



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** March 19, 2019  
**TO:** Christine Daniel, City Manager  
**FROM:** Charles S. Bryant, Community Development Director  
**SUBJECT:** **Resolution Of The City Council Of The City Of Emeryville Approving The Installation Of Jeppe Hein's Artwork *Your Way* In The Public Park To Be Developed At The Former Sherwin Williams Site At 1450 Sherwin Avenue**

### RECOMMENDATION

Staff recommends that the City Council approve the attached resolution for the proposed installation of Jeppe Hein's *Your Way* in the public park to be developed at the former Sherwin Williams Site at 1450 Sherwin Avenue.

### BACKGROUND

A private developer, SWACE, LLC ("Developer") is developing a public park as part of the development of property at 1450 Sherwin Avenue. The City's Public Art Ordinance requires the Developer to install privately funded public art, and the Developer was asked to install this artwork in the park area. The Operation and Maintenance Agreement and Obligation Regarding Master Association recorded October 18, 2018 states, 'the cost of maintenance of the art located on City Property...shall be the sole fiscal responsibility of the Developer.'

### DISCUSSION/ ANALYSIS

The Developer has commissioned a work by Jeppe Hein called "Your Way". The artwork is a highly polished stainless steel and aluminum mini-labyrinth seven feet high and in an approximately 14 feet by 10 feet area. The polished stainless steel is highly reflective, creating optical interaction with the landscape and the viewer. The work can be walked through, and the viewer and the environment are reflected in the piece. See Attachment 1 for imagery of the piece, similarly installed works, and the proposed maintenance regime for the artwork.

The artwork's installed dimensions will be adjusted as needed to accommodate wheelchair access. An appropriate ground surface will be installed within the piece's path of travel and to create a path of access to the piece that accommodates wheelchair users and makes for a pleasant reflection within the piece.

Once the art is installed, the Developer will be responsible for ongoing maintenance of the piece. The Developer and the City entered into that certain Operation and Maintenance Agreement and Obligation Regarding Master Association, recorded October 18, 2018, which states 'the cost of maintenance of the art located on City Property...shall be the sole fiscal responsibility of the Developer.'

## **FISCAL IMPACT**

As the work is the sole responsibility of the Developer to maintain, there is no fiscal impact of the City's approval of the work's installation.

## **ADVISORY BODY RECOMMENDATION**

At its meeting on February 19, 2019, the Public Art Committee (PAC) considered the proposed installation and unanimously recommended the acceptance of the piece, understating that the developer would be maintaining the work to an acceptable standard. The need to keep the surface well-polished was noted by the PAC in their consideration of the piece's maintenance. Additionally, the PAC recommended an accessible surface that can avoid impaction and is reflected well in the piece.

**PREPARED BY:** Amber Evans, Economic and Community Development Coordinator, II

**REVIEWED BY:** Chadrick Smalley, Economic Development and Housing Manager

## **APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:**



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Christine Daniel, City Manager

## **ATTACHMENTS**

- Imagery and Maintenance: Sherwin Williams Public Art in the Public Park
- Draft Resolution