

**CITY OF OAKLAND
COUNCIL AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2004 OCT 28 PM 12:02

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Cultural Arts and Marketing Department
DATE: November 9, 2004

RE: RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE CULTURAL SERVICES CONTRACTS WITH SEVEN OAKLAND-BASED INDIVIDUAL ARTISTS AND NONPROFIT ORGANIZATIONS PROVIDING PUBLIC ART SERVICES IN OAKLAND IN A TOTAL AMOUNT NOT TO EXCEED \$73,517.

SUMMARY

The purpose of this report is to:

- 1) Detail the process used to review public art proposals submitted by nonprofit organizations and artists to the 2004 Public Art Open Proposals Program, and
- 2) Request the Oakland City Council's approval of the subsequent funding recommendations that are the result of a public panel review of proposals.

The Open Proposals Program is a response to the requirement in the Public Art Program's Policies and Procedures stating that 15% of the annual art acquisition budget of the Public Art Fund be allocated for "Special Projects", and that this "Special Projects" allocation must be used to enable community members to propose sites and concepts for public art projects in Oakland.

FISCAL IMPACTS

Funding for Open Proposals was made available in FY 2002-03 in the amount of \$66,000, and in FY 2003-2004 in the amount of \$8,500. (The Open Proposals Program is listed in the CY 2004 and CY 2005 Public Art Annual Plans as "Community Initiated Projects".) These amounts have been combined for use in the 2004 cycle of the Open Proposals program and have been made available in the Public Arts Organization (code 62511), within the Public Art Fund (5505), within the Miscellaneous Contract Services account (code 54919), and the Public Art Project (code P30510). The award recommendations herein present no negative fiscal impact to the City's General Fund.

BACKGROUND

From 1991-94, Special Projects were administered under a program called "Public Art Oakland: Open Proposals". During that time, 15 public art projects were completed in Oakland with Open Proposals funding. Since then, no such Special Projects are known to have been undertaken. Therefore, to comply with the Public Art Program Special Projects mandate, and to revive the opportunity for community-driven public art projects, staff of the Cultural Funding and Public Art programs have worked together to reinstate Open Proposals. Combining the Cultural Funding Program staff's experience in designing, implementing and evaluating grant programs, with the Public Art Advisory Committee (PAAC) New

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Projects working group's project management skills, the Open Proposals program was recreated based on what appears to have been a successful program for the department in the past.

PROGRAM DESCRIPTION

Mission and Goals of the Open Proposals Program

Mission:

Open Proposals funds the development of community- and artist-initiated public art projects throughout Oakland.

Goals:

1. To support the design, creation and installation of temporary or permanent public artworks throughout Oakland
2. To encourage artists, community members, and neighborhood groups to think creatively about the public art possibilities throughout Oakland and to develop feasible projects based on those possibilities
3. To encourage the creative development of Oakland's artists, community members and neighborhood groups
4. To foster collaboration among artists, community members and neighborhood groups
5. To stimulate the beautification, cultural enhancement, and economic development of the diverse neighborhoods of Oakland
6. To disburse projects as widely as possible throughout all districts within the city

Application and Review Process

The Open Proposals Program application and review process consists of seven key steps:

1. Guidelines and application materials are distributed to artists, arts organizations, and other interested parties.
2. Organizations and individual artists submit proposals by deadline.
3. Staff reviews proposals for completeness and eligibility, forwarding complete and eligible applications to panelists.
4. Panels convene in open meetings to discuss and evaluate proposals, and to allocate funds based on applicant score and rank and available funds.
5. The Public Art Advisory Committee (PAAC) reviews panel recommendations
6. A presentation is made to the Cultural Affairs Commission (CAC) in which panel and PAAC recommendations are reviewed. Award recommendations are then forwarded to the Life Enrichment Committee of the Oakland City Council.
7. The City Council reviews and takes action on the award recommendation.

Monitoring the Projects

Several steps are taken to monitor the performance of organizations and artists and the resulting projects that are funded by the City. Comprehensive contracts are individualized to address, in part, the size of award, duration of project, and the design and fabrication elements of the proposal. Staff conducts site visits, attends programs and/or meetings associated with the project, and helps coordinate unveiling

events. Staff thoroughly reviews and evaluates each step of the process against the organization's/artist's contract for services to ensure that all contractual obligations are being met.

