



**DATE:** June 23, 2022

**TO:** Council Economic Development Committee

**FROM:** Assistant City Manager

**SUBJECT:** Informational Report on Publicly Available Art in the City of Hayward

## **RECOMMENDATION**

That CEDC members receive this report and provide feedback to staff at the June 23, 2022 meeting.

## **SUMMARY**

This report provides information regarding public art within the City of Hayward.

## **BACKGROUND**

On January 29, 2022, a Special City Council Meeting<sup>1</sup> was held to identify Strategic Roadmap (Roadmap) priorities for 2022. The Mayor and City Council expressed an interest in prioritizing a new Roadmap item E12: Explore a public art program and prioritize gateway locations.

Studies show that investments in public art can improve street safety, provide tourism and new jobs, and combat social isolation and anxiety<sup>2</sup>. While the City of Hayward does not have a formal public art program, the City has multiple programs to support publicly available art that reflects its unique and diverse population, including public art in the library, the Mural Arts Program, requiring public art in private developments, City funding for arts programs, and incorporating public art pieces into City projects.

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<sup>1</sup> January 29, 2022, Meeting of the Hayward City Council:

<https://hayward.legistar.com/MeetingDetail.aspx?ID=924541&GUID=A713542E-8DE3-461E-BE5B-8A01B54A55D6&Options=info|&Search=>

<sup>2</sup> DHENIN, M., 2021. Why Public Art Is Good for Cities. [online] YES! Magazine. Available at:

<https://www.yesmagazine.org/health-happiness/2021/12/06/public-art-cities>

On April 26, 2022, the Mayor and City Council received an informational report regarding public art within the City of Hayward<sup>3</sup>. It was the consensus of the Council to agendize the informational report at a future Council Economic Development Committee for further discussion.

## DISCUSSION

### *Public Art in the Library*

A centerpiece of Hayward's 21st Century Downtown Library is a collection of art curated to affirm and reflect the community. The works include large, commissioned pieces of art derived from intriguing materials. Examples include Ann Weber's monumental sculpture made from found cardboard boxes and Emily Payne's use of discarded books as a dominant medium in her work. (Figure 1)



**Figure 1:** *After Ellsworth*, Ann Weber (left) and *Tumble*, Emily Payne (right). Both works are on display in the Hayward Public Library.

The library's collection also includes smaller permanent pieces, as well as regularly changing displays installed in partnership with the Hayward Arts Council. The Hayward Arts Council displays change every three months, and they feature local Hayward artists.

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<sup>3</sup> April 26, 2022, Meeting of the Hayward City Council:

<https://hayward.legistar.com/LegislationDetail.aspx?ID=5565346&GUID=EB07368B-2CCC-45CD-820E-88DB645B4149&Options=ID|Text|&Search=RPT+22-035>

Additional information about art at the library can be found in Attachment II – Art at Hayward Library.

### ***Mural Arts Program***

The City’s Mural Art Program was established in 2009 to address the issue of escalating graffiti and vandalism in support of the Council’s Safe, Clean and Green community priorities. The idea behind the program was to deter graffiti by installing beautiful mural artwork throughout the City on commercial buildings, schools, utility boxes, and overpasses. So far, more than 1,200 volunteers (including public schools, senior citizens, and community organizations) have participated in selecting and installing over 200 art installations throughout the City, including murals and tile mosaics.



**Figure 2:** A Mural Maple Ct @ A Street

The Mural Art Program promotes job creation by commissioning local muralists and helps to revitalize corridors, increases the marketability of local properties, and promotes tourism. The program has received national recognition as a vibrant strategy for supporting public art. In 2011, the program received the Helen Putnam Award for Excellence<sup>4</sup>, which recognizes outstanding achievements by California cities.

City Information Technology staff in collaboration with the City Manager’s office created an interactive Mural Map to guide residents and tourists on an art adventure<sup>5</sup>. Additional information about the City’s Mural Art Program can be found in the attached Mural Guide (Attachment III).

### ***Public Art in Private Development Projects***

The City’s Development Services Department (DSD) strongly encourages applicants for new private developments to incorporate public art in their plans. There are several ways that this encouragement can be codified in agreements depending on the type of application and entitlements being requested.

