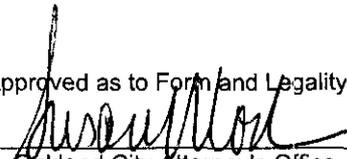


2006 JUN 15 PM 4:05

Approved as to Form and Legality

  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. 80019 C.M.S.

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

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH JOAQUIN A. NEWMAN FOR PUBLIC ART DESIGN AND FABRICATION SERVICES FOR CARMEN FLORES COMMUNITY CENTER IN AN AMOUNT NOT TO EXCEED TWENTY THOUSAND SEVEN HUNDRED DOLLARS (\$20,700).**

**WHEREAS**, the City of Oakland has constructed the Carmen Flores Community Center in Josie D. de la Cruz Park in the Fruitvale District; 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 ten responses from Oakland 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 September 28, 2005 and December 21, 2005, an eight-member selection panel consisting of community members, artists, arts professionals and project representatives met to select an artist and to approve an artist or artist team to create public art elements for the Carmen Flores Community Center, and unanimously recommended artist Joaquin A. Newman and his proposal; and

**WHEREAS**, on January 9, 2006, the Public Art Advisory Committee voted to accept the recommendation of the selection panel, and on May 1, 2006, the Public Art Advisory Committee approved the selected artist's revised design proposal, and on May 22, 2006, the Cultural Affairs Commission voted to approve the commission of artist Joaquin A. Newman for the Carmen Flores Community Center 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 \$20,700 is available within the Municipal Improvement Capital Fund (5505), Public Art Organization (62511), Miscellaneous Services Account (53719), Public Art Project (A158630); now, therefore, be it

**RESOLVED**, that the City Council hereby authorizes the City Administrator to negotiate and execute a professional services agreement with Joaquin A. Newman in an amount not to exceed twenty thousand seven hundred dollars (\$20,700) 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, JUL 18 2006, 2006

**PASSED BY THE FOLLOWING VOTE:**

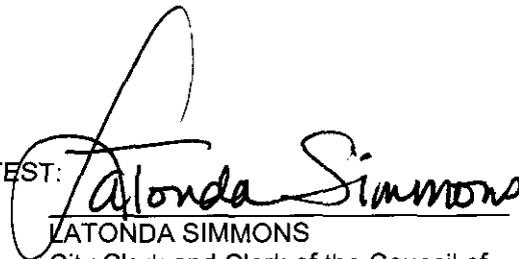
AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND  
PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



LATONDA SIMMONS

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