

OFFICE OF THE CITY CLERK  
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**CITY OF OAKLAND**  
**AGENDA REPORT**

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Cultural Arts & Marketing Division  
DATE: September 12, 2006

RE: **Resolution to Accept a Privately Funded Sculptural Monument Titled *Remember Them: Champions for Humanity* by Mario Chiodo as a Gift to the City of Oakland for Permanent Installation in Fox Square Park, to be Located at 19<sup>th</sup> Street and Fox Court within the Uptown Project Area**

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### SUMMARY

This Resolution accepts a gift to the City of Oakland, a sculptural monument for permanent installation in the public park at the intersection of 19<sup>th</sup> Street and Fox Court. The monument is titled *Remember Them: Champions for Humanity* and depicts 25 individuals globally renowned for good works of a humanitarian nature. All costs associated with building and maintaining the monument will be borne by the donors and/or organizations working on their behalf. There will be no cost to the City.

### FISCAL IMPACTS

City of Oakland public art legislation and the Cultural Affairs Commission's Artwork Gift Review Policy require that there be little or no negative fiscal impact to the City of Oakland when accepting a gift of public art. The City's agreement with sponsors of the humanitarian monument provides that funds to cover all project costs including fabrication and installation will be raised by the sponsors, and that all necessary maintenance, repair and restoration of the monument will be funded by a trust fund set up for this sole purpose to be held in perpetuity by the Oakland Metropolitan Chamber of Commerce Foundation. If there is any fiscal impact, it will be indirect.

### PROJECT DESCRIPTION

Oakland sculptor Mario Chiodo proposes to create and install a cast-bronze monument, *Remember Them: Champions for Humanity*, which, in the artist's words, "depicts 25 humanitarian leaders who made significant contributions toward global peace, freedom and human rights over the past 150 years." The monument consists of four groupings of cast-bronze figures on cast concrete plinths placed on the park plaza, with a series of bronze plaques (displaying quotes from the humanitarians represented) laid flush with the sidewalk at the base of the sculptures. Project sponsors propose a range of activities to enhance the significance and impact of the monument, including internships for multiple Oakland high school students, a variety of educational components, a national traveling exhibit and a permanent installation in the Civil Rights Museum located in Memphis, Tennessee. The \$3.5 million project budget will be financed by Kaiser Permanente and other donors.

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The proposed site is Fox Square Park, a new public park to be created within the Uptown residential/retail project being constructed by Forest City Development. The Uptown project site is bounded by San Pablo and Telegraph avenues and 18<sup>th</sup> Street and 20<sup>th</sup> Street; the 25,000-square-foot park will be located at the intersection of 19<sup>th</sup> Street and a new street named Fox Court one block east of San Pablo Avenue. Completion of all elements of the Uptown development – housing, park and sculpture, if approved – is projected for December 2007. Upon completion, Forest City Development will turn ownership of the park over to the City of Oakland, but will continue to maintain the park.

The Chamber of Commerce will be responsible for maintaining the monument in perpetuity. A \$250,000 endowment will be established for the maintenance program. Additional funds will be raised periodically, as needed. As noted by the legal counsel for the Chamber Foundation, “if at any time the endowment amount falls below the amount necessary to continue to pay the annual costs, the Foundation will be obligated to raise funds to increase the Endowment.”

## **BACKGROUND**

As established in City of Oakland Ordinance No. 11086 C.M.S., it is the responsibility of the City’s Public Art Advisory Committee (PAAC) to review proposed gifts of public art and to make recommendations on their acceptance or rejection to the Cultural Affairs Commission (CAC) which in turn makes recommendations to City Council.

The proposed gift by Mario Chiodo was reviewed through the Artwork Gift Review Policy [see Attachment I], and approved by the CAC in October, 2005. In accordance with policy, the PAAC formed a Gifts Review Panel to make advisory recommendations on the acceptance or rejection of proposed gifts of artwork to the City of Oakland. Current members of the Gifts Review Panel are Molly Lambert, sculpture and architecture conservator, Berkeley; Susan Pontious, Deputy Program Director, Public Art Program, San Francisco Arts Commission, and an Oakland resident; and Karen Tsujimoto, Senior Curator of Art, Oakland Museum of California. The non-voting, advisory chair of the panel is PAAC member Karen Zukor, art conservator, Oakland.

The panel reviewed the proposed gift on May 31, 2006. After careful consideration, the Gifts Review Panel did not recommend acceptance of the monument as then proposed, for the following reasons: (1) it was compositionally unresolved, with concerns regarding scale and orientation; (2) insufficient technical information regarding fabrication and materials was provided; (3) there were concerns regarding the cost and responsibility of ongoing maintenance; and, (4) the budget was not guaranteed.

At its meeting on June 5, 2006, the PAAC upheld the panel’s recommendation, however it also established a subcommittee to work with the artist and sponsors toward the resolution of mutual concerns, so that a revised proposal could be re-presented.

In subsequent reviews and discussions among the artist and project sponsors, City staff and the PAAC subcommittee, Mr. Chiodo addressed the Committee’s concerns and modified the composition and orientation of the monument components. He also provided more detailed technical information. Additionally, the questions of maintenance and budget were resolved to

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the City's satisfaction. [See Attachment II, "Maintenance Program" and Attachment III, "Memorandum on Remember Them Monument Issues."]

On August 7, 2006, after listening to 29 public speakers, the PAAC voted, six to one, to accept the proposed gift based on the modifications and additional information provided. [See Attachment IV, conceptual drawings and photographs of monument model.] PAAC also asked that the artist continue to work with PAAC, Public Art Program staff and a Gifts Panel representative on the scale of the monument, which continued to concern the majority of members present. Staff notes, however, that the project has already been scaled down several times to integrate with park design, and that any further scale adjustments would be minor, since project design is nearly complete.

At its meeting of August 28, 2006, the CAC lacked a quorum of eight members, which prohibited any formal action on this item or any other item on the agenda. However, over 20 members of the public were present and spoke in favor of the proposed gift, and no speakers opposed it. Out of respect for those attending, following all public comment the Acting Chair asked each Commissioner present to voice his or her opinion on the proposed gift. All seven Commissioners who were present were in favor of the project. The Chair informed all present that no formal recommendation could be made by the CAC, but that a report expressing the seven members' opinions of the project would go to the Life Enrichment Committee/City Council along with the PAAC's formal recommendation to accept the monument.