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<sup>4</sup> “Helen Putnam Award for Excellence” [https://www.helenputnam.org/winners\\_2011.php](https://www.helenputnam.org/winners_2011.php)

<sup>5</sup> “Hayward Mural Arts Program”

<https://hayward.maps.arcgis.com/apps/Shortlist/index.html?appid=bdb6cee4d01e4e5c84c5fdc7085a81dc>

**Scenario #1 – Incorporated public art because development requested an exception to standards**

Residential developments occasionally request that their property be rezoned to a Planned Development (PD) to be afforded more flexible development standards such as reduced setbacks or others. One of the PD rezone findings require that *“any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards.”* Art is one amenity that can help developers meet this standard. In this instance, the developer of a tract in the Cannery area incorporated public art via a statue of fruit in homage to the area that had historically been part of the Hunts Fruit Cannery. (Figure 3)



**Figure 3:** A statue in the Cannery development.

**Scenario#2 – Incorporated art because development standards require a community benefit**



**Figure 4:** The mural on the back of the dispensary located at B and Main Streets.

When the City’s cannabis regulations were first adopted, the Council imposed a requirement for developers of cannabis operations to incorporate public benefits into their proposed projects. Current regulations require that a portion of cannabis-related tax revenues are put toward community benefits rather than requiring developers to propose community benefits for their projects. However, under the initial regulations, the first cannabis dispensary approved by Council incorporated a mural on the back wall of the building located at the

Northeast corner of B Street and Main Street. (Figure 4).

**Scenario #3 – Art incorporated to enhance the project or site design or to proactively mitigate potential graffiti issues**

There are several examples of this scenario:

- A pet clinic and doggie daycare facility on Grand Street near C Street needed to include a trash enclosure for their operation. The only viable location for the enclosure was a street-facing location. To minimize the visual impacts of the enclosure at a prominent corner, DSD worked with the developer to have a mural painted on the walls of the trash enclosure (Figure 5).
- The development of the Eden Shores Commercial Center included businesses with dual frontages and the primary business entrance on the interior parking lot. DSD staff were concerned that blank walls facing the exterior streets would attract graffiti. To address this concern, DSD worked with the developer to have murals painted on the street-facing walls of the buildings to provide visual interest and proactively address the potential for graffiti in the future (Figure 6).



**Figure 5:** A cat mural is visible on the trash enclosure at the pet clinic on the corner of Grand Street at C Street.



**Figure 6:** Murals seen from the street at the Eden Shores Commercial Center.

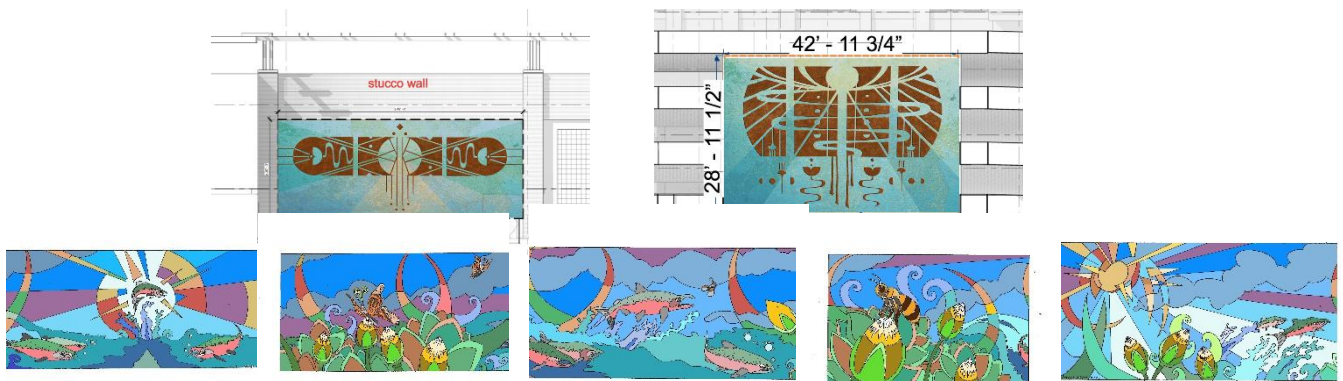
**Scenario #4 – Art incorporated as part of the development application, and required as a Condition of Approval (COA)**

The City requires that art be included in plan designs when the project has an especially prominent location or impact in the community. This scenario currently applies to two projects: Lincoln Landing and the Hines Industrial redevelopment.

Lincoln Landing, a mixed-use project of 475 apartments and 80,000 sq. ft. of retail at the corner of Foothill and City Center Drive at the northern end of downtown Hayward, was required to include public art as a Condition of Approval. Specifically, the COA stated:

*“The developer shall install public art consisting of mural(s) wall-mounted or free-standing sculpture(s), along the western elevation (fronting San Lorenzo Creek); along the south elevation of the existing parking garage (fronting City Center Drive); and along the northern elevation (along Hazel Avenue). The final design and placement of public art shall be included on the building permit plan set and shall be reviewed and approved in accordance with the processes set forth in the City’s Mural Art Program, prior to the issuance of building permits.”*

The project recently submitted the final mural art designs (Figure 6) and these will be incorporated before the final occupancy certificate can be issued.



