Civic Arts Commission

Civic Arts Commission Meeting

Wednesday, January 22, 2025
6:00 PM
Meeting Location: Tarea Hall Pittman South Branch Library
1901 Russell St, Berkeley, CA 94703

Agenda

1. CALL TO ORDER

2. ROLL CALL

Jonathan Bachrach, District 1
Dana Blecher (Chair), District 6
Lisa Bullwinkel, District 4
Modesto Covarrubias, District 7
Cristina Ibarra, District 3
Eduardo Pineda, District 5
Cameron Woo (Vice Chair), District 2
Vacancy, District 8
Vacancy, Mayor

3. LAND ACKNOWLEDGEMENT

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

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

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

5. **CHAIR'S REPORT**

   a) Reminder: Election of new chair and vice chair at February meeting
   b) Reminder: Subcommittee members needed

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

   a) **Action Item:** Artist Joanna Keane Lopez for Cube Space Exhibition, April – June, 2025 (10 min)
   Introduced and Presented by Eduardo Pineda, Public Art Subcommittee Member (Attachment 1)
   Recommendation: Approval of artist Joanna Keane Lopez for Cube Space Exhibition, April – June, 2025
   Public Comment

   b) **Action Item:** Telegraph Business Improvement District artwork by Forest Wolf Kell (10 min)
   Introduced and Presented by Eduardo Pineda, Public Art Subcommittee Member (Attachment 2)
   Recommendation: Approval of artwork by Forest Wolf Kell for new 24/7 public restroom outside the Public Parking Garage on Channing Way proposed by the Telegraph Business Improvement District.
   Public Comment

   c) **Action Item:** Ordinance Amending the Municipal Code to Implement AB 812 (Chapter 747) Authorizing a Certain Percentage of Affordable Units be Reserved for Lower Income Artists (15 minutes)
   Introduced and Presented by Cameron Woo, Chair of Joint Subcommittee of the Civic Arts Commission and Housing Advisory Commission on Affordable Housing for Lower Income Artists (Attachment 3)
   Recommendation: Approval of recommendation to the City Council that it refer to the Planning Commission for its consideration and action a draft ordinance amending the Municipal Code to implement AB 812 (Chapter 747) authorizing a certain percentage of affordable units be reserved for lower income artists of those required affordable housing units consistent with the City of Berkeley's Affordable Housing Preference Policy.

Public Comment

d) **Report:** Civic Arts Grants-funded Community Festivals Quarterly Report (5 minutes)
Presented by Hilary Amnah, Grants Program Lead (Attachment 4)
Public Comment

e) **Report:** Public Art on Private Development Quarterly Report (5 minutes)
Introduced by Jennifer Lovvorn, Chief Cultural Affairs Officer (Attachment 5)
Public Comment

7. STAFF REPORT

a) Civic Arts Program Updates, Jen Lovvorn (5 minute)

b) Grants Program Updates, Hilary Amnah (5 minute)

8. COMMITTEE REPORTS

a) Grants
- Dana Blecher, Chair
- Lisa Bullwinkel
- Cameron Woo

b) Public Art
- Modesto Covarrubias, Chair
- Eduardo Pineda

c) Policy Subcommittee
- Lisa Bullwinkel
- Cameron Woo

d) Joint Subcommittee with Housing Advisory Commission
- Cameron Woo, Chair

e) Representative on Design Review Committee
- Cameron Woo

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

a) None

10. APPROVAL OF MINUTES

a) Draft Minutes of December 4, 2024 Meeting (Attachment 6)
From: Commission Secretary
Recommendation: Approval of December 4, 2024 Meeting Minutes

11. ADJOURNMENT

Attachments:

1. Artist Joanna Keane Lopez for Cube Space Exhibition
2. Telegraph Business Improvement District artwork by Forest Wolf Kell
3. Committee Report and Ordinance Amending Municipal Code to Implement AB 812
4. Civic Arts Grants-funded Community Festivals Quarterly Report
5. Public Art on Private Development Quarterly Report
6. Draft Minutes of December 4, 2024 Meeting

Staff Contact:
Jennifer Lovvorn
Secretary to the Civic Arts Commission
Berkeley, CA 94704
Telephone (510) 981-7533
jlovvorn@berkeleyca.gov

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

ACCESSIBILITY INFORMATION:

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

April-June
Cube Space

Artist: Joanna Keane Lopez

Curator: William Hernandez Luege

About the artist

Sculptor and Social Practice Artist

- Combines minimalist sculpture, adobe architecture, and land-based traditions to explore themes of place and identity in the American West.
- Continues the teachings of *enjarradoras* and *adoberas*, women specializing in traditional adobe craftsmanship, to honor and revitalize vernacular architectural practices.
- Has exhibited nationally at institutions including SITE Santa Fe, The Momentary of the Crystal Bridges Museum of American Art, and the National Hispanic Cultural Center Art Museum.

Education

- Graduated with a BFA from the University of New Mexico. Graduated MFA from Stanford University.
- Studied under renowned enjarradoras Anita Rodríguez and Carole Crews, gaining hands-on experience in traditional adobe practices.
- Participated in artist residencies at A-Z West and Ucross Foundation and is currently at the Headlands further developing her interdisciplinary approach.

Impact of the Cube Space

Curatorial Overview

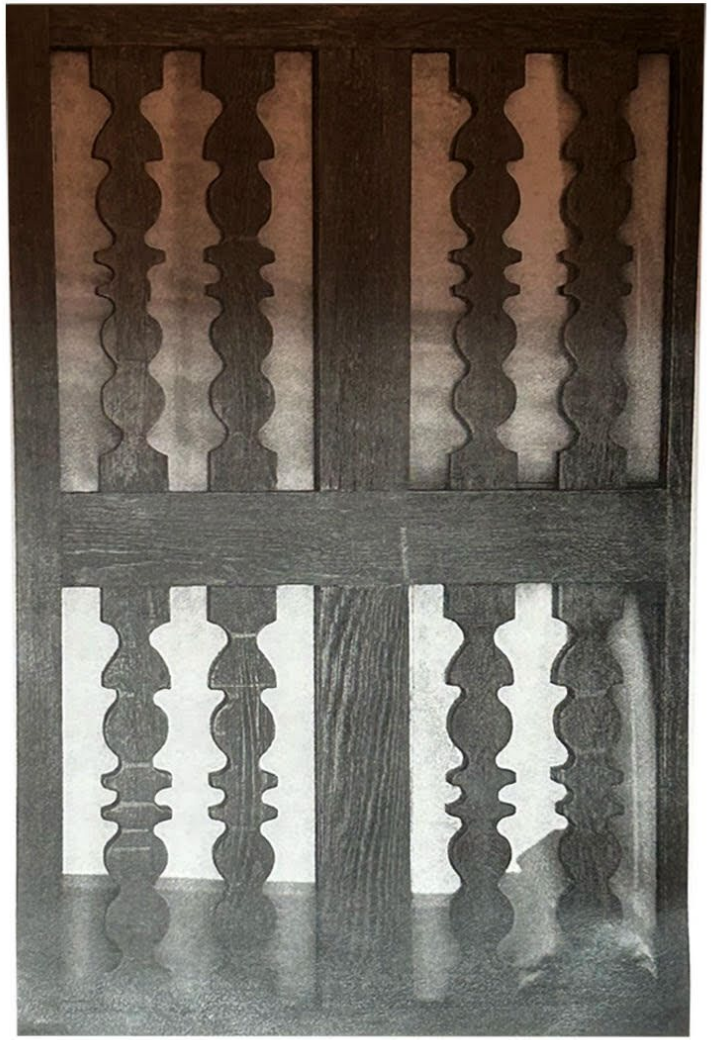
- This project provides the artist with the opportunity to expand their practice by integrating materials like adobe, ceramic, and wood to explore scale, light, and materiality in innovative ways.
- Cube Space allows the artist to move beyond traditional methods of sculptural practice, emphasizing experimentation and site-specific design within its unique setting.

For the City of Berkeley

- Cube Space enhances Berkeley's cultural landscape by fostering connections between regional material traditions and contemporary artistic innovation.
- The project strengthens ties between Cube Space and other arts organizations within the Bay Area, building on existing collaborations and encouraging deeper engagement with the local community.

Recognition and Future Growth

- Her work has attracted attention from institutions across the country, and would bolster Cube Space's visibility with an emerging artist who is making national waves.



Joanna Keane Lopez
Batter my heart, three person'd God, 2024
Adobe, ponderosa pine, colcha embroidery, churro wool, linen, natural dye, tin, digital print

Joanna Keane Lopez
Ghost Spell, 2023
Adobe, pine, paper, linen

Joanna Keane Lopez
A Poem for Blessing Clay, 2022
Adobe, land-sourced colored clays

Key Themes

Subjectivity and Objecthood

The Dialogue of Earthen and Architectural Forms:

