



## Council Agenda Report

Item 5g

**Department:** Parks and Recreation  
**Cost Center:** 7001  
**For Agenda of:** 5/17/2022  
**Placement:** Consent  
**Estimated Time:** N/A

**FROM:** Greg Avakian, Parks & Recreation Director  
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**SUBJECT:** SOLE SOURCE AUTHORIZATION FOR PURCHASE OF PUBLIC ART  
SCULPTURE FOR THE TANK FARM ROUNDABOUT

### RECOMMENDATION

Authorize the purchase of a sole-sourced sculpture for placement at the Tank Farm Road roundabout, as recommended by San Luis Obispo Museum of Art, under the scope of the partnership agreement with the City.

### DISCUSSION

#### Background

As part of its Community Partnership Agreement with the San Luis Obispo Museum of Art (SLOMA) (Attachment A), the City recognizes SLOMA as “uniquely qualified to provide the services contemplated” under the agreement, which includes the “coordination of roundabout public art installations,” due to “its intimate knowledge of art, unique connection to the arts community, and its long experience producing and providing cultural art exhibits for the benefit of the community.”

In the FY 2021-2023 Financial Plan, the City budgeted \$300,000 in FY 2021-22 for the procurement and installation of public art at the center of the new roundabout located at the intersection of Tank Farm Road and Orcutt Road. Based on the specifications outlined by the Public Works Department and the project budget, the art piece, *The Greys in Between*, was the roundabout sculpture that SLOMA recommended for this roadway project, for the reasons outlined in the sole-source justification form and SLOMA’s City Council Memo (Attachment B).

The reasons for sole-source purchase include: The unique scale, location, and engineering requirements for roundabout art limits the pool of potential art pieces. SLOMA in serving as the City’s “expert” in public art (permanent and temporary pieces) determined that an evaluation of identified artists and pieces of work was necessary in implementing the acquisition of this first piece of roundabout art. In this instance, they determined that an RFP was not the best method by which to select a piece given the specific requirements. SLOMA did conduct an evaluative process and three other works were considered but based on the project budget, location and space limitations, this piece of work (the physical durability, size, scale and content) was the best for this location and it also is supportive of the City’s DEI Major City Goal.

In conformance with the City's purchasing policies and Public Art Manual, the detailed sole-source justification form for the purchase of the sculpture was submitted to the Purchasing Analyst for review (Attachment C). It has been determined the sole source request conforms with City policies. Per the Public Art Manual, a sole source authorization from Council is necessary at this time, so that this piece may be procured and installed at the roundabout. If an unanticipated change should occur between now and the purchase of the sculpture, the item will be removed from the sole source list and City staff would request the sole-source authorization for another art piece recommended by SLOMA.

**ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), it can be seen with certainty that there is no possibility that the proposed installation of this roundabout sculpture will have any effect on the environment (General Rule Exemption CEQA Guidelines Sec. 15061(b)(3)).

**FISCAL IMPACT**

Budgeted: Yes

Budget Year: 2021-22

Funding Identified: Yes

**Fiscal Analysis:**

<b>Funding Sources</b>	<b>Total Budget Available</b>	<b>Current Funding Request</b>	<b>Remaining Balance</b>	<b>Annual Ongoing Cost</b>
General Fund	\$	\$	\$	\$
State				
Federal				
Fees				
Other: Public Art Private Sector Fund	\$300,000	\$200,000	\$100,000	\$0
<b>Total</b>	<b>\$300,000</b>	<b>\$200,000</b>	<b>\$100,000</b>	<b>\$0</b>

The City has budgeted \$300,000 in FY 2021-22 for the procurement and installation of the art piece. With the purchase of the art piece, a balance of \$100,000 remains, part of which will be applied toward the professional installation of the piece.

## **ALTERNATIVES**

***Do not authorize the sole-source purchase of the sculpture.*** Staff does not recommend this alternative for the reasons outlined on the sole source justification form.

## **ATTACHMENTS**

- A – Community Partnership Agreement with SLOMA
- B – SLOMA City Council Memo
- C – Approved Sole-Source Justification Form