**Figure 6:** Final mural art designs to be installed at the Lincoln Landing development.

Approval of the Hines’ Hayward Exchange @ 92 redevelopment project at the former Gillig site on Clawiter, which includes three speculative industrial buildings ranging from 56,000 to 214,000 square feet and a three-story data center of approximately 279,000 square feet, also features a COA related to public art. The COA states:

*“As specified in the project documents, submitted September 15, 2020, Artsource Consultants shall be hired by the applicant to conduct an RFP process to identify an artist and art piece(s) to be incorporated into the site design. All costs related to the art consultant, RFP process, selected artist, and commissioned art piece(s) shall be assumed by the applicant. Applicant shall be required to allocate one third of one percent (0.33%) of the construction costs of the relevant building permit construction costs for acquisition and installation of Art in the development project. The final selection of the artist and art piece(s) shall be approved by the Planning Division (Project Planner or Planning Manager) prior to issuance of relevant building permits and/or certificates of occupancy.”*

This project is currently under construction, but the art has not been finalized yet.

## ***Placemaking in Economic Development Efforts***

Economic Development (ED) staff work closely with DSD to encourage public art in private development. In addition to those efforts, ED is directly responsible for two programs that highlight art as functional and/or architectural design: Façade Improvement and Restaurant Relaunch & Outdoor Dining.

**Encouraging developers to incorporate art into their projects** – ED staff works in tandem with the DSD Planning Division to encourage developers to incorporate placemaking elements, including public art installations, in their proposed commercial or industrial development projects. ED staff is often the first stop for developers seeking feedback on site plans and elevations. ED staff uses this opportunity to relay City Council's desire to have developments prominently feature public art, signage, and other design features (interpretive signage, walking paths with unique features, lighting, gathering spaces, outdoor amenities, food truck areas, etc.).

These elements are typically incorporated into plans when they are submitted to Planning for review. Planning then continues to work with the developer to do more through the entitlement process. In addition, in some cases, ED staff collaborates with developers to develop names for projects to enhance placemaking themes. This includes providing developers information about the context of certain sites and making connections to organizations such as the Hayward Historical Society, so project names are rooted in history. For example, the Lincoln Landing project on Foothill was renamed by the developer after collaborating with the Historical Society.

**Façade Improvement Program** – ED staff administers a façade improvement program that is designed to help business owners and their property owners upgrade the exterior of storefronts. As part of this work, ED staff works with business owners to make changes to buildings including adding awnings, paint, lighting, murals, outdoor dining areas, etc. This program generally supports five businesses per year through grant or loan funding ranging from \$10,000 to \$100,000 depending on the type, location, and scope of improvements. A recent example of this work can be found at Casa Del Toro, the new modern Argentinian restaurant on B Street. This program aided in creating a new outdoor dining patio, exterior paint, and building signage, which activated the frontage.

**Restaurant Relaunch Program** – This ARPA-funded economic recovery program is designed to support restaurants in adapting to new COVID-19 safety protocols and consumer trends. The program budget is \$250,000. These funds will be used to provide businesses with technical and direct financial assistance to improve the interior and exterior of their businesses. The grant funds will assist with the purchase of furniture, heaters, umbrellas, landscape planters, and other needed services such as design professionals. The use of these funds are geared toward reconfiguring indoor and outdoor spaces, updating building signage; adapting back-of-house workflow for new safety guidelines; updating menus and pricing; establishing an online presence for off-premise sales; designing customer loyalty programs; and creating and launching marketing initiatives to drive customer traffic to the businesses.

Based on feedback from the Council Economic Development Committee (CEDC), ED staff is working to push businesses to make bolder, more modern, and more remarkable exterior improvements. To this end, ED staff created a bench contract with of experienced architects. Businesses that receive grant funding through this program will be required to use a program architect, who will work with the business and collaborate with ED and Planning staff to help craft a design that meets the business' brand and vision while furthering Council's objective to create placemaking and activate storefronts. As detailed in ED staff's program update presentation to CEDC in May, the bench of on-call architect contracts were established and six businesses have been tentatively awarded funding. ED staff anticipates anticipate at least one project will be completed by the end of this calendar year. The program anticipates five to eight completed projects over the next two years.

### ***Complete Streets and Corridor Improvements***

On March 19, 2013, the Council adopted Resolution No. 13-027, supporting a citywide Complete Streets Policy to support the design and development of a comprehensive, integrated transportation network to allow for safe, convenient travel along and across streets for all users. While not specific to art, the Public Works Department strives to include artistic elements in street and corridor improvements where possible.

A soon-to-be example of the department's artistic efforts will be on display in Phase III of the Mission Boulevard Improvement Project, which runs from A Street to the north end of town. The project has been awarded for construction and the work will begin soon. This



project will transform a one-mile stretch of Linear Park along the eastern side of Mission Blvd, from Blanche Street to Fairway Street. The public was invited to participate in two visioning sessions that influenced the park's final design.

The improvements will include art crosswalks, artful landscaping, upcycled city benches and tables, and upcycled timber benches.

