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OFFICE OF THE CITY CLERK
OAKLAND
2012 JUN 28 PM 3:08

AGENDA REPORT

**TO: DEANNA J. SANTANA
CITY ADMINISTRATOR**

FROM: Fred Blackwell

**SUBJECT: MacArthur Boulevard Streetscape
Public Art Contract**

DATE: June 11, 2012

City Administrator
Approval

Date

6/26/12

COUNCIL DISTRICT: 6 and 7

RECOMMENDATION

Staff recommends that the City Council:

Adopt A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Artist To Be Named By The Public Art Advisory Committee For Public Art Design, Fabrication And Installation Services For the MacArthur Boulevard Streetscape Improvement Project In An Amount Not To Exceed One Hundred Eighty-Five Thousand Dollars (\$185,000) Funded From Joint Powers Financing Authority Capital Projects: Series 2005 Funds, Without Returning To City Council

OUTCOME

Passage of this Resolution will allow the City Administrator, without returning to City Council, to execute a Professional Services Agreement with an artist to be named by the Public Art Advisory Committee to develop a public art project for two gateway structures to be incorporated into the MacArthur Boulevard Streetscape Improvement Project. The public art project will enhance the capital improvement project and will contribute to the revitalization of this heavily used urban corridor.

BACKGROUND/LEGISLATIVE HISTORY

The City of Oakland's Public Art Ordinance requires that City of Oakland capital improvement project budgets include a 1.5% allocation to commission or purchase public art for incorporation into the underlying capital project. Every year, Public Art Program staff prepares a Public Art Projects Plan consisting of a prioritized list of visual arts projects to be undertaken in the coming year, including budgets and recommended site and design approaches. Public art projects are

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funded by 1.5% of the budget of eligible capital projects, including those funded by eligible State and Federal grants.

In summer 2011, Public Art staff distributed a Request for Qualifications (RFQ) to Oakland and Bay Area artists, inviting submittals for inclusion in a pre-qualified pool of artists to be considered for various upcoming City of Oakland public art projects. A diverse group of 129 local artists working in various media submitted their qualifications, and a peer panel of Oakland arts professionals selected 72 finalists to include in the 2011-12 pre-qualified artists pool. On October 3, 2011, the City of Oakland's Public Art Advisory Committee approved the pre-qualified pool of 72 artists. The list of artists certified as eligible to receive the contract for the project herein named is included as *Attachment A*.

Finalists were selected based on the following criteria:

- Professional and artistic qualifications and standards of excellence in innovation, creativity and originality as demonstrated in materials submitted;
- Appropriateness of applicant's medium and style for prospective projects;
- Previous public art experience, including familiarity with public agencies, the public review process and/or previous collaboration with local government and/or nonprofit groups;
- Demonstrated ability to undertake and successfully execute work in accordance with a proposed construction schedule, in a professional manner and within the project budget.

Inclusion in the MacArthur Boulevard Streetscape Improvement Project of two arched gateway structures was identified through meetings with City staff, the community and the local Central City East Project Area Committee representatives. To select the artist to develop public art elements for the gateway structures, a panel composed of neighborhood and community representatives will review a shortlist of qualified artists from the pre-qualified pool. In addition, community members are invited to nominate additional local artists to be considered. The selected artist and his/her design proposal must be reviewed and approved by the Public Art Advisory Committee before fabrication and installation of the artwork can proceed.

Public art will be a major component of the gateway structures that will span MacArthur Boulevard at 73rd Avenue (District 6) and at Durant Avenue (District 7). At MacArthur and 73rd, the public art gateway will help define and create a sense of entry into the neighborhood business district on MacArthur between 73rd and 75th avenues. At MacArthur and Durant, the public art gateway will mark and celebrate the entry point into Oakland from the city of San Leandro. In both locations, the gateway artworks will help to create a sense of entry into the respective neighborhoods for commuters on the MacArthur travel corridor.

ANALYSIS

The City of Oakland Public Art Ordinance (No. 11086 C.M.S.) is the basis for the allocation of funds for public art as a component of these capital projects. The artwork created for the two

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gateways will be integrated into substructures provided as part of the general construction project, and must be completed by November 2012 in order to align with the construction schedule for the underlying capital project.

