



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND**

**AB 6268
May 16, 2023
Consent Agenda**

AGENDA BILL INFORMATION

TITLE:	AB 6268: Luther Burbank Park Docks and Waterfront Art in Public Places Project	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Appropriate \$50,000 from the 1% for Art in Public Places Fund and authorize the City Manager to execute an artist agreement with Marsha Rollinger to complete phase 1 of the Luther Burbank Park Docks and Waterfront Art in Public Places project.	

DEPARTMENT:	Public Works
STAFF:	Jason Kintner, Chief of Operations Clint Morris, Capital Division Manager Paul West, Senior CIP Project Manager Sarah Bluvas, CIP Project Manager Katie Herzog, Recreation Supervisor / Arts Council Staff Liaison
COUNCIL LIAISON:	Ted Weinberg
EXHIBITS:	1. MICC 4.40.200 1% for Art in Public Places Fund 2. Proposed Artwork Concept 3. Proposed Community Engagement Plan
CITY COUNCIL PRIORITY:	3. Make once-in-a-generation investments to update and modernize aging infrastructure, capital facilities, and parks.

AMOUNT OF EXPENDITURE	\$ 50,000
AMOUNT BUDGETED	\$ 0
APPROPRIATION REQUIRED	\$ 50,000

EXECUTIVE SUMMARY

The purpose of this agenda bill is to seek authorization to contract with artist Marsha Rollinger to develop the Art in Public Places project for the Luther Burbank Docks and Waterfront Improvements capital projects.

- Per MICC 4.40.200, the 1% for Art in Public Places Fund pools contributions from qualifying capital improvement program projects to support Art in Public Places projects on Mercer Island.
- Since 2020, the Mercer Island Arts Council has worked with staff and the design team to identify appropriate public art components and determined that integrated and/or functional art elements were preferred for the Luther Burbank projects.
- The City released the request for proposals for integrated art elements on January 19, 2023, and received five complete submittals.

- An Artist Selection Panel of City Council, Arts Council, and other City board members; local artists; and community members reviewed all submittals, met with two finalists, and selected artist Marsha Rollinger.
- On April 19, 2023, the Arts Council voted unanimously to recommend that City Council award the Luther Burbank Art in Public Places project to Marsha Rollinger and appropriate \$50,000 to develop the final artwork design in collaboration with the community and waterfront designer Anchor QEA.

BACKGROUND

1% FOR ART IN PUBLIC PLACES FUND AND PROGRAM

Mercer Island's 1% for Art in Public Places Fund (1% Fund) was permanently established in 1993 to provide a dedicated funding source for public art acquisitions and maintenance (Exhibit 1). Contributions to the 1% Fund are pooled from qualifying capital improvement program (CIP) projects to support Art in Public Places (AIPP) projects on Mercer Island. The current 1% Fund balance is \$170,936. (Note this balance excludes the annual public art maintenance funds that were previously appropriated through adoption of the 2023-2024 biennial budget.)

The Mercer Island Arts Council, in collaboration with City staff and the community, is tasked with recommending 1% Fund projects to City Council. Much of the City's public art collection was partially or completely acquired using 1% Fund contributions. Funds also support annual and one-time public art maintenance to preserve the life and longevity of the collection.

Recent 1% Fund projects include the 2019 restoration of *Handsome Bollards* in Luther Burbank Park and the commission of *Island Icons*, the banner collection installed in Town Center in 2018.

ART ELEMENTS FOR LUTHER BURBANK PARK DOCKS AND WATERFRONT IMPROVEMENTS

The Luther Burbank Park Docks and Waterfront Improvements capital projects will generate an estimated 1% contribution of \$60,000-\$70,000. Since 2020, the Arts Council has engaged with City staff and consultants from KPFF and Anchor QEA (the City's dock and waterfront design team) to identify and evaluate public art opportunities for this important waterfront revitalization. A timeline of discussions and actions related to art elements for the Luther Burbank projects is provided below.