#### **KEY ISSUES AND IMPACTS**

Through collaboration of several entities, including the donor and project sponsors, the issues of budget and maintenance have been resolved to the City's satisfaction. The park site has been redesigned to accommodate the monument. The Public Art Advisory Committee has called for ongoing dialogue with the artist over the scale of the monument.

#### **DISABILITY AND SENIOR CITIZEN ACCESS**

The four sculptural groupings comprising the monument will be fully accessible and visible to viewers from many vantage points. The artwork will be ADA compliant and will not create a tripping hazard for senior citizen access.

#### **RECOMMENDATION**

The PAAC has voted to recommend that the CAC and the City Council accept the proposed gift. The Cultural Affairs Commission, because of a lack of quorum, could not make any recommendation. By policy of the CAC and Cultural Arts & Marketing Department staff, if a quorum is not achieved at a meeting of the CAC when a voting item is reviewed, that item becomes informational and the recommendation will then be forwarded from the relevant Committee (the PAAC or the Funding Advisory Committee) directly to City Council. The seven Commissioners in attendance at the August 28<sup>th</sup> CAC did, however, express opinions that City

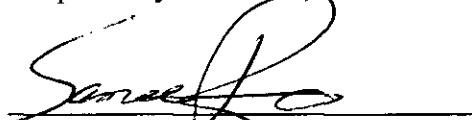
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Council should accept the monument titled *Remember Them: Champions for Humanity* by Mario Chiodo, at no cost to the City of Oakland, for permanent installation in Fox Square Park.

**ACTION REQUESTED OF THE CITY COUNCIL**

That Council approve the resolution accepting the monument titled *Remember Them: Champions for Humanity* for permanent installation in Fox Square Park.

Respectfully submitted,



Samee Roberts, Manager  
Cultural Arts & Marketing Division  
Office of the City Administrator

Prepared by: Steven Huss, Acting Cultural Arts Programs Coordinator

APPROVED AND FORWARDED TO THE  
LIFE ENRICHMENT COMMITTEE:

  
OFFICE OF THE CITY ADMINISTRATOR

## ARTWORK GIFT REVIEW POLICY

### CITY OF OAKLAND PUBLIC ART PROGRAM and CULTURAL AFFAIRS COMMISSION

Approved October 24, 2005  
Oakland Cultural Affairs Commission

#### 1.0 PURPOSE

The purpose of the Artwork Gift Review Policy is to ensure that only public artwork of the highest quality and enduring value is accepted into the City's collection.

#### 2.0 ENABLING LEGISLATION

Ordinance No. 11086 C.M.S. establishes the Cultural Affairs Commission's responsibility to "recommend acceptance of proposed gifts, exhibitions, and loans based on the Public Art Advisory Committee's review."

#### 3.0 DEFINITIONS

- 3.1 *Public Art*: Works of visual art intended for installation or placement at indoor or outdoor sites in the public view under the City of Oakland's jurisdiction.
- 3.2 *Public Art Advisory Committee (PAAC)*: A professionally qualified, nine-member citizen committee appointed by City Council to oversee quality control of the City's public art program and collection.
- 3.3 *Cultural Affairs Commission (CAC)*: A standing committee of 15 members, appointed by the Mayor with City Council approval, established to advise the Mayor, Council and the City Administrator on all matters affecting cultural development in Oakland.
- 3.4 *Gift*: An existing or proposed work of art offered as a donation to the City for placement at a public site under the City's jurisdiction; alternatively, a monetary gift for the purpose of acquiring artwork for the City.
- 3.5 *Donor*: An individual, group, organization or business that proposes a work of art for placement or installation on a City-owned site, and/or, when applicable, the artist(s) who created the proposed gift.

#### 4.0 REVIEW PANEL AND PROCESS

The Artwork Gift Review Policy provides a process for the review of proposed gifts of art to the City of Oakland and for the placement, care, and preservation of artwork acquired through this process.

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## ARTWORK GIFT REVIEW POLICY

### 4.1 *Review Panel*

The Public Art Advisory Committee will appoint a Gifts Review Panel. The Panel will be composed of three regional arts professionals with expertise in relevant fields. Panelists will serve for three-year terms.

### 4.2 *Panel Meetings*

The Panel will meet in public session twice a year, in March and September, or in special circumstances at the direction of the PAAC within 30 days of notification.

### 4.3 *Review Procedure*

All proposed gifts of artwork to the City will be referred to the Gifts Review Panel. The Public Art Program will staff meetings of the Panel. The Panel's written recommendations on the acceptance or rejection of proposed gifts of artwork shall be referred to the PAAC for review. Before PAAC review of a proposed gift, the item will be noticed for the benefit of interested public. The PAAC's motions on Panel recommendations will be referred to the Cultural Affairs Commission for approval.

### 4.4 *Community Involvement, Departmental Approval and Public Safety*

Once a proposed site has been identified by a donor, Public Art Program staff will review the proposal with the surrounding community and consult with the appropriate City official(s) regarding the selection, fabrication, and/or placement of the proposed artwork on the site. Department heads must approve proposals for sites over which their department has jurisdiction. Proposals must also address issues of public safety and will be reviewed by the offices of the City Attorney and Risk Management as needed.

### 4.5 *Recommendations*

- A. If the panel recommends against accepting the proposed gift, Public Art Program staff will (a) report the panel's recommendation to the PAAC, and (b) notify the donor and inform them of the option to appeal.
- B. If the panel recommends acceptance of the proposed gift, and the recommendation is approved by the PAAC, CAC, and City Council (if appropriate), a formal agreement will be executed between the City and the donor or artist. This agreement will include the costs, responsibilities and schedule of all aspects of the project, including project funding, fabrication, site preparation, installation, maintenance needs, maintenance endowment [see Sec. 5.2], transfer of title, artist's rights, public education costs, project supervision and donor's administrative costs, documentation, an identification plaque, the donor's/artist's rights, the City's rights (including policy on deaccessioning), and other requirements established by the PAAC and Public Art staff.

