



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### **REPORT TO COUNCIL**

#### **SUBJECT**

Authorize the City Manager to Award and Execute a Contract with James Moore for Public Art at Fair Oaks Park in the total amount not to exceed \$145,000, which includes optional services of up to \$5,000 for storage of the completed artwork, if necessary.

#### **BACKGROUND**

Subject to Council Policy 6.4.4 - Art in Public Places (AIPP), the Capital Improvement Project for renovation of Fair Oaks Park includes a one percent expenditure for public art equal to \$145,000. An allocation of \$140,000 has been made for acquisition and installation of the artwork and \$5,000 has already been spent on design fee stipends.

A Request for Qualifications was distributed through public art websites, artist networks and the City website inviting California artists to apply for the commission. The selected artist and conceptual design were reviewed by the Arts Commission on January 15 and approved by the City Council on February 25, 2020 (RTC 20-0209, Attachment 3).

#### **EXISTING POLICY**

Sunnyvale Municipal Code Chapter 19.52 - Art in Private Development  
Sunnyvale Council Policy 6.4.4 - Art in Public Places

#### **ENVIRONMENTAL REVIEW**

Approval of the artist contract does not constitute a "project" within the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organization or administrative activity that will not result in direct or indirect physical changes in the environment. Appropriate environmental review for the underlying project, renovation of Fair Oaks Park, was completed as part of that project approval and included the installation of public art.

#### **DISCUSSION**

The purpose of this Report to Council is to award the contract for five original metal sculptures, designed by Artist James Moore, to be installed as part of the renovations at Fair Oaks Park. The contract outlines the scope of work for the design, engineering, fabrication, delivery, and installation of the artwork and includes a completion date of Sept. 1, 2021 (Attachment 5).

The contract also authorizes the City's project manager to pay for storage at the rate of \$500 per month, not to exceed \$5,000, in the event Fair Oaks Park is not ready for the artwork to be installed as expected by Sept. 1, 2021.

### **FISCAL IMPACT**

Pursuant to Council policy, a total of \$145,000 is required for public art in the Fair Oaks Park Renovation Project (CIP #830340). An allocation of \$140,000 has been made for the acquisition and installation of the artwork and \$5,000 has already been spent for design fee stipends.

On-going maintenance for this project will require an estimated \$1,000-\$2,500 per year, which can be allocated as a part of the Permanent Art Collection annual maintenance fund.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

### **STAFF RECOMMENDATION**

Authorize the City Manager to Award and Execute a Contract to James Moore for Public Art at Fair Oaks Park in the total amount not to exceed \$145,000, which includes optional services of up to \$5000 for storage of the completed artwork, if necessary.

Prepared by: Kristin Dance, Recreation Services Coordinator II

Reviewed by: Trenton Hill, Recreation Services Manager

Reviewed by: Damon Sparacino, Superintendent of Recreation Services

Reviewed by: Cherise Brandell, Director, Library and Recreation Services

Reviewed by: Jaqui Guzmán, Deputy City Manager

Approved by: Kent Steffens, City Manager

### **ATTACHMENTS**

1. Report to Arts Commission 20-0177, 1/15/2020 (with attachments)
2. Excerpt of Arts Commission Meeting Minutes of 1/15/2020
3. Report to Council No. 20-0209, 2/25/2020 (without attachments)
4. Excerpt of Council Meeting Minutes of 2/25/2020
5. Draft Contract with James Moore for Public Art at Fair Oaks Park