- **August 6, 2020:** The Arts Council's (former) Public Art Committee Chair participated in the Luther Burbank Docks Design Charrette to provide initial input about public art and placemaking opportunities. ([Design Charrette Recording](#))
- **September 14, 2021:** City staff, Anchor QEA, and the Arts Council discussed focus areas for incorporating artwork; potential themes for art and heritage components; and opportunities for including the existing *Handsome Bollards* installation (Tom Jay, 1971) in the waterfront redesign. ([Agenda Item #3](#) | [Meeting Recording](#))
- **March 1, 2022:** City Council accepted the Parks & Recreation Commission's recommended 30% design for the Luther Burbank Docks and Waterfront, which included opportunity areas for integrated public art. ([AB 6021](#) | [Meeting Recording](#))
- **September 14, 2022:** The Arts Council reviewed preferred themes and types of artwork/media, as well as discussed the process for engaging an artist in the next phases of the waterfront design. The board also reestablished the Public Art Committee, which had not been active since 2020, to work with staff to develop a request for proposals (RFP) for the AIPP project for the Luther Burbank waterfront. ([Agenda Item #2](#) | [Meeting Recording](#))

- **October 2022-January 2023:** The Public Art Committee, City staff, and Anchor QEA met three times to develop and refine the RFP for integrated art elements.
- **January 18, 2023:** The Arts Council approved the RFP for integrated art elements. ([Agenda Item #3](#) | [Meeting Recording](#))
- **January 19-March 7, 2023:** The RFP was open for submittals, and the City received five complete submittals.
- **March 8-April 3, 2023:** The Artist Selection Panel, which was comprised of a City Council member, two Arts Council members, a Design Commission member, a Parks & Recreation Commission member, a local artist, a representative from Friends of Luther Burbank Park, and a lay community member, reviewed all submittals and selected two finalists. The panel met with finalists on April 3 and ultimately selected Marsha Rollinger as the preferred artist for the Luther Burbank AIPP project.
- **April 19, 2023:** The Arts Council accepted the selection panel’s decision and voted to recommend that the City Council appropriate \$50,000 from the 1% Fund to develop the artwork in collaboration with Anchor QEA, City staff, and the Mercer Island community. ([Agenda Item #3](#) | [Meeting Recording](#))

ISSUE/DISCUSSION

PROPOSED ARTWORK CONCEPT + ABOUT THE ARTIST

Artist Marsha Rollinger proposed incorporating cast bronze medallions and plaques into the waterfront plaza to create a visual trail from one end of the plaza to the other (Exhibit 2). If awarded, she will work with the Mercer Island community to develop icons, text, and other graphics to create twelve unique pieces of art (Exhibit 3) that will be cast by a local foundry and inlaid during project construction in 2024.

As part of this project, Rollinger will also design four historical plaques, including one for the Boiler Building, that will also be cast in bronze. An accompanying QR code will be added to the plaques after they are fabricated to allow community members to access more information about the Boiler Building and other points of interest on STQRY, the City’s public art and heritage engagement platform. The fabrication and installation of the plaques are partially funded by a \$513,000 Heritage Capital Grant through the Washington State Historical Society for the renovation of the Boiler Building. The grant requires installation of interpretative signage such as what is described here.

Cast bronze is durable as well as tactile, and the artwork will be installed in the plaza without blocking views or interfering with the access or function of the site. People of all abilities will be able to experience the artworks without obstacles. The round medallions range in size, which Rollinger says were inspired by the look of water bubbles and the fact that the plaza area was underwater until Lake Washington was lowered in 1916. In addition to the inlaid bronze medallions, staff and the artist are also exploring ways to incorporate Rollinger’s artwork into other site elements, including the kiosk, hand railings, light poles, bulkhead, and Boiler Building.

Rollinger is a professional visual and public artist residing in Renton, WA. She worked on Nintendo’s in-house graphic design team for 14 years before becoming a full-time public artist in 2012 and has also served on the Renton Municipal Arts Commission for 11 years. The artist brings extensive experience working with local governments and communities to develop and implement small and large-scale public art projects. Her largest public art project to-date was *Erasmus*, a 25’, 700lb aluminum dragon sculpture installed on a building roof in Downtown Renton. For that project, Rollinger also created a bronze “selfie spot” pavement inlay and is experienced in translating her graphic designs to cast bronze.