PUBLIC OUTREACH/INTEREST

The RFQ was widely distributed to thousands of artists in Oakland and the Bay Area and advertised through regional and national artist opportunity websites. The selection panel met in public session and the list of pre-qualified finalist artists was approved in October 2011 by the Public Art Advisory Committee. Neighborhood residents will participate in the final artist selection panel for this project, and their recommendation will be forwarded to the Public Art Advisory Committee for approval.

COORDINATION

The City Attorney's Office and the Budget Office have been consulted in the preparation of this report and resolution. The City of Oakland Public Art Advisory Committee has also been consulted in the review process and has approved the list of artists to be considered for this project.

COST SUMMARY/IMPLICATIONS

The public art project budget for the MacArthur Boulevard Streetscape Improvement Project gateway structures is an amount not to exceed \$185,000. The funds for the project are derived from the 1.5% allocation reserved for public art from Joint Powers Financing Authority (JPFA) Capital Projects: Series 2005 funds.

Artwork maintenance needs will be minimal per the directives given to the artists, with routine cleaning incorporated into regular maintenance of the respective facilities. The cost of any extraordinary maintenance or conservation work to these artworks will be borne by the Public Art Program's collection maintenance fund.

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:
Total Project Costs – all inclusive \$185,000
2. COST ELEMENTS OF AGREEMENT/CONTRACT:
TOTAL AGREEMENT/CONTRACT AMOUNT \$185,000
3. SOURCE OF FUNDING: JPFA Capital Projects: Series 2005 G.O. Bonds Fund (5200);
Public Art Organization (02992); Cultural Arts 1½% for Public Art Account (56915); Central

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City East MacArthur Streetscape Project (C167640); Public Art Program (CE01). Amount: \$185,000.

FISCAL IMPACT: No new fiscal impact.

SUSTAINABLE OPPORTUNITIES

Economic: The public artwork integrated into the new MacArthur Boulevard Streetscape Improvement Project gateway structures will enhance and enrich the visual environment and public use of MacArthur Boulevard, helping to define the respective neighborhoods in which they are placed, and thereby strengthen the economic value of the surrounding communities. A community-based panel will make the final selection of an artist for this project, drawing from the pre-qualified list of artists approved by the Public Art Advisory Committee for consideration for current public art opportunities with the City of Oakland. The selected artist will be based in Oakland or the Bay Area, and will endeavor to hire Oakland artisans and fabricators for any work they cannot personally execute on this project, to the extent that it is reasonably feasible.

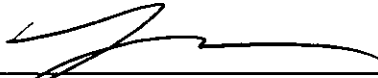
Environmental: The public art project elements described in this report will be attached to and/or structurally integrated with gateway structures in the specified locations on MacArthur Boulevard. The artwork will have no adverse impact on the public street or the surrounding community. The artist will be required to fabricate all the elements out of materials suitable for heavy public use in exterior settings, without surfaces, edges or protrusions subject to vandalism.

Social Equity: Public artwork will enhance the aesthetic aspects of MacArthur Boulevard, adding to the quality of life for the diverse array of residents and visitors that will use the street, particularly the residents of the neighborhoods surrounding the locations of the gateway structures. The public artworks will be permanent integrated elements of the MacArthur Boulevard streetscape. These site-specific artworks will help to drive and elevate a sense of community identity.

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For questions regarding this report, please contact Steven Huss, Cultural Arts Manager,
at 238-4949.

Respectfully submitted,



FRED BLACKWELL
Assistant City Administrator

Reviewed by: Samee Roberts
Manager, Cultural Arts & Marketing

Prepared by:
Steven Huss, Cultural Arts Manager
Cultural Arts & Marketing

ATTACHMENT A: Artist Pool Selected Through Pregualified Process /Approved by Public Art Advisory Committee