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## ARTWORK GIFT REVIEW POLICY

### 5.0 CONDITIONS FOR REVIEW

#### 5.1 *Proposals Considered*

The City will consider the following types of proposals for works of public art on City-owned sites:

- A. A donor's offer of an existing work of art.
- B. A donor's offer to commission an artwork by a specific artist or artists.
- C. A donor's offer to commission an artwork through a competitive public process.

However, a donor's offer of a gift cannot be contingent upon guarantee of a specific site where the work of art will be placed.

#### 5.2 *Maintenance Endowment*

The City will consider proposed gifts of art with the understanding that no City funds will be required for fabrication, siting or installation of the work. In addition, donors will be required to deposit funds equivalent to at least 15% of the commission cost of the artwork to the City's Artwork Maintenance Fund. A maintenance audit will be conducted as part of the proposal review if, in the opinion of Public Art Program staff, the proposed gift is likely to incur high maintenance costs and requires a larger contribution to the Artwork Maintenance Fund. Exorbitant maintenance costs may be grounds for rejection.

#### 5.3 *Acquisition Procedures*

Public Art Program staff will inform the donor of the review procedures, criteria and standards governing the acceptance of gifts of public art. In all cases, the donor will be asked to submit the following materials to staff prior to Panel review of the proposed gift:

- A. A brief statement of intent from the artist;
- B. Adequate visual representation of the proposed work in drawing(s) and/or photographs and/or model(s), with scale and materials indicated;
- C. A scale drawing showing the proposed work as it will be sited;
- D. A comprehensive budget, with projected costs for the project, funds committed to date, and proposed source(s) of funds; and
- E. Artist's resume and any additional supporting material relevant to the artist's experience.

## ARTWORK GIFT REVIEW POLICY

### 6.0 REVIEW CRITERIA AND STANDARDS FOR ACCEPTANCE

Proposed gifts of artwork will be evaluated in alignment with criteria established in the Public Art Procedures for artwork acquired through the Percent for Art Ordinance. The selection panel's criteria for evaluation shall include:

#### 6.1 *Aesthetic Quality*

The foremost consideration will be the inherent quality of the proposed work of art as assessed by the critical review of the Panel. The history, reputation and/or promise of the artist may also be key considerations.

#### 6.2 *Relationship to Collection and to City*

The proposed artwork will be analyzed for its potential relationship to the present collection and to the policies and goals of the Public Art Program, and whether it will enhance the aesthetic quality of the City.

#### 6.3 *Compatibility*

Conceptual compatibility and appropriateness of the proposed artwork to the surrounding neighborhood or environment will be factors for consideration, and will include scale, form, content and design.

#### 6.4 *Budget*

Consideration will include an evaluation of the donor's proposed budget and the artist's ability to successfully complete the project within the proposed budget, and review to assess realistic estimates and comprehensiveness of the budget as it addresses all costs of the proposal [see Sec. 4.5.B].

#### 6.5 *Materials, Fabrication and Installation*

The panel will evaluate the artist's proposed materials and method(s) of fabrication, and their appropriateness to the project as regards structural and surface integrity, protection against theft, vandalism, public safety and weathering, and an analysis of long-term maintenance needs. The panel will also analyze the artist's proposed method of installation of the artwork and evaluate the safety and structural factors involved in the installation.

#### 6.6 *Unrestricted Gifts*

Proposed gifts to the City should be clear and unrestricted.



## ARTWORK GIFT REVIEW POLICY

### 6.7 Site-Specific Works

This policy is for the review of site-specific works of art only. Other artwork may be referred to the Oakland Museum of California, African-American Museum and Library or other public institutions for consideration.

### 6.8 Project Costs

Acceptance is contingent upon receipt by Public Art Program staff of payment from the donor for all costs associated with the gift that are not being covered by the donor directly, e.g. transportation, installation, and maintenance endowment [see Sec. 4.5.B].

## 7.0 ALTERATIONS TO PROPOSED DESIGN

Any significant change to the design or concept made by the artist or donor after approval of the gift proposal must be reviewed and accepted by the Gifts Review Panel and the PAAC, and may be grounds for rejection of the gift.

## 8.0 REVIEW OF FABRICATION AND INSTALLATION

Works of art accepted from maquettes or drawings will be subject to staff and PAAC review throughout fabrication and installation. Specific plans for site design, installation, maintenance and protection must be submitted for approvals and accepted by staff and PAAC.

## 9.0 APPEAL POLICY

All donors who believe that the Panel's consideration of their proposal was procedurally unfair, unreasonable or inadequate may appeal the Panel's recommendation rejecting the proposed gift. However, no appeals will be considered on the grounds of the panel's aesthetic evaluation of an existing or proposed work.

### 9.1 Appeal Procedure

- A. Before pursuing a formal appeal, the donor should seek an informal resolution by first re-examining the Review Criteria and the list of panelists who have evaluated the proposed gift, then informally reviewing the panel procedure with Public Art Program staff within six weeks of the date of written notification of the original panel decision.
- B. Should no resolution be reached, the donor may submit a formal appeal by way of a written request to the PAAC, specifying the date on which informal review of the original panel decision was completed, and the factual basis on which the donor claims that the procedures utilized by the panel in reaching its decision were unfair, unreasonable, or inadequate.

## ARTWORK GIFT REVIEW POLICY

- C. The PAAC will provide the donor and each member of the panel with at least 14 days advance notice in writing of the date, time, and place of the appeal, to enable each of the aforementioned individuals to file written submissions for consideration and to arrange to appear to give a verbal presentation if desired. In addition, the PAAC has the right to invite any individual whom it believes may contribute to the adjudication of the appeal, to appear before it.
- D. All decisions on appeals to PAAC are final and definitive.

### 10.0 DEACCESSIONING

In accepting a gift of artwork, the PAAC and CAC will not be bound by any agreement with the donor that restricts their ability to act in the City's best interests. Nothing in the acceptance of a gift of artwork shall prevent the PAAC and CAC from approving subsequent disposal (removal, relocation, sale and/or or deaccessioning) of such gift if it serves the City's best interest to do so. The CAC will deaccession and sell or otherwise dispose of works of art in its collection in accordance with the Public Art Program's Deaccessioning policies, the requirements of the City's administrative code, and the limitations of the California Art Preservation Act (Civil Code 987) and the Visual Artists Rights Act of 1990 (17 U.S.C. 106A and 113(d)).