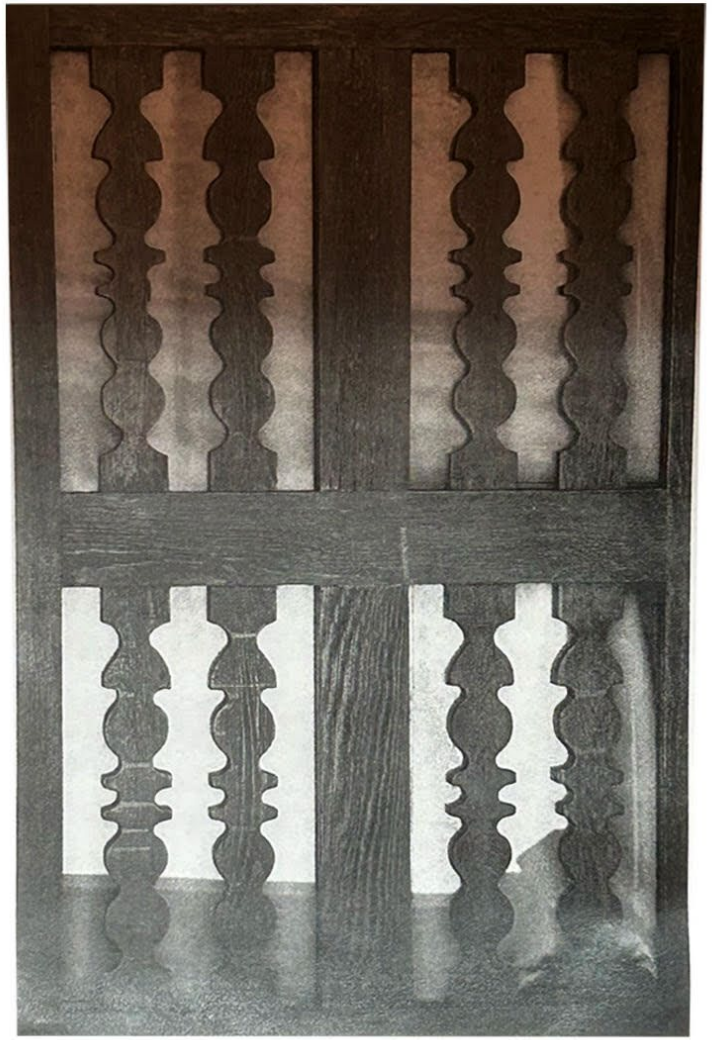
- A wooden structure with intricate cutouts stands as a monumental reinterpretation of vernacular architecture, backlit to emphasize its delicate symmetry.
- The circular ceramic base, glazed soft pink, supports an adobe mud plaster fragment painted with *alíz*, connecting contemporary artistic practice to traditional material histories.

Bridging Regions and Histories:

- Combines Southwestern earthen traditions with Bay Area innovation, inviting viewers to consider the poetic potential of humble, land-based materials.
- Highlights the enduring relevance of adobe and clay as vessels of cultural memory and contemporary storytelling.

Layered Perception and Illumination:

- The backlit wooden panel creates a dynamic interplay of light and shadow, transforming its cutout patterns into ethereal, performative shapes.
- This theatrical lighting draws attention to the texture and depth of each material, inviting viewers to engage in slow, deliberate observation.

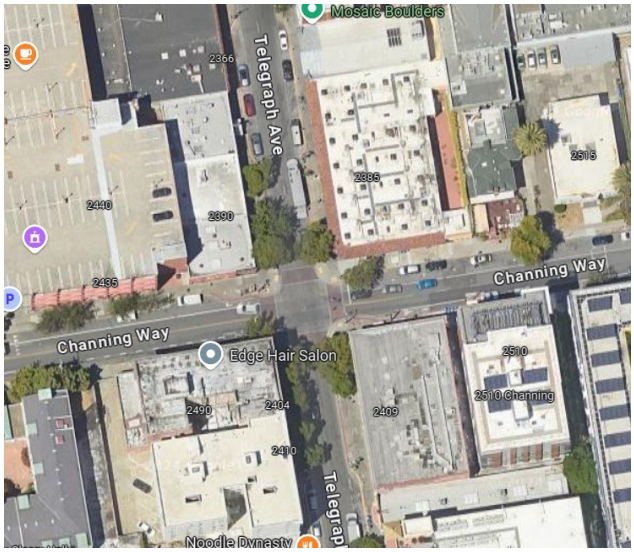


Portland Loo Art Project

Jan. 22 – Telegraph Business Improvement District

Public Art Proposal: Part of the TBID's partnership with the City of Berkeley on the new 24/7 public restroom outside the Public Parking Garage on Channing Way. Design and install a decorative vinyl wrap on the exterior and interior of the Portland loo that complements the existing mural "Marvelous Miss Mars".

Project Site:



Production and Maintenance:

The TBID is a partner with Public Works on the new 24/7 restroom development which includes this project. The full cost of the project is funded by the TBID with support from the UC Berkeley Chancellors Community Partnership Fund. The TBID has contracted with the artist to design the artwork and coordinate the production and installation with a local company. The TBID will also sign an MOU with Public Works to cover the installation and maintenance responsibilities.

The most used and manufacturer recommended medium for applying artwork is adhesive vinyl. This project will utilize high-quality vinyl materials with a protective laminate layer designed for high-touch environments and protected from UV light. The anticipated lifespan of the vinyl is between three to seven years. Replacement panels will be ordered during the initial printing so that there will be reserves on hand as needed.

The TBID maintains a capital improvements fund which will be used to address damage to the artwork. The Telegraph Ambassadors will provide daily support and supervision to help address vandalism as part of their routine tasks and monitor the site for damage or other issues. They are equipped with various tools and supplies to remove graffiti, stickers and posters. They routinely remediate vandalism on public art works in the district.

The restroom project has already begun and construction is estimated to be completed by February 2025.

Accessible Design:
All interior and exterior panels are intended to be viewed from accessible sidewalk spaces and the restroom interior is wheelchair accessible. The design is purely visual art and uses bold and high contrast styles in a well-lit setting, aiding individuals with low vision. A project label with written identifying information will be printed on the exterior design within comfortable viewing height for both standing and seated people between 48" & 67" above ground level. The label will be designed for maximum legibility and will consist of minimal text using accessible sans-serif fonts. Secondary interpretation options have not been identified but could include direction to an online text description of the artwork for Text to Speech users.

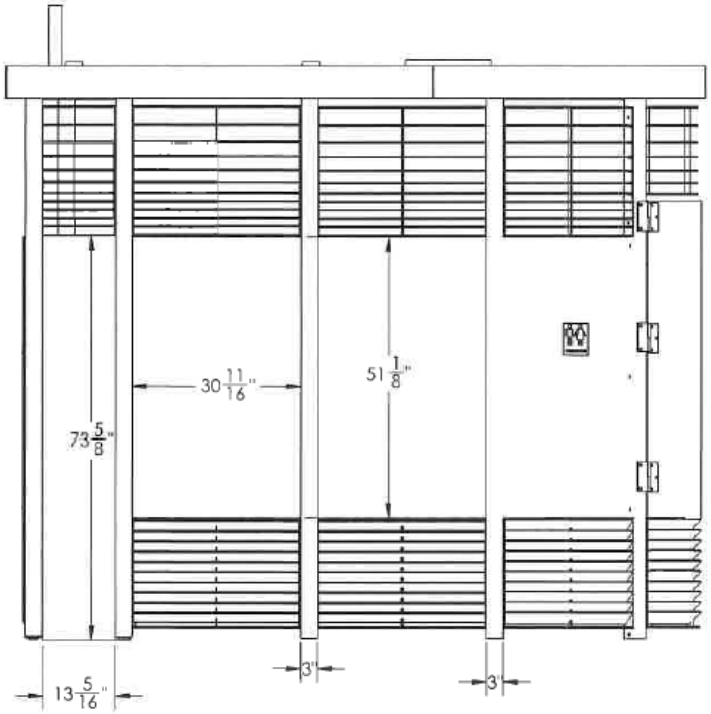
The Artist: Forest Wolf Kell, is a multi-disciplinary artist working in Portland, Oregon. Graduate of Portland State University in 2017 with a bachelor's degree in Fine Art. Most of his works are paintings and illustrations with aesthetics influenced by graffiti and tattoo culture. Kell is the owner, head artist and co-curator of the Portland arts collective and clothing company, Last Bus Club. Kell and his collective have organized, curated and presented many unique art exhibitions and events. You may have seen his work at the Aiden by Best Western on University & Sacramento as well as the Mars mural at the project site.

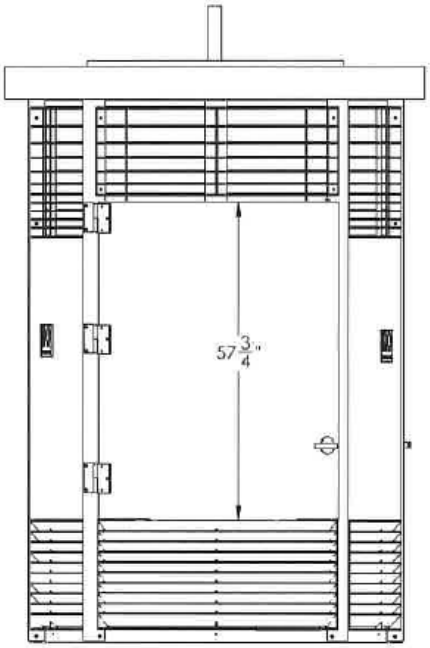
Attachments

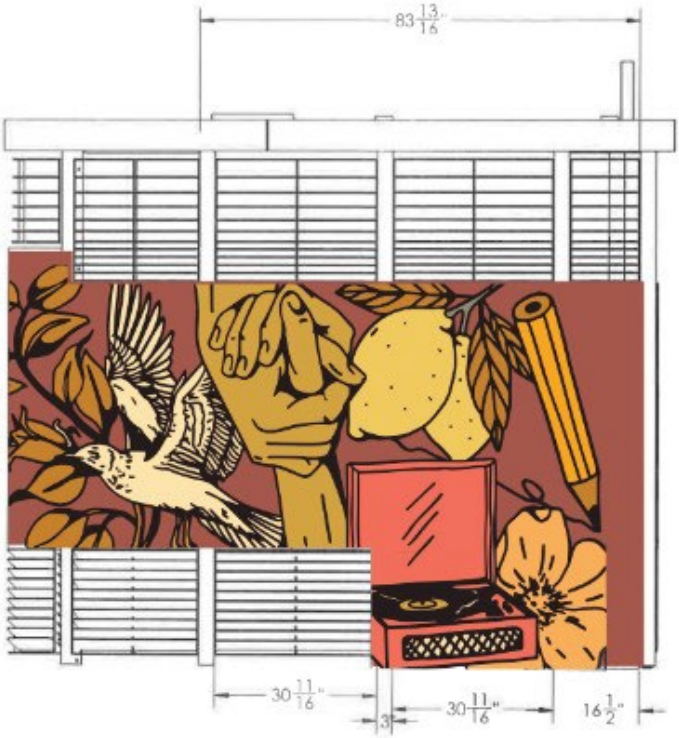
- Proposed artwork design
- VARA/CAPA waiver
- TBID-Public Works installation and upkeep MOU
- Letters of Support
- 3M Product Sheets
- Arlon Series 3350 Vinyl Anti-Graffiti Overlaminate

