



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Consent
December 12, 2006

Honorable Mayor and
Members of the City Council

Title: Agreement Extension: APP Consultant and Professional Services with Gary Dinnen (PN: MA66)

Location/Council District: All

Recommendation: Adopt a **Resolution:** authorizing the City Manager to execute a one-year extension of City Agreement 2006-090 with Gary Dinnen for Art in Public Places (APP) Conservator services for annual amount not to exceed \$25,000. The agreement provides for a one-year extension, with the option to extend for one additional one-year term, up to a total extended agreement term of two years (including the initial extended term and the additional extended term).

Contact: Linda Bloom, Art in Public Places Administrator, 566-3971

Department: Convention, Culture, and Leisure

Division: Sacramento Metropolitan Arts Commission

Organization No: 4242

Description/Analysis:

Issues: Gary Dinnen was contracted on September 7, 1991 (City Agreement #91-394) for a term of one year with the Art in Public Places Program to perform services for maintenance, repair, and conservation of artwork for the City, County, and CETA (Comprehensive Employment and Training Act) public art collections.

The contract has been subsequently renewed on a periodic basis, the most recent for the period from January 1, 2006, to December 31, 2006 (# 2006-090) to allow Mr. Dinnen to continue to provide these services. The cumulative value of all agreements for APP conservator services to date between Mr. Dinnen and the City of Sacramento totals \$90,128.

Policy Considerations: All Art in Public Places projects, by providing accessible art experiences for residents and visitors to Sacramento, support the mission of the City of Sacramento by enhancing the quality of life.

This agreement for conservation consulting services is consistent with the State of California policy on public art preservation. The California Art Preservation Act, Civil Code 987, "prohibits the physical alteration or destruction of fine art; ... and that there is also a public interest in preserving the integrity of cultural and artistic creations. Conserve means to preserve, or cause to be preserved, a work of fine art by retarding or preventing deterioration or damage through appropriate treatment in accordance with prevailing standards in order to maintain the structural integrity to the fullest extent possible in an unchanging state. "

If the proposed extension is approved, the cumulative value of all agreements for APP conservator services between Mr. Dinnen and the City of Sacramento will total \$115,128. Pursuant to City Code section 3.64.020 all agreements that equal or exceed \$100,000 require City Council authorization.

Commission/Committee Action: None required.

Environmental Considerations: The Environmental Services Manager has determined the proposed agreement is exempt from CEQA under Section Numbers 15301 of the CEQA Guidelines.

Rationale for Recommendation:

- APP advertised the position with an RFP through the City's Procurement Office. Applications were due on Sept. 27, 2004. Mr. Dinnen was forwarded as the only qualified applicant and is recommended to continue in the position due to his extensive experience and knowledge of the APP Collection. A new RFP is scheduled be conducted in 2008.
- Council's approval of the APP Consultant and Professional Services Agreement Extension with Gary Dinnen will provide conservation and maintenance services for the City's public art collection from January 1, 2007 through December 31, 2007.

Financial Considerations:

- Ordinance 83-015 passed by City Council on January 25, 1983 specifies that a portion of the two percent of construction budgets reserved for art funds may be spent to maintain the Art in Public Places collection.
- The contract is for \$25,000 for the period of January 1, 2007 through December 31, 2007, with one additional renewal option for \$25,000 from January 1, 2008 through December 31, 2008.
- The source of funding for this agreement is from the Art in Public Places Maintenance account PN: MA 66. This fund has adequate funding for both this agreement and the option for an additional year. No additional City funds will be required.

Emerging Small Business Development (ESBD): The Arts Commission makes opportunities available for small businesses and emerging artists in the Sacramento region. The RFP for the Consultant position was advertised through the City's Procurement office and was open to small and emerging businesses and individuals. Gary Dinnen is a local independent artist Consultant who will register with the ESBD program.

Respectfully Submitted by: *Linda Bloom* (FOR)
LINDA BLOOM
Art in Public Places Administrator

Approved by: *Rhyena Halpern*
RHYENA HALPERN
Executive Director, Sacramento Metropolitan Arts Commission

Approved by: *Barbara E Bonebrake*
BARBARA E. BONEBRAKE
Director, Convention, Culture and Leisure Department

Recommendation Approved:

Cassandra H. Jennings
for RAY KERRIDGE
City Manager

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RESOLUTION NO.

Adopted by the Sacramento City Council

**APPROVAL OF CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT
EXTENSION WITH ART IN PUBLIC PLACES CONSULTANT GARY DINNEN**

BACKGROUND

- A. The City of Sacramento has an Art in Public Places (APP) collection which has been maintained regularly through the services of a conservator consultant. APP wishes to extend the agreement with its current conservator consultant Gary Dinnen for a term of January 1, 2007 to December 31, 2007.
- B. The Agreement will be funded from Fund 590, PN: MA66.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. The City Manager is authorized to execute a one-year extension of City Agreement 2006-090 with Gary Dinnen for Art in Public Places (APP) Conservator services for annual amount not to exceed \$25,000.
- Section 2. The agreement provides for a one-year extension, with the option to extend for one additional one-year term, up to a total extended agreement term of two years (including the initial extended term and the additional extended term). The City Manager may authorize the additional one-year extension for the annual not to exceed amount specified above, provided that sufficient funds are available in the budget adopted for the applicable Fiscal Year.