MAINTENANCE PROGRAM FOR THE REMEMBER THEM MONUMENT

The Remember Them project capital campaign includes a \$250,000 endowment for the *maintenance program of the bronze and concrete monument*. It is the intention of the creators of this project that this endowment be invested and that the designated agent of the maintenance program may need to periodically fundraise to keep funds available for the annual maintenance of the monument.

The monument will be comprised of four sections that stretch out approximately 50 feet and the tallest point of the monument is approximately 17 feet high. It will be primarily produced in cast bronze with an aged patina. It is the artist's intention that the bronze continue to age naturally. The lower area of the monument will be sculpted Portland cement, stained and sealed.

Depending on the amount of rain in a given year, annual maintenance should include a minimum of one power wash to remove dust, dirt, bird droppings or leaves. Power washing should be performed with cold water and a variable pressure wand ranging from 1000 to 2000 psi so as not to damage the patina. Should grime or droppings be difficult to remove, a power washing with warm water is suggested. (Please note that no 220volt outlet is available for a power washer. A gas-powered unit would be required.)

Once a year before hand waxing, the bronze should be power washed with warm water and mild, biodegradable soap. Hot carnauba wax (blue label, neutral color) should be applied by brushes and rubbed in with clean terry rags over the entire surface of the bronze.

Should the patina be damaged from solvents used to remove paint, the patina will need to be touched up by an artisan with a minimum of 3 years experience in patination. The equipment required will be a portable welding torch and ferric nitrate.

The lower concrete areas of the monument will be sealed and coated with a 'vandal-proof' finish that makes removing paint with a solvent and rag easy. The finish is non-sacrificial (will not be removed by solvent) and will need to be reapplied by brush in five years. (Manufacturer's product name to be provided after installation.)

Major damage to the bronze or concrete sculpture will require repairs by professionals. These costs should be covered by an insurance policy carried by the designated agent of the maintenance program. The aforementioned insurance policy should also include liability insurance up to \$3 million.

Annual Maintenance Estimate and Insurance Policy:

|  |          |
|--|----------|
| Two power washes and one hot wax.....                              | \$6,000  |
| Insurance policy.....  | \$5,500  |
| Re-apply vandal proof finish: \$2,000 (Amortized over 5 yrs.)..... | \$ 400   |
| TOTAL.....   | \$11,900 |

Mario Chiodo/Joseph Haraburda  
August 1, 2006  
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WENDEL, ROSEN, BLACK & DEAN LLP

**MEMORANDUM**

August 1, 2006

**TO:** Mario Chiodo/Joseph Haraburda  
**FROM:** R. Zachary Wasserman  
**RE:** Remember Them Monument Issues

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You have asked us to review certain legal issues relating to the Remember Them Monument, specifically concerning the obligations of the Chamber Foundation and the City. The following are the issues we have discussed with representatives of the Art Commission and Susan Mosk from the City Attorney's Office. Each of the significant legal issues is addressed below.

We understand that the City's goal and policy is that this Monument will not cost the City anything for installation or maintenance of the Monument. The Chamber Foundation, which is the funding conduit for donations for the Monument, will enter into agreements with the City to guarantee that this goal is accomplished.

1. There will be an agreement governing the donation of the Monument to the City which will provide that the City will not accept the Monument and that no construction on site will begin before there is guaranteed funding for the complete construction costs – either in the form of cash deposits in a dedicated account in a bank or in the form of legally enforceable pledges from solid credit worthy corporations and or foundations. In addition this agreement will specify the placement and dimensions of the Monument and refer to the model that is approved by the City.

2. There will be a separate agreement between the Foundation and the City providing that the Foundation is responsible for paying for annual maintenance and for graffiti removal. The nature of the annual maintenance will be spelled out in this agreement based on the approved maintenance description prepared by the Foundry that will cast the Monument, including an allowance for graffiti removal. The annual cost of this maintenance will be approved by the City and an endowment – a fund dedicated solely for this purpose – in an amount which the City agrees is sufficient to cover the annual costs based on interest earnings on the endowment. This agreement will also provide that if at any time the endowment amount falls below the amount necessary to continue to pay the annual costs, the Foundation will be obligated to raise funds to increase the Endowment.

