

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2009 MAR 11 PM 2:00

Approved as to Form and Legality

  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. 81895 C.M.S.

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

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH DAKOTA WARREN FOR PUBLIC ART DESIGN, FABRICATION AND INSTALLATION SERVICES FOR THE FREMONT POOL PROJECT IN AN AMOUNT NOT TO EXCEED SIXTY THOUSAND DOLLARS (\$60,000).**

**WHEREAS**, the City of Oakland Fremont Pool project will include renovations and improvements to the existing building located at 4550 Foothill Boulevard 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-seven eligible artists; and

**WHEREAS**, in February 1989, the City of Oakland adopted a Public Art Ordinance (no. 11086 C.M.S.) and an Oakland Redevelopment Agency Resolution (No. 89-8 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 and the Oakland Redevelopment Agency Resolution 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 January 16, 2009 and January 30, 2009, a six-member selection panel consisting of community members, artists, arts professionals, project representatives and City staff met to select an artist to create a public art project for the Fremont Pool project, and unanimously recommended the artist Dakota Warren; and

**WHEREAS**, on February 2, 2009, the Public Art Advisory Committee voted to accept the recommendation of the selection panel and approve the commission of Dakota Warren for the Fremont Pool Public Art Project, and on February 23, 2009 the Cultural Affairs Commission voted to accept the recommendation; 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 \$60,000 is available through Oakland Redevelopment Agency funds pursuant to Resolution No. 81480, adopted by City Council on July 15, 2008, which allocated Oakland Redevelopment Agency funds for this project; now therefore be it

**RESOLVED**, that the City Council hereby authorizes the City Administrator to negotiate and execute a professional services agreement with Dakota Warren in an amount not to exceed sixty thousand dollars (\$60,000) from Oakland Redevelopment Agency funding; and be it

**FURTHER RESOLOVED**, that \$60,000 will be allocated from the Oakland Redevelopment Agency Projects Fund (7780), Capital Projects – Project Management Organization (92270), Fremont Pool Project (P353410); 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**, 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, MAR 31 2009, 2009

**PASSED BY THE FOLLOWING VOTE:**

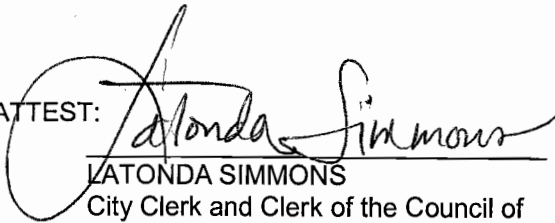
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID AND PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

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