



**DISCUSSION ITEMS**

**Agenda Item # 9**

**AGENDA REPORT SUMMARY**

**Meeting Date:** July 14, 2020

**Subject:** Resolution Permitting the Use of Public Right-of-Way for a Racial Equity and Social Justice Mural

**Prepared by:** Chris Jordan, City Manager

**Attachment(s):**

1. Resolution 2020-XX
2. Proposal from the Justice Vanguard Foundation

**Initiated by:**

Justice Vanguard Foundation Proposal

**Previous Council Consideration:**

N/A

**Fiscal Impact:**

\$15,000 from the General Fund Non-department Budget

**Environmental Review:**

Not applicable

**Policy Question(s) for Council Consideration:**

- Does the Council want to permit the use of Main Street for the proposed mural?
- Does the Council wish to allocate \$15,000 for this purpose?

**Summary:**

- To demonstrate support for the Black Lives Matter movement, many cities have allowed the use of public right-of-way or public property for displays of art or murals.
- The Justice Vanguard Foundation has provided the City with a proposal that would use a portion of Main Street for a Black Lives Matter mural.
- The City would provide \$15,000 and would create an ad hoc committee consisting of two staff members and two members of the Public Arts Commission to work with the organizers to review the artists' proposals.

**Recommended Motion:**

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**Reviewed By:**

City Manager

CJ

City Attorney

JH

Finance Director

SE

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**Subject:** Resolution Permitting the Use of Public Right-of-Way for a Racial Equity and Social Justice Mural

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The Council should move to approve a Resolution permitting the use of public right-of-way for a mural symbolizing the City's support for Racial Equity and Social Justice and allocating funds for this purpose

### **Purpose**

The City Council is asked to consider a Resolution which approves a proposal for a Black Lives Matter mural.

### **Background**

In the wake of the killing of George Floyd and the ensuing national demonstrations demanding police reform, the Black Lives Matter movement has become a focal point for calls for social justice. Many cities have approved plans for murals and other artwork as a means to demonstrate a city's support for the movement. The Justice Vanguard Foundation prepared the attached proposal that would create a mural on Main Street. This proposal was received by individual council members on July 7 and requests permission to create the mural on July 23-24.

The City Council is asked to review the proposal and determine if the City Council is interested in permitting Main Street (or another City right-of-way to property) to be used for this purpose. In addition, the City Council is asked to allocate \$15,000 from the General Fund Non-departmental Budget to be used to fund the mural.

Finally, the Resolution also includes the creation of a short-term ad hoc committee to be appointed by the Mayor and City Manager to consist of 4 individuals – 2 members of the Public Arts Commission and two staff members, at least one of whom must be from the Engineering Services Department.

### **Analysis**

Other Considerations for the City Council could include:

- 1) does this request comport with our public art guidelines? And if not, should we make an exception or change those guidelines to allow locating this mural on city property?
- 2) Assuming a positive determination on item 1 above, where should this art be placed? On a downtown street, in a downtown parking plaza or parking lot, or some other city location?
- 3) Is the proposed media acceptable for that location or should a different media be approved (chalk, semi-permanent ink, etc.)?
- 4) Is the make-up of the ad hoc committee acceptable?
- 5) Is \$15,000 acceptable?

### **Options**

- 1) Approve the resolution or modify the resolution to more closely meet the Council's wishes.



**Subject:** Resolution Permitting the Use of Public Right-of-Way for a Racial Equity and Social Justice Mural

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- 2) Do not approve the Resolution and do not allow the mural to be painted on City ROW or City property.

**Recommendation**

Option 1.

**RESOLUTION NO. 2020-\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
PERMITTING THE USE OF PUBLIC RIGHT-OF-WAY FOR A MURAL  
SYMBOLIZING THE CITY'S SUPPORT FOR RACIAL EQUITY AND SOCIAL  
JUSTICE AND ALLOCATING FUNDS FOR THIS PURPOSE**

**WHEREAS**, in response to the killing of George Floyd, protests have occurred throughout the country and the world, with continuing demonstrations thematizing issues of racism, inequality, and police practices; and

**WHEREAS**, the Black Lives Matter movement has become a symbol of protest and call to action against racial inequality across America; and,

**WHEREAS**, community protests and expression has been at the forefront of the national dialogue regarding systemic racism, oppression, and injustice in recent weeks; and,

**WHEREAS**, public art, whether organic or organized, provides a vehicle for community engagement and expression; and,

**WHEREAS**, Black Lives Matter street murals have been created in jurisdictions across the United States, including Charlotte, Austin, Seattle, Palo Alto, and Washington D.C.; and,

**WHEREAS**, in Los Altos, community members have taken part in rallies, protests, and have demonstrated their support for this movement in various ways, and

**WHEREAS**, the City has received a proposal from Justice Vanguard Foundation to utilize a portion of the Main Street Right of Way for a Black Lives Matter Mural allowing the City to voice its support of the movement, and

**WHEREAS**, the City Council of the City of Los Altos can demonstrate its support for this movement by permitting the use of City right-of-way for expressing the local government's commitment to racial equity and social justice, and

**WHEREAS**, by creating an ad hoc committee consisting of City staff and members of the Public Arts Commission the City can ensure that the selected artists' renderings are of a quality and design keeping with the City's selection criteria for public art and appropriate for the location and consistent with traffic safety;

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Los Altos hereby:

- 1) Permits the use of a portion of the Main Street Right-of-Way for a mural demonstrating the City Council's support for the Black Lives Matter movement.
- 2) Allocates \$15,000 from the Non-Departmental Budget for this purpose and that the City will own the mural after the creation of the mural is complete.
- 3) Accepts the "Black Lives Matter" slogan as government speech.