PROJECT PHASES + APPROPRIATION REQUEST

This AIPP project will be divided into two phases:

- 1. Develop Artwork Design** – Rollinger will collaborate with Anchor QEA this summer to develop the final artwork concept(s) and integrate it into the 90% design. Developing the artwork concept(s) will include the artist’s design fee/project management, community engagement activities, marketing & outreach activities, and documentation. This phase will also include Anchor QEA’s additional scope to manage the public art integration into the design process. The budget breakdown for phase 1 is provided below.

Task	Budget
Artist Fee & Project Management	\$30,000
Community Engagement	\$5,000
Marketing and Outreach Materials	\$1,500
Documentation	\$1,500
Anchor QEA Additional Scope	\$12,000
TOTAL Phase 1 Budget	\$50,000

- 2. Fabricate and Install Artwork** – Phase 2 includes the fabrication and installation of the art, which will be included in the construction bid requirements. Staff anticipate the bid award will be presented to City Council for approval in Q1 of 2024.

To fund phase 1 of this project, the Arts Council recommends that the City Council appropriate \$50,000 from the existing 1% Fund balance of \$170,936. This recommendation balances the need to integrate the artist into the 90% design process with the fact that the capital project’s 1% contribution will not transfer to the 1% Fund until *after* the capital project is completed through construction (estimated 2025). Fabrication and installation costs will be confirmed through the design process, and the phase 2 appropriation recommendation will be made by the Arts Council later this year.

NEXT STEPS

Once the AIPP project award is made, staff will execute Rollinger’s artist agreement and complete contracting for Anchor QEA’s additional scope of work to ensure the 90% design process continues on-schedule. Two community engagement opportunities have already been identified for this project:

- Sunday, June 25: Mercer Island Farmers Market
- Saturday, July 15: Mercer Island Summer Celebration

Rollinger will also provide an update to the Arts Council at their regular meeting on July 19 and present the final artwork designs to the Arts Council for acceptance on October 18. All engagement opportunities will be published on Let’s Talk at <https://letstalk.mercergov.org/lbdock> when confirmed.

Staff will also share via City channels, including event marketing materials, the MI Weekly e-newsletter, social media; and through partner networks such as the Mercer Island Visual Arts League (MIVAL), Mercer Island Chamber of Commerce, and others.

RECOMMENDED ACTION

Appropriate \$50,000 from the 1% for Art in Public Places Fund and authorize the City Manager to execute an artist agreement with Marsha Rollinger to complete phase 1 of the Luther Burbank Park Docks and Waterfront Art in Public Places project.

Mercer Island City Code
Title 4 - REVENUE AND FINANCE
Chapter 4.40 - FUNDS

4.40.200 1% for art in public places fund.

- A. There is established in the city treasury a special fund to be known and designated as the "1% for art in public places fund" for the purpose of providing funds for 1%-for-the-arts projects.
- B. As used in connection with the 1% for art in public places funds and 1%-for-the-arts projects, the following terms have the meanings set forth below:
1. *Acquisition of real property* means the purchase of parcels of land or existing buildings and structures, including associated costs such as appraisals or negotiations.
 2. *Art in public places* means any expression by an artist of visual works of art available to the public in an open city-owned facility in areas designated as public areas, or on non-city-owned property if the work of art is installed or financed, either in whole or in part, by the city.
 3. *Arts council* means the Mercer Island arts council.
 4. *Demolition costs* means the cost of removing buildings or other structures from the property.
 5. *Equipment* means equipment or furnishings that are portable.
 6. *Qualifying capital improvement project* means projects funded wholly or in part by the city to construct or remodel any public project including buildings, decorative or commemorative structures, parks or any portion thereof; and projects involving the construction, renovation or repair of public streets, sidewalks, and parking facilities.
- C. All authorizations and/or appropriations for qualifying capital improvement projects shall include an amount of not less than one percent of the total project cost to be set aside for transfer to the 1% for art in public places fund.
- D. For qualifying capital improvement projects, the minimum amount to be appropriated for art in public places shall be as follows:
1. When the total estimated cost of a project exceeds \$100,000.00 the amount shall be based on the total amount of the awarded contract as originally approved by the city council or as subsequently amended multiplied by one percent.
 2. When the estimated cost of the project is \$100,000.00 or less the amount shall be based on the estimated cost of the project multiplied by one percent.
- Provided, however, that any city-funded amount for the acquisition of real property or equipment or for demolition shall be excluded for the purposes of this calculation.
- E. In the case of a city project which involves the use of general obligation bond proceeds, funds appropriated shall be used for projects and for capital purposes consistent with the authorizing resolution or ordinance approved by the city council and the voters.
- F. The appropriations from qualifying capital improvement projects shall be pooled into the 1% for art in public places fund. The city council, upon advice and recommendation from the arts council, shall approve, from time to time, the amount to be authorized for 1%-for-the-arts projects. These funds shall be used for:
1. Selection, acquisition and installation or display of original works of visual art which may be an integral part of the project, or be placed in, on or about the project or in another public facility; and
 2. Repairs and maintenance of public art acquired with 1%-for-the-arts funds; and
 3. Other project-specific expenses of selection and acquisition; provided, that no part of the funds shall be used to pay administrative staffing expenses of the program.