### ***Community Agency Funding – Arts and Music***

Through the annual Community Agency Funding process, the Community Services Commission (CSC) makes recommendations to Council for the distribution of Community Development Block Grant (CDBG) and General Fund monies to programs in the following categories: Infrastructure and Economic Development (CDBG); Public/Social Services (CDBG/General Fund); and Arts and Music (General Fund). The currently funded Arts and



Music programs include public displays of art, performances throughout the City of Hayward, and delivery of art and music programming to youth.

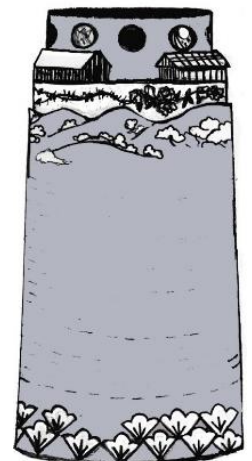
### ***Community Foundation***

Staff began exploring the concept of a Hayward Community Foundation to distribute revenues collected from the Commercial Cannabis Permit Program and earmarked for community benefits. Under this program, the City Council required each would-be commercial cannabis operator to describe the community benefits they planned to provide in order to operate in the City. The City has created a Hayward Community Foundation (HCF) in part to partner with these approved businesses to ensure the relevant, equitable, and impactful use of any community benefit funds. Once the HCF accumulates a \$1M fund balance, the distribution of the HCF funding could potentially be integrated into the City's Community Agency Funding process. In the proposed structure, some portion of the funding could be available for public art, and arts and music programming.

### ***Future Planned Public Art Projects***

In addition to the strategies for supporting public art described above, there are several planned and potential projects currently underway:

**Hayward Heritage Plaza** – Heritage Plaza will soon have three planned public art pieces representing Hayward's rich heritage and history. Staff held discussions with the Hayward Area Historical Society (HAHS), Library Commission, representatives from local indigenous groups, representatives of the Eden Area Japanese American Citizens League, former residents of Russell City, and the Hayward Arts Council to identify installations for the site. Based on these discussions, the three art pieces planned for the plaza are in honor of: the Muwekma Ohlone Tribe, whose ancestors called the Hayward area home prior to colonization; the Japanese-American community (Figure 7), who were bussed from what is now Heritage Plaza to incarceration camps during World War II; and Russell City, an incorporated community that was declared blighted by the County and annexed by the City of Hayward in the 1960s, displacing its residents.



**Figure 7:** Sketch of the planned Heritage Plaza Art Piece honoring the Japanese-American community.

The artists for the Muwekma Ohlone Tribe and Japanese-American pieces have been selected and the pieces are scheduled to be installed by the Fall of 2022. The Russell City Art Committee (primarily consisting of former Russell City residents and their descendants) is in the early stages of creating a Request for Proposals to hire an artist.

**The Stack Youth and Family Center** – The Stack Center project designs include plans for several murals and sculptures. The Stack Center will be built on the site of the Eden Youth and Family and Matt Jimenez Community (MJCC) Centers at the intersection of Tennyson and Ruus Roads. The first phase of the project includes three public art components based

on themes identified during the youth participatory design process and other community input:

1. **Mural on the east side of the MJCC** – The renovation will convert the east side of the MJCC into the entryway into the gym and add an event plaza. The theme for the mural on that side of the building will be *“Youth Thriving Through Multi-Cultural Recreational Opportunities,”* including sports to tie into the gymnasium and performance arts to tie into the plaza.
2. **Mural on the south face of the MJCC** – The theme for this mural will be *“Indigenous Food Heritages from Around the World.”* This reflects the diversity of the surrounding neighborhoods and ties into the commercial kitchen and food entrepreneurship space inside.
3. **Free-standing sculpture on the north end of the community events plaza** – The theme for this sculpture will be *“Strength Within Families and the Strength of Diverse Families Supporting One Another.”*

**A Home for Public Art** - While the City of Hayward does not have a formal public art program, the City has multiple programs to support publicly available art that reflects its unique and diverse population. The creation of a separate Arts Commission would require funding and staff support. It would also require making some decisions about where, structurally within the organization, a formal public art program would be based.

## **FISCAL IMPACT**

There is no fiscal impact associated with this report.

## **STRATEGIC ROADMAP**

This agenda item supports the Strategic Priority of Enhance Community Safety and Quality of Life. Specifically, this item relates to the following project:

E12: Explore a public art program and prioritize gateway locations.

## **NEXT STEPS**

If the committee members wish, after receiving this report, staff will schedule a work session to discuss the item with Council or take other appropriate follow up actions.

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Manager; Sara Buizer, Deputy Director of Development Services

*Recommended by:* Regina Youngblood, Assistant City Manager

Approved by:

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Kelly McAdoo, City Manager