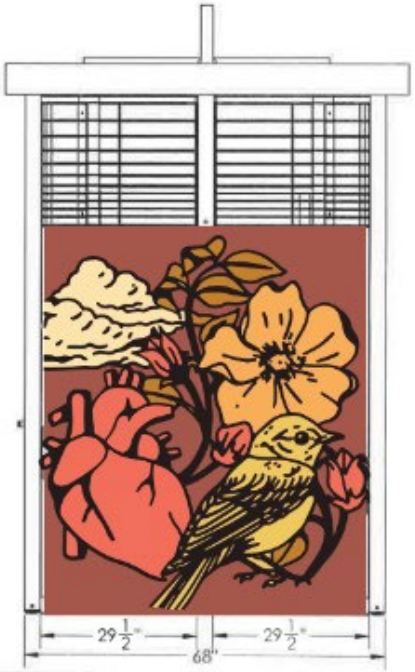
Proposed Design:

Exterior side and front view of Portland Loo



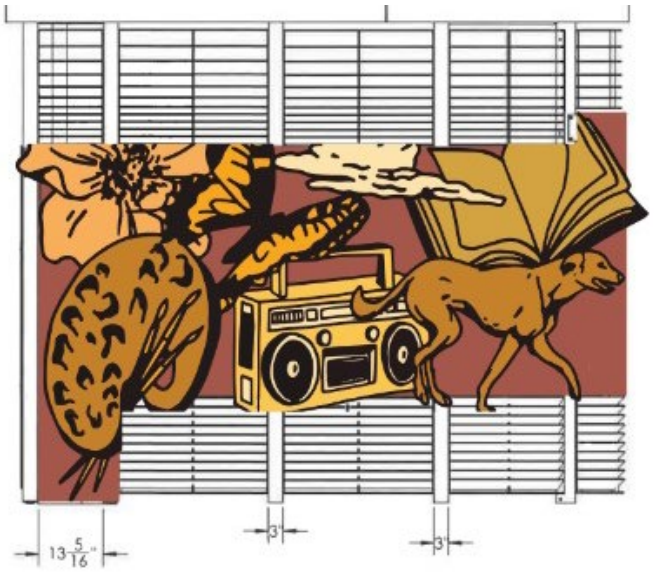






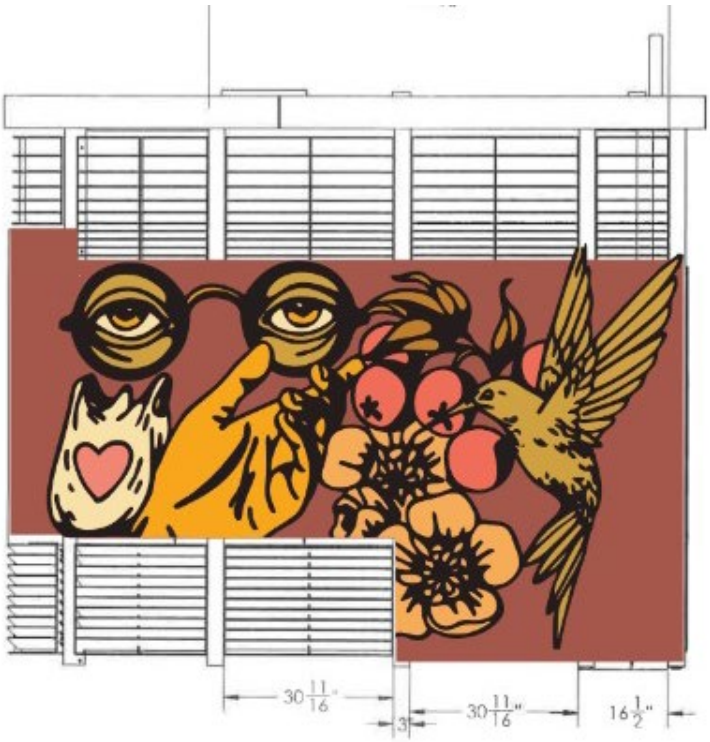
EXTERIOR

		NAME	DATE	MADDEN FABRICATION
UNLESS OTHERWISE SPECIFIED:	DRAWN	CJL	9/6/2017	TITLE:
DIMENSIONS ARE IN INCHES	CHECKED			
TOLERANCES: FRACTIONAL ±1/32" ANGULAR ±0.05°	PRE-UP Q.A.			
	FINAL Q.A.			
PROPRIETARY AND CONFIDENTIAL	NOTES:			
MATERIAL				SIZE A / JOB #: / REV
FINISH				SCALE: 1:10 / SHEET 1 OF 3
DO NOT SCALE DRAWING				



EXTERIOR

		NAME	DATE	MADDEN FABRICATION
UNLESS OTHERWISE SPECIFIED:	DRAWN	CAJ	9/6/2017	TITLE:
DIMENSIONS ARE IN INCHES	CHECKED			
TOLERANCES: FRACTIONAL ±1/32" ANGULAR ±0.05°	PRE-UP Q.A.			
	FINAL Q.A.			
PROPRIETARY AND CONFIDENTIAL	NOTES:			
MATERIAL				SIZE B / JOB #: 15 / REV
FINISH				SCALE: 1:10 / SHEET 3 OF 3
DO NOT SCALE DRAWING				



INTERIOR

		NAME	DATE	MADDEN FABRICATION
UNLESS OTHERWISE SPECIFIED:	DRAWN	CAJ	9/6/2017	TITLE:
DIMENSIONS ARE IN INCHES	CHECKED			
TOLERANCES: FRACTIONAL ±1/32" ANGULAR: ±0.05°	REVIEW Q.A.			
	FINAL Q.A.			
MATERIAL	NOTES:			SIZE B · JOB #: · REV
FINISH				SCALE: 1:10 · SHEET 3 OF 3
DO NOT SCALE DRAWING				

PROPRIETARY AND CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF MADDEN FABRICATION. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF MADDEN FABRICATION IS PROHIBITED.

Appendix B
Civic Arts Commission
VARA/CAPA Waiver and Release

In consideration for the City of Berkeley, its officers, officials, employees and agents, or Private Property Owner ("Property Owner") approving Forest Wolf Kell (the "Artist") to create artwork for a public art project as further described below (the "Artwork"), the Artist hereby acknowledges and agrees, on behalf of himself, herself, or themselves, and their organization, employees, agents, and/or volunteers, to the following:

VARA/CAPA Waiver and Release

Artist hereby waives any and all rights Artist may have with respect to the Artwork (as further described below) under the federal Visual Artists Rights Act of 1990 (17 U.S.C. sections 106A and 113(d)), the California Art Preservation Act (Cal. Civil Code sections 987 et seq.), and any other local, state, federal or international laws that convey rights of the same nature as those conveyed under 17 U.S.C. § 106A, Cal. Civil Code § 987 et seq. The provisions of this paragraph shall apply to modify Artist's rights of attribution and integrity as set out in the Visual Artists Rights Act, 17 U.S.C §§ 106A and 113(d) ("VARA"), the California Art Preservation Act, Cal. Civil Code §§ 987 and 989 ("CAPA"), and any rights arising under United States federal or state law or under the laws of another country that convey rights of the same nature as those conveyed under VARA and CAPA, as against the Property Owner. The Property Owner has the absolute right to change, modify, destroy, remove, relocate, move, replace, transport, repair or restore the Artwork.

Title of Artwork: Portland Loo Decorative Art Wrap

Location Of Artwork: Outside 2439 Channing Way

Description of Artwork:
A vynil printed wrap applied to the interior and exterior wall panels of the new 24/7 Public Restroom "Portland Loo"

Artist Name/Organization: Forest Wolf Kell

Artist's Address:

Artist Signature:

Date:

7/19/2024

Memorandum of Understanding
Between
Telegraph Property and Business Management Corporation
and
City of Berkeley

Purpose

This Memorandum of Understanding (MOU) sets for the terms and understanding between the Telegraph Property and Business Management Corporation (TPBMC) and the City of Berkeley Department of Public Works to implement the installation and upkeep of the decorative vinyl wrap for the Restroom in the Right of Way project in the Telegraph Business District.

Background

The TPBMC - d.b.a. Telegraph Business Improvement District (TBID) – operates services and programs to improve the cleanliness, pedestrian environment, and economic vitality of the Telegraph Avenue commercial district in Berkeley, CA. The TBID has partnered with the City of Berkeley to advance the development of the Restroom in the Right of Way project in the Telegraph District. As a contribution to the project the TBID is sponsoring the addition of a decorative vinyl art wrap to cover the interior and exterior surfaces of the Portland Loo unit.

The wrap design has been created by muralist Forest Wolf Kell who's existing work, the "Marvelous Miss Mars" mural, is a prominent fixture at the project site. Funding for the wrap project is supported by a grant from the UC Berkeley Chancellor's Community Partnership Fund. Subsequently, the TPBMC will donate the decorative wrap to the City of Berkeley, but will remain responsible for the maintenance, upkeep and eventual removal if needed.

The above goals will be accomplished by undertaking the following activities:

A. Public Art Approval:

Prior to installation, the TBID will ensure that the art wrap project is reviewed and approved by the Civic Arts Commission. The design and installation will comply with all relevant guidelines and requirements as a public art installation.

B. Installation:

The TBID will be solely responsible for the provision of all materials and installation of the decorative wrap. The wrap will be produced and installed by a qualified local contractor using high-quality materials suitable for heavy use environments.

