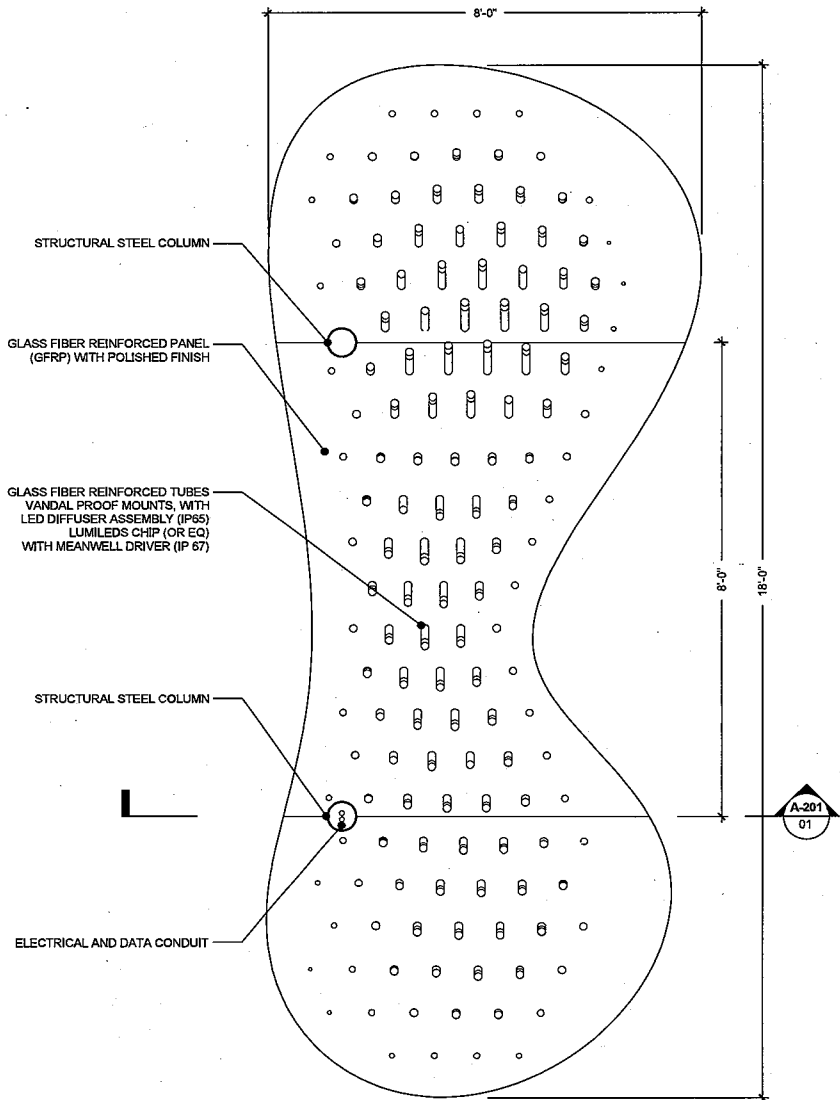
FOUNDATION PLAN AND SIDEWALK PLAN

DRAWING SCALE
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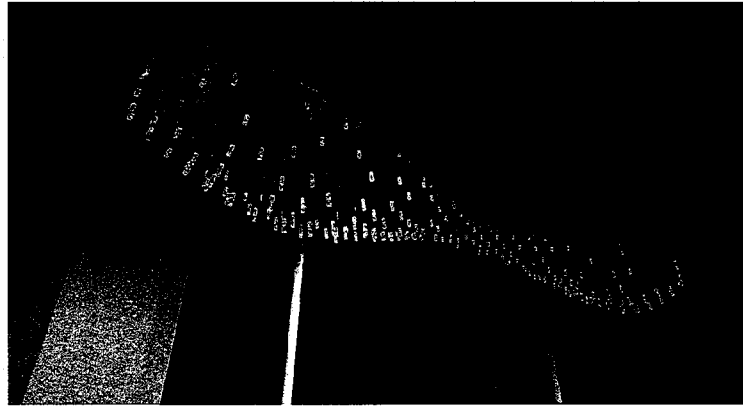
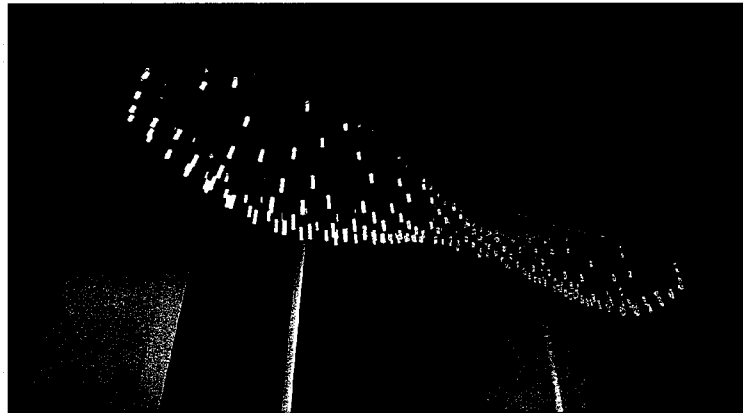
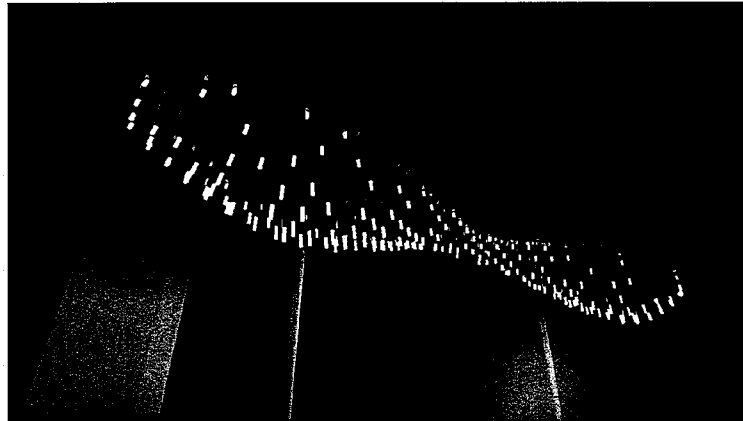
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18.02.16

A-100

RAN'S ARCHITECTURE, OAKLAND, CA



01 REFLECTED CEILING PLAN - TYPICAL
Scale: 1" = 1'-0"



02 LED COLOR POSSIBILITIES
*NO RED, YELLOW, OR GREEN

GENERAL NOTES

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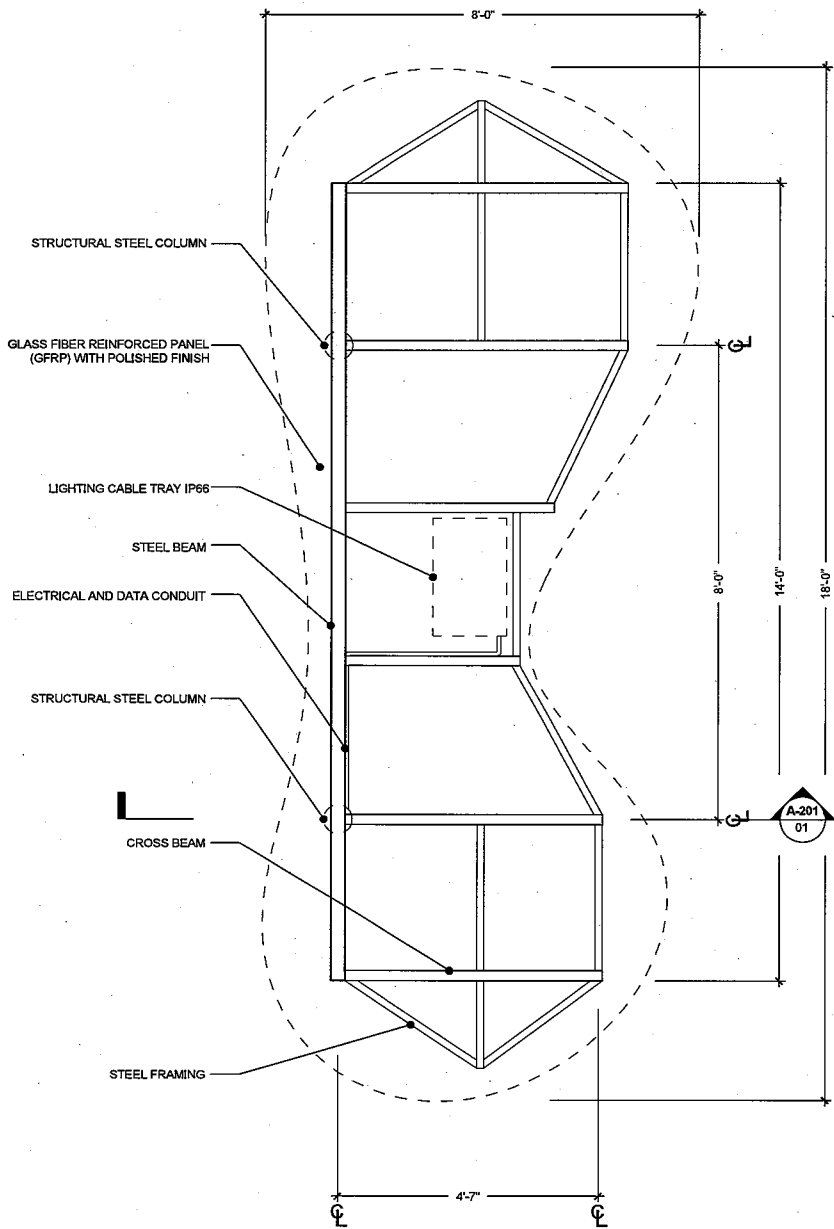
LIGHTCLOUD
SCULPTURAL STREET LIGHTING
1-850 Madison St Underpass
Oakland, CA