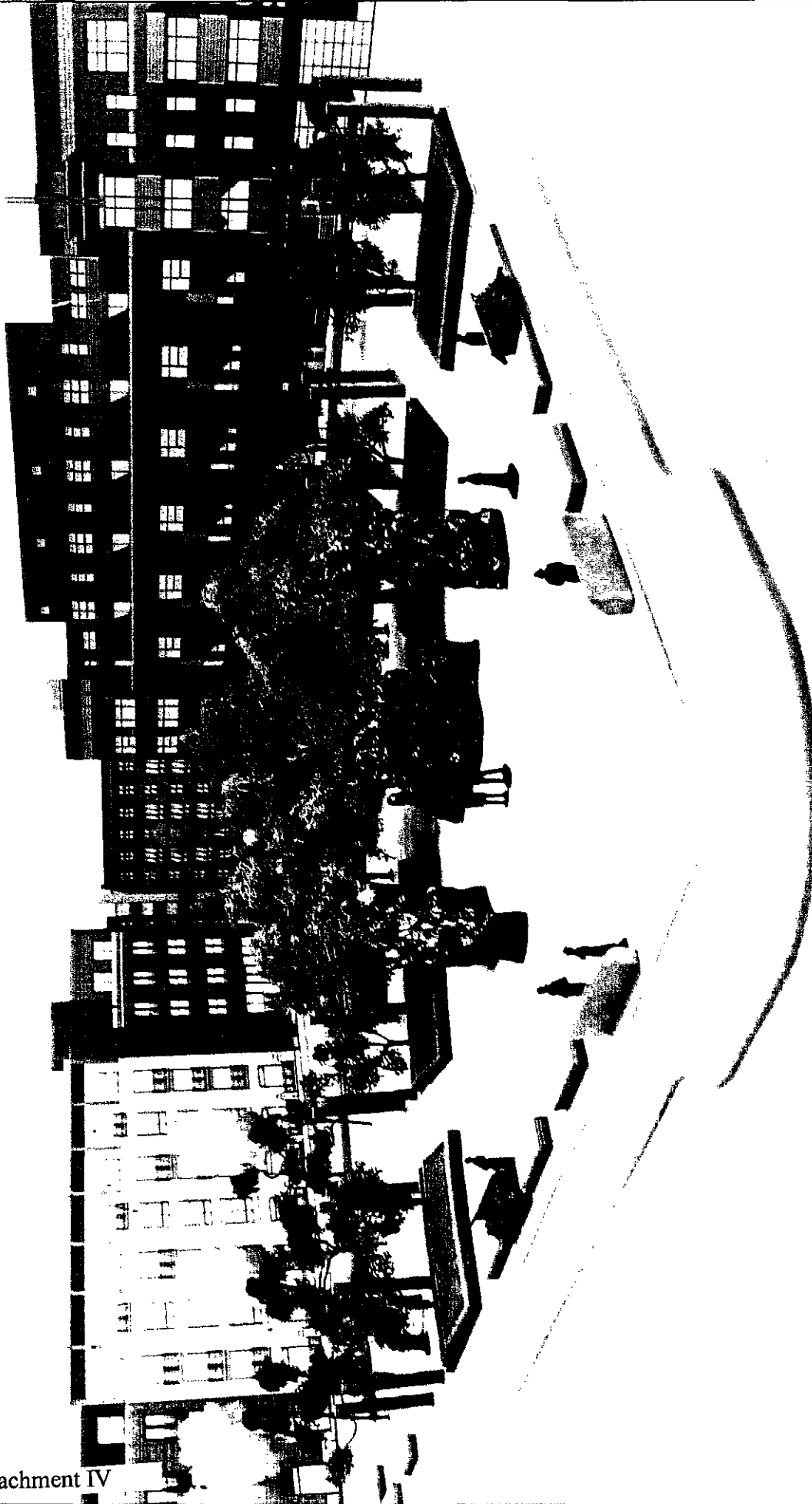
Mario Chiodo/Joseph Haraburda  
August 1, 2006  
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WENDEL, ROSEN, BLACK & DEAN LLP

Neither we nor the City have completed the review of the necessary specifications for cleaning (including rebronzing) and graffiti removal to determine whether these services can be provided by the City, with reimbursement from the Foundation, or whether City staff cannot provide the required expertise or equipment in which case the Foundation will contract for the necessary services directly.

We have discussed these concepts with the City Attorney's Office and I believe they agree with the concepts. Once donation is approved, conditioned on the terms stated in this memo along with any other appropriate conditions, we will work with the City Attorney's Office to draft the Agreements.

