

2006 SEP 27 PM 4:36

Approved as to Form and Legality  
*[Signature]*  
Oakland City Attorney's Office

### OAKLAND CITY COUNCIL

Resolution No. 80217 C.M.S.

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

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH RENE YUNG FOR PUBLIC ART DESIGN, FABRICATION AND INSTALLATION SERVICES FOR THE 81<sup>ST</sup> AVENUE BRANCH LIBRARY IN AN AMOUNT NOT TO EXCEED NINETY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$92,500).**

**WHEREAS**, the City of Oakland will be constructing a new community branch library at 81<sup>st</sup> Avenue and Rudsdale Street in East Oakland; and

**WHEREAS**, professional artistic design services are needed to develop a public art component for the project; and

**WHEREAS**, an extensive outreach effort to solicit qualified artist candidates resulted in responses from thirty Bay Area artists; 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 that enlivens, enhances, and enriches the visual environment of the City of Oakland; and

**WHEREAS**, on June 23, 2006 and July 28, 2006, a ten-member selection panel consisting of community members, artists, arts professionals and project representatives met to select and approve an artist or artist team to create public art elements for the 81st Avenue Library, and unanimously recommended artist Rene Yung; and

**WHEREAS**, on August 7, 2006, the Public Art Advisory Committee voted to accept the recommendation of the selection panel and approve the commission of artist Rene Yung for the 81<sup>st</sup> Avenue Branch Library Public Art Project; and

**WHEREAS**, the City of Oakland finds that this contract is 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 for the total artwork project budget of \$92,500 is available within the Municipal Improvement Capital Fund (5505), Public Art Organization (62511) , 81<sup>st</sup> Ave- Public Art Project (C274430); now, therefore, be it

**RESOLVED**, that the City Council hereby authorizes the City Administrator to negotiate and execute a professional services agreement with Rene Yung for public art design, fabrication and installation services for the 81<sup>st</sup> Avenue Branch Library in an amount not to exceed ninety-two thousand five hundred dollars (\$92,500) from Public Art Program 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.

**FURTHER RESOLVED**, 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, OCT 17 2006

**PASSED BY THE FOLLOWING VOTE:**

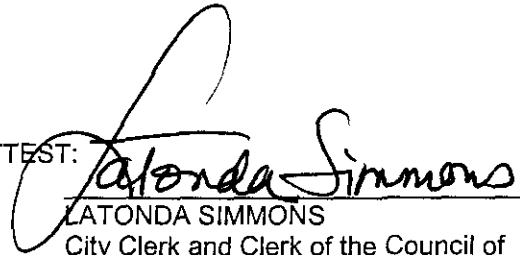
AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND  
PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

  
LATONDA SIMMONS

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