C. Maintenance:

The TBID has dedicated funding to cover repair or replacement costs as needed. The wrap surfaces will be cleaned regularly by the janitorial contractor servicing the site with occasional assistance from the Telegraph Clean & Safe Ambassadors. Routine maintenance will include cleaning and graffiti abatement. In the case of substantial damage to all or a portion of the wrap the TBID will provide for the timely repair or replacement. Any repair or replacement work will utilize the same artistic design and materials as approved by the Civic Arts Commission.

D. Placement:

The wrap will be designed and manufactured to cover all of the interior and exterior solid wall and door panels as shown in Attachment A. Only flat continuous surfaces will be covered with cut-outs to accommodate all fixtures, hardware, signs, or other objects attached to the surface.

Duration

This MOU is at-will and may be modified by mutual consent of authorized officials from the TPBMC or City of Berkeley. This MOU shall become effective upon signature by the authorized officials from the Telegraph Business Improvement District and City of Berkeley Department of Public Works and will remain in effect until modified or terminated by any one of the parties by mutual consent.

This Memorandum of Understanding is hereby acknowledged and agreed to by the undersigned parties:

_____(Date)_____

Telegraph Property and Business Management Corporation
Alex Knox
Executive Director
2437 Durant Ave. Ste. 206
510.486.2366
mail@telegraphberkeley.org

_____(Date)_____

City of Berkeley Department of Public Works
Joy Brown
Operations Manager
1947 Center Street
Berkeley, CA 94704
(510) 981-6629
EJBrown@berkeleyca.gov

DRAFT

10/9/2024

Civic Arts Commission

City of Berkeley

2180 Milvia St., 5th Floor, Berkeley, CA

Re: Support for the Portland Loo Art Project

Dear Commissioners,

I'm writing to offer my strong support for the Portland Loo Decorative Art Wrap Project sponsored by the Telegraph Business Improvement District.

The project will greatly enhance the new restroom by complementing the existing mural "Marvelous Miss Mars". It helps create a welcoming and inviting visual appeal to the restroom. The artwork reflects the districts vibrancy and will contribute to the success of the restroom by encouraging a positive atmosphere.

I urge your support to approve the art wrap project to bring this exciting new attraction to the Telegraph District.

Sincerely,

Doug Hewitt

1951 Coffee Company

www.1951coffee.com

10/9/2024

Civic Arts Commission

City of Berkeley

2180 Milvia St., 5th Floor, Berkeley, CA

Re: Support for the Portland Loo Art Project

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I urge your support to approve the art wrap project to bring this exciting new attraction to the Telegraph District.

Sincerely,

Vincent Luu

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3M Science. Applied to Life.™
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Strong adhesive.
Strong value.
This calendared graphic film adheres strongly to flat, smooth surfaces making it reliable for the long haul. Affordably priced, it also boasts maximized reception of ink for color dense prints and Comply™ air release technology for easier installation. Create eye-catching applications for indoor and outdoor promotional graphics, signs, trade shows, POP displays and more.
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- Permanent, pressure-sensitive adhesive
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- Most common substrates include rigid plastic, painted surfaces and metal
- Features 3M™ Comply™ air release technology for easier installation
- Available in gloss and matte finishes
- Up to 5-year expected performance life
- Recommended graphic protection includes 3M™ Scotchcal™ Gloss Overlaminate 8508, 3M™ Scotchcal™ Luster Overlaminate 8509 and 3M™ Scotchcal™ Matte Overlaminate 8510.

Learn more at **3M.com/IJ35C**

3M

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Warranty and Limited Liability. The following is made in lieu of all other express or implied warranties, including any implied warranty of merchantability or fitness for a particular purpose. All 3M products are warranted to be free of defects in materials and manufacture at the time of shipment and to meet the specifications stated in the film or media's Product Bulletin. Also see 3M Graphics Warranties Bulletin, which gives the terms, additional limitations of the warranty, if any, and limitations of liability. **For warranty information, visit 3M.com/GraphicsWarranties.**

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Scotchcal ™ Graphic Film
with Comply ™ Adhesive
Series IJ35C

For Inkjet Printing with Solvent, UV and Latex Inks and Screen Printing

1. Product Description

A. Product Features

- 3.2-mil vinyl film
- Available in gloss and matte finishes
- Pressure-sensitive adhesive with Comply™ Adhesive for fast, easy bubble-free installations
- Permanent

B. Suggested Uses

The user is responsible for determining the product's suitability for the intended application. This product should be used on a test-and-approve basis.

- Short to long-term, indoor and outdoor promotional graphics
- Signs, trade show and point-of-purchase displays
- Exhibits and architectural applications

C. Expected Performance Life

Expected Performance Life as a good faith estimate of how long the product may perform satisfactorily based on 3M testing. Note, there is no warranty associated with this estimate.

5 years in a vertical orientation with typical usage

Note: 3M Product and Instruction Bulletins provide practical recommendations for using this product in a way that maximizes performance, but using other 3M products or procedures with this film does not change the terms of the warranty.

D. Wall Graphics

Two-mil cast films are typically the best choice for indoor smooth surface wall graphics, although this film may be suitable for shorter term applications. In either case, the user is responsible for determining the product's suitability, including adhesion and, if required, removal characteristics. Due to the wide variability of smooth indoor walls, neither finished graphics nor removal is warranted, even for removable or changeable films. Instruction Bulletin 5.37 provides comprehensive information for the most successful wall graphics film selection and application.

2. Characteristics

All values are typical for unprocessed film and are not for use in specifications. Contact your 3M representative for a custom specification.

A. Physical Characteristics

Characteristic	Value
Material	Vinyl
Color	White opaque
Gloss	Gloss IJ35C-10 Matte IJ35C-20
Film thickness	**Without adhesive:** 3.2 mil (0.081 mm) **With adhesive:** 4.0 mil (0.102 mm)
Adhesive type	Pressure-sensitive
Adhesive color	Gray
Liner	Polycoated paper
Flammability	Call 1-800-328-3908 for information.

Continued on next page…

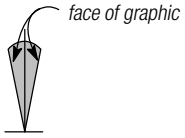
B. Application Characteristics

Characteristic	Value
Finished graphic application recommendations	**Surface type:** Smooth, flat and simple curved surfaces **Substrate type:** Metal, rigid plastic and painted substrates **Application temperature:** *air and substrate* 40° to 100°F (4° to 38°C)
Application method	Dry
Finished graphic exposure temperature	-59° to +192°F (-50° to +90°C)
Graphic removal	Permanent

3. Definitions

A. Exposure Types

U.S. Vertical Exposure



The face of the graphic is +/- 10° from vertical.

4. Warranty Information

A. Warranty Coverage Overview

This film is covered by the 3M Basic Product Warranty. It has been tested and is believed to be a good product when used as recommended in this Product Bulletin. However, there is no assurance or guarantee for the following:

- printability.
- visual appearance.
- fitness for use.
- removability or changeability.
- damage to the substrate.
- durability.

B. 3M Basic Product Warranty

The following is made in lieu of all other express or implied warranties, including any implied warranty of merchantability or fitness for a particular purpose or implied warranty arising out of a course of dealing, custom or usage of trade.

This 3M Product is warranted to be free of defects in materials and manufacture at the time of shipment and to meet the specifications stated in this Product Bulletin and as further set forth in the 3M Commercial Graphics Warranty Brochure.

C. Limited Remedy

3M will replace or refund the price of any 3M materials that do not meet this warranty within the specified time periods. These remedies are exclusive.

D. Additional Limitations

See the 3M Commercial Graphics Warranty Brochure at 3Mgraphics.com, which gives the terms, additional limitations of the warranty, if any, and limitations of liability.

5. Limitation of Liability

Except where prohibited by law, 3M SHALL NOT UNDER ANY CIRCUMSTANCES BE LIABLE TO PURCHASER OR USER FOR ANY DIRECT, INDIRECT, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES (INCLUDING, BUT NOT LIMITED TO, LABOR, NON-3M MATERIAL CHARGES, LOSS OF PROFITS, REVENUE, BUSINESS, OPPORTUNITY, OR GOODWILL) RESULTING FROM OR IN ANY WAY RELATED TO SELLER'S PRODUCTS OR SERVICES. This limitation of liability applies regardless of the legal or equitable theory under which such losses or damages are sought including breach of contract, breach of warranty, negligence, strict liability, or any other legal or equitable theory.

6. Graphic Manufacturing

A. All Printing Methods

This film has been optimized to perform well with a variety of inkjet printers and inks as well as screen printing inks and processes. It is the graphic manufacturer's responsibility to determine the film's suitability for use with their printers and inks.

To maximize the film performance:

- Use graphic protection. 3M™ Scotchcal™ Gloss Overlaminate 8508 or Luster Overlaminate 8509 are cost-effective options for use with 3M's intermediate graphic films.
- Thoroughly dry the ink and film or properly cure the ink before applying graphic protection, and before storing or installing a graphic.
- Always use the dry application method.

B. Inkjet Printing Only

- Be aware that using sheeting film on a flat-bed inkjet printer may produce printing defects.
- The typical maximum ink limit is 250%.
- If you are storing sheeted and stacked finished graphics for an extended period of time, leave an unprinted margin (about 1/4 inch) to allow for possible shrinkage before trimming the graphic.

7. Shelf Life, Storage and Shipping

A. Shelf Life

Total shelf life: 2 years from the date of manufacture on the original box.
If you do process the film, do so within 1 year and apply within 1 year of processing.
(Example: If you process at month 6, apply by month 18.)
If you do not process the film, apply it within 2 years.

B. Storage Conditions

- 90°F (32°C) maximum
- Out of direct sunlight
- Clean, dry area
- Original container
- Bring the film to print room temperature before using

C. Shipping Finished Graphics

Flat (may be separated by paper), or rolled printed side out on 5 inch (13 cm) or larger core. This helps prevent the liner and, if used, the application tape from popping off.

8. Health and Safety

CAUTION

When handling any chemical products, read the manufacturers' container labels and the Material Safety Data Sheets (MSDS) for important health, safety and environmental information. To obtain MSDS sheets for 3M products go to 3M.com/MSDS, or by mail or in case of an emergency, call 1-800-364-3577 or 1-651-737-6501.