Attachment IV

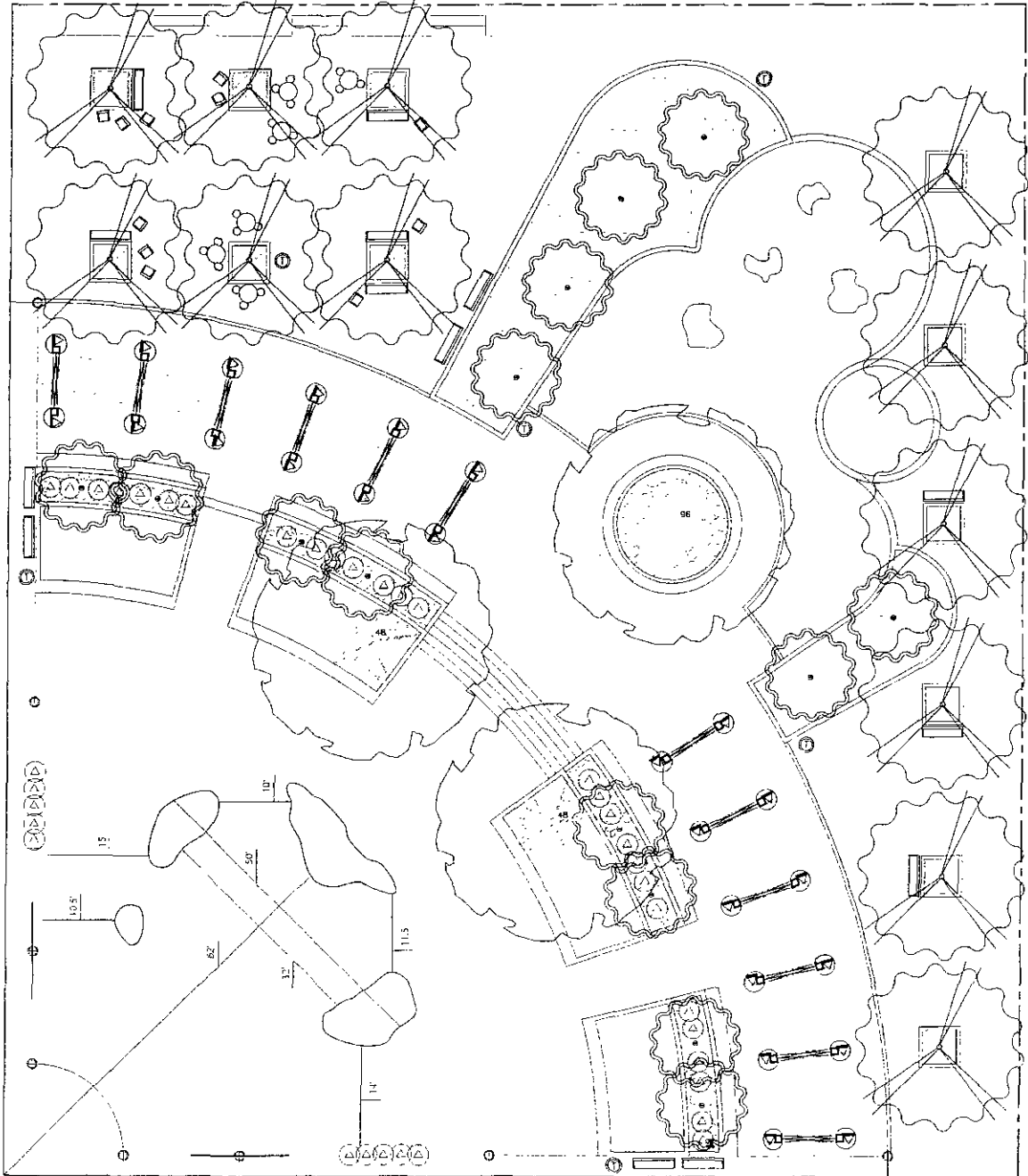


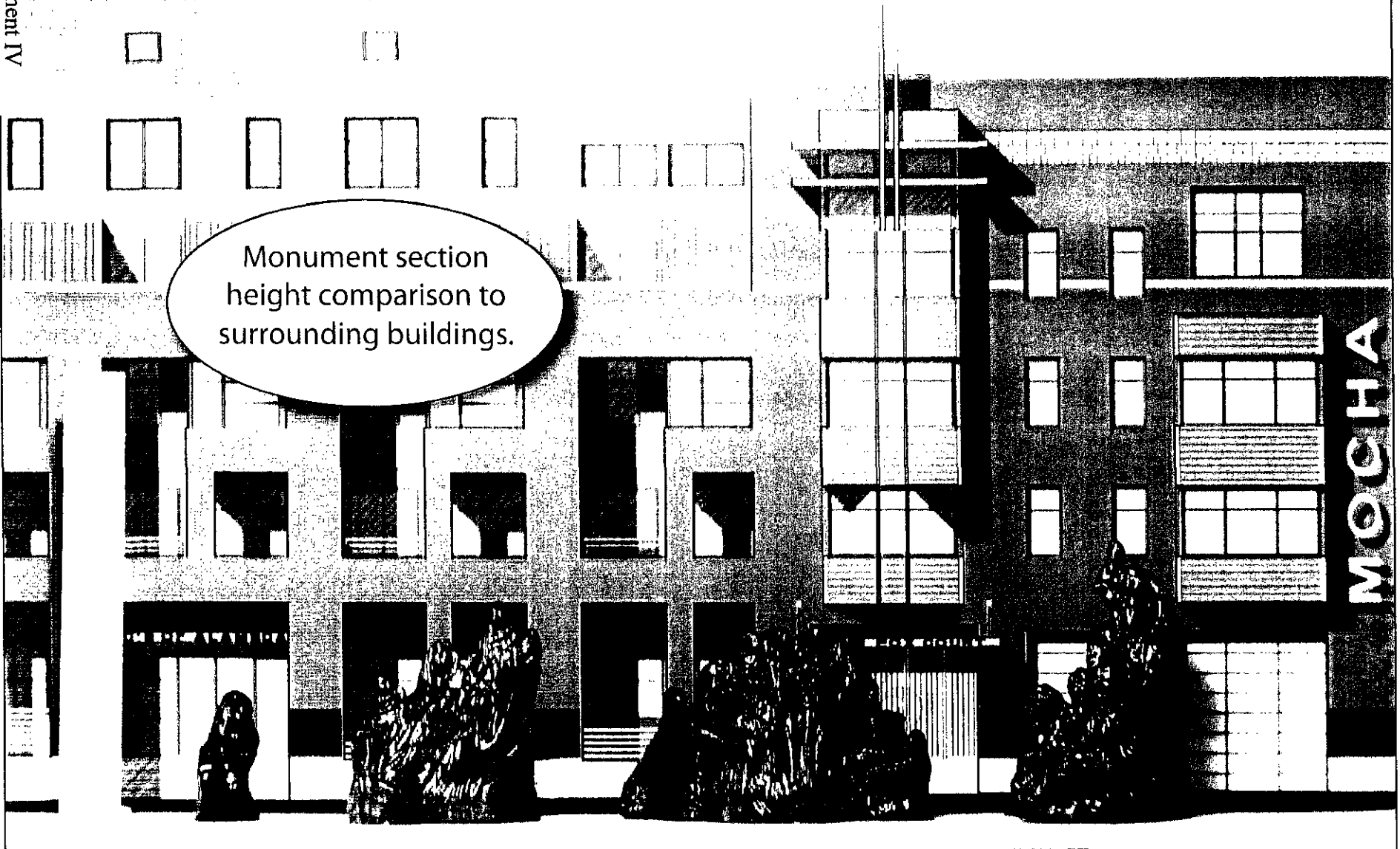
**CHIODO**  
Art Development

Remember Them:  
Champions for Humanity  
Fox Square Park model

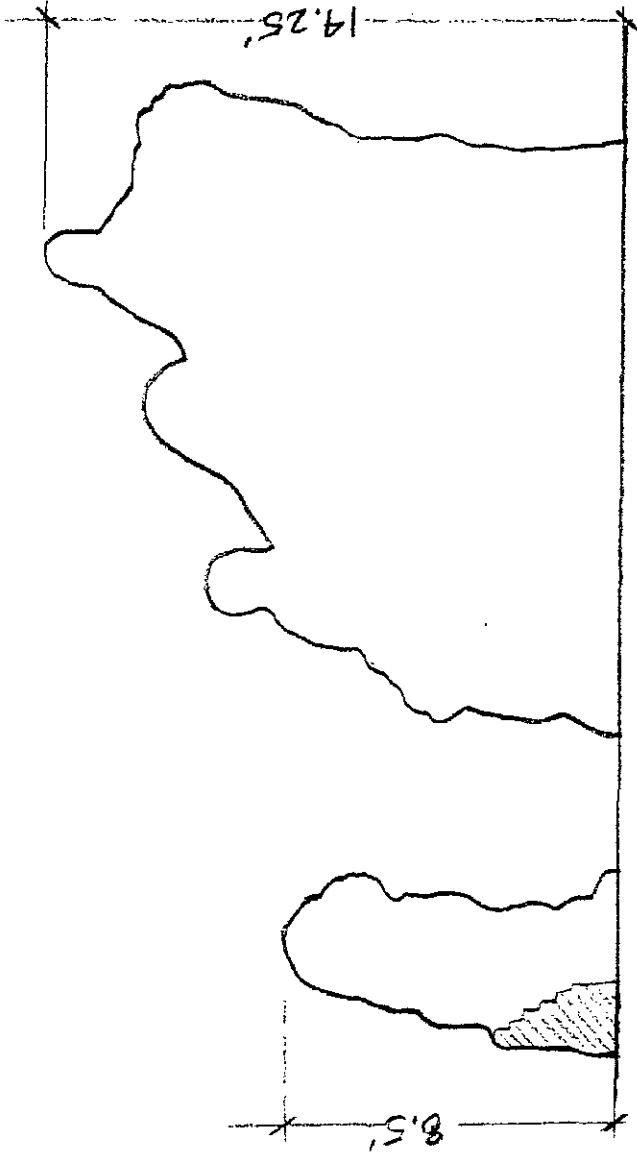
# WILLIAM STREET

# FOX COURT





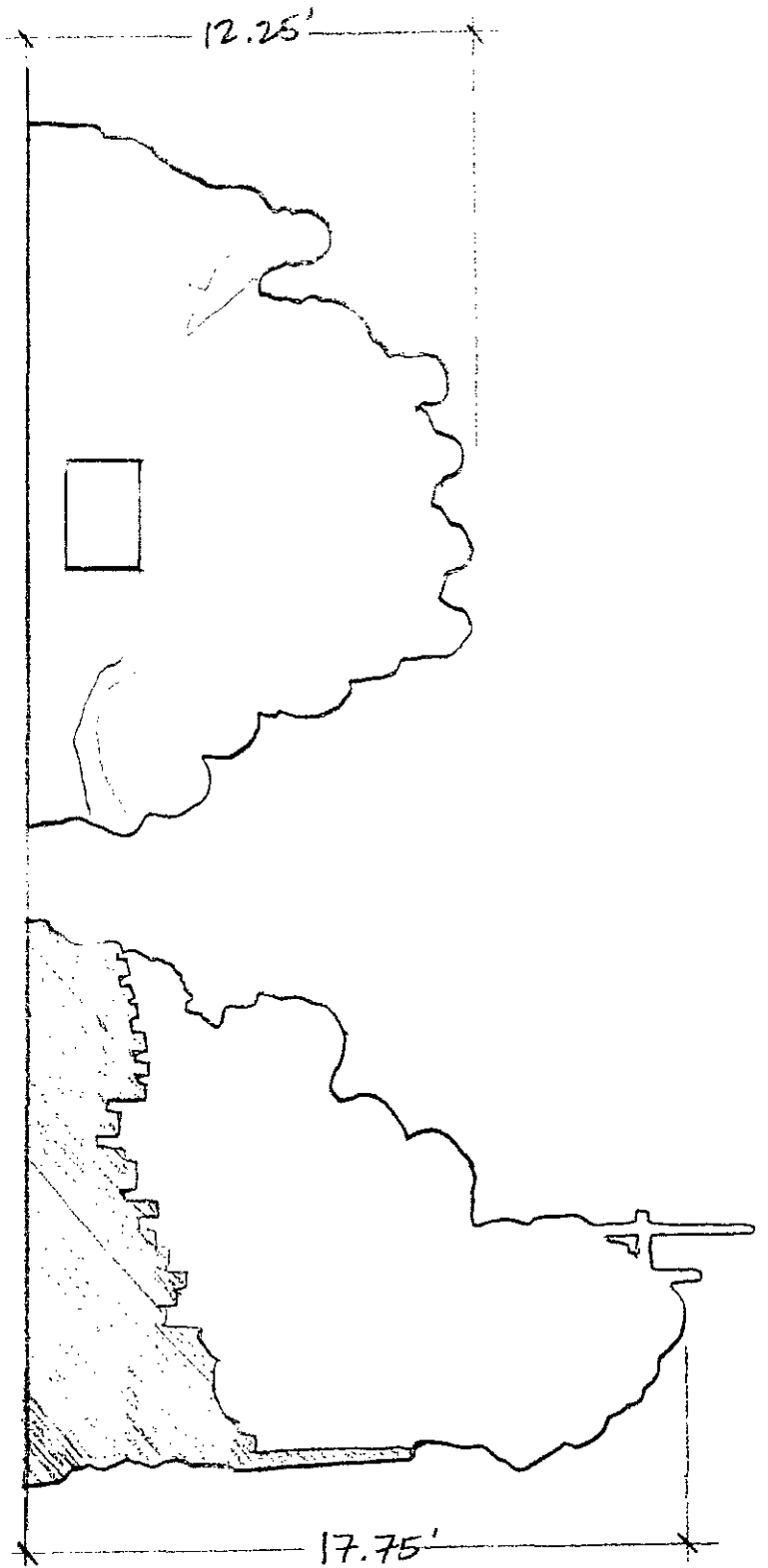




MAYA SECTION I

3/16"

REMEMBER THEM 7-06



SECTION 2

3/16'

SECTION 3

REMEMBER THEM 7-06

Attachment IV



# REMEMBER THEM: CHAMPIONS for HUMANITY

Copyright © 2006, Chiodo Art Development

[www.remember-them.org](http://www.remember-them.org)