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Mercer Island City Code
Title 4 - REVENUE AND FINANCE
Chapter 4.40 - FUNDS

- G. Any unexpended 1%-for-the-arts funds which remain in the 1% for art in public places fund at the end of any budget year shall not be transferred to the general fund or otherwise lapse, but said unexpended funds shall be carried forward from year to year until expended for the purposes set forth in this section, unless otherwise directed by the city council.
- H. Annually, the arts council shall make recommendations to the city council that will reflect short and long range planning for art works and sites regarding the appropriation of 1%-for-the-arts funds. The recommendations will relate to but will not be limited by the following:
 - 1. Art projects will be responsive to the developing public art needs of the community;
 - 2. Art projects will reflect the scope, scale and character of the site; and
 - 3. Art projects will be part of new parks and building developments. The arts council shall carry out all necessary tasks and procedures consistent with established arts policies for the selection, placement and conservation of art works.
- I. All works of art purchased and commissioned from the 1% for art in public places fund shall be the property of the city and shall become part of the city art collection. The city art collection shall be developed, administered and operated by the Mercer Island Arts Council.

(Ord. 13C-10 § 1; Ord. A-108 § 1, 1993. Formerly 4.40.970—4.40.977)

BRONZE INTEGRATED ART CONCEPTS | PAVING INLAYS

30"
INLAY



24"
INLAY



18"
INLAY



**LUSHOOTSEED TEXT
TRANSLATION:**

*I am fishing for salmon.
I caught a salmon.
Yes, I am happy I get to go.*

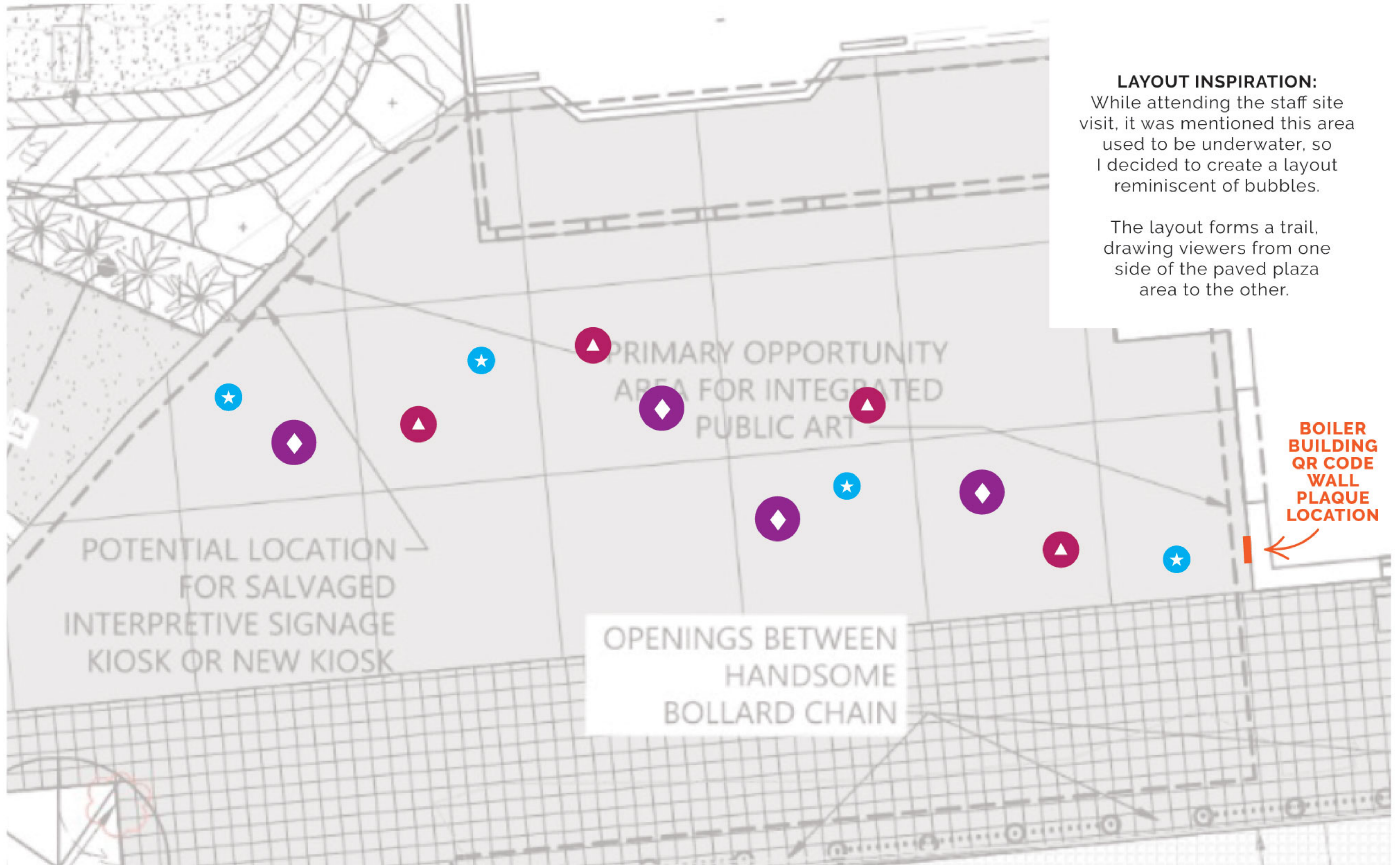
ICONS:

Various site-specific, nautical and historical icons would be drawn and used to create the designs. The community would suggest what icons could be used.

WORDS:

Nautical-related words, haiku or poems would be gathered from the community to be incorporated into some designs, and could appear in different languages.