First Name	Last Name	First Name Partner	Last Name Partner	City	Medium
Lynne-Rachel	Altman			Oakland	multidisciplinary; tile, concrete, glass, landscaping
Ulrika	Andersson	Michael	Shiloh	Oakland	interactive outdoor sculpture
Juana Alicia	Araiza			Berkeley	murals, pastels
Aileen	Barr			San Francisco	tile ceramics, handcut & mosaic
Donna	Billick	Arthur	Gonzalez	Davis	mosaics, terrazzo, sculpture
Michael	Bondi			Richmond	metal sculpture/ gates; blacksmith
Mark	Brest van Kempen			Oakland	multidisciplinary; environment; signage & sculpture
Michael	Brown	David	Cole	Oakland	team; multimedia (metal / LED light sculptures)
Ryan	Carrington			San Jose	installation / sculpture / fabrication
Sonya	Clark-Herrera			East Palo Alto	murals & mosaic
Marion	Coleman			Castro Valley	textiles (translated to permanent materials)
Colette	Crutcher	Mark	Roller	San Francisco	handcut ceramics, mosaic
Susan	Dannenfelser	Kirk	Beck	Lafayette	architectural tile, ceramic outdoor sculpture
Richard	Deutsch			Davenport	large-scale sculpture, metal and stone
Jack	Eastgate			Oakland	murals
Nancy	Elliott	Norman	Moore	Oakland	team; sculpture + representational painting
Sheila	Ghidini			San Francisco	multidisciplinary; site specific art; educator
Todd	Gilens			San Francisco	sculpture / landscape design
Steve	Gillman			Oakland	mixed media / sculpture

ATTACHMENT A: Artist Pool Selected Through Prequalified Process /Approved by Public Art Advisory Committee

First Name	Last Name	First Name Partner	Last Name Partner	City	Medium
Bill	Gould			San Jose	sculpture / metal / gates + fences
Mark	Grieve	Ilana	Spector	Petaluma	team; repurposed materials + bicycle sculptures
Delaine	Hackney			Oakland	mosaic
Mildred	Howard	Poethig	Johanna	Berkeley	team; sculpture, tile, glass, murals, etc.
Gordon	Huether			Napa	glass / mixed media sculpture
Katharine	Keefer			Davis	mixed media / photography
Shona	Kitchen	Ben	Hooker	Mountain View	team; high + low tech interactive; installation
Marilyn	Kuksht	Paul	Cheney	Santa Cruz	team; metal sculpture; fences; fabrication shop
Colin	Lambert	Peter	Adams	Sebastopol	team; sculpture; bas-relief
Alan	Leon			Oakland	murals; representational and abstract paintings
Cork	Marcheschi			San Francisco	sculpture / mixed media / dichroic glass
Anita	Margrill			San Francisco	sculpture / mixed / architecturally integrated
Sue	Mark	Bruce	Douglas	Oakland	team; mixed media; interactive and social engagement
Elyse	Marr	Gavin	Kermode	Orinda	team; design & sculpture; ceramics; bronze
Jetro	Martinez			Oakland	murals, representational
Scape	Martinez			San Jose	murals, graffiti; abstract
Amy	Trachtenberg	Jeffrey	Miller	San Francisco	team; multidisciplinary art & landscape architecture
Estria	Miyashiro	Erin	Yoshioka	Oakland	team; muralist;community + youth involvement
Patricia	Montgomery			Oakland	textiles / murals

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First Name	Last Name	First Name Partner	Last Name Partner	City	Medium
Emmanuel	Montoya			Berkeley	murals, painting
Precita Eyes	Muralists	Susan	Cervantes	San Francisco	team; murals / painted tile
Masayuki	Nagase			Berkeley	sculpture (stone; integrated) / mosaic / tile
Joaquin	Newman	Eduardo	Pineda	Oakland	team; murals; representational / tile / vinyl
Jann	Nunn			Oakland	sculpture / metal / mixed media
Scott	Oliver	Doug	Hellikson	Oakland	team: multidisciplinary, sculpture
Ene	Osteraas-Constable	Scott	Constable	Oakland	team; sculpture / tile / mosaic
Matthew	Passmore	John	Bela	San Francisco	REBAR team; interdisciplinary / sculpture
Emily	Payne			Berkeley	sculpture (wire / various) / painting
Eric	Powell			Berkeley	sculpture; metal; gates
Valerie	Raps			San Jose	sculpture (various media / metal)
Christine	Reed			Oakland	landscape architecture / paintings / prints
Peter	Richards			San Francisco	sculpture (large scale / integrated / freestanding)
Samuel	Rodriguez			San Jose	murals / tile / sculpture; interior + exterior
David	Ruth	Lawrence	Berk	Oakland	team; glass (sculpture + integrated), metal
Jos	Sances	Art	Hazelwood	Berkeley	team; murals / ceramic tile
Joe	Saxe			San Jose	sculpture / painting / freestanding + integrated
Donna	Schumacher	Kim	Anno	San Francisco	team; architect + painter
Owen	Smith			Alameda	murals (transfer to mosaic) / paintings / cast stone