When using any equipment, always follow the manufacturers' instructions for safe operation.

9. 3M Related Literature

Before starting any job, be sure you have the most current Product and Instruction Bulletins.

The information in 3M Product and Instruction Bulletins is subject to change. Current Bulletins are available at 3Mgraphics.com. The techniques described in these Bulletins are required when applying a 3M warranted graphic, but are also practical recommendations when using promotional materials for non-warranted graphics. Additional Bulletins may be needed as indicated in the 3M Related Literature section of other 3M components you use.

Bulletin types: PB = Product Bulletin; PB-IB = Product & Instruction Bulletin; IB = Instruction Bulletin

Subject	Type	Bulletin No.
3M Graphic Protection Products *overview of all graphic protection products and specific information on most overlaminates*	PB	GP-1
Scoring and cutting	IB	4.1
Hot and cold roll lamination	IB	4.22
Using 3M application tapes; premasking and prespacing for films	IB	4.3
Application, substrate selection, preparation and substrate-specific application techniques	IB	5.1
Application, general procedures for indoor and outdoor dry applications	IB	5.5
Storage, handling, maintenance, removal	IB	6.5
3M Commercial Graphics Warranty Brochure		

3M, Comply and Scotchcal are trademarks of 3M.

10. Bulletin Change Summary

New and modified content is marked with a black bar in the margin. Added inkjet printing with latex inks as a possible printing platform. Updated warranty information.

3M

Commercial Graphics
3M Center, Building 220-12E-04
St. Paul, MN 55144 USA
General & Technical
1-800-328-3908
Fax 1-651-736-4233

3M Canada
PO Box 5757
London, Ontario
Canada N6A 4T1
General
1-800-265-1840
Fax 519-452-6245

3M México S.A. de C.V.
Av. Santa Fe No. 55
Col. Santa Fe, Del. Alvaro Obregón
México D.F. 01210
General 5255-5270-0400
Fax 5255-5270-2277

3M Puerto Rico, Inc.
350 Chardon Avenue
Suite 1100
San Juan, PR 00918
General 787-620-3000
Fax 787-620-3018

www.3Mgraphics.com

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ARLON

Series 3350 Vinyl Film

Anti-Graffiti Overlaminate

Series 3350 is a 2-mil (50 micron) PVDF film with clear, permanent pressure-sensitive adhesive. Along with protecting and prolonging the life of printed images, Series 3350 is designed as an anti-graffiti overlaminate. Used as an overlaminate, the outdoor durability is rated up to 10 years vertical exposure. The color fastness of prints can be extended up to 2 years beyond the ink manufacturer's warranty when following print recommendations by the ink and printer manufacturers.

APPLICATIONS & FEATURES

- Long-term signage, kiosks and POP displays.
- Safety signs and nameplates.
- Fleet and vehicle applications (flat surfaces only), farm and construction equipment markings, automotive striping and model identification and decorations for railway car, bus, boat and recreational vehicles.
- Protective overlaminate for most DPF and screenprint films.
- UV Inhibitors for improved weathering.
- Product Compatibility: Series 3350 is not recommended for overlaminating over flexible substrates.
- Arlon overlaminate film is designed to be laminated cold without any heat.

PERFORMANCE & PHYSICAL DATA

PROPERTY	TEST METHODS	TYPICAL VALUE	
SURFACE FINISH	Gloss Meter 60° Reflection	40 to 60 Gloss Units	
THICKNESS	Micrometer, Federal Bench Type	2-mil (50 micron)	
TENSILE STRENGTH	Tensile Tester 2-in (51 mm) jaw separation; crosshead speed of 12 in/min. (5.1 mm/s), web direction	10 lb/in	1.8 kg/cm
ELONGATION	Instron Tensile Tester as above	≥ 50%	
SHELF LIFE (IN BOX)	Ideal Storage Temperature 70°F (21°C) and 50% relative humidity	2 years from factory shipment	
APPLICATION TEMPERATURE RANGE	On clean, dry substrate	60°F to 90°F optimum	16°C to 32°C optimum
SERVICE TEMPERATURE RANGE	On clean, dry substrate	-40°F to 225°F	-40°C to 107°C
DIMENSIONAL STABILITY	158°F (70°C), 48 hours	0.005 in	0.12 mm
PEEL ADHESION	PSTC-1, 15 min, 70°F (21°C)	≥ 3.11 lb/in	≥ 0.60 kg/cm
LINER RELEASE	TLMI Release at 90°, 300 in/min (760 cm/min)	25 g/2 in	10 g/cm

Standard Terms & Conditions Apply

USA: a 200 Boysenberry Lane, Placentia, CA 92870, USA p 800 232 7161/+1 714 985 6300 f 800 329 2756
EUROPE: a North Sea Building, Gevers Deynootweg 93, 4th Floor, 2586BK Den Haag, The Netherlands p +31 70 354 4311 f +31 70 355 7721
UK: a P6 Parklands, Heywood Distribution Park, Heywood, Lancashire OL102TT, UK p +44 161 884 0592 f +31 70 355 7721

OPTIMUM PERFORMANCE

Series 3350 contains enhanced UV inhibitors in the vinyl formulation. Actual weathering durability depends on surface preparation, surface maintenance and exposure conditions. Successful weather resistance is characterized by the retention of legibility.

FLEXFACE INSTALLATION

Series 3350 will resist weathering best when applied to vertical or upper outboard angles. Horizontal angles, such as hood and auto roof surfaces, will deteriorate more quickly than vertical. This is due to increased exposure to sun and moisture, as well as continued high deposition of dirt and atmospheric contaminants. Arlon recommends this film for flat and simple curved permanent surfaces.

Series 3350 is far less flexible than standard vinyl overlaminates. If creased during lamination or shipping it will not smooth out as easily with a heat gun. For this reason it is critical to avoid overstretching vinyl or overlaminate during laminating steps or folding and draping the graphics in such a way as to create a crease in the overlaminate.

The finished graphic may be shipped flat or rolled. In roll form, the finished graphic should face out and should be wrapped around a core of at least five inches (13 cm) interior diameter and of sufficient wall thickness to avoid collapsing or bending during shipment.

CLEANING NOTES

Low pressure washing with warm soapy water followed by fresh water rinse; bristle brush and warm water/Simple Green mix and fresh water rinse is also effective.

Extreme caution should be taken so as not to lift any edges of the vinyl during this process. If a stubborn soiled area is encountered, isopropyl alcohol is recommended followed by fresh water rinse. DO NOT USE SOLVENTS OR CAUSTIC CLEANERS as they will leave the surface defaced when dry.

Acceptable cleaning solutions and products for removing graffiti:

PRODUCT	ACCEPTABLE	NOT RECOMMENDED
SOAP AND WATER	X	
OVER-THE-COUNTER CLEANERS	X	
90% ISOPROPYL ALCOHOL (FOR MARKERS)	X	
PETROLEUM DISTILLATES (TURPENTINE, KEROSENE, ETC.)	X	
KETONES (ACETONE, MEK, ETC.)		X

CONDITIONS OF SALE

The following is made in lieu of all warranties expressed or implied:

All statements, technical information and recommendations published by Arlon relating to its products are based on tests believed to be reliable and within the accuracy of the equipment used to obtain the specific values. Their accuracy or completeness is not guaranteed and Arlon makes no warranty with regard thereto. Seller's and manufacturer's only responsibility shall be to replace any quantity of the product proved defective. Seller and manufacturer shall not be liable for injury, loss or damage, direct or consequential, arising out of use or the inability to use the product. Nor shall seller or manufacturer be liable for any costs or expenses incurred in the processing or printing on the product. Before using, user shall determine the suitability of the product for its intended use. User assumes all risk and liability of every nature in connection therewith. No statements or recommendations other than those contained in the technical information published by Arlon shall have force or effect unless contained in an agreement manually signed by the officers of seller and manufacturer.

May 2016

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UK: a P6 Parklands, Heywood Distribution Park, Heywood, Lancashire OL102TT, UK p +44 161 884 0592 f +31 70 355 7721

January 15, 2025

To: Civic Arts Commission
Housing Advisory Commission

Submitted by: Joint Subcommittee of the Civic Arts Commission and Housing Advisory Commission on Affordable Housing for Lower Income Artists

Subject: Ordinance Amending the Municipal Code to Implement AB 812 (Chapter 747) Authorizing a Certain Percentage of Affordable Units be Reserved for Artists up to 10% of those Required Affordable Housing Units Consistent with the City of Berkeley's Affordable Housing Preference Policy

RECOMMENDATION

Recommend that the Civic Arts Commission and the Housing Advisory Commission (HAC) recommend to the City Council that it refer a draft ordinance (Attachment 1) amending the Municipal Code to implement AB 812 (Chapter 747) authorizing a certain percentage of affordable units be reserved for artists up to 10% of those required affordable housing units consistent with the City of Berkeley's Affordable Housing Preference Policy to the Planning Commission for its consideration and action.

FISCAL IMPACTS OF RECOMMENDATION

The ordinance implements a state law that allows local jurisdictions with inclusionary zoning to reserve for artists up to 10% of those required affordable housing units. The units reserved must be located within or within one-half mile of a state-designated cultural district or within a locally designated cultural district. The city's inclusionary zoning policy requires market-rate developers to build 20% of their units as affordable to lower-income households (Below Market Rate (BMR) units) or pay an in-lieu fee.

The fiscal impact of the recommended ordinance consists of staff time dedicated to the following activities:

- Promulgation of rules related to the requirement
- Ongoing administration of the promulgated rules

Outside of this staff time, there are no additional fiscal impacts to the City of Berkeley from adopting this ordinance.

