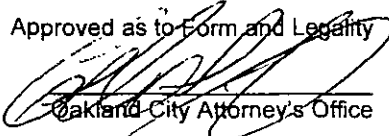


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Approved as to Form and Legality



Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember Kalb

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**A RESOLUTION FROM THE OAKLAND CITY COUNCIL SUPPORTING THE INSTALLATION OF A MURAL AT 54<sup>TH</sup> STREET AND SHATTUCK AVENUE ON CALTRANS STATE ROUTE 24 SUPPORT COLUMNS AND AUTHORIZING THE CITY ADMINISTRATOR TO TAKE ANY ACTIONS NECESSARY TO PROVIDE MAINTENANCE OF THE ARTWORK**

**WHEREAS**, the City of Oakland supports community efforts to beautify neighborhoods through art; and

**WHEREAS**, in 2011, with local business district funding and City support, Oakland artist Alan Leon completed a well-received and artistically successful mural titled "Temescal Flows" on the California Department of Transportation (Caltrans) State Route 24 underpass along 52<sup>nd</sup> Street; and

**WHEREAS**, in response to community requests for an artistic treatment to the 14 oval support columns on the west side of Shattuck Avenue near 54<sup>th</sup> Street, also a part of Caltrans' State Route 24 infrastructure, Mr. Leon developed a proposed mural titled the "Shattuck Avenue Gateway", whose intent is to provide life-enhancing, colorful patterns to brighten the underpass and to extend the aesthetic he established on nearby 52<sup>nd</sup> Street with coordinated designs; and

**WHEREAS**, the proposed location of the mural is a street under the jurisdiction of the City of Oakland and is a heavily traveled pedestrian and vehicular corridor; and

**WHEREAS**, the artist/donor Mr. Leon presented the Shattuck Avenue Gateway mural proposal for public consideration and comment at the Temescal Branch Library on December 18, 2012 and on February 5, 2013, where the proposal was supported by the community; and

**WHEREAS**, the City of Oakland Public Art Advisory Committee at its meeting of April 8, 2013 reviewed the proposal and has recommended that City Council accept the proposal by Alan Leon for the Shattuck Avenue Gateway mural at 54<sup>th</sup> Street and Shattuck Avenue; and

**WHEREAS**, Mr. Leon has secured funding for the project through grants and donations from outside the City of Oakland; he proposes to paint the mural at no cost to the City; and he has agreed to maintain the mural after its completion; and

**WHEREAS**, as a condition to approving the installation of artwork on Caltrans facilities, Caltrans requires a resolution from the City Council that the City will assume responsibility for maintenance and upkeep of artwork on Caltrans facilities within the Oakland city limits; and

**WHEREAS**, it is the City's policy through its Public Art Program regulations that gifts of art and community-initiated artwork projects may be accepted only on the terms that the artwork sponsor or donor make provision for ongoing maintenance of the artwork, which entails entering into agreements with the artists establishing the artist/donor's agreement and responsibility to provide maintenance and upkeep,; now, therefore, be it

**RESOLVED:** That the Oakland City Council supports the installation of a mural by artist/donor Alan Leon on 14 support columns of Highway 24 located at 54<sup>th</sup> Street and Shattuck Avenue in Oakland; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator to undertake any actions necessary to provide maintenance of the artwork to installed Alan Leon on 14 support columns of Highway 24 located at 54<sup>th</sup> Street and Shattuck Avenue in for its expected lifespan of 25 years; and be it

**FURTHER RESOLVED:** That the Office of the City Attorney will review the agreement for form and legality, and a copy will be filed in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,  
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California