

OFFICE OF THE CLERK
CITY OF OAKLAND

2006 AUG 31 PM 6:23

Approved as to Form and Legality

[Signature]
Oakland City Attorney's Office
8/23/06

OAKLAND CITY COUNCIL

Resolution No. 80122 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE PROFESSIONAL SERVICES AGREEMENTS WITH ARTISTS JOHN ROLOFF AND LEWIS DESOTO FOR PUBLIC ART DESIGN AND FABRICATION SERVICES FOR THE LAKE MERRITT – OAKLAND ESTUARY CHANNEL PROJECT IN AN AMOUNT NOT TO EXCEED SEVENTY SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$77,500) PER ARTIST.

WHEREAS, Measure DD, the Oakland Trust for Clean Water and Safe Parks Fund, includes a number of projects along the Oakland Estuary; and

WHEREAS, one of these projects is the Lake Merritt – Oakland Estuary Channel project between the 10th Street Bridge and Interstate 880; and

WHEREAS, professional artists' services are needed to develop public art components for the project; and

WHEREAS, a national outreach effort to solicit artist candidates resulted in 49 qualified responses; and

WHEREAS, in February 1989, the City of Oakland adopted a Public Art Ordinance (No. 11086 C.M.S.) authorizing the allocation of 1.5% of City capital improvement project costs for the commissioning of public artwork; and

WHEREAS, it is the intent of the Public Art Ordinance to provide a means for the City to commission artists to create artwork, which enlivens, enhances, and enriches the visual environment of the City of Oakland; and

WHEREAS, on April 24 and May 24, 2006, a ten-member selection panel consisting of regional artists, community members, and project representatives met to select an artist team to develop and to build integrated public art elements for the Lake Merritt – Oakland Estuary Public Art Project, and recommended the team of John Roloff and Lewis deSoto; and

WHEREAS, on June 5, 2006 the Public Art Advisory Committee voted to accept the recommendation of the selection panel, and on June 26, 2006 the Cultural Affairs Commission

voted to approve the commission of the artist team John Roloff and Lewis deSoto for the Lake Merritt – Oakland Estuary Channel Project; and

WHEREAS, the City of Oakland finds that these contracts are professional in nature and will not result in a loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, funding is available for the total artwork project budget of \$155,000 within the Measure DD Capital Improvement Fund (5320), Capital Project Management Organization (92242), Miscellaneous Contractual Services Account (54919), Lake Merritt Municipal Boathouse Project (C241920), Lake Merritt Systemwide Improvements Project (C242120), Lake Merritt Pedestrian/Bike Path Project (C242320) and Lake Merritt El Embarcadero Project (C242420); now, therefore, be it

RESOLVED, that the City Council hereby authorizes the City Administrator to negotiate and execute professional services agreements with John Roloff and Lewis deSoto in an amount not to exceed seventy seven thousand five hundred dollars (\$77,500) each from the Measure DD bond funding; and be it

FURTHER RESOLVED, that the City Administrator is hereby authorized to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

FURTHER RESOLVED, that the agreement will be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, SEP 19 2006, 2006

PASSED BY THE FOLLOWING VOTE:

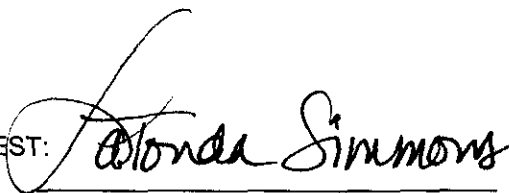
AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND
PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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