CURRENT SITUATION AND ITS EFFECTS

The City of Berkeley, along with the entire Bay Area, has a severe affordable housing crisis. The impacts of this crisis are many-fold, and a key impact is the loss of a dynamic and diverse workforce, especially for those who work in the culture and arts arena. Cultural workers and artists are an important part of any community, providing entertainment, thought-provoking commentary, avenues of expression, and hubs for

people to gather around to listen to music, see live theater, attend an art exhibit, or participate in a poetry slam. In cities like Berkeley, artists are important contributors to the city's economic base, generating visitors who shop, eat at local restaurants and bars, and stay at hotels. Without strategies and policies to work affirmatively to keep artists and cultural workers in the city, artists will continue to be priced out of the housing market.

The City's Housing Element recognizes the importance of maintaining and expanding the city's artist community with Policy H- 8 (Workforce Housing): Develop Workforce Housing for low- and moderate-income households, including teachers, *artists*, and other residents who work in the City of Berkeley. In addition, the state recognized the issue as one of statewide importance with adoption of AB 812 (Chapter 747) which provides that cities with inclusionary zoning programs can set aside up to 10% of BMR units created for lower-income artists within locally designated cultural arts districts.

On December 3, 2024, the City Council considered a recommendation, reviewed by the Land Use, Housing & Economic Development Committee, from Councilmember Taplin, co-sponsored by Councilmembers Hahn and Tregub, regarding implementation of AB 812. The Council voted to defer preparing an ordinance to implement AB 812 until later in the process of developing common standards for locally designated culture districts. While the Civic Arts Commission will be working on these common standards, it is important to note that this effort can be undertaken simultaneously to consideration of an ordinance implementing AB 812. In addition, the state is not accepting applications for statewide arts district designation at this time, so the city is unable to apply until the process is opened at an undetermined time in the future.

The city has two existing locally designated cultural arts districts: The Black Arts and Culture District and the Arts District Overlay in downtown Berkeley. Community members and stakeholders are exploring a possible third local arts district in West Berkeley. Adopting an implementing ordinance sooner, rather than later, would allow lower-income artists to be eligible for BMR units built within the existing arts districts in a timely manner. Therefore, the joint subcommittee is recommending that the Civic Arts Commission and the HAC recommend to the City Council that it refer the draft ordinance to the Planning Commission for its consideration.

BACKGROUND

Members of the Civic Arts Commission made a presentation to the HAC at its July 2023 meeting regarding its desire to work with the HAC on recommendations to the City Council to increase access to affordable housing for lower-income artists. HAC and the Civic Arts Commission then formed a joint subcommittee to explore strategies and policy initiatives. The joint subcommittee anticipates completing its work by June 2025, with a series of recommendations for the Civic Arts Commission's and HAC's consideration. Preparing and recommending approval of an ordinance to implement AB

812 is the first of several recommendations to be put forth by the joint subcommittee to its respective commissions.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
There are no identifiable environmental effects or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION
When Civic Arts Commissioners presented to the HAC, their key concern was that the affordable housing crisis was adversely impacting the artist community in Berkeley by pricing practicing artists out of the city and negatively impacting the local economy and community vibrancy and creativity. According to a 2022 survey produced for the Civic Arts Commission by Creative Equity Research Partners, the 163 local artists surveyed represent a cross-section of Berkeley's most vulnerable populations, and high housing costs are placing the community's thriving cultural sector at increasing risk of displacement. Artistic professions are highly valued but poorly compensated. Of the 88% respondents who had Bachelor's degrees, 60% reported an annual household income of $69,000 or below, which qualified as Low Income in Alameda County. 45% were rent-burdened. This disparity also intersects with the racial wealth gap: among respondents who identified as non-White, 72%, reported low household incomes, compared to 55% among those who identified as White or Caucasian.

Given the unique role that artists can play in a community's character and prosperity, Berkeley, along with the State of California, recognizes that policy initiatives should be undertaken to retain and grow the artist community. Making up to 10% of BMR units within locally designated cultural districts available to lower-income artists is one way of achieving that goal.

ALTERNATIVE ACTIONS CONSIDERED
No alternative actions were considered.

Attachment:
1: Draft Ordinance

ORDINANCE NO. _____

Implementation of AB 812 (Chapter 747) Authorizing a Certain Percentage of Affordable Units be Reserved for Artists up to 10% of those Required Affordable Housing Units Consistent with the City of Berkeley's Affordable Housing Preference Policy

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Chapter 23.328 is amended to read as follows:

Section 23.328.010 **Findings and Purpose.**

Section 23.328.010 is amended to add the following:

H. AB 812 (Chapter 747) authorizes a city or county that requires, as a condition of approval, that a certain percentage of units of a residential development be affordable housing, as specified, to reserve for artists up to 10% of those required affordable housing units, if certain conditions are met, including that the units reserved are located within or within one-half mile from a state-designated cultural district or within a locally designated cultural district, as specified.

I. The City of Berkeley has two locally designated cultural districts. The Black Arts and Culture District was designated by the City Council on February 13, 2024 by Resolution No. 71,212–N.S. 2. The Arts District Overlay was established in Berkeley Municipal Code 23.204.130.D in 2012 as part of the Downtown Area Plan.

J. According to a 2022 survey produced for Berkeley's Civic Arts Commission by Creative Equity Research Partners, the 163 local artists surveyed represent a cross-section of Berkeley's most vulnerable populations, and high housing costs are placing the community's thriving cultural sector at increasing risk of displacement. Artistic professions are highly valued but poorly compensated. Of the 88% respondents who had Bachelor's degrees, 60% reported an annual household income of $69,000 or below, which qualified as Low Income in Alameda County. 45% were rent-burdened. This disparity also intersects with the racial wealth gap: among respondents who identified as non-White, 72%, reported low household incomes, compared to 55% among those who identified as White or Caucasian.

K. In 2023, the City Council approved the City of Berkeley's 2023-2031 Housing Element Update, which included several programs to produce and preserve affordable housing for a broad population including Policy H- 8 (Workforce Housing): Develop Workforce Housing for low- and moderate-income households, including teachers, artists, and other residents who work in the City of Berkeley.

L. In 2023, the City Council approved an Affordable Housing Preference Policy for individuals who have previously been displaced from Berkeley and desire to return. Implementation of the AB 812 affordable housing set-aside for low-income artists shall be consistent with the Affordable Housing Preference Policy as it may be amended from time to time.

Section 23.328.020 **Definitions**

Section 23.328.020 is amended to add the following:

"Affordable housing" for the purposes of implementing AB 812 (Chapter 747) means units dedicated to moderate-income, lower income, very low income, or extremely low income households, as defined in

Sections 50079.5, 50093, 50105, and 50106 of the Health and Safety Code, at an affordable housing cost, as defined by Section 50052.5 of the Health and Safety Code.

"Artist" for the purposes of this Chapter means the creator of any work of visual, graphic, or performing art of any media, including, but not limited to, a painting, print, drawing, sculpture, craft, photograph, film, or performance.

Section 23.328.030 **Affordable Housing Regulations**

Section 23.328.030 Affordable Housing Regulations is amended to add the following:

A. *Requirement to Construct Affordable Units.*

A. 10. Pursuant to AB 812 (Chapter 747), up to 10% of the required Affordable Units shall be reserved for Artists, if certain conditions are met, including that the units reserved are located within or within one-half mile from a state-designated cultural district or within a locally designated cultural district. The percentage of Affordable Units set aside for Artists and consistency with the City's Affordable Housing Preference Policy shall be determined by the City Manager or their designee who may promulgate additional rules and regulations consistent with the requirements of AB 812 (Chapter 747).

Section 2. The City Council intends that this Ordinance be construed as an amendment to the City's existing affordability requirements, and that the repeal and re-enactment of any requirement shall not be construed to relieve a party of any outstanding obligation to comply with the requirements applicable to any previously approved Housing Development Project.

Section 3. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on _____, 20_____, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes:
Noes:
Absent:

FY25 Grant-Funded Community Festivals: February 2025 - April 2025

Festival	Description	Start Date	Website	District(s)
2025 Junior Bach Festival Concerts	The Association provides a free public workshop, performance opportunities for young people, and eleven public concerts (four in Berkeley)	3/21/2025	https://www.juniorbach.org	District 1 District 4 District 7 District 5 District 3
Cesar Chavez Dolores Huerta Tribute Site	To commemorate the life and legacy of Cesar Chavez and Dolores Huerta, the Tribute Site and the Berkeley Marina.	3/21/2025	https://www.facebook.com/search/top?q=cesar%20chavez%20dolores%20huerta%20commemoration%20committee	District 1
West Berkeley Community Print Festival	A gathering on Kala's grounds where neighbors and businesses learn about Kala's history, engage in printmaking activities, and build community.	4/5/2025	www.kala.org	District 2
Community Block Party	With live performances, artwork, and activities, the Community Block Party invites all of Berkeley to celebrate student joy and success.	4/26/2025	https://www.berkeleypublicschoolsfund.org/	District 4