REFLECTED CEILING PLAN AND LED COLOR POSSIBILITIES

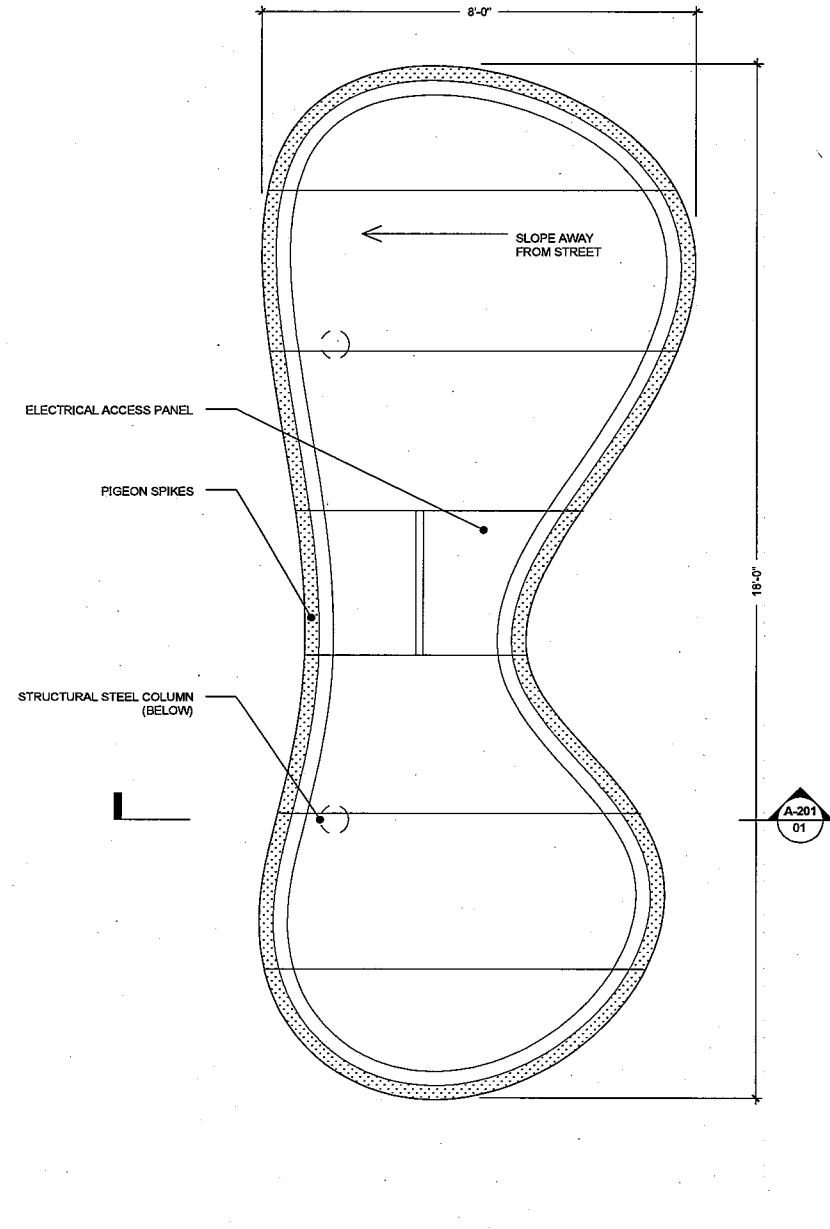
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A-101



01 FRAMING PLAN - TYPICAL
Scale: 1" = 1'-0"



02 ROOF PLAN - TYPICAL
Scale: 1" = 1'-0"

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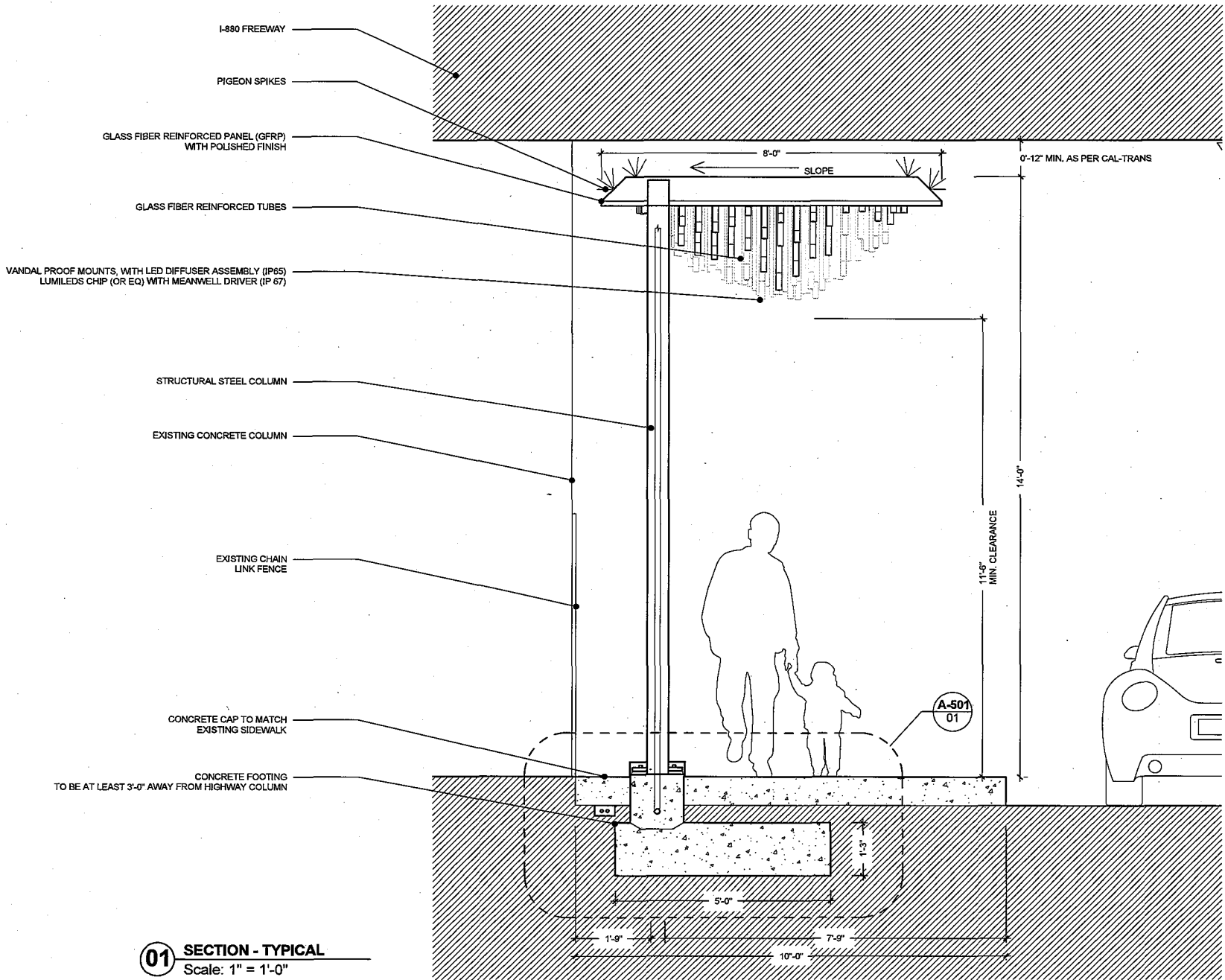
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1-880 Madison St Underpass
Oakland, CA

FRAMING PLAN AND ROOF PLAN

DRAWING SCALE
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DATE ISSUED
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A-102



01 SECTION - TYPICAL
 Scale: 1" = 1'-0"

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REVISION NOTES
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 (03/16/2018)

PROJECT NAME
LIGHTCLOUD
 SCULPTURAL STREET LIGHTING
 1480 Madison St Underpass
 Oakland, CA

TYPICAL SECTION

DRAWING SCALE
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A-201

04/27/18 11:03 AM 18.02.16

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PROJECT NAME

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 1-880 Madison St Underpass
 Oakland, CA

