

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C. M. S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

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**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE OAKLAND REDEVELOPMENT AGENCY AND BRUCE BEASLEY IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) FOR THE FOUNTAIN SCULPTURE PUBLIC ART PROJECT AT THE FRANK H. OGAWA PLAZA**

**WHEREAS**, in February 1989, the City of Oakland adopted a Public Art Ordinance (Ordinance No. 11086 C.M.S), authorizing the allocation of 1.5% of ORA (Ordinance 89-8 C.M.S.) Capital Improvement projects costs for the commissioning of public art work; and

**WHEREAS**, the City of Oakland has been in the process of redeveloping City Hall Plaza now called Frank H. Ogawa Plaza; and

**WHEREAS**, it is the intent of the 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**, this project is funded by City Hall Plaza Oakland Redevelopment Agency funds; and

**WHEREAS**, A selection team consisting of Dr. Peter Selz, Professor of Art History; Karen Tsujimoto, Senior Fine Arts Curator of the Oakland Museum and Carl Worth, Arts Administrator, because of their exceptional expertise, experience and reputation as art professionals, were chosen from the approved list of selection panelists and reviewed over 300 names to extend invitations on October 13, 2000 to twenty-three artists to create the plaza fountain sculpture. Eleven artists responded and the panel reduced the selection to three semi-finalists; and

**WHEREAS**, on February 15, 2001, a five-member selection panel, consisting of professional artists JoeSam and Phillip Dow; art professional Pamela Wagner; community and professional artist representative Jerome Kirk and community/business representative Phil Tagami, met to review and vote on the three design proposals and to consider the established criteria and over 150 public comments in their deliberation that resulted in the selection of Mr. Beasley's design proposal; and

**WHEREAS**, on March 5, 2001, the design proposal was presented to the Public Art Advisory Committee and since their vote was split three to three with one abstention and one recusal, no recommendations was made; and

**WHEREAS**, on March 19, 2001, Mr. Beasley presented his design proposal for the Frank H. Ogawa

Plaza sculpture to the Cultural Affairs Commission and a vote of six in favor, one abstention and one recusal created a of lack of quorum, thus the CAC could not take action on this matter; now therefore, be it

**RESOLVED:** That the City Council accept the staff recommendation and hereby authorize a professional services agreement with Bruce Beasley in an amount not to exceed two hundred fifty thousand dollars (\$250,000) for the design, fabrication and installation of artwork for the fountain sculpture in Frank H. Ogawa Plaza, and be it

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

**FURTHER RESOLVED:** That the agreement will be approved by the Office of the City Attorney 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– BRUNNER, CHANG, MILEY, NADEL, REID, WAN, SPEES AND  
PRESIDENT DE LA FUENTE

NOES–

ABSENT–

ABSTENTION–

ATTEST: \_\_\_\_\_

CEDA FLOYD

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