PUBLIC ART ON PRIVATE DEVELOPMENT			Date: 1/14/2025															
Fiscal Year	Project Address	Project Street	Type	On-Site Art Value	On-Site Art Admin 5% Fee	In-Lieu Fee Payment Amount	Date Paid	Fee Waived: State Density Bonus Concession Amount	On-Site Art	In-Lieu Fee	Fee Waived	Cumulative Totals: Number of On-site Art Projects	Cumulative Totals: Value of On-site Art Projects	Cumulative Totals: Number In-Lieu Fees	Cumulative Totals: Total In-Lieu Fees	Cumulative Totals: Number Fee Waived	Cumulative Totals: Total Amount Fees Waived
FY19																	
	1717	University	On-Site Art - Final Art Plan Approved						1								
	1950	Addison	On-Site Art - Final Art Plan Approved	$252,682.00					1								
	2120	Berkeley	On-Site Art - Final Art Plan Approved	$60,000.00					1								
	2124	BANCROFT	In-Lieu Fee Paid			$60,186.58	8/4/2017			1							
	2029	BLAKE	In-Lieu Fee Paid			$126,400.00	8/7/2017			1							
				$312,682.00	$0.00	$186,586.58			3	2		3	$312,682.00	2	$0.00		
FY20																	
	2503	HASTE	On-Site Art Plan approved & Admin Fee Paid	$328,460.28	$16,423.01		3/1/2019		1								
	2510	CHANNING	In-Lieu Fee Paid			$106,664.00	4/17/2019			1							
	2621	TENTH	In-Lieu Fee Paid			$84,000.00	5/17/2019			1							
	739	CHANNING	In-Lieu Fee Paid			$20,388.00	5/23/2019			1							
	2580	Bancroft	In-Lieu Fee Paid			$235,569.89	6/27/2019 for FY20			1							
				$328,460.28	$16,423.01	$446,621.89			1	4		4	$641,142.28	6	$463,044.90		
FY21																	
	2628	SHATTUCK	In-Lieu Fee Paid			$88,879.00	9/3/2019			1							
	999	ANTHONY	In-Lieu Fee Paid			$25,200.00	12/18/2019			1							
	2100	SAN PABLO	In-Lieu Fee Paid			$144,000.00	2/21/2020			1							
	2072	Addison	In-Lieu Fee Paid			$74,936.00	2/24/2020			1							
	2452	Durant	On-Site Art - Final Art Plan Approved	$42,185.00					1								
	2556	TELEGRAPH	On-Site Art Plan approved & Admin Fee Paid	$103,722.50	$5,186.13		5/20/2020		1								
	2028	BANCROFT	In-Lieu Fee Paid			$48,000.00	8/27/2020			1							
				$145,907.50	$5,186.13	$381,015.00			2	5		6	$787,049.78	11	$849,246.03		
FY22																	
	2229	FOURTH/2222 5th Street	In-Lieu Fee Paid			$17,360.21	5/26/2021			1							
				$0.00	$0.00	$17,360.21			0	1		6	$787,049.78	12	$866,606.24		
FY23																	
	Bayer Annual Payment FY23		Community Benefit Agreeement			$60,000.00	6/30/2023										
	3000	SAN PABLO	In-Lieu Fee Paid			$72,329.13	9/22/2021			1							
	2176	Kittredge (Same Project)	In-Lieu Fee Paid			$236,792.00	11/3/2021			1							
	2176	Kittredge (Same Project)	In-Lieu Fee Paid			$49,748.00	12/23/2021										
	2025	Kala Bagai Way	In-Lieu Fee Paid			$31,002.00	11/19/2021			1							
	600	Addison	In-Lieu Fee Paid			$1,414,578.00	12/21/2021			1							
	2352	Shattuck (Combo Art and Fee)	In-Lieu Fee Paid			$230,166.07	1/25/2022			1							
	2352	Shattuck (Combo Art and Fee)	On-Site Art Plan approved & Admin Fee Paid	$425,250.00	$21,262.50		1/25/2022		1								
	2902	ADELINE	In-Lieu Fee Paid			$80,000.00	4/11/2022			1							
	2000	Dwight	In-Lieu Fee Paid			$115,625.00	4/13/2022			1							
	2701	SHATTUCK	In-Lieu Fee Paid			$37,352.90	6/21/2022			1							
	2099	MLK	In-Lieu Fee Paid			$103,304.58	6/23/2022			1							
				$425,250.00	$21,262.50	$2,430,897.68			1	9		7	$1,212,299.78	21	$3,318,766.42		
FY24																	
	Bayer Annual Payment FY24		Community Benefit Agreeement			$62,424.00	9/30/2023										
	1951	SHATTUCK	In-Lieu Fee Paid			$480,000.00	7/19/2022			1							
	2000	University	In-Lieu Fee Paid			$41,388.52	7/20/2022			1							
	1331	ASHBY	In-Lieu Fee Paid			$7,040.00	7/21/2022			1							
	787	BANCROFT	In-Lieu Fee Paid			$164,905.22	9/20/2022			1							
	2213	Fourth	In-Lieu Fee Paid			$96,000.00	9/20/2022			1							
	2650	TELEGRAPH	In-Lieu Fee Paid			$46,278.00	9/22/2022			1							
				$0.00	$0.00	$898,035.74		$0.00	0	6	0	7	$1,212,299.78	27	$4,216,802.16	0	$0.00
FY25																	
	Bayer Annual Payment FY25		Community Benefit Agreeement			$63,672.00	not yet paid										
	2067	University	In-Lieu Fee Paid			$36,711.74	7/13/2023			1							
	2434	SAN PABLO	In-Lieu Fee Paid			$9,600.00	9/28/2023			1							
	1773	Oxford	In-Lieu Fee Paid			$30,548.77	10/2/2023			1							
	2590	BANCROFT	In-Lieu Fee Paid			$110,964.00	10/24/2023			1							
	2317	Channing	In-Lieu Fee Paid			$23,274.81	11/7/2023			1							
	2403	SAN PABLO	On-Site Art Plan approved & Admin Fee Paid	$134,714.00	$6,735.70		5/1/2024		1								
	2555	College	In-Lieu Fee Paid			$13,115.15	5/9/2024			1							
	2480	Bancroft	Fee Waived: State Density Bonus Concession				5/1/2023	$61,443.11			1						
	1950	Shattuck	Fee Waived: State Density Bonus Concession				3/12/2024	$896,273.24			1						
	2109	Milvia	Fee Waived: State Density Bonus Concession				3/12/2024	$116,289.58			1						
	2037	Durant	Fee Waived: State Density Bonus Concession				5/21/2024				1						
	2680	BANCROFT	Fee Waived: State Density Bonus Concession				6/25/2024				1						
	2036	BANCROFT	Fee Waived: State Density Bonus Concession				6/25/2024				1						
	2276	Shattuck	Fee Waived: State Density Bonus Concession				6/3/2024	$ 214,031.16			1						
				$134,714.00	$6,735.70	$287,886.47		$1,288,037.09	1	6	7	8	$1,347,013.78	33	$4,511,424.33	7	$1,288,037.09
FY26																	
	Bayer Annual Payment FY26		Community Benefit Agreeement				not yet paid										
	2127	Dwight (2127-2159)	In-Lieu Fee Paid			$125,476.26	7/1/2024			1							
	3030	TELEGRAPH	In-Lieu Fee Paid			$156,056.16	7/1/2024			1							
	2128	Oxford (2132-2154 Center)	Fee Waived: State Density Bonus Concession				8/13/2024	$917,163.00			1						
	2538	Durant	In-Lieu Fee Paid			$132,000.00	9/12/2024			1							
	2587	Telegraph	In-Lieu Fee Paid			$139,044.00	9/12/2024			1							
	2425	Durant	Concession				12/11/2024	$287,787.81			1						
				$0.00	$0.00	$552,576.42		$1,204,950.81	0	4	2	8	$1,347,013.78	37	$5,064,000.75	9	$2,492,987.90
In Progress																	
	600 - 626	Bancroft	TBD														
	742	Grayson	In-Lieu Fee			$314,637.06				1							
	805	Jones	On-Site Art (5% Admin Fee)	$9,712.50	$485.63				1								
	1110	University	On-Site Art (5% Admin Fee)	$175,000.00					1								
	1155 (-1173)	Hearst	In-Lieu Fee				No Declaration Yet										
	1200 (-1214)	SAN PABLO	In-Lieu Fee			$66,166.54	Not yet paid/This FY or next			1							
	1201	SAN PABLO	In-Lieu Fee			$65,789.48				1							
	1207	TENTH	On-Site Art (5% Admin Fee)	$56,039.00					1								
	1367	University	In-Lieu Fee (20% for Admin)			$7,651.19				1							
	1598	University	In-Lieu Fee (20% for Admin)			$106,658.34				1							
	1650	Alcatraz				not compliant											
	1650	SHATTUCK				$32,000.00				1							
	1652	University	In-Lieu Fee			$29,939.27				1							
	1740	SAN PABLO				not compliant											
	1750	Sacreamento (NB BART TOD)	On-Site Art (5% Admin Fee)	$ 1,578,938.09	$ 78,946.90				1								
	1752	Shattuck	In-Lieu Fee (20% for Admin)			$73,218.48				1							
	1773	Oxford	In-Lieu Fee (20% for Admin)			$30,548.77				1							
	1790	University	In-Lieu Fee (20% for Admin)			$39,286.00				1							
	1822	San Pablo				not compliant											
	1835	SAN PABLO	In-Lieu Fee			$94,198.00	Not yet paid			1							
	1900	FOURTH	In-Lieu Fee			$560,000.00	Not yet paid			1							
	1914	Fifth	In-Lieu Fee			$224,385.86				1							
	2001	ASHBY				no applic- not complaint											
	2015	Blake	In-Lieu Fee			$246,317.00	Not yet paid			1							
	2018	Blake	In-Lieu Fee (20% for Admin)			$32,000.00	Not yet paid			1							
	2023	SHATTUCK aka 2025 Kala Bagai Way	In-Lieu Fee			$30,822.00	Not yet paid			1							
	2029	University	In-Lieu Fee			$378,620.00	Estimated			1							
	2037	Kala Bagai Way	Concession?								1						
	2065	KITTREDGE															
	2115	KITTREDGE	In-Lieu Fee			$237,979.00	Not yet paid			1							
	2127	Dwight (2127-2159)	In-Lieu Fee (20% for Admin)			$125,476.26	Not yet paid			1							
	2136	SAN PABLO	In-Lieu Fee			$104,878.65	Not yet paid			1							
	2138	Kittredge	Concession?								1						
	2190	SHATTUCK	In-Lieu Fee			$680,000.00				1							
	2198	SAN PABLO	In-Lieu Fee			$46,400.00	Not yet paid			1							
	2210	Harold	In-Lieu Fee			$122,500.00	Not yet paid			1							
	2221	Fourth/2216 5th St	In-Lieu Fee			$87,200.00				1							
	2229	FOURTH/2222 5th Street															
	2274	Shattuck	In-Lieu Fee (20% for Admin)			$394,551.00				1							
	2300	Ellsworth	In-Lieu Fee			$263,324.00				1							
	2317	Channing	In-Lieu Fee			$23,274.81	Not yet paid			1							
	2325	MCGEE Ave	In-Lieu Fee			$8,000.00	Not yet paid			1							
	2420	Shattuck	On-Site Art (5% Admin Fee)	$314,864.00	$15,743.20		received dec on 5/31/2023		1								
	2427	SAN PABLO (2427-2433)	In-Lieu Fee			$72,106.00	Not yet paid			1							
	2434	SAN PABLO				$9,600.00	Not yet paid			1							
	2435	SAN PABLO	In-Lieu Fee			$24,671.14	Not yet paid			1							
	2440	SHATTUCK				$120,000.00	received declaration 11/18/21										
	2441	Le Conte	In-Lieu Fee (20% for Admin)			$31,994.00	received declaration 2/21/24			1							
	2449	Dwight	In-Lieu Fee (20% for Admin)			$70,880.00	received declaration 11/9/22			1							
	2462	BANCROFT	In-Lieu Fee (20% for Admin)			$75,228.00				1							
	2527	SAN PABLO	In-Lieu Fee			$59,200.00	Not yet paid			1							
	2538	Durant	In-Lieu Fee (20% for Admin)			$132,000.00	Not yet paid			1							
	2550	Shattuck	TBD														
	2601	San Pablo	On-Site Art (5% Admin Fee)	$496,920.00	$24,846.00				1								
	2655	Shattuck	In-Lieu Fee (20% for Admin)			$152,565.00				1							
	2700	Ninth	On-Site Art and Fee		$ 105,000.00		Combo amounts TBD		1								
	2712	TELEGRAPH	In-Lieu Fee (20% for Admin)			$58,118.00	Not yet paid										
	2720	SAN PABLO	On-Site Art (5% Admin Fee)	$ 191,501.00	$ 9,575.05				1								
	2733	San Pablo	On-Site Art (5% Admin Fee)	$ 383,583.00	$ 19,179.15				1								
	2795	SAN PABLO															
	2800	TELEGRAPH	In-Lieu Fee			$24,573.85	not yet paid			1							
	2820	San Pablo	In-Lieu Fee (20% for Admin)			$35,380.00	not yet paid			1							
	2847	Shattuck	On-Site Art (5% Admin Fee)	$247,415.72	$12,370.79				1								
	2920	Shattuck	On-Site Art (5% Admin Fee)	$449,914.00	$22,495.70				1								
	2942	College	In-Lieu Fee (20% for Admin)			8636.05				1							
	2955	Shattuck	In-Lieu Fee (20% for Admin)			$142,096.00	Dec form rec'd 9-4-24			1							
	3000	SHATTUCK	On-Site Art (5% Admin Fee)	$325,329.98	$16,266.50				1								
	3030	TELEGRAPH	In-Lieu Fee (20% for Admin)			$156,056.16				1							
	3031	Adeline	On-Site Art (5% Admin Fee)	$105,000.00	$ 5,250.00				1								
	3031	TELEGRAPH	In-Lieu Fee			$312,000.00				1							
	TOTAL			$4,334,217.29	$310,158.91	$5,910,925.91		$0.00	13	43	2	21	$5,681,231.07	80	$11,285,085.57	11	$2,492,987.90

