

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ACCEPTING A DONATION OF TIME AND MATERIALS FOR THE PAINTING OF UTILITY BOXES CITYWIDE AND WAIVING OF ENCROACHMENT PERMIT FEES; STAFF PROJECT 22-002; LOCATION – CITYWIDE; APPLICANT – SHIRLEY HORACEK, ARROYO GRANDE PUBLIC ART**

**WHEREAS**, on August 8, 2022, Arroyo Grande Public Art recommended the City Council hold a public hearing on the proposed painting of four (4) utility boxes within the City (“project”) and consider the donation of time and materials for the proposed project in accordance to the Public Arts Guidelines; and

**WHEREAS**, on October 11, 2022, the City Council held a duly noticed public hearing for the project; and

**WHEREAS**, the City Council finds that the project will have a public benefit and therefore encroachment permit fees totaling \$720 for four (4) utility boxes of \$180 each can be waived; and

**WHEREAS**, the City Council finds, after due study, deliberation and public hearing, that the donation of time and materials for the proposed project meets these criteria:

1. Relationship to the social, cultural and historical identity of the area.  
*The donation of time and materials for the proposed project will have social and cultural impacts as the project proposed designs that are tied to the social, historical and cultural identity of the area with regards to the designs chosen.*
2. Evaluation of artistic excellence;  
*Arroyo Grande Public Art met on August 8<sup>th</sup>, 2022 and selected the proposed designs. AGPA recommended the proposed designs due to the proposal's ability to improve the appearance of the existing utility boxes. The donation of time and materials will further the ability of the project to be completed.*
3. Appropriateness of scale, form, material, content and design relative to the immediate neighborhood;  
*The donation of time and materials will facilitate the proposed artwork which is intended to replicate natural elements to help the artwork seamlessly fit into the surroundings of the public park. The materials chosen are appropriate and are materials typically utilized for this type of application. The location of the utility boxes provides an enhancement of the built environment for the enjoyment of the art piece.*
4. Appropriateness of proposed materials as regards to structural and surface integrity, protection against vandalism, public safety and weathering;

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*The donation of time and materials will facilitate the project, which includes materials selected that are commonly used in applications in public art projects. The quality of the materials selected are such that they will improve the surface integrity of the utility boxes and are meant to withstand natural weathering processes. The materials selected will not have adverse impacts on public safety due to their proper application.*

5. Ease of maintenance;

*The donation of time and materials will facilitate the project, which includes proposed materials that are intended to provide a durable, aesthetic finish that helps protect and extend the life of the utility boxes, while improving their aesthetic appearance.*

6. Appropriateness of proposed method of installation and artwork and safety and structural factors involved in installation;

*The donation of time and materials are for artwork that will be installed in accordance with the manufacturer's specifications and will not cause safety or structural issues during the installation.*

7. Artist's experience in working on comparable projects.

*The donation of time and materials will go to artists that have extensive experience completing public art projects.*

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Arroyo Grande hereby approves the donation of time and materials and waives the encroachment permit fees in the amount of \$720 for the project as described and shown in Exhibit "B" attached hereto and incorporated herein by this reference with the above findings and subject to the conditions set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

On a motion by Council member \_\_\_\_\_, seconded by Council member \_\_\_\_\_, and by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

the foregoing Resolution was adopted this 11<sup>th</sup> day of October 2022.

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**CAREN RAY RUSSOM, MAYOR**

**ATTEST:**

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**JESSICA MATSON, CITY CLERK**

**APPROVED AS TO CONTENT:**

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**WHITNEY MCDONALD, CITY MANAGER**

**APPROVED AS TO FORM:**

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**TIMOTHY J. CARMEL, CITY ATTORNEY**

**EXHIBIT "A"**  
**CONDITIONS OF APPROVAL**  
**UTILITY BOX PAINTING PROJECT**  
**CITYWIDE**

**CONDITIONS OF APPROVAL**

**Planning Division**

1. The applicant shall ascertain and comply with all Federal, State, County and City requirements as are applicable to this project.
2. The public art shall be installed in conformance with the site designs on Exhibit "B" of this Resolution.
3. The applicant shall agree to defend at his/her sole expense any action brought against the City, its present or former agents, officers, or employees because of the issuance of said approval, or in anyway relating to the implementation thereof, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his/her obligations under this condition.

OAK PARK/GRAND DESIGN TEMPLATE

**Concept Drawing**

Created in Adobe Photoshop and Illustrator

Preferred Location: Oak Park/Grand  
(if given another location will modify  
the design to incorporate mounted boxes)

TOP

24"x33"



FRONT

33" W

65" H

SIDE

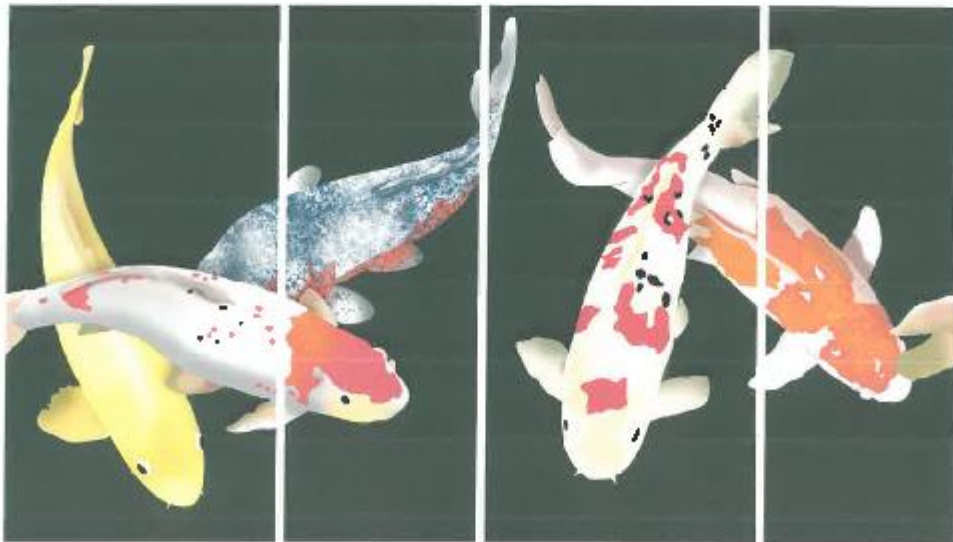
24" W

BACK

33" W

SIDE

24" W



BACK

SIDE

FRONT

SIDE



Branch/Mason

Sent from my iPhone

—  
Laurie Hamblin



This piece is titled, *46 and the Great Unknown*. I am submitting this work to be considered to be painted on one of the city's electrical boxes. I am an Arroyo Grande resident and I love my community. My hope is that this vibrantly colored piece will capture people's hearts and minds and inspire them. Not only to find the joy of painting or creating in their own ways but also to live fearlessly and excite a sense of exploration in our beautifully gifted coastline.

The piece has additional meaning to me, in that it actually is depicting a story my father always loved sharing with us, about his days of diving. How he found himself in a school of krill faced with the glory of a massive whale. It was an incredible story. Sadly, my father lost his battle with Alzheimer's early this month on 7/9/2022. It would be so special, if selected, to share his incredible story in this way, with the rest of my community to honor him.

I am fully prepared to adapt the painting to accommodate the dimensions of the given electrical box surfaces including top. Thank you so much for your time and consideration.

Renn Herrera46

OAK PARK/GRAND DESIGN TEMPLATE

TOP  
24"x33"



FRONT  
33" W  
65" H



SIDE  
24" W



BACK  
33" W



SIDE  
24" W