PAVING INLAY QTYS./LAYOUT & QR CODE WALL PLAQUE LOCATION



LAYOUT INSPIRATION:
While attending the staff site visit, it was mentioned this area used to be underwater, so I decided to create a layout reminiscent of bubbles.

The layout forms a trail, drawing viewers from one side of the paved plaza area to the other.

12 total unique bronze inlays

★ = 18" (qty. 4)

▲ = 24" (qty. 4)

◆ = 30" (qty. 4)

BRONZE INLAYS IN PLAZA & QR CODE WALL PLAQUE - MOCKUPS



MOCKUP VIEW FACING SOUTH:
This mockup shows the placement of the 12 inlays that connect the Boiler Building wall plaque area to the gravel trail and (potential) kiosk area.

MOCKUP VIEW FACING NORTH:
This mockup shows how the bronze inlays and wall plaques would look when installed.



PROJECT HIGHLIGHTS

HIGHLIGHTS:

- **The community will be a major participant in this project, creating personal connections and a sense of pride and ownership**
- **People of all ages and abilities can help create *and* experience the artwork**
- **The art trail will create a sense of wonder and discovery, along with being an educational and wayfinding tool**
- **The artwork doesn't disrupt the function of the park in any way and is durable, ensuring enjoyment for park-goers for years to come**
- **This art project proposal provides flexibility of installation, integration, and expansion**

EXAMPLES OF COMMUNITY ENGAGEMENT OPPORTUNITIES

PUBLIC OUTREACH MEETINGS:

This concept is based on educating the community about the project and then setting up opportunities for everyone to give input as to what they feel is most important to incorporate into the designs for the inlays and plaques.

GIVEAWAYS:

The designs could be used on giveaway items to celebrate the project's completion.



The community could be asked to submit haiku or short poems related to the project's themes.



COLORING PAGES:
Some of the designs could be turned into downloadable coloring pages.

This photo was taken at a community drawing session I hosted for one of my projects: the Sunset Fence Project.