

RESOLUTION NO. 22-____

Resolution Of The City Council Of The City Of Emeryville Adopting The Public Art Committee's Recommendation To Approve The Design Proposal By Guillaume Ollivier For The Public Art Mural Project At the Hollis Façade Of 1456 63rd Street, Authorizing The City Manager To Execute An Artist Agreement With Guillaume Ollivier In An Amount Not To Exceed \$80,000 For Final Design And Installation Of The Artwork, And Authorizing The City Manager To Execute A License Agreement With Klinknerville Court LLC And Guillaume Ollivier For The Installation Of The Artwork

WHEREAS, Article 4 of Chapter 2 of Title 3 of the Emeryville Municipal Code establishes the Contributions for the Art in Public Places Program; and

WHEREAS, Section 3-2.404 of the Emeryville Municipal Code establishes the Emeryville Public Art Fund to implement the Art in Public Places Program (AiPP); and

WHEREAS, the Public Art Master Plan, adopted by the City Council on December 6, 2016, identifies several conceptual programs and projects, including a Mural Program; and

WHEREAS, the Public Art Mural Program Guidelines, adopted by the City Council by Resolution No. 20-119 on November 17, 2020, identifies goals, selection criteria, and opportunity sites for murals located on private properties; and

WHEREAS, a goal of the Public Art Program is to locate public art in distinct neighborhoods throughout the City and thereby introduce the City's public art to a larger audience; and

WHEREAS, eighteen qualifying responses were received by the deadline of March 19, 2021, in response to a Request for Proposals for a mural to be located at 1451 Sherwin Avenue; and

WHEREAS, a Selection Panel, recommended by the Public Art Committee ("PAC") and appointed by the City Manager, met on March 29, 2021, to review the proposals, and recommended the proposal submitted by Nigel Sussman for installation on the 1451 Sherwin Avenue elevation at the corner of Horton Street, and the proposal by Guillaume Ollivier be further reviewed for installation at a site to be identified; and

WHEREAS, after extensive site identification efforts, on April 9, 2022, the PAC voted unanimously to recommend that the City Council approve the proposal by Guillaume Ollivier for a public art mural on the Hollis Street façade of 1456 63rd Street, authorize the execution of an Artist Agreement with Mr. Ollivier for design and installation of the artwork, and authorize the execution of a License Agreement with the property owner and Mr. Ollivier for the installation of the artwork; now therefore be it

RESOLVED, that the City Council of the City of Emeryville hereby approves the commission of a mural consistent with the proposal submitted by Guillaume Ollivier in

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response to the 1451 Sherwin Avenue Mural Request for Proposals for the Hollis Street façade of 1456 63rd Street; and be it further

RESOLVED, that the City Council hereby authorizes the City Manager to execute an Artist Agreement with Guillaume Ollivier for the installation of a mural on the Hollis Street facade of 1456 63rd Street, in an amount not to exceed \$80,000; and be it further

RESOLVED, that the City Council of the City of Emeryville hereby authorizes the City Manager to execute a License Agreement by and between the City of Emeryville, Guillaume Ollivier, and Klinknerville Court LLC for the installation and maintenance of a mural at 1456 63rd Street; and be it further

RESOLVED, that the City Council of the City of Emeryville hereby authorizes the City Manager to make minor amendments to the Artist Agreement and License Agreement as necessary to effectuate the completion of a mural at 1456 63rd Street, provided the amendments do not substantially increase the City's obligations thereunder; and be it further

RESOLVED, that the City Council of the City of Emeryville hereby finds that the funding and installation of a mural at 1456 63rd Street is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15301 and 15061(b)(3) because the mural involves only minor alteration to existing facilities and it can be seen with certainty that there is no possibility that the mural will have an impact on the environment.

ADOPTED by the City Council of the City of Emeryville at a regular meeting held Tuesday, June 7, 2022, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

MAYOR

ATTEST:

APPROVED AS TO FORM:

CITY CLERK

DocuSigned by:
John Kennedy

CITY ATTORNEY