- 4) Requests the mayor and City Manager appoint an ad hoc committee consisting of 2 members of the Public Arts Commission and two members of the City staff, at least one of whom must be from the Engineering Services Department, to work with the Justice Vanguard Foundation to ensure that artists' renderings are appropriate for the location, and that the selected location and design be consistent with traffic safety.

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the \_\_\_\_ day of \_\_\_\_, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Jan Pepper, MAYOR

Attest:

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Andrea Chelemengos, CMC, CITY CLERK

**Black Lives Matter  
Street Painting Los Altos**

**The Justice Vanguard Foundation**

**Kenan Moos**  
**kenan.moos@gmail.com**

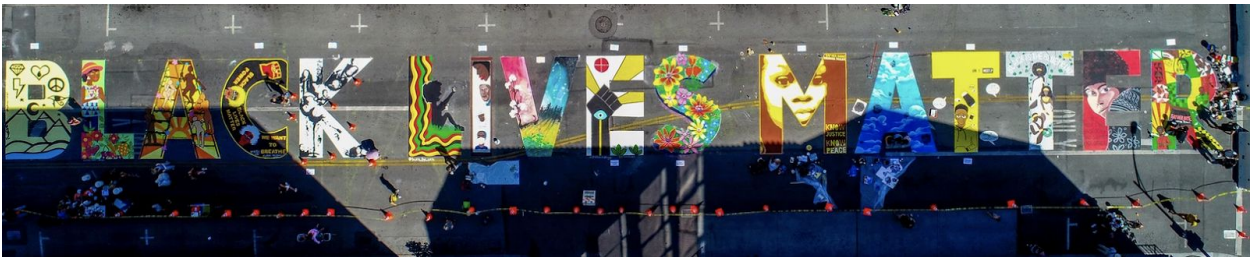
**Ella Maluf**  
**ella@maluf.org**

- I. Goal**
  - A. Mission, statistics
- II. Photos**
  - A. Palo Alto completed project
- III. Palo Alto Completed Plan**
  - A. Stencils, dimensions, etc.
- IV. Los Altos Proposed Adaptation of Plan**
  - A. Costs
    - 1. Supplies, allocations of funds per letter, etc.
  - B. City Council Stipend
- V. Other Retailers**
  - A. Impacting their sale space

## I. Goal

- A. Create semi-permanent street art to reflect the importance of the Black Lives Matter movement by using black artists and artwork to paint “Black Lives Matter”
- B. Proposed block on Main Street from Satura Cakes to Starbucks
- C. Los Altos is roughly 64% white. Remaining demographics include roughly 30% Asians, 5.19% biracial, and 0.36% African-American. Thus, there are about 111 African-American residents of Los Altos, all of whom deserve to know that the city stands as their unequivocal ally when it comes to demanding equality.
- D. Completed project in downtown Palo Alto on June 30, 2020

## II. Photos



Images courtesy of Kenan Moos/The Justice Vanguard Foundation  
theblackhub.org

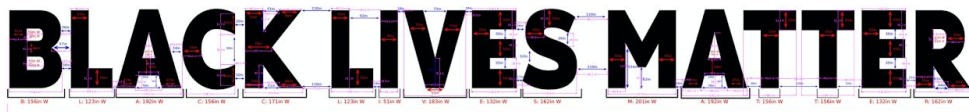


### III. Palo Alto Completed Plan

Original



15% Reduction



A. *Original Dimensions*

1. 248.34ft in length
2. 22.55ft in width\*

B. *15% Reduced Dimensions*

1. 211.01ft in length
2. 19.167ft in width\*

C. *Approximate block dimensions*

1. 280ft in length
2. 50ft in width

We will be using the 15% reduced dimensions. The letters will cover the entire length of the block and showcase the talent and artistry that will go into creating each unique and culturally significant letter.

*\*width refers to the street width, not letter width*

#### **IV. Los Altos Proposed Adaptation of Plan**

- A. Thursday-Sunday through September, the Main Street block between 2nd and 3rd street is closed to vehicles
  - 1. Providing restaurants (Rustic House, Cafe Nur, Satura Cakes, and Tre Monti) limit their outdoor seating's infringement on the road, painting can be completed in a day
- B. Costs
  - 1. \$15,000
    - a) \$700/letter x 16 letters
      - (1) \$700 allocated to each painting crew to bring necessary semi-permanent paint, brushes, etc.
    - b) Painter's tape
      - (1) \$750
    - c) Primer paint
      - (1) \$2,000
    - d) UV Protective Coating
      - (1) \$3,000
- C. City Supplies
  - 1. Cones to block painting zones/direct foot traffic around painting
- D. Painting Dates
  - 1. Thursday, July 23rd 7am-4pm outline letters with painter's tape
  - 2. Friday, July 24th 7am-4pm paint letters

#### **V. Other Retailers**

- A. Businesses with Outdoor Seating on Main St Block
  - 1. Rustic House
  - 2. Tre Monti
  - 3. Cafe Nur
  - 4. Satura Cakes
    - a) Seating limited to sidewalk
  - 5. Starbucks
    - a) Seating limited to sidewalk
- B. Plan w/ Respect to Businesses
  - 1. Maintain outdoor seating but include cones/tape to limit foot traffic over painting zone
  - 2. Limit outdoor seating to first 5ft encroachment onto street until 4:00pm
    - a) Dinner rush is avoided