

RESOLUTION NO. 2018-027

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE CONDITIONALLY 1) RESCINDING APPROVAL TO ENTER INTO A CONTRACT WITH GORDON HEUTHER STUDIO FOR THE ICONIC ART (EXTERIOR C) AT THE CIVIC CENTER 2) REDUCING THE NUMBER OF COMMISSIONED EXTERIOR ART PIECES BY ONE FOR A TOTAL OF FIVE; 3) COMBINING THE BUDGETS ALLOCATED TO KINETIC WIND ART AND THE ICONIC ART FOR A TOTAL BUDGET OF \$250,000 FOR A SINGLE ICONIC ART PIECE; AND 4) DIRECTING STAFF TO ISSUE A REQUEST FOR QUALIFICATIONS AND/OR REQUEST FOR PROPOSALS FOR THE ICONIC ART PIECE REFLECTING THE REVISED BUDGET

WHEREAS, the City Council adopted Resolution No. 2016-226 to implement the Percent for the Arts Program for art in publicly funded facilities and parks; and

WHEREAS, the Elk Grove Civic Center Project includes an allocation of \$500,000 for public art; and

WHEREAS, a Request for Proposals was published and a Review Committee reviewed and discussed each proposal and has made recommendations to the City Council with regards to approving the artwork as recommended for six of the eight artworks proposed for the future Civic Center; and

WHEREAS, Gordon Heuther Studios, the artist selected for the Iconic Art Piece has proposed a significant reduction in size for the artwork previously approved by City Council at the October 25, 2017, City Council Meeting. City Staff and the Arts Commission deem the proposed reduction in size for the artwork to be a material difference from the original proposal; and

WHEREAS, staff and the Arts Commission recommend rescinding approvals for the proposal of the Iconic Art Piece at the Civic Center and the execution of a contract with the artist, as well as combining the budgets for the Iconic (\$200,000) and Kinetic Wind (\$50,000) art pieces for a combined budget of \$250,000, and authorizing staff to issue a Request for Proposals; and

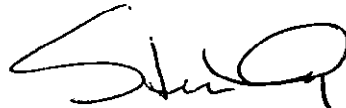
WHEREAS, the proposed artwork will consist of minor alterations to existing structures and, therefore, approval of the artwork and related contracts is exempt from review under the California Environmental Quality Act (CEQA Guidelines, section 15301).

NOW, THEREFORE, BE IT RESOLVED that unless Gordon Heuther Studios, the selected artist for the Iconic Art Piece, confirms by 5:00 pm on Friday, January 26, 2018, to deliver the Iconic Art Piece as originally proposed and approved by the City Council, at the original cost not to exceed \$200,000, then the City Council of the City of Elk Grove hereby rescinds approval of the proposal for the Iconic Art piece at the Civic Center and also rescinds approval for the City Manager to execute a contract with the artist for that Iconic Art piece.

BE IT FURTHER RESOLVED that if approval of the artist's proposal for the Iconic Art Piece is rescinded, as set forth above, then the City Council approves the combining of the budgets for the proposed Iconic Art and Kinetic Wind Art Pieces at the Civic Center for a total combined budget of \$250,000 and authorizes staff to issue a request for qualifications and/or a request for proposals for the Iconic art piece with the revised budget.

BE IT FURTHER RESOLVED that if the selected artist for the Iconic Art Piece confirms its intent to deliver the Iconic Art Piece as originally proposed and approved by the City Council by 5:00 pm on Friday, January 26, 2018, as set forth above, then the City Council authorizes the City Manager to execute a contract with artist for the Iconic Art Piece in an amount not to exceed \$200,000, and authorizes staff to issue a request for qualifications and/or a request for proposals for a Kinetic Wind piece and Music sculpture with a budget not to exceed \$75,000.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 24th day of January 2018.



STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2018-027**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO)
CITY OF ELK GROVE) ss

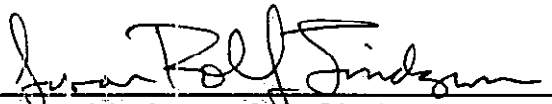
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 24, 2018 by the following vote:

AYES: **COUNCILMEMBERS:** *Ly, Suen, Detrick, Hume*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Nguyen*



**Jason Lindgren, City Clerk
City of Elk Grove, California**