KEY ISSUES & IMPACTS

Applications Received for CY 2004

The following table provides information on the number of applications received for CY 2004-2005, and the subsequent panel recommendations:

	Total # of proposals received	# of proposals forwarded to panels*	# of proposals recommended for funding
Temporary Project Category	9	7	2
Permanent Project Category	19	18	5
TOTALS	28	25	7

* Applications not forwarded to panels for review were either ineligible or incomplete, and were returned to the applicant.

Applications per District

The following table provides a picture of the applicant pool by district and the subsequent panel recommendations by district:

District #	Eligible Applications Received	Proposals recommended for funding
1	4	2
2	0	0
3	9	3
4	1	0
5	4	2
6	2	0
7	2	0
Not specified	3	0
TOTALS	25	7

Project Descriptions

Recommended Awardee	Award Amount <i>(same as request)</i>	Total Project Budget	Project Description	Project District
Lauren Elder	\$17,500	\$22,000	Artworks at Peralta Elementary, North Oakland: Steel gates, amphitheater tiles, benches and arbors (Permanent)	1
Ruben Guzman	\$10,000	\$10,000	Cartoneria exhibit (permanent collection) and lecture/demos at Cesar Chavez Branch Library, Fruitvale	5
Deborah Lozier	\$15,000	\$30,500	Pedestrian gate for McClymonds High School Mini-Park, West Oakland (Permanent)	3
Sonja Meller	\$5,440	\$5,440	Vessel with oak tree in Lake Merritt (Temporary)	3
Museum of Children's Art (MOCHA)	\$5,000	\$54,000	Kinetic water sculpture in Swan's Courtyard, Old Oakland (Temporary)	3
Gwynan Rhabyt	\$9,927	\$22,261	Audiovisual installations, broadcasting sounds of Sausal Creek (Fruitvale District) in areas where it flows underground (Permanent)	5
Gina Telcocci	\$10,650	\$15,790	Artworks at 55 th St. Community Garden, West Oakland: Entryway/gazebo, fountain and sink (Permanent)	1
TOTAL FUNDING RECOMMENDATION	\$73,517			

Panel Review Process:

A professionally-qualified selection panel comprised of multidisciplinary artists and art administrators, community representatives, architects/designers, and City staff met in May and August 2004 to review applications and recommend a selection of awardees. The selection process took place in two phases:

- Phase 1 The selection panel reviewed all eligible applications from which finalists were selected to submit more extensive proposals. Finalists received comprehensive guidelines and proposal requirements upon selection notification.
- Phase 2 The selection panel reviewed and discussed the finalist's full proposals, heard applicant presentations, and interviewed participants in order to arrive at the final award recommendations.

Selection criteria were based, in part, on the following list:

Criterion	Standard
Artistic	The proposal shows creativity, artistic merit, and/or aesthetic impact
Appropriateness	The project proposal is appropriate to the proposed project site; applicant has contacted and/or confirmed site (not required for Round 1); site is accessible to public
Outreach	The proposal indicates the ability to effectively engage the community and shows strength in the educational component

Criterion	Standard
Qualifications	The proposal shows demonstrated capabilities and artistic excellence of the visual artist participant, as evidenced by work samples and other supporting materials
Ability	The proposal shows professional qualifications and evidence of experience of all participants to adequately undertake and successfully execute the proposed project on time and within budget
Feasibility	The feasibility of the project is evident based on the budget, timeline, scope and materials
Materials & Maintenance	Taking into consideration the intended duration of the proposed project, materials used by artist are durable and can withstand weather, weight, and use; meet safety requirements; low maintenance needs
Extra Points:	<ol style="list-style-type: none"> 1. Lead applicant is an Oakland resident 2. Applicant has secured matching funds 3. Project proposed for public (City) property

Panelists thoroughly discussed, evaluated and ranked each proposal based on the established criteria and the Program allocation. All applicants had the opportunity to address the panel and respond to any concerns and questions raised by the panelists. The panel also made every effort to equitably distribute project locations to an array of Council Districts.

Panelists

The panel system for evaluating applications was designed by combining complementary elements of existing practices in both the Funding and Public Art programs. A panel of five individuals convened in two phases to review funding applications, with efforts made to secure a diverse and qualified panelist pool. The panel was composed of individuals who have experience and understanding of what was the anticipated artistic disciplines of the applicant pool, as well as expertise relevant to the specific program area. Staff generally looks for the following expertise when constituting panels:

1. Artistic
2. Managerial
3. Nonprofit management (when applicable)
4. Arts marketing (when applicable)
5. Producing and/or presenting (when applicable)
6. Knowledge of Oakland and its arts community

Following is a list of the individuals who participated on the Open Proposals selection panel on May 26, and August 4, 2004:

Voting Panel Members:

Nancy Mizuno Elliot Visual and performing artist, former Exhibitions Director of Richmond Art Center
 Kate Runyan Mural Restoration Coordinator, Friends of Rockridge-Temescal Greenbelt
 Ellen Oppenheimer Public and textile artist, Peralta Elementary School Artist in Residence
 Amana Johnson Oakland-based stone sculptor, public artist
 Virginia Rigney City of Richmond Arts and Culture Division Manager

Non-Voting Panel Members:

Michel Liener CAC Representative, CAC Liaison to PAAC, Founder of Aurobora Press
Ernest Jolly PAAC Representative, Oakland-based visual artist

SUSTAINABLE OPPORTUNITIES

Environmental: There are no environmental opportunities or benefits resulting from any action outlined in this report.
Economic: Community oriented arts activities bolster the cultural arts identity of Oakland, fortifying the city as a destination, and creating positive publicity resulting in varying levels of economic return.
Social Equity: The organizations and projects being recommended for funding add to existing economic and educational opportunities, thereby increasing the quality of life for all Oaklanders and visitors to the city.

DISABILITY AND SENIOR CITIZEN ACCESS

There are no disability or senior citizen access opportunities or benefits resulting from any action outlined in this report.

RECOMMENDATION

Staff recommends approval of the seven CY 2004 panel-recommended awards for the Public Art Open Proposals Program in an amount not to exceed \$73,517.

ACTION REQUESTED OF CITY COUNCIL

Staff requests that the City Council approve the resolution authorizing the City Administrator to negotiate and execute Cultural Service Contracts resulting in seven public art projects totaling \$73,517 with seven Oakland-based nonprofit organizations and artists proposing to provide public art services in Oakland during CY 2004.

Respectfully submitted,



DENNIS M. POWER, DIRECTOR
Cultural Arts and Marketing Department

Prepared by:
Steven Huss
Public Art Coordinator

APPROVED AND FORWARDED TO
THE LIFE ENRICHMENT COMMITTEE:


Office of the City Administrator

Item No.: _____
Life Enrichment Committee
November 9, 2004

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

2004 OCT 28 PM 3:42



RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE CULTURAL SERVICES CONTRACTS WITH SEVEN OAKLAND-BASED INDIVIDUAL ARTISTS AND NONPROFIT ORGANIZATIONS PROVIDING PUBLIC ART SERVICES IN OAKLAND IN A TOTAL AMOUNT NOT TO EXCEED \$73,517

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, the City's Public Art Program Policies and Procedures direct that 15% of the annual acquisition budget of the Public Art Fund be allocated for "Special Projects," and that the Special Projects allocation must be used to enable community members to propose sites and concepts for public art projects in Oakland; and

WHEREAS, to comply with the Special Projects directive, the City's Cultural Arts and Marketing Department has revived the Open Proposals Program to encourage community-based public art proposals from artists and organizations throughout Oakland; and

WHEREAS, on May 26, 2004 and August 4, 2004, a seven-member selection panel, consisting of three local artists, an arts professional, a community member, and one non-voting advisor each from the Cultural Affairs Commission and the Public Art Advisory Committee, met to review community-based proposals from individual artists and arts organizations, and has recommended proposals from seven applicants for funding as listed below:

Contractor	Award Amount
Lauren Elder	\$ 17,500
Ruben Guzman	\$ 10,000
Deborah Lozier	\$ 15,000
Sonja Meller	\$ 5,440
Museum of Children's Art (MOCHA)	\$ 5,000
Gwyn Rhabyt	\$ 9,927
Gina Telcocci	\$ 10,650

WHEREAS, on September 13, 2004 the Public Art Advisory Committee voted unanimously to accept the recommendations of the selection panel, and on September 20, 2004 the Cultural Affairs Commission voted to approve the seven Open Proposals 2004 Program projects; now, therefore be it

RESOLVED: That the Oakland City Council hereby approves and authorizes a contract to each individual artist and organization listed above in the amount detailed; and be it

FURTHER RESOLVED: That the City Council hereby appoints the City Administrator or her designated representative as agent of the City to conduct all negotiations, execute and submit all documents, including but not limited to agreements, amendments, modifications (with the exception of those related to an increase in compensation), payment requests, and related actions which may be necessary for the completion of the aforementioned contracts in accordance with their basic purpose; and be it

FURTHER RESOLVED: That the Office of the City Attorney will approve the contracts for form and legality and a copy will be on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California