FOUNDATION DETAIL

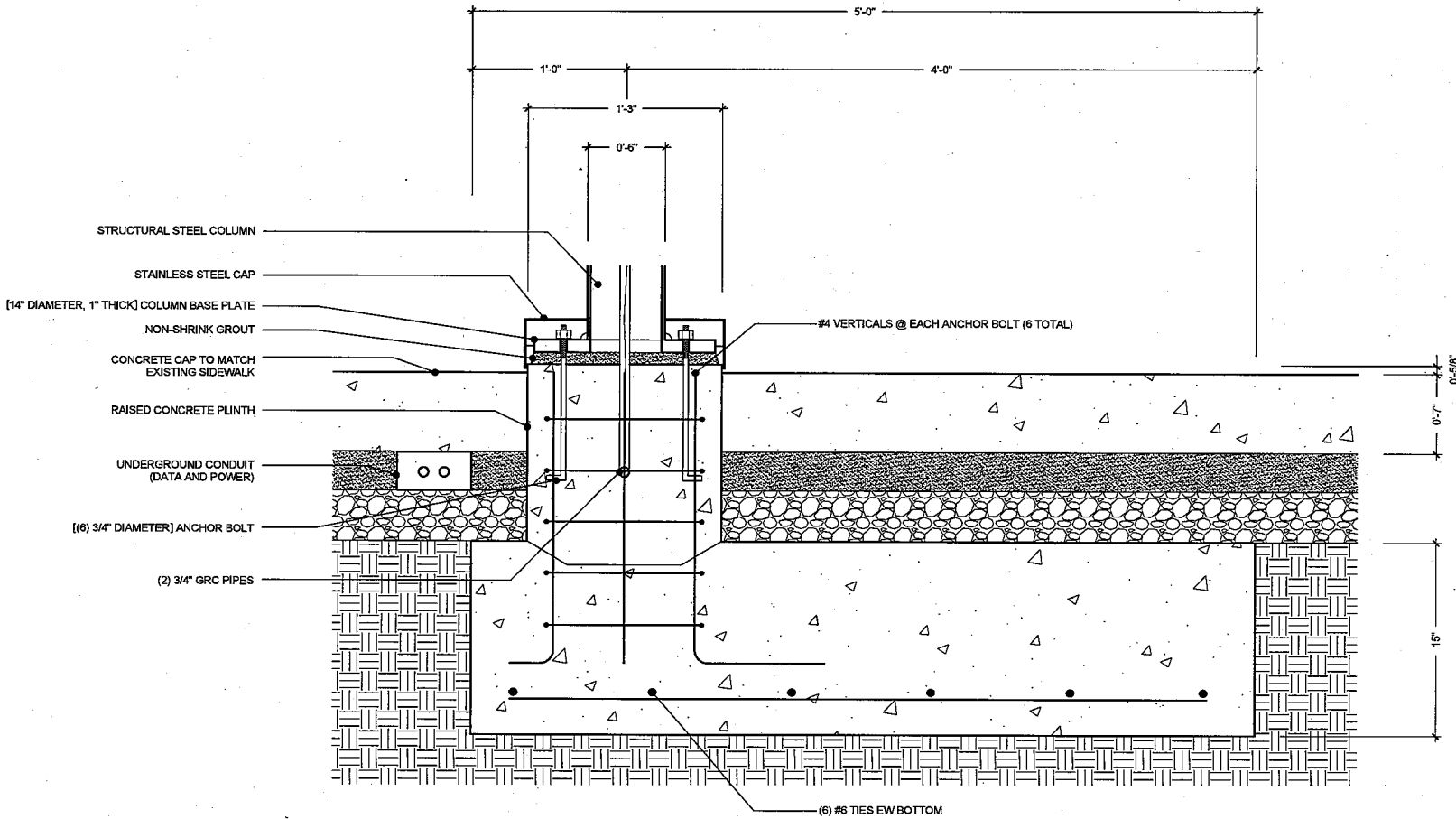
DRAWING SCALE

As noted on drawings
 Sheet size: 24" X 36"

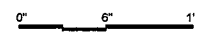
DATE ISSUED

18.02.16

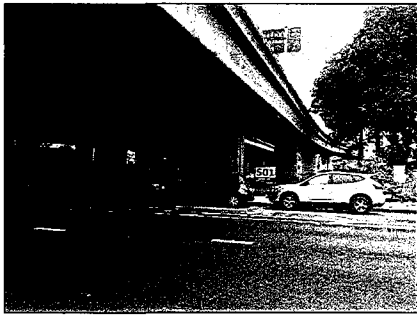
A-501



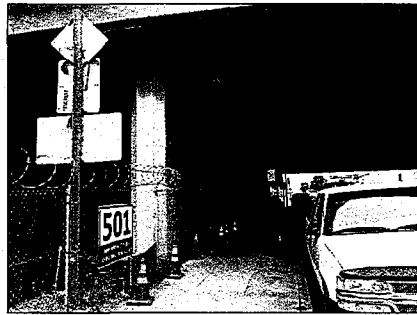
01 FOUNDATION DETAIL - TYPICAL
 Scale: 3" = 1'-0"



18.02.16 10:50 AM



A VIEW NORTH-WEST ALONG I-880



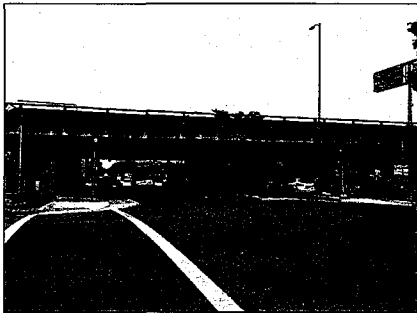
A VIEW NORTH-EAST TOWARD 6TH ST



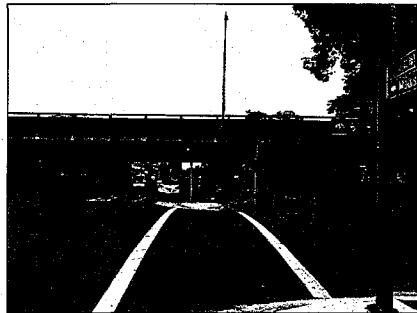
A VIEW EAST FROM THE NORTH CORNER OF 5TH ST AND MADISON ST



A VIEW NORTH-EAST TOWARD 6TH ST



A VIEW WEST FROM ACROSS 6TH STREET



A VIEW SOUTH-WEST TOWARD 5TH ST



A VIEW SOUTH-WEST TOWARD 5TH ST



A VIEW WEST FROM THE EAST CORNER OF 6TH ST AND MADISON ST



A VIEW ALONG MADISON ST SOUTH, UNDER I-880



A VIEW ACROSS MADISON ST, UNDER I-880



A VIEW ACROSS MADISON ST, UNDER I-880



A VIEW ACROSS MADISON ST, UNDER I-880

01 EXISTING SITE PHOTOS

GENERAL NOTES

1. VERIFY ALL DIMENSIONS AND SITE DETAILS IN THE FIELD.
2. SHOP DRAWINGS SHOULD BE SUBMITTED BY CONTRACTOR FOR ALL TRACES INCLUDED BUT NOT LIMITED TO STRUCTURAL ELECTRICAL AND DATA.

LEAD ARTIST

FUTURE CITIES LAB
2325 3rd Street, Suite 229
San Francisco, CA 94107
Contact: Jason K Johnson
jkr@future-cities-lab.net
Phone: (415) 255-4879



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Thomas Kronenmeyer
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Helene Fried
hfassoc@earthlink.net

REVISION NOTES

PAAC MEETING #2
(03/19/2018)

PROJECT NAME

LIGHTCLOUD
SCULPTURAL STREET LIGHTING
1480 Madison St Underpass
Oakland, CA

SITE PHOTOS

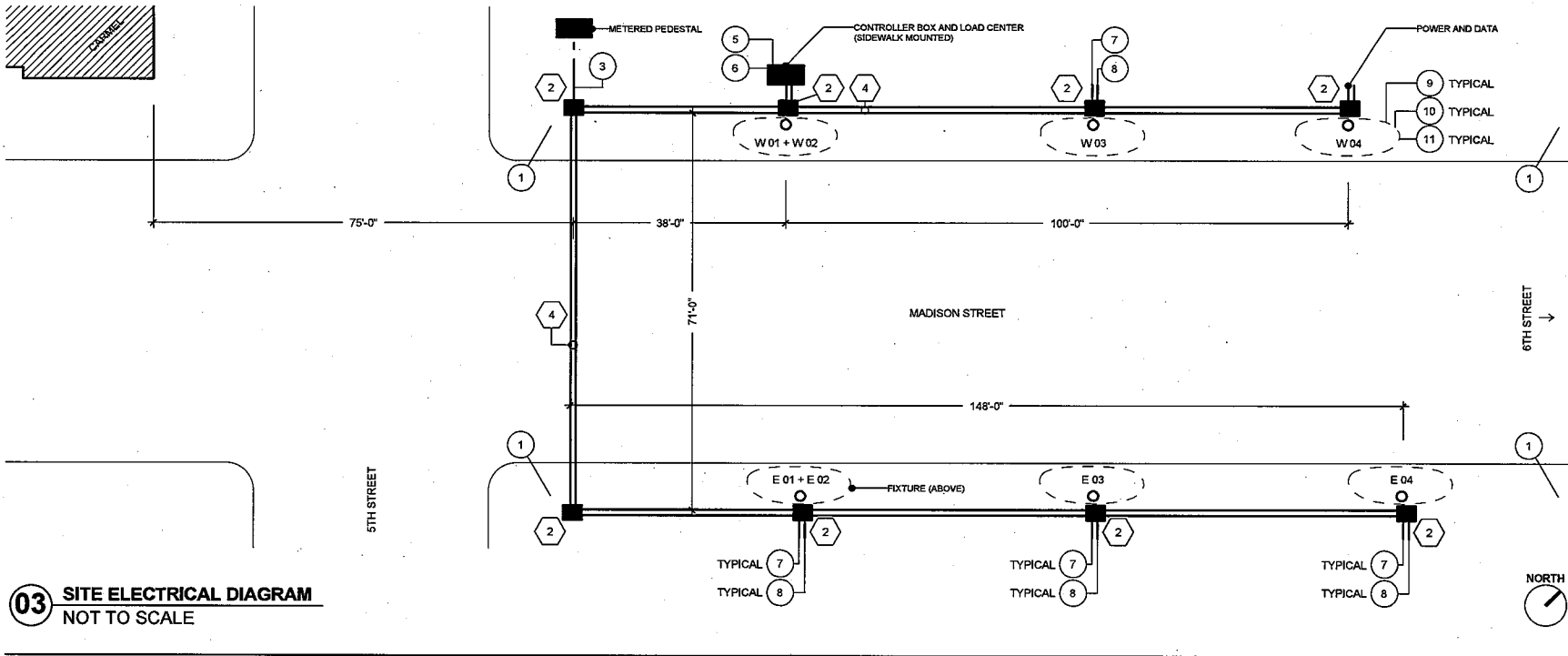
DRAWING SCALE

As noted on drawings
Sheet size: 24" X 36"

DATE ISSUED

18.02.18

A-900



03 SITE ELECTRICAL DIAGRAM
NOT TO SCALE

SECTION	PANEL ID	ARTWORK PANEL TYPE	X PANEL QUANT	Y PANEL QUANT	Z PANEL QUANT	# OF LED UNITS	DMX CHAN PER LED UNIT	DMX CHANS	GROUND J-BOX	POWER	MAX AMPS	CIRCUIT ID	POWER + DATA SUPPLY UNITS
E1	1	X	1			12	120	1440		240VAC	3	1	1
E1	2	Y		2		12	120	1440		240VAC	5	1	0.5
E1	3	Z			2	6	120	720	1	240VAC	5	1	0.5
E2	4	X	1			12	120	1440		240VAC	3	2	1
E2	5	Y		2		12	120	1440		240VAC	5	2	0.5
E2	6	Z			2	6	120	720	1	240VAC	5	2	0.5
E3	7	Y	1			12	120	1440		240VAC	5	3	1
E3	8	X		2		12	120	1440		240VAC	5	3	0.5
E3	9	X			2	6	120	720	1	240VAC	5	3	0.5
W1	10	Y	1			12	120	1440		240VAC	3	4	1
W1	11	Z		2		12	120	1440		240VAC	5	4	0.5
W1	12	Y			2	6	120	720	1	240VAC	5	4	0.5
W2	13	X	1			12	120	1440		240VAC	3	5	1
W2	14	Y		2		12	120	1440		240VAC	5	5	0.5
W2	15	X			2	6	120	720	1	240VAC	5	5	0.5
W3	16	X	1			12	120	1440		240VAC	3	6	1
W3	17	Y		2		12	120	1440		240VAC	5	6	0.5
W3	18	Z			2	6	120	720	1	240VAC	5	6	0.5
Computer										120VAC	5	7	NA
Spares										NA		8	NA
Totals			6	12	12	180		21600	6	0	85	8	9.5

01 ELECTRICAL SCHEDULE

SITE ELECTRICAL - OAKLAND UNDERPASS	
1	Existing In-Stub J-Box (Oakland Street Signal)
2	Proposed 18" x 18" x 12" Concrete Polymer Flush Type In-Stub Junction Box with Power / Data Divider
3	Under Ground Conduit Run Type 1 (Electrical)
4	Under Ground Conduit Run Type 1 (Electrical) and Type 2 (Data)
5	Load Center - 100A min, 120/240V, 1 PH, 8 SP - Circuits #1,2,3,4,5,6 are 240VAC 20A; Circuits #7 is 120VAC 20A; Circuit #8 is a spare
6	Weatherproof Enclosure for Lighting Controller
7	Power 3/4" RMC (Rigid Metal Conduit) 10AWG min wire size for 3 wires, 12AWG for 2 Wires
8	CAT6 Ethernet in 3/4" RMC (Rigid Metal Conduit)
9	Philips Leader Cable in 3/4" LFMC (Liquid-Tight Flexible Metal Conduit) Connecting AS panels
10	Philips Leader Cable exposed (Only within IP67 Artwork Panel)
11	IP68 or IEC (Integrated Power and Data Supplies by Philips or similar)
- AC Power distributed in Rigid Metal Conduit to the first power each section	
- AC Power is then distributed in a delay chain to each Power + Data Supply Units	
- Data (CAT6) is distributed in a delay chain from the computer to each Power + Data Supply Units sequentially	
- Cables between LED fixtures carry both AC Power and data.	
Note: Seal all points of entry to prevent water infiltration. Use RTV silicone + weatherproof J-boxes.	
COMPUTER (Please VLOC 50, or similar)	
- Refer to Product Documentation for detailed wiring and safety information	
- Artist to provide computer and Stainless Steel enclosure (Site TBC)	
- Must be located in Safe, Secure and climate stable location. Safe Operating Temperature: 0°C to 50°C (32°F to 122°F)	
- IP40 Ingress rating; UL Certified; Humidity Range: 10-50% relative, non-condensing	
- 1/8" Rack Mount, 13.5" deep, -1.75" High, 3.1 lb (6.9 lbs)	
- Power and Data always separate: Use single MD for 120 VAC; Use single MD for Data Out	
- VLOC50 Video Lighting Controller 50 (25,000 channels eDMX)	
POWER + DATA SUPPLY UNITS (PDS-400 48V ED UL, or similar)	
- Refer to Product Documentation for detailed wiring and safety information	
- Units, cables and leader cables Provided by Artist	
- Cast Aluminum Housing is IP68 suitable for VME Locations; UL Certified	
- Power is daisy-chained within each circuit section	
- Each of the network's serials Data is also daisy-chained to its neighbor	
- All Power and Data conduit after PDS to be 3/4" LFMC	
- Unit has 3/4" threaded holes in NPT for Power; RTV Silicone to seal	
- Unit has 1/2" threaded holes in NPT for Data (use reducer to connect RTV Silicone to seal)	

02 GENERAL NOTES

GENERAL NOTES
1. VERIFY ALL DIMENSIONS AND SITE DETAILS IN THE FIELD.
2. SHOP DRAWINGS SHOULD BE SUBMITTED BY CONTRACTOR FOR ALL TRACES INCLUDED BUT NOT LIMITED TO STRUCTURAL ELECTRICAL AND DATA.

LEAD ARTIST

FUTURE CITIES LAB
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(510) 839-4568

Thomas Kronenmeyer
thomas@community-design.com

REVISION NOTES

PAAC MEETING #2
(03/16/2018)

PROJECT NAME

LIGHTCLOUD
SCULPTURAL STREET LIGHTING
1480 Madison St Underpass
Oakland, CA

ELECTRICAL DIAGRAM

DRAWING SCALE
As noted on drawings
Sheet size: 24" X 36"

DATE ISSUED
18.02.16

E-101

ATTACHMENT D

Checklist #11: Maintenance Plan



February 16, 2018

**Kristen Zaremba
Cultural Affairs Division, Economic and Workplace Development
City of Oakland
1 Frank Ogawa Plaza, 9th Floor
Oakland, CA 94612**

RE: Supplemental Packet Checklist – Public Art for Private Development Maintenance Obligations

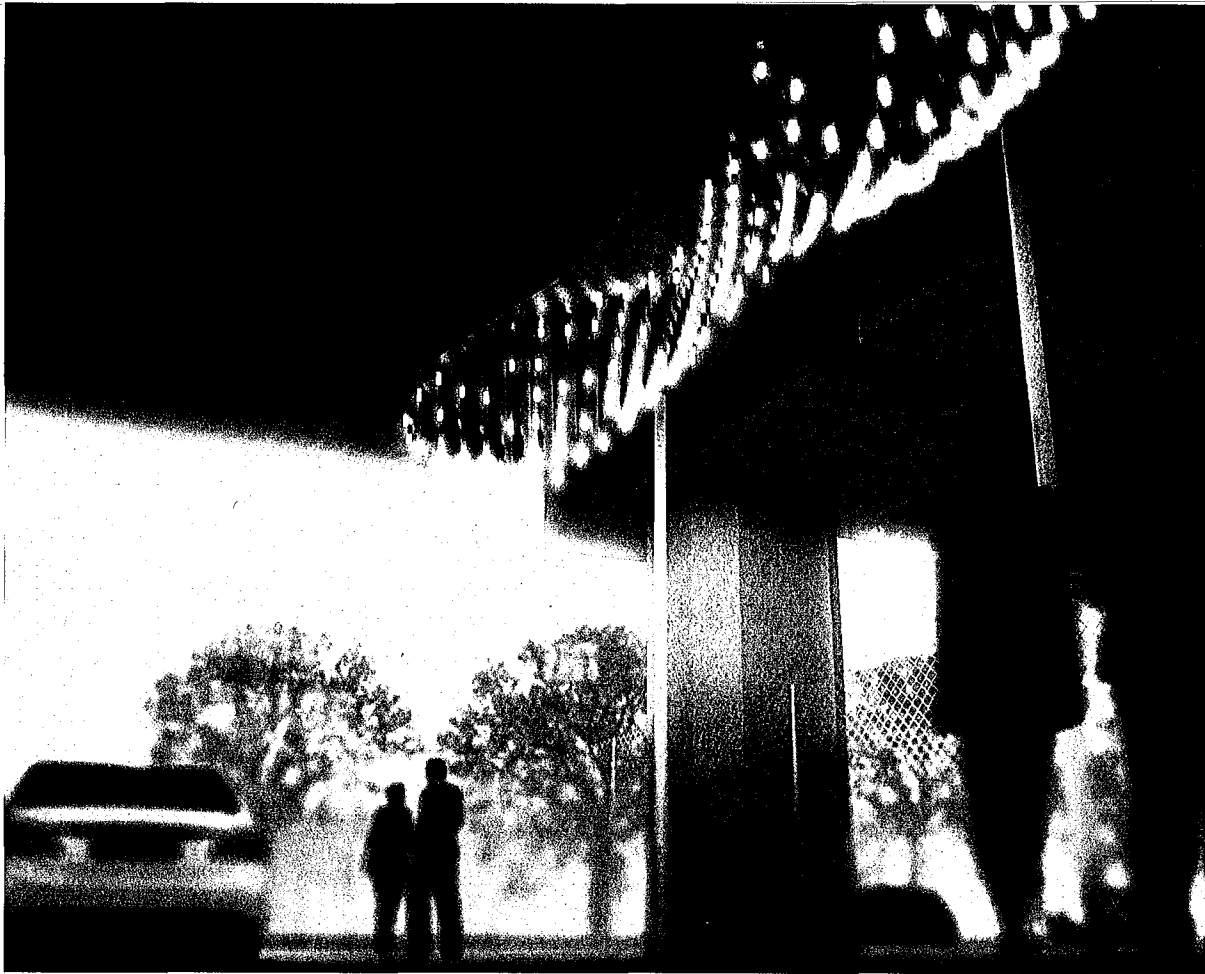
Dear Ms. Zaremba,

CP V JLS, LLC is committed to on-going operation and maintenance of the proposed Light Cloud public art piece on Madison Street between 5th and 6th streets beneath the I880 overpass. We recognize that this is City managed/operated property within Caltrans ROW and as such, the City will be obligated to Caltrans for maintenance of the improvements. CP VI Franklin, LLC will be the party ultimately responsible for maintenance of the art piece consistent with the requirements of the Public Art for Private Development ordinance requirements.

Please contact me with any questions and thank you for your assistance.

Sincerely,

On behalf of CP V JLS LLC
Greg Pasquali



LIGHTCLOUD

I-880 Underpass, Madison Street, between 5th and 6th
Oakland, CA

***** DRAFT *** ARTWORK INSTALLATION, OPERATING AND MAINTENANCE MANUAL**

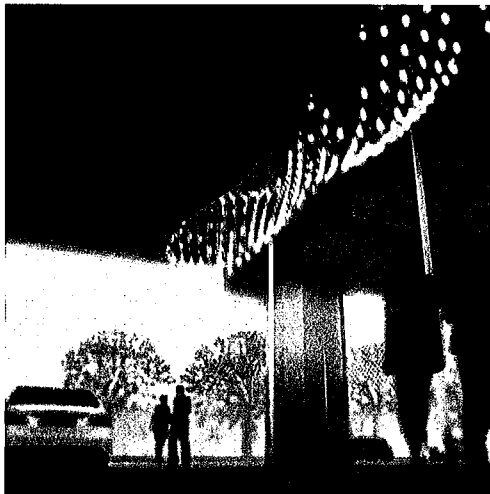
ARTIST CONTACT:
FUTURE CITIES LAB / MACHINIC LLC
Jason Kelly Johnson
info@future-cities-lab.net
(415) 255-4879

CLIENT CONTACT:
CARMEL PARTNERS
Greg Pasquali
gpasquali@carmelpartners.com
(415) 231-0221

CONTENTS

1. About the Artwork	3
2. Operating Procedures	
Recommended Artwork Operation	4
Startup Procedure	4
Shutdown Procedure	4
3. Maintenance Procedures	
Exterior Inspection / Cleaning	5
Interior Inspection / Cleaning	6
4. Troubleshooting	
Possible problems	7
How to change an LED Rod	8
5. Technical Reference	
Lightcloud Master Schedule	9
Electrical Components Spec Sheets (See Pages ## -##)	x
Cable tray Electronics and Wiring Diagrams (See Pages ## - ##)	x
6. Exhibit A: Project Maintenance Instructions	10
7. Exhibit B: Attic Stock Parts	11

1. About the Artwork



LIGHTCLOUD

<http://www.future-cities-lab.net/lightcloud>

Lightcloud translate sounds from the highway underpass into unique formations of dynamically patterned light. Slowly changing ambient effects are triggered by the sound of passing people, cyclists and cars from the two neighborhoods and I-880 above. Lightcloud animates the underpass with variable intensities of computer-controlled LED illumination and creates a meditative, interactive and dynamic experience for pedestrians. It is a first step towards weaving the neighborhood together. Similar to the dancing motion of a Chinese celebration dragon, waves of light oscillate through Lightcloud. The quality and placement of lighting elements will enhance safety and comfort. Ambient light levels can also be increased during the evening and will enhance the overall ambiance of the area to ensure visibility of pedestrians by motorists.

Artists:

Jason Kelly Johnson & Nataly Gattegno
Future Cities Lab, San Francisco

Date completed: TBD

Suspended Artwork Materials: Stainless Steel, Cast Acrylic, LEDs. For additional Materials and components see Global Components Schedule. Fabricated and assembled by the artists in artists' studio.

Structural materials: Carbon Steel (Galvanized, 2-part Epoxy Coated), Stainless Steel. Fabricated by TBD.

2. Operating Procedures

Recommended Artwork Operation [** To Be Finalized when we know artwork type **]

- The artwork LED should be left on continuously.
- [More info as developed]

Startup Procedure [** To Be Finalized when we know location of hub **]

1. Turn on circuit breaker for main control hub, located on x side (see plan below for load center locations) . Circuit breaker is labeled for hub.
2. Turn on circuit breakers for each section of artwork. North load center is located on North side, South load center is located on South side. Circuit breaks are labeled for each section: North 1, North 2, North 3, South 1, South 2, South 3
3. Verify all LEDs are illuminated and active.

Shutdown Procedure

1. Turn artwork off at breakers. Circuit breaks are labeled for each section allowing individual sections to be turned off at a time if necessary.

For additional information, refer to electrical drawings and consult with Artist.

INSERT Site Plan Here locating Hub and Artwork Sections

3. Maintenance Procedures

**** NOTE:** All inspections to be performed by Client, or Client representative

Exterior Inspection / Cleaning

STRUCTURE: In accordance with the attached Exhibit A, the exterior of the structure must be visually inspected.

- This inspection includes looking for areas of rust and corrosion on the metal
- Ensuring that all fasteners are tight and in place
- Touch-up painting as necessary
- Remove any visual signs of nesting by animals

FIXTURES: In accordance with the attached Exhibit A, the LEDs and LED components must be visually inspected.

- Place the system in test mode before checking the LEDs
- LEDs should first be checked for functionality including on and off and brightness
- LED cables and wires should be inspected for damage
- LED rods should be checked to see if they are still fastened tightly to the structure

CLEANING: The structure and light loops should be cleaned in accordance with the attached Exhibit A.

- Cleaning can be accompanied by lightly power washing the structure and loops with soap and water. Direct or extreme water pressure should be avoided on all surfaces. If the structure has an extreme amount of build-up, soft brushes and sponges can be used. Keep water away from DMX boxes and the Main Electrical Cabinet. High pressure water should never be pointed directly at the installation.
- In case of graffiti on stainless steel: Use non-powerful, non-toxic graffiti cleaner Lightly rub with a Scotch Brite sponge.
- In case of physical damage of stainless steel 60 days post-installation: Consult with Artist
- In case of pencil, pen or paint marks on LED rods: Clean with soap and water or non-abrasive plastic safe cleaners

Interior Inspection / Cleaning

CABLE TRAYS: In accordance with the attached Exhibit A, the Cable Trays should be periodically inspected and cleaned.

- Inspect the outside of the enclosure for damage
- Visual inspection of exterior cable connecting from cable tray to LEDs. Make sure screw connector is tight.

DMX BOXES: In accordance with the attached Exhibit A, the DMX Boxes should be periodically inspected and cleaned.

- Inspect the outside of the enclosure for damage
- Open the enclosure and check for leak marks. If leaks are occurring replace the gasket or entire box
- Check for corrosion and rust
- Remove any visible particulates with a vacuum or rag
- Avoid water within the enclosure
- Check and tighten any connections
- Check to make sure boxes are securely fastened after inspection and cleaning

MAIN ELECTRICAL CABINET: In accordance with the attached Exhibit A, the Main Electrical Cabinet should be periodically inspected and cleaned.

- A licensed electrician should be used for all inspections and cleaning of the Main Electrical Cabinet
- Do not inspect or clean the cabinet while the cabinet is energized
- A licensed electrician should check for rust, corrosion and clean any particulates from the enclosure
- The licensed electrician will be able to inform the Owner of any repairs that may be necessary
- Check to make sure box is securely fastened after inspection and cleaning

4. Troubleshooting

General Notes on functionality of light fixtures

- If functioning properly, all light fixtures should be animated and changing colors and patterns.
- The artwork should be responding to traffic overhead and people in the underpass [**** To Be Finalized after further development**].
- If individual or groups of fixtures are off, this most likely indicates the fixtures are not receiving power.
- If individual or groups of fixtures are frozen in one color, this most likely indicates the fixtures are not receiving data.

The source of many issues may be narrowed down with the following understanding of power and data distribution. Please also refer to electrical drawings provided by Artist.

- AC Power is distributed to each section of the artwork via underground conduit and runs up one of the four columns to each section. AC power is then distributed from a main Power Junction in a daisy chain to each cable tray via smaller junction boxes.
- Data and sensor line are distributed to each section of the artwork via underground conduit and up one of the columns for each section. The dmx data is distributed through the DMX Splitter and daisy chained through the DMX Decoders in a branching pattern from the Splitter. The last decoder in each Tray connects to the first decoder in the next.
- LEDs are connected to their respective decoders in numerical order.

Possible problems

- **Problem: Single LED Rod not illuminated or flickering.**
Cause: Damage to LED Rod , Bad LED
 1. Replace LED (see instructions on How to replace LED on page x).
- **Problem: LED Animations appear to be frozen, artwork not responding to triggers.**
Cause: Pharos Controller not working
 1. Power down Controller, wait 20 seconds, Repower Controller
 2. Contact Artist for remote management/ external reboot.
 3. Contact Pharos support.
- **Problem: One or multiple sections of the artwork are off.**
Cause: Tripped breaker
 1. Reset breakers in appropriate load centers.

- **Problem: Artwork will not turn on at all.**

Cause 1: Controller issue.

Cause 2: No power to artwork.

1. Check status of controller in Main Control Hub.
2. If OFF: Check breaker status for power to Control hub and Artwork
3. If ON: Check status indicator lights on Pharos.
 - a. If Active: Connections between Control Hub and Artwork Sections have been damaged: Contact Artist.

- **Problem: Artwork does not seem to be responding to Humans**

Cause: Sensors Blocked

1. Check that sensors are clear of debris, dirt, or other foreign objects.
2. Check for status light on sensor
 - a. If On: Call artists for remote management.
 - b. If OFF (but LEDS illuminated): Replace sensor.

How to change an LED Rod [TBD later **]**

1. Turn off power to artwork section at breaker.
2. Loosen set screws on Aluminum channel holding LED.
3. Unplug connector at Between LED and steel lattice
4. Take a replacement LED strip from attic stock kit.
5. Measure length of LED removed from artwork.
6. Cut New LED to same length as the one removed.
7. Place the new LED into the Aluminum channel and tighten set screws to hold in place.
8. Reconnect LED with connector coming from steel lattice
9. Turn power back on to Artwork Section at breaker
10. Verify new LED is working as should be.

*** ADD PICTURES TO BE TAKEN DURING INSTALL WITH NOTATIONS *****

5. Technical Reference

ATTACH SPECS FOR [To Be Finalized]:

Lightcloud Master Schedule Link	
Electrical Components Spec Sheets	
Pharos Equipment Pharos LPC Pharos PoE Pharos RDM Wiring Diagrams	
Enttec RDM DMX Splitter	
LED Type	
Meanwell Power Supplies	
Lightcloud Wiring and Connection Diagrams for cable trays North South	

EXHIBIT A: PROJECT MAINTENANCE INSTRUCTIONS

**** NOTE:** All inspections to be performed by Client, or Client representative

12 Months After Installation			
Exterior & Functions		General visual inspection of materials and functioning	
		Visual Inspection	Solution
	Main Electrical Cabinet DMX Boxes Cable Trays	Corrosion	Maintenance
		Leakage Marks	Maintenance
		Particulates	Cleaning
Structure		Corrosion	Maintenance
		Paint defects	Maintenance
		Dirt on Stainless Steel Loops	Cleaning
		Nesting	Cleaning
Fixtures		Defect of LEDs	Replacement
		* System in Test Mode *	Dirt on LED Loops

24 Months After Installation			
Exterior & Functions		General visual inspection of materials and functioning	
		Visual Inspection	Solution
	Main Electrical Cabinet DMX Boxes Cable Trays	Corrosion	Maintenance
		Leakage Marks	Maintenance
		Particulates	Cleaning
Structure		Corrosion	Maintenance
		Paint defects	Maintenance
		Dirt on Stainless Steel Loops	Cleaning
		Nesting	Cleaning
Fixtures		Defect of LEDs	Replacement
		* System in Test Mode *	Dirt on LED Loops

EXHIBIT B: ATTIC STOCK PARTS

The artists have supplied Client with general attic stock to ensure that the artwork LEDs can be replaced during the first year of operation. Attic stock will be provided in a labelled box. We recommend contacting Artist by e-mail so they can advise on replacing any of the items marked with a * below. These starred items should be replaced by a licensed electrician or person experienced with DMX LED systems.

- 1. *6 DMX Decoders**
- 2. *3 DMX LED Drivers**
- 3. 6 LED rods**

All Attic Stock parts will be warrantied in accordance with the Fabrication Agreement signed by Artist and Client.

ATTACHMENT E

Checklist #13: Community Outreach Documentation

SIGN IN SHEET

Please provide Name and Contact Info so we can keep you informed of progress

NAME	ADDRESS LIVE OR WORK IN JACK LONDON?	PHONE	EMAIL
Ernest Htenruetz Goldsby	222 Broadway #1005	510 333 8945	hennetta@oldsby@gmail.com
Kristen Zaremba	City-Cultural Affairs	510 238 2155	kzaremba@aclandnet.com
Tim Phillips	2829 4th Street, Suite 201	510 486 0111	tim@gyroscopeinc.com
PAUL WARNER	311 OAK ST #508	415.637.3998	PAUL@SAGEMODERN.COM
JUDY MORAN	373 4th St #3A		judmoran21@gmail.com
PAUL THYSSEN	222 BROADWAY #710	415-298-5810	paul@jackjondonoakland.org
Greg Finck	240 3rd Street Apt 303	925.596.0339	gannis.ga@gmail.com
Ben DELANEY	407 MLK 94607	510 419 0800	ben@bendelaney.com
Phadi Chazbek	1111 Broadway 9th fl. 94607	510 587 8629	schazbek@hntb.com
Gary Knecht			
CARL CHAN	621 MADISON ST. 94607	510 835-3333	CHANCARL@SBCGLOBAL.NET
Kevin Khoo	311 Oak St #810	510 309 2670	Kevin.khoo.2003@gmail.com
FLORA LAW	1111 Broadway 9th fl	510 581 8621	FLAW@HNTB.COM
Don McBirney	1999 HARRISON ST. 1750	510-433-5847	DON.MCBIRNEY@COLLIERS.COM
Rebecca Chetouras	737 2nd St. #205		Rchetouras@gmail.com
CK KUEBEL	407 M. L. Kip		ck@kuebel.com
Sarlan Hauser	333 B'way	510 388 4412	Sarlan@jacklondonoakland.org

ATTACHMENT F

Checklist #14: Timeline

LIGHT CLOUD
 JLS 4th & Madison Public Art
Conceptual Timeline

Updated 2/16/18

	2017					2018												2019		
	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March
DESIGN																				
Conceptual																				
Schematic																				
Design Development																				
Shop Drawings																				
OUTREACH, APPROVALS AND PERMITS																				
RFP Process																				
City and Caltrans Stakeholder Meetings																				
PAAC 1																				
Community Meeting																				
PAAC 2																				
Oakland Encroachment Permit Process																				
Caltrans Encroachment Permit Process																				
FABRICATION AND INSTALLATION																				
Fabrication																				
Installation																				
Operational																				

1/8/2018
1/24/2018

3/6/2018

Approval

Approval

Chapter 15.78 - PUBLIC ART REQUIREMENTS FOR PRIVATE DEVELOPMENT

15.78.010 - Title.

This Chapter shall be known as the "Public Art Requirements for Private Development" and is referred to herein as "this Chapter".

(Ord. No. 13443, § 3, 6-20-2017)

15.78.020 - Purpose.

The purpose of this Chapter is to establish a public art requirement for private development in order to provide the following benefits to the community: (a) maintain Oakland'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 of Oakland; and (d) make a lasting contribution to the intellectual, emotional and creative life of the community at large, and create a more desirable community to live, work, and recreate. A policy is hereby established to require developers and/or owners of certain private developments to use a portion of building development costs for the acquisition and installation of freely accessible works of art for placement on the development site or on the right-of-way adjacent to the development site (within one-fourth ($\frac{1}{4}$) mile) as a condition of project approval. Developers and/or owners are encouraged, but not required, to employ Oakland artists and/or arts organizations to fulfill the public art requirement.

(Ord. No. 13443, § 3, 6-20-2017)

15.78.030 - Definitions.

As used in this Chapter, the following terms shall have the meanings set forth hereto or as otherwise specified in the guidelines referenced herein. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used.

"Affordable Housing" means housing that is restricted to occupancy at an affordable rent or an affordable housing cost to moderate-income households, low-income households, or very low-income households. The terms "affordable rent" and "affordable housing cost" shall be as defined in California Health & Safety Code Sections 50053 and 50052.5 and their implementing regulations.

"Artist" means an individual generally recognized by critics and peers as a professional practitioner of the visual, performing, or literary arts, as judged by the quality of that professional practitioner's body of work, educational background, experience, public performances, past public commissions, sale of works, exhibition record, publications, and production of art work.

"Building Development Costs" means those construction costs as declared on building permit applications, and as accepted by the Building Official. Building permit applications shall include building, plumbing, mechanical and electrical permit applications for the project.

"Capital Facility" means any building or structure that serves a particular purpose.

"Capital Improvement" means any capital improvement project performed by the City or City Contractors to construct or remodel a City-owned, leased or controlled: building, decorative or commemorative structure, park, street, sidewalk, parking facility or utility or any portion thereof, with the City limits of, or under the jurisdiction of, the City of Oakland.

"City-Owned Arts Facility" means any City-owned Capital Facility primarily devoted to visual or performing arts, including performing arts centers, museums, cinemas, galleries, music venues, workshop and rehearsal spaces, and theaters.

"Developer and/or Owner" means any individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality (other than the City of Oakland), industry, public or private corporation, or any other entity that undertakes any construction within the City subject to the requirements in this Chapter.

"Economically Feasible" is defined in Section 17.107.020 of the Oakland Planning Code.

"Floor Area" is defined in Section 17.09.040 of the Oakland Planning Code.

"Freely Accessible" means the artwork is accessible to the public for viewing, in its entirety and in a direct line of sight without hindrances or visual obstacles, during regular business hours consistent with the operation and use of the premises. Nothing in this definition or Chapter is intended to require access by any member of the public to any area not otherwise accessible to the public pursuant to the normal operation and use of the premises.

"Maintenance" of artwork shall include, without limitation, preservation of the artwork and, where applicable, of the lighting and surrounding landscaping, in good condition to the satisfaction of the City; and protection of the artwork against physical defacement, mutilation or alteration.

"Oakland Planning Code" means Title 17 of the Oakland Municipal Code.

"Public Art Advisory Committee" means that term as it is defined under City of Oakland Ordinance No. 11086 C.M.S.

"Public Art Projects" are projects which involve artists working through the public art process that result in the creation of original works in freely accessible spaces that include but are not limited to paintings, mural decorations, inscriptions, stained glass, fiber work, statues, reliefs or other sculpture, monuments, fountains, arches, or other structures intended for ornament or commemoration, carvings, frescoes, mosaics, mobiles, photographs, drawings, collages, prints, and/or crafts both decorative and utilitarian in clay, fiber, wood, metal, glass, plastics and other materials. Public art projects also include artists serving on design and development teams to identify opportunities to incorporate art in freely accessible space.

(Ord. No. 13443, § 3, 6-20-2017; Ord. No. 13491, § 2, 6-5-2018)

15.78.040 - Conflict.

Wherever the provisions of this Chapter conflict with each other or with the provisions of other associated codes, regulations, or ordinances, the applicable requirements of this Chapter shall control.

(Ord. No. 13443, § 3, 6-20-2017)

15.78.050 - Amendments.

Where any section, subsection, sentence, clause, phrase, or other part of this Chapter and the referenced law recited herein are amended subsequently, all provisions of the original recitation not so specifically amended shall remain in full force and effect and all amended provisions shall be considered as added thereto.

(Ord. No. 13443, § 3, 6-20-2017)

15.78.060 - Administrative Regulations.

The City Administrator is hereby authorized to adopt rules and regulations consistent with this Chapter as needed to implement this Chapter, subject to the review and approval of the Office of the City Attorney, and to develop all related forms and/or other materials and take other steps as needed to

implement this Chapter, and make such interpretations of this Chapter as he or she may consider necessary to achieve the purposes of this Chapter.

(Ord. No. 13443, § 3, 6-20-2017)

15.78.070 - Contribution Requirements.

A. Calculation.

1. Nonresidential Building Developments. Private nonresidential building developments involving two thousand (2,000) square feet or more of new floor area and subject to design review approval pursuant to Chapter 17.136 of the Oakland Planning Code shall devote an amount not less than one percent (1%) of building development costs for acquisition and installation of freely accessible art on the development site or the adjacent right-of-way (within one-fourth (¼) mile).
2. Residential Building Developments. Private residential building developments of twenty (20) or more new dwelling units and subject to design review approval pursuant to Chapter 17.136 of the Oakland Planning Code shall devote an amount not less than one-half of one percent (0.5%) of building development costs for acquisition and installation of freely accessible art on the development site or the adjacent right-of-way (within one-fourth (¼) mile).

B. In-Lieu Contribution. At the discretion of the developer and/or owner, and in lieu of installing public art, an in-lieu contribution shall be placed into the Public Art Project account, as defined in Ordinance No. 11086 C.M.S., for acquisition and placement of public art throughout the City.

C. Alternative Means of Satisfaction of Public Art Requirement. Instead of installing public art on site, or making an in lieu contribution to the Public Art Project account, the developer and/or owner may propose to satisfy the public art requirement in any of the three (3) following alternative ways, subject to City approval:

1. The developer and/or owner may by special application approved by the City, following review and approval from the Public Art Advisory Committee, complete an alternative equivalent proposal to install freely accessible art in the State highway right-of-way or on property owned by other public agencies. The developer and/ or owner must demonstrate that the cost of the alternative equivalent proposal will equal the cost of the public art contribution that would otherwise be required under Subsection 15.78.070 A. The City may approve the alternative equivalent proposal if it finds that: 1) the alternative equivalent proposal will further the purposes of this Chapter as set forth under Section 15.78.020, 2) the cost of the alternative equivalent proposal will be equal to or greater than the cost of the public art contribution that would otherwise be required under Subsection 15.78.070 A., and 3) the developer and/or owner has established to the satisfaction of the City that the alternative equivalent proposal will create freely accessible public art in the City to an equal or greater extent than installation of the public art on the development site or payment of in lieu fees. In approving an alternative equivalent proposal, the Public Art Advisory Committee may impose reasonable conditions of approval requiring the developer and/or owner to enter into agreements with the City or other public agencies or private parties in order to memorialize the legal obligations of all parties involved with the alternative equivalent proposal; or
2. The developer and/or owner may by special application to and approval by the City make a contribution to the City, either in the full amount of the in lieu contribution or a percentage thereof (with the remainder of the in lieu contribution placed into the Public Art Project account), for the purpose of capital improvements to a specified City-owned arts facility or facilities within one-half (1/2) mile of the development.
 - i. The City Administrator may approve such a contribution if he or she finds that: 1) the City-owned Arts Facility or Facilities are in need of capital improvements; 2) the facilities once improved will create greater opportunities for the exhibition of visual or performing arts, and

- provide enhanced opportunities for city residents and visitors to experience visual or performing arts; and 3) the project will not create unbudgeted costs for the City.
- ii. Any capital improvements approved under this subsection are public works of improvement and shall be subject to advertising, bidding, lowest responsible bid award, prevailing wages, bonding, state contractor licensing and other requirements for public works of improvement.
 - iii. The City Council hereby authorizes the establishment of facility-specific project accounts for each City-owned Arts Facility or Facilities to which funds are contributed pursuant to this Subsection 15.78.070 C.2., and further authorizes the City Administrator to appropriate all funds contributed to the City pursuant to this Subsection to the corresponding facility-specific project account. Funds so appropriated, if not expended in any given fiscal year, shall be carried over to the next fiscal year; or
3. The developer and/or owner may by special application and approval by the City satisfy up to seventy-five percent (75%) of the in-lieu contribution as follows, following review and approval by the Public Arts Advisory Committee. The remaining in-lieu contribution shall be placed into the Public Art Project account.
 - i. Developer and/or owner's inclusion of space within the development project that is generally open to the public during regular business hours and is dedicated by developer and/or owner for regular use as a rotating art gallery, free of charge, will be deemed to satisfy twenty-five percent (25%) of the in-lieu contribution; and/or
 - ii. Developer and/or owner's provision, design and commitment of at least five hundred (500) square feet of space within the development project, to be made available to the public for the primary use of arts and cultural programming, may be deemed to satisfy fifty percent (50%) of the in-lieu contribution.
- D. Exclusions. The requirements of this Chapter shall not apply to an affordable housing development if the developer and/or owner demonstrates to the satisfaction of the City that said requirements would cause the development project not to be economically feasible.

(Ord. No. 13443, § 3, 6-20-2017; Ord. No. 13491, § 2, 6-5-2018)

15.78.080 - Appeal Procedure.

- A. Within ten (10) calendar days after the date of a decision by the Planning Director or City Planning Commission that includes a condition of approval imposing a public art requirement for private development, an appeal from said decision must be filed by the applicant or any other interested party. The appeal shall be submitted to the Bureau of Planning at 250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612. In the event the last date of appeal falls on a weekend or holiday when City offices are closed, the next date such offices are open for business shall be the last date of appeal. Such appeal shall be made on a form prescribed by the Bureau of Planning and shall be filed with the Planning and Building Department ("Department") and submitted to the Department to the attention of the Planning Director, along with the appropriate fees required by the City's Master Fee Schedule. The appeal application must be complete and shall state specifically wherein it is claimed there was an error or abuse of discretion by the Planning Director or City Planning Commission or wherein the Planning Director or City Planning Commission's decision is not supported by the evidence in the record. The appeal itself must raise each and every issue that is contested, including any and all constitutional claims, along with all the arguments and evidence in the record, which supports the basis of the appeal; failure to do so will preclude the appellant from raising such issues during the appeal and/or in court.
- B. If a hearing is held on the appeal, then during such hearing, the appellant will be limited to issues and/or evidence previously raised in the appeal itself. The appellant shall not be permitted to present any other issues and/or oral, written and/or documentary evidence during the appeal process.

- C. In considering the appeal, the City Administrator shall determine whether the public art requirement for private development conforms to the requirements of this Chapter and/or asserted constitutional provisions, and may grant or deny the appeal or impose such reasonable conditions of approval as are in his or her judgment necessary to ensure conformity to said criteria. The written decision of the City Administrator shall be final and shall be made within sixty (60) days of the submission of the appeal.

(Ord. No. 13443, § 3, 6-20-2017)

15.78.090 - Artist Requirement.

Public art shall be designed by independent artists or artists working in conjunction with arts and/or community organizations that are verified by the City to be a 501(c)(3) tax designated organization in good standing. Developers and/or owners are encouraged, but not required, to employ Oakland artists and/or arts organizations to fulfill the public art requirement. For the purposes of this Section, "artists" shall not include members of the architectural, engineering, design, or landscaping firms retained for the design and construction of a development project.

(Ord. No. 13443, § 3, 6-20-2017)

15.78.100 - Compliance, Ownership and Maintenance.

- A. Compliance with the provisions of this Chapter shall be demonstrated by the developer and/or owner at the time of filing the Building Permit application by either: (a) payment of the full amount of the in-lieu fee (b) furnishing written proof to the Building Department and the Public Art Program of the Public Art for Private Development Checklist complete submittal package including budget and artist contract(s) for projects on the development site or on the right-of-way adjacent to the development site (within one-fourth (¼) mile) (c) furnishing written proof to the Building Department and the Public Art Program of an alternative equivalent proposal approved by the Public Art Advisory Committee under Subsection 15.78.070 C.1., including any executed agreements as required by any conditions of approval attached to the alternative equivalent proposal, (d) payment of the full amount of the contribution to specified City-owned Arts Facility or Facilities approved by the City Administrator under Subsection 15.78.070 C.2.; or (e) a complete cultural space plan approved by the Public Art Advisory Committee under Subsection 15.78.070 C.3.
- B. The developer and/or owner shall install any required artwork or cultural space before issuance of the certificate of occupancy, unless the City has approved some other method of assuring compliance with the provisions of this requirement, and maintain said artwork or cultural space in proper condition on an ongoing basis, in accordance with the maintenance guidelines referenced below.
- C. All artwork or cultural space shall become the property of the developer and/or owner and successor(s) in interest, unless an exception to the requirements of this Subsection 15.78.100 C. is authorized as part of an alternative equivalent proposal approved pursuant to Subsection 15.78.070 C.1. Artwork and cultural space cannot be sold or transferred other than to a subsequent successor in interest. The obligation to provide maintenance and security, as necessary to preserve the artwork or cultural space in good condition, shall remain with the developer and/or owner. The developer and/or owner and successor(s) in interest may obtain adequate insurance coverage to cover the costs of the repair of any damage or necessary replacements to the public art or cultural space. In cases where public art is acquired and installed on the development site or on the right-of-way adjacent to the development site (within one-fourth (¼) mile), or the developer and/or owner elects to provide cultural space on the development site, all of the following must occur prior to issuance of a certificate of occupancy for any project subject to this Chapter:

1. A copy of the maintenance plan that includes information on materials, parts and fabricator contact information has been submitted to the City. Funds for maintenance are not part of the public art contribution requirement; and
 2. A covenant setting forth the developer and/or owner's obligations under this Chapter has been executed and recorded with the Alameda County Recorder, and a conformed copy has submitted to the City. The covenant shall include a financial plan for the maintenance of the artwork or cultural space, a schedule of future condition checks, and preventative maintenance and restoration to conserve the artwork or cultural space at an appropriate level; and
 3. A plaque has been installed adjacent to the artwork measuring no less than 8" x 8" or a proportionate size.
- D. The City reserves the right to inspect the artwork or cultural space at any time to ensure it is being maintained as required by any covenant entered into pursuant to the provisions of Subsection 15.78.100 C.
- E. Unless an artwork poses imminent danger to life or property, no person may destroy, permanently remove, relocate, change, alter, modify, or allow to be defaced, any artwork or portion thereof without the express consent of the City. This requirement will be included in the covenant to be recorded against the property.
- F. If the developer and/or owner satisfies the public art requirement by installing artwork on the development site or on the right-of-way adjacent to the development site (within one-fourth (¼) mile), or on an alternative site as part of an alternative equivalent proposal approved pursuant to Subsection 15.78.070 C.1., and such artwork is subsequently removed or destroyed, the developer and/or owner must either 1) pay an in-lieu fee to the City's Public Art Project account in an amount equivalent to the original value of the removed artwork, or 2) install replacement art that fulfills the requirements of this Chapter. The decision on which option is chosen is made by the City, not the applicant.
- G. If the developer and/or owner satisfies the public art requirement by including cultural space on the development site and such cultural space is subsequently removed or destroyed or ceases to be regularly available to the public, the developer and/or owner must pay an in-lieu fee to the Public Art Project account in an amount equivalent to the original value of the space.

(Ord. No. 13443, § 3, 6-20-2017; Ord. No. 13491, § 2, 6-5-2018)

15.78.110 - Violations.

In addition to other fines or penalties provided by State or municipal law, the City may revoke or suspend any permit granted to any developer and/or owner who violates the provisions of this Chapter.

(Ord. No. 13443, § 3, 6-20-2017)

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2019 JAN 10 PM 3:38

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: 1) SUBMIT AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE SPONSORSHIP AND MAINTENANCE OF A PERMANENT PUBLIC ART PROJECT DESIGNED BY THE ARTIST TEAM MACHINIC LLC ("FUTURE CITIES LAB") FOR THE 500 BLOCK OF MADISON STREET, UNDER INTERSTATE 880 BETWEEN 5TH AND 6TH STREETS, AS PROPOSED AND FUNDED BY CP V JLS, LLC TO COMPLY WITH OAKLAND MUNICIPAL CODE CHAPTER 15.78 – PUBLIC ART REQUIREMENTS FOR PRIVATE DEVELOPMENT; AND 2) ENTER INTO AN AGREEMENT WITH CP V JLS, LLC FOR INSTALLATION OF THE PUBLIC ART PROJECT AND ONGOING MAINTENANCE RESPONSIBILITIES

WHEREAS, Oakland Municipal Code ("OMC") Chapter 15.78 Public Art Requirements For Private Development, requires all new development meeting certain criteria to include permanent public art at the development site or to satisfy the requirement by alternative equivalent means as provided in the OMC; and

WHEREAS, the entity CP V JLS, LLC owns the development site and has proposed to meet this requirement by placement of a permanent artwork entitled "Light Cloud" on State of California Department of Transportation ("Caltrans" or the "State") property adjacent to the development site at 150 and 155 4th Street; and

WHEREAS, "Light Cloud" is planned for the northern and southern sidewalks on Madison Street between 5th and 6th Streets, and is designed by the artist team Machinic LLC (also known as "Future Cities Lab"); and

WHEREAS, as described in the accompanying report, the permanent artwork proposal furthers the purposes of the Public Art Requirements For Private Development Ordinance through alternative means, by installing art on nearby property owned by other public agencies, and

WHEREAS, the permanent artwork proposed for Caltrans property creates freely accessible public art to an equal or greater extent than installation of the public art on the development site or payment of in lieu fees; and

WHEREAS, the cost of the proposed artwork is equal to or greater than the cost of the public art contribution that would otherwise be required under OMC Chapter 15.78; and

WHEREAS, CP V JLS, LLC will fund the project implementation, based on total building development costs, calculated at \$367,535, and all future maintenance expenses; and

WHEREAS, the City of Oakland Public Art Advisory Committee at its meeting of March 5, 2018 reviewed the design and has recommended that the City Council accept the proposal; and

WHEREAS, CP V JLS; LLC has agreed to maintain the artwork after completion, for the lifespan of the associated building development, or to meet the requirement through an approved alternative means; and

WHEREAS, if the artwork is removed, OMC Chapter 15.78 requires the applicant to make an in-lieu contribution, or to replace the artwork with one of equivalent value; and

WHEREAS, the State of California Department of Transportation ("Caltrans" or "State") requires that the City of Oakland sponsor, and take responsibility for, all artwork authorized by Caltrans for placement on Caltrans property within the Oakland city limits; and

WHEREAS, Caltrans requires that the City submit a Transportation Art proposal for the proposed artwork; and

WHEREAS, as a condition to approving the installation of artwork on Caltrans facilities, Caltrans requires a resolution from the City Council in support of the project and an agreement with the City of Oakland stating that the City will assume responsibility for maintenance and upkeep of artwork on Caltrans facilities within the Oakland city limits at City's expense; and

WHEREAS, the City and CP V JLS, LLC will implement the project immediately upon issuance of all required Caltrans permits; and

WHEREAS, section 504(l) of the City Charter authorizes the City Administrator to enter into intergovernmental agreements subject to City Council approval; and

WHEREAS, the proposed agreement with Caltrans requires that City maintain the artwork including, but not limited to: (1) restoration or replacement of damaged artwork; (2) removal of dirt, debris, graffiti, grown vegetation and weeds surrounding artwork and the immediate area City uses to access and maintain artwork; and (3)

removal of any deleterious item or material on artwork in an expeditious manner, including graffiti removal, which must conform to applicable State policies and guidelines that require prompt removal of offensive messages and timely removal of all other graffiti, for the proposed lifespan of the artwork; and (4) transfer of ownership of the work to Caltrans; and

WHEREAS, Caltrans requires that all work by or on behalf of the City will be done at no cost to State; and

WHEREAS, the proposed agreement with Caltrans requires that the City shall remove artwork whenever, in the opinion of State, it creates a maintenance or operational concern; and states that in the event the City fails to remove artwork in a timely manner, State may remove artwork and will bill the City for all costs of its removal and for the restoration of State owned areas to their original condition; and

WHEREAS, the State requires the City to obtain from artists, or any party the City contracts with for the artwork, an assignment of all copyright interests in the artwork to the State; and

WHEREAS, it is the City's policy through its Public Art Program regulations that gifts of art, works placed in the Public Right of Way, and community-initiated artwork projects may be accepted only on the terms that the artwork sponsor or donor make provision for ongoing maintenance of the artwork, which entails entering into agreements with artists and organizations establishing the artist/donor's agreement and responsibility to provide maintenance and upkeep; and

WHEREAS, City proposes to enter into an Agreement with CP V JLS, LLC which requires them to assume all maintenance responsibilities specific to the artwork as stipulated by State, and comply with all City and State permit requirements for the installation of the mural; and

WHEREAS, the proposed agreement between City and CP V JLS, LLC requires that CP V JLS, LLC shall remove artwork whenever, in the opinion of City, it creates a maintenance or operational concern, and states that in the event it fails to remove artwork in a timely manner, City may remove artwork and will bill CP V JLS, LLC for all costs of its removal and for the restoration of State-owned areas to their original condition; now, therefore be it

RESOLVED: That the City Administrator is hereby authorized to submit to Caltrans a Transportation Art proposal for the artwork, and enter into an Agreement with Caltrans for the sponsorship and maintenance of the permanent artwork by Machinic LLC ("Future Cities Lab"), for the sidewalks on Madison Street between 4th and 5th Streets, at Post Mile ALA880-31.61; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to enter into an agreement with CP V JLS, LLC to install the artwork at the location and require CP V JLS, LLC to assume all maintenance responsibilities specific to the artwork for the lifespan of the artwork; and be it

FURTHER RESOLVED: That the City Administrator is authorized to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments, modifications, and related actions which may be necessary for the above-referenced agreements and the public art project; and be it

FURTHER RESOLVED: That said agreements shall be reviewed as to form and legality by the Office of the City Attorney and copies will be filed in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BAS. GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, TAYLOR, THAO.

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California