



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of City Council
FROM: Mark Brodeur, Community and Economic Development Director
MEETING DATE: November 16, 2016
SUBJECT: Whale Art in Berwick Park
CEQA: Does not Constitute a “Project” per California Environmental Quality Act (CEQA) Guidelines

RECOMMENDATION

Direct staff to develop a public art policy following input from Council in January at their visioning exercise.

DISCUSSION

On May 18th, the City Council approved a public art project in Berwick Park. The vision was to transform a tree stump into a sculpture of two breaching whales coming out of the water. At the time of the proposal, there was no detailed specifications on the types of whales or if the whales would be painted, fenced or night lighted.

The two whales were carved and no City funds were encumbered to complete the carving and the painting. The Chamber of Commerce raised funds to pay for the public art.

Since the whales have been carved, many questions have arisen about the sculptures and their ongoing treatment. Audience questions such as “What kind of whales are these?” “Should we erect a fence around the sculptures to keep kids from climbing on the whales?” “What color are the humpback whales?” “Should the City allow up-lighting of the whales?” “Is that the color of the ocean?”

These questions from our citizens suggest that a more fully articulated proposal should have been presented to the BNRC and the City Council. However, the City’s Municipal Code does not contain any policies with regard to public art. If there’s no city policy, how does the City “judge” the adequacy of the popular concept of public art on City property? The answer is we can’t. We can only make suggestions based on our collective taste and that is a very slippery slope for a governmental agency to engage in.

CEQA

The recommended action does not constitute a “Project” as that term is defined under the California Environmental Quality Act (CEQA) Guideline Section 15378.

OPTIONS

- 1. Do nothing.
- 2. Direct staff to prepare a draft public art policy for consideration by the BNRC and City Council

FISCAL IMPACT

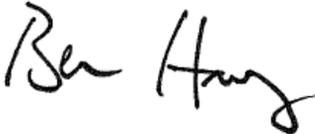
There is no fiscal impact associated with directing staff to draft a public art policy. However, future adoption of such a policy may have fiscal ramifications.

RESPECTFULLY SUBMITTED,



Mark Brodeur
Community and Economic Development Director

REVIEWED BY,



Ben Harvey
City Manager