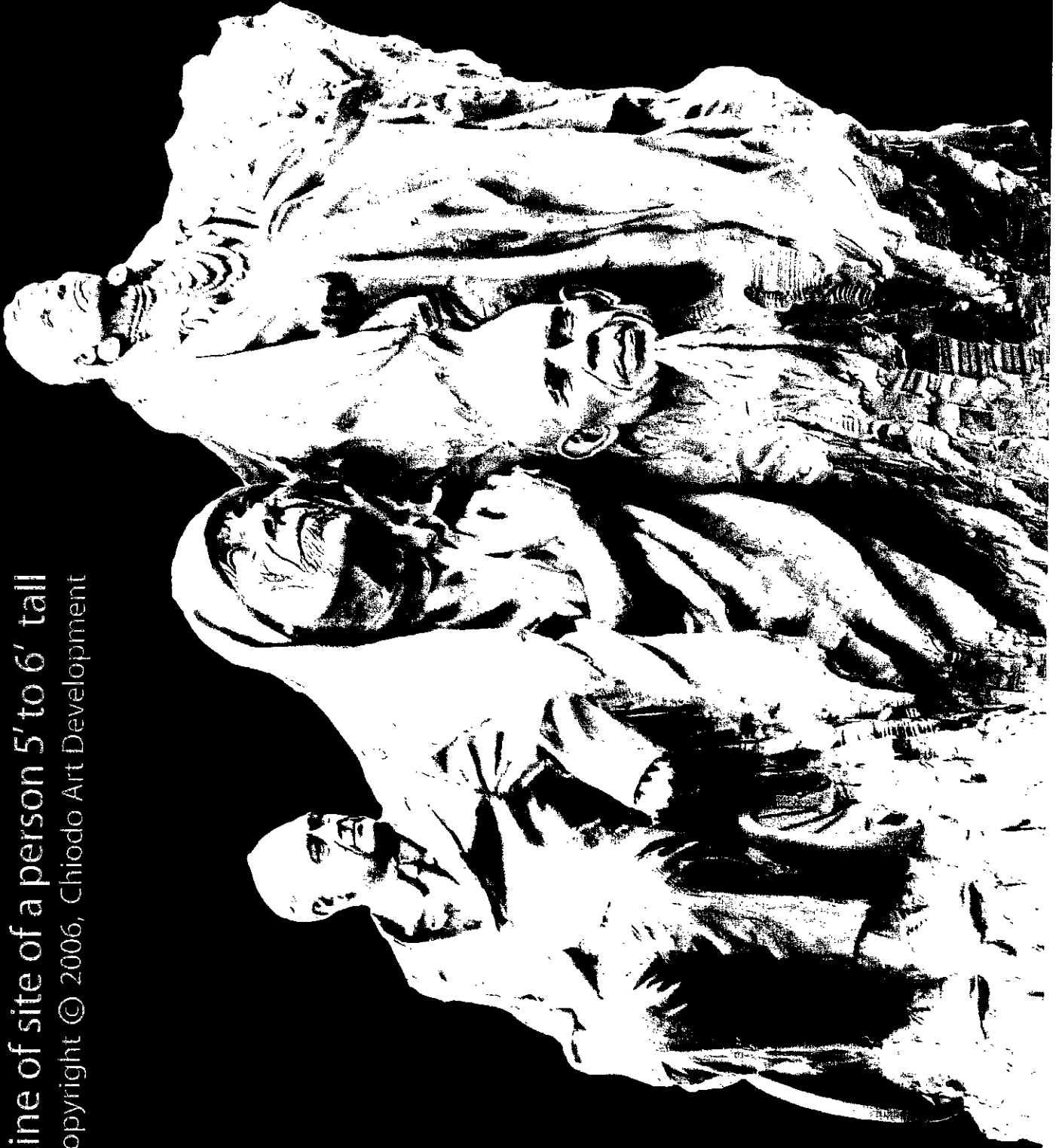
Line of site of a person 5' to 6' tall  
Copyright © 2006, Chido Art Development



Line of site of a person 5' to 6' tall  
Copyright © 2006, Chiodo Art Development



Line of site of a person 5' to 6' tall  
Copyright © 2006, Chiodo Art Development



Line of site of a person 5' to 6' tall  
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Attachment IV

Line of site of a person 5' to 6' tall  
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Attachment IV



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2006 AUG 31 PM 6:23

Approved as to Form and Legality

Oakland City Attorney's Office

8/24/06

## OAKLAND CITY COUNCIL

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

Introduced by Councilmember \_\_\_\_\_

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**RESOLUTION ACCEPTING A PRIVATELY FUNDED MONUMENT TITLED "REMEMBER THEM: CHAMPIONS FOR HUMANITY" BY MARIO CHIDO AS A GIFT TO THE CITY OF OAKLAND FOR PERMANENT INSTALLATION IN FOX SQUARE PARK, TO BE LOCATED AT 19<sup>TH</sup> STREET AND FOX COURT WITHIN THE UPTOWN REDEVELOPMENT AREA.**

**WHEREAS**, the City of Oakland accepts responsibility for expanding the opportunities for its citizens to experience public art and other projects resulting from the creative expression of its visual artists in public spaces throughout the City; and

**WHEREAS**, the Oakland Cultural Affairs Commission exists to advise the Mayor, City Council and the City Administrator on all matters affecting cultural development in the community; and

**WHEREAS**, a function and duty of the Cultural Affairs Commission is to advise the City on the placement of works of public art, and to recommend acceptance of proposed gifts based on the Public Art Advisory Committee's review; and

**WHEREAS**, native Oakland resident and sculptor Mario Chido has offered to the City of Oakland the gift of a cast-bronze and concrete monument for permanent installation in a public park; and

**WHEREAS**, the proposed monument will portray twenty-five world-renowned humanitarian leaders and celebrate their lives and work; and

**WHEREAS**, the proposed monument will reflect and honor the cultural diversity and global consciousness of the people of Oakland; and

**WHEREAS**, the proposed monument has the potential to become an inspiring and much-visited landmark for Oakland residents and visitors alike; and

**WHEREAS**, the proposed monument will be complemented by an educational curriculum for the benefit of Oakland students, and other activities to enhance and publicize the monument nationwide; and

**WHEREAS**, the gift will be made at no cost to the City of Oakland, as all funding for creation, installation and maintenance of the monument, and all supporting activities, will be provided by the project donors; and

**WHEREAS**, on August 7, 2006 the Public Art Advisory Committee voted to accept the gift of the monument, and on August 28, 2006 the Cultural Affairs Commission also voted to accept the monument and to recommend acceptance to City Council; now be it

**RESOLVED**, that the City Council accepts as a gift to the City of Oakland a monument titled "Remember Them: Champions for Humanity" by Oakland sculptor Mario Chiodo, for permanent installation in Fox Square Park at the intersection of 19<sup>th</sup> Street and Fox Court; and be it

**FURTHER RESOLVED**, that all relevant agreements and other documentation will be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2006

**PASSED BY THE FOLLOWING VOTE:**

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND  
PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST:

\_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California