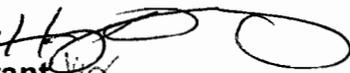


**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Hugh R. Riley, Assistant City Manager 

BY: Ky Spangler, Special Projects Consultant 

DATE: March 29, 2012 (CC Meeting of 4/18/12)

SUBJECT: Consider Bill of Sale from John Fisher for the Sculpture Carved at the Ruben Castro Human Services Center and Approve Payment of the Artist's Fee in a Total Amount of \$80,000

BACKGROUND & DISCUSSION

The Ruben Castro Human Services Center (RCHSC) includes a condition of approval for Art in Public Places to be incorporated as part of the project. Proposals were solicited in the spring and summer of 2011 and twelve artists were interviewed for the project. The sculptor, John Fisher, was selected by the Arts Commission and an Agreement for carving of the art piece was subsequently approved by the City Council at their meeting on September 14, 2011.

The Scope of Work in the Agreement defines the Artistic Design, Fabrication and Installation Services to be provided by