Civic Arts Commission

Draft Minutes
Civic Arts Commission Meeting
Wednesday, December 4, 2024
6:00 PM
Meeting Location: Tarea Hall Pittman South Branch Library
1901 Russell St, Berkeley, CA 94703

1. CALL TO ORDER: 6:06 PM

2. ROLL CALL
Commissioners Present: Anno, Bachrach, Blecher, Bullwinkel, Covarrubias, Ibarra, Pineda, Woo
Commissioners Absent: None
Staff Present: Hilary Amnah, Grants Program Lead; Jennifer Lovvorn, Commission Secretary/Chief Cultural Affairs Officer; Mark Salinas, Public Art Program Lead
Members of the public present: 0

3. LAND ACKNOWLEDGEMENT

4. PUBLIC COMMENT (for items not on the agenda): None

5. CHAIR'S REPORT
a) Proclamation for Commissioner Anno thanking her for her service.
b) Reminder about social gathering in December 19
c) New City of Berkeley Mayor and Council Members
d) Results of November 19 Council approval of mid-year budget

6. PRESENTATIONS, DISCUSSION & ACTION ITEMS
a) **Action Item:** Aquatic Park Mural Proposal by Rourke Healey and Meg Schwarzman.
M/S/C (Woo/Anno) to approve the Aquatic Park Mural Proposal by Rourke Healey and Meg Schwarzman for temporary display through December 2025, with option to extend display pending mural condition and site construction schedule and with the recommendation to include descriptive signage and to study how the mural is positioned on the wall.

Vote: Ayes — Anno, Bachrach, Blecher, Bullwinkel, Covarrubias, Ibarra, Pineda, Woo; Nays — None; Abstain — None; Absent — None.
Public Comment: None

b) **Action Item:** Caesar Chavez Dog Park Mosaic Proposal by Lynn Jones
M/S/C (Bullwinkel/Pineda) to approve the Caesar Chavez Dog Park Mosaic Proposal by Lynn Jones for temporary display through June 2026, with option to extend display pending mosaic and site conditions.
Vote: Ayes — Anno, Bachrach, Blecher, Bullwinkel, Covarrubias, Ibarra, Pineda, Woo; Nays — None; Abstain — None; Absent — None.
Public Comment: None

c) **Action Item:** Willard Clubhouse Public Art Project: Panel-Selected Artist and Proposal.
M/S/C (Ibarra/Bullwinkel) to approve the panel's selection of artist Julie Chang and her artwork proposal for the Willard Clubhouse Public Art Project.
Vote: Ayes — Anno, Bachrach, Blecher, Bullwinkel, Covarrubias, Ibarra, Pineda, Woo; Nays — None; Abstain — None; Absent — None.
Public Comment: None

d) **Action Item:** Municipal Artist-in-Residence Framed Artwork Purchase
M/S/C (Bullwinkel/Woo) to approve the purchase in the amount of $425 total for three framed artworks by Cheryl Derricotte from the culminating exhibition of the Municipal Artist-in-Residence program.
Vote: Ayes — Anno, Bachrach, Blecher, Bullwinkel, Covarrubias, Ibarra, Pineda, Woo; Nays — None; Abstain — None; Absent — None.
Public Comment: None

e) **Action Item:** FY26 Individual Artist Projects Grant Guidelines
M/S/C (Woo/Ibarra) to approve the FY26 Individual Artist Projects Grant Guidelines with edits.
Vote: Ayes — Anno, Bachrach, Blecher, Bullwinkel, Covarrubias, Ibarra, Pineda, Woo; Nays — None; Abstain — None; Absent — None.
Public Comment: None

f) **Action Item:** FY26 Arts Programs Grant Guidelines
M/S/C (Anno/Pineda) to approve the FY26 Arts Programs Grant Guidelines with edits.
Vote: Ayes — Anno, Bachrach, Blecher, Bullwinkel, Covarrubias, Ibarra, Pineda, Woo; Nays — None; Abstain — None; Absent — None.

Public Comment: None

g) **Action Item:** FY26 Community Festivals Grant Guidelines
M/S/C (Ibarra/Bullwinkel) to approve the FY26 Community Festivals Grant Guidelines with edits.
Vote: Ayes — Anno, Bachrach, Blecher, Bullwinkel, Covarrubias, Ibarra, Pineda, Woo; Nays — None; Abstain — None; Absent — None.
Public Comment: None

h) **Action Item:** FY26 General Operating Support Grant Guidelines
M/S/C (Anno/Ibarra) to approve the FY26 General Operating Support Grant Guidelines with edits.
Vote: Ayes — Anno, Bachrach, Blecher, Bullwinkel, Covarrubias, Ibarra, Pineda, Woo; Nays — None; Abstain — None; Absent — None.
Public Comment: None

i) **Action Item:** FY26 Grant Review Panelists Approval
M/S/C (Pineda/Covarrubias) to approve the FY26 Grant Review Panelists.
Vote: Ayes — Anno, Bachrach, Blecher, Bullwinkel, Covarrubias, Pineda, Woo; Nays — None; Abstain — Ibarra; Absent — None.
Public Comment: None

j) **Action Item:** Civic Arts Commission 2025 Meeting Schedule
M/S/C (Ibarra/Pineda) to approve the Civic Arts Commission 2025 Meeting Schedule.
Vote: Ayes — Bachrach, Blecher, Bullwinkel, Covarrubias, Ibarra, Pineda, Woo; Nays — None; Abstain — Anno; Absent — None.
Public Comment: None

k) **Report:** Waterfront Specific Plan – Inclusion of Public Art language
Public Comment: None

7. STAFF REPORT

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

8. COMMITTEE REPORTS

a) Grants – No Update

b) Public Art – Seeks Commissioner
c) Policy Subcommittee – No Update
d) Joint Subcommittee with Housing Advisory Commission – Commissioner Woo to be chair and Commissioner Bullwinkel to step down
e) Representative on Design Review Committee – No Update

9. COMMUNICATION: None

10. APPROVAL OF MINUTES

Action Item: Draft Minutes of October 30, 2024 Meeting
M/S/C (Anno/Bullwinkel) to approve the Draft Minutes of October 30, 2024 Meeting.
Vote: Ayes — Anno, Bachrach, Blecher, Bullwinkel, Covarrubias, Ibarra, Pineda, Woo; Nays — None; Abstain — None; Absent — None.
Public Comment: None

11. ADJOURNMENT: 7:58 PM

M/S/C (Anno/Bullwinkel) to adjourn.
Vote: Ayes — Anno, Bachrach, Blecher, Bullwinkel, Covarrubias, Ibarra, Pineda, Woo; Nays — None; Abstain — None; Absent — None.

Staff Contact:

Jennifer Lovvorn
Secretary to the Civic Arts Commission
Berkeley, CA 94704
Telephone (510) 981-7533
jlovvorn@berkeleyca.gov