

**City of Culver City, California
Agenda Item Report**

Meeting Date: <u> 04/05/10 </u>		Item Number: C-8	
CITY COUNCIL AGENDA ITEM: FOUR-FIFTHS VOTE REQUIREMENT - Approval of (1) a Design for the Ballona Creek Decorative Gate at Overland Avenue and (2) a Professional Services Agreement with Alber De Matteis and a Related Budget Amendment.			
Contact Person/Dept.: Helen Kerstein/PW		Phone Number: (310) 253-5618	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒	Attachments: ☒
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-mail) Agenda and Meetings – City Council (03/31/10); (E-mail) Santa Monica Mountains Conservancy (03/29/2010); (E-mail) Los Angeles County Department of Public Works (03/29/2010); (E-mail) County of Los Angeles Public Library (03/29/2010); (E-mail) Culver City Unified School District (03/29/2010); (E-mail) Mountains Recreation and Conservation Authority (03/29/2010); (E-mail) Santa Monica Bay Restoration Commission (03/29/2010); (E-mail) Ballona Creek Renaissance (03/29/2010); (Letter) Alber De Matteis (03/29/2010); (Letter) Gale McCall (03/29/2010); (Letter) May Sun (03/29/2010)			
Department Approval: Charles D. Herbertson (03/26/10)		City Attorney Approval: Carol Schwab (by H. Baker) (03/29/10)	
Chief Financial Officer Approval: Mark Scott (by N. Kimball) (03/30/10)		City Manager Approval: Mark Scott (04/01/10)	
<u>RECOMMENDATION:</u> Staff recommends that the City Council consider the attached proposals together with the recommendation from the Selection Panel and approve Alber De Matteis' concept for the design of the Ballona Creek Gate at Overland Avenue. Staff also recommends that the City Council approve a professional services agreement with Alber De Matteis and approve a budget amendment of \$25,000 to cover the associated cost (this covers both design and fabrication of the gate structure). A budget amendment requires a four-fifths vote. <u>BACKGROUND:</u> The Ballona Creek Bikeway Project involves improving portions of the Ballona Creek Bikeway between Overland Avenue and the pedestrian bridge located approximately 1,000 feet west of Overland Avenue. One important part of the Bikeway Project is a decorative gate, which will provide a functional and aesthetically-pleasing entrance to the bikeway at Overland Avenue. Similar decorative gates currently exist at the Centinela Avenue, Sepulveda Boulevard, Inglewood Boulevard, and McConnell Avenue entrances to Ballona Creek.			

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DISCUSSION:

On December 7, 2009, the City Council approved a Request for Qualifications (RFQ) to select an artist for the decorative gate at Overland Avenue. The RFQ outlined a two-stage process for choosing the artist. In the first step, staff reached out to thousands of local artists through list-serves and email lists. Roughly 80 artists registered their interest in the project. Of those interested, 15 Southern California-based artists submitted applications that included letters of introduction, resumes and images of past work by the January 12, 2010 deadline.

Staff convened a Selection Panel that met on February 5, 2010 to review these applications. The Selection Panel was composed of:

- Marla Koosed - Chair, Cultural Affairs Commission and member of the Commission's Public Art Subcommittee
- Eric Mirzaian - Senior Management Analyst, Public Works Department, Maintenance Operations
- Karen Rapp - Director, Vincent Price Art Museum

Helen Kerstein of the Public Works Department and Christine Byers of the Community Development Department were also present as facilitators at the February 2010 Selection Panel meeting but did not participate in scoring the entries.

The Selection Panel considered the quality of the artists' past work as evidenced by the work submitted (weighted 80%) and the artists' levels of professional experience as demonstrated by resumes and recommendations (weighted 20%). The Selection Panel concluded their review of all 15 applications by recommending that the following artists be short-listed for proposal development: Alber De Matteis, Gale McCall, and May Sun.

Each of the short-listed artists was then taken on a site visit, forwarded a set of specific proposal guidelines (Attachment 1), and asked to make a presentation before the same Selection Panel on March 22, 2010. A copy of each artist's proposal is included as Attachment 2. Below is a brief summary of the artists' concepts and of the panel's comments:

1. Alber De Matteis:

Project Overview:

The design is intended to represent the whimsical and relaxing nature of water. It includes swirls and concentric circles that are inspired both by the ripples created when a pebble touches the water and the lines on a Zen Garden. The artist expects to construct the design using several layers, which will create visual interest. He proposes to construct the gate out of steel with a natural rust patina.