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First Name	Last Name	First Name Partner	Last Name Partner	City	Medium
Kwesi	Soleau-Acquaah	Kevin	Capps	Oakland	team, "Warriors Collective"; murals / sculpture
Vickie Jo	Sowell			Emeryville	sculpture; metal / fencing / ceramics
Arthur	Stern			Benicia	glass (stained / leaded)
Roger	Stoller			Portola Valley	sculpture (freestanding + integrated); metal
Marcia	Stuermer			San Francisco	sculpture (resin / multimedia); integrated
Susanne	Takehara	Xochitl	Guerrero	Oakland	team; "EastSide Mosaics" / mosaic
Kana	Tanaka			Richmond	sculpture/ installation; glass & various media
Pauline	Tolman			Campbell	sculpture, integrated steel
Jill	Turman			Oakland	sculpture/ steel / metal/ fences
Gregg	Valley			Benicia	murals
Fan	Warren			Oakland	paintings / transfer to permanent material
John	Wehrie			Richmond	murals / trompe l'oeil
Daniel	Winterich			Pleasant Hill	sculpture (glass / integrated) / architectural
Erin	Yoshioka	Miguel	Perez	Oakland	"Trust Your Struggle Collective" muralists
Dana	Zed			Oakland	sculpture and architecturally integrated / glass

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OAKLAND CITY COUNCIL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION NO. _____ C.M.S.
2012 JUN 28 PM 3:08
Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ARTIST TO BE NAMED BY THE PUBLIC ART ADVISORY COMMITTEE FOR PUBLIC ART DESIGN, FABRICATION AND INSTALLATION SERVICES FOR THE MACARTHUR BOULEVARD STREETScape IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS (\$185,000) FUNDED FROM JOINT POWERS FINANCIAL AUTHORITY CAPITAL PROJECTS: SERIES 2005 FUND, WITHOUT RETURNING TO CITY COUNCIL

WHEREAS, the MacArthur Boulevard Streetscape Improvement Project will enhance the appearance and identity of targeted areas along MacArthur Boulevard between 73rd Avenue and Durant Avenue in 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 for various City of Oakland public art projects resulted in responses from 129 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 September 30, 2011, a selection panel of community members, artists, and art professionals, advised by City staff, met to select a pre-qualified list of artists to be considered for various pending public art projects in conjunction with new construction projects of the City of Oakland, including the MacArthur Boulevard Streetscape Improvement Project; and

WHEREAS, on October 3, 2011, the Public Art Advisory Committee voted to accept the selection panel's recommendation of the pre-qualified list of 72 artists; and

WHEREAS, a community-based panel will select from the pre-qualified list the finalist artist to receive the commission to create permanent works of public art as an integrated element of two arched gateway structures on MacArthur Boulevard as part of the MacArthur Boulevard Streetscape Improvement Project, and the Public Art Advisory Committee will approve the selected artist; and

WHEREAS, the City of Oakland finds that this contract will be 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, there are sufficient funds in the project budget for the artworks; funding for the project is available in the following account:

- Joint Powers Financing Authority Capital Projects: Series 2005 Fund (5200); Public Art Organization (02992); Cultural Arts 1½% for Public Art Account (56915); Central City East MacArthur Streetscape Project (C167640); Public Art Program (CE01): Amount: \$185,000; and these funds were specifically allocated for this project; now, therefore, be it

RESOLVED, that the City Council hereby authorizes the City Administrator to enter into professional services agreements with an artist to be named by the Public Art Advisory Committee in an amount not to exceed one hundred eighty-five thousand dollars (\$185,000) from the above-named funds, without returning to City Council; and be it

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

FURTHER RESOLVED, the agreements shall be reviewed and approved by the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California