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Panel Comments:

The Selection Panel appreciated the simplicity of the design and the visual effect of the layers of metalwork. They also felt that the style and materials would complement the existing gates along the Creek.

2. Gale McCall

Project Overview:

The design was inspired by the plants and animals that call the Ballona Creek area home. It includes representations of these flora and fauna along with images that link the gate to the nearby library and school. The artist proposes to fabricate the design out of Corten and stainless steel.

Panel Comments:

The Selection Panel greatly valued the artistic merit and technical skill demonstrated by the design. The Selection Panel also appreciated the design's strong connection to the site, including local wildlife and the nearby library. However, there was some concern that the design was overly intricate given the other gates along the Creek and might require significant maintenance.

3. May Sun

Project Overview:

The design pays homage to the striped mullet, one of the fish species that is native to the Ballona Wetlands but has been negatively impacted by exotic species. It includes cutouts of a school of mullets, which when hit with sunlight, will create shadows on the nearby ground. The artist anticipates fabricating the design out of a combination of stainless steel and mild steel with a rusted finish.

Panel Comments:

The panel liked the simplicity and general concept of the design, including its connection to local wildlife and its visual shadowing effect. However, the panel was concerned that the artist had not fully thought through some aspects of the design. For example, the panel expressed concerns about the potential vulnerability of the design to taggers and those who might desire to climb the gate.

The panel scored the three proposals based on the following criteria:

- Design, including: 1) overall artistic merit; 2) reflection of Culver City and Ballona Creek's identity and consistency with other Ballona Creek gate designs; 3) conformity to design specifications and quality of design, including whether the design is safe, functional, and requires minimal maintenance (weighted at 75%)
- Fee schedule and timeline (weighted at 25%)

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All three artists stated that they would be ready to install art work by September 2010 and all proposed a budget of \$25,000, which is within the range specified in the RFQ.

The three artists were ranked as follows, based on the panelists' scores. (Note: each panelist scored out of 100 points, for a total of 300 possible points from all three panelists):

- Alber De Matteis (236 total points)
- Gale McCall (226 total points)
- May Sun (171 total points)

Based on these scores, the Selection Panel and staff recommend that the City Council approve Alber De Matteis' concept. Additionally, staff recommends that the City Council approve a contract for \$25,000 and approve the associated budget amendment for that amount.

FISCAL ANALYSIS:

Staff recommends that \$25,000 be appropriated from the New Development Impact Fee Fund. There are currently approximately \$250,000 available in the New Development Impact Fund. Pursuant to Section 15.06.045 of the Culver City Municipal Code, "Fees from each new development shall be appropriated and disbursed only for street improvements, traffic controls and traffic management projects which are made necessary by the development and are: A. Located within the area from which the fees were collected; or B. Located within the impact zone of the new development as determined pursuant to §15.06.040; or C. found pursuant to § 15.06.045 to benefit the new development and mitigate its traffic impact." This proposed project will improve the bike path for bicyclists and pedestrians and will encourage its usage to places of employment in the impact zone.

In November 2009, after receiving City Council approval, staff applied for an Environmental Enhancement and Mitigation grant to fund the portion of the Ballona Creek Bikeway Project not funded through the American Recovery and Reinvestment Act (Federal Stimulus funding). Staff has been notified that this application has been recommended for funding. However, final approval from the California Transportation Commission has not been received. Should this funding be received, New Development Impact fees may no longer be required for this project and staff may recommend that they be reallocated at that point.

The \$25,000 for this Agreement will cover design and fabrication of the gate. The fabricated gate will be installed as part of the Ballona Creek Bikeway Project (P-900). It is expected this project will be presented to the City Council before the end of the fiscal year for bid authorization and potential award.

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ATTACHMENTS:

1. Proposal Guidelines
2. Artist Proposals

MOTION:

That the City Council:

1. Approve Alber De Matteis' design for a decorative gate at the entrance to Ballona Creek at Overland Avenue; and,
2. Approve a budget amendment to appropriate funds from the New Development Impact Fund in the amount of \$25,000 to P-900.
3. Approve a Professional Services Agreement with Alber De Matteis for this work; and,
4. Authorize the City Attorney to review/prepare the necessary documents; and,
5. Authorize the City Manager to execute such document on behalf of the City.

A 4/5th vote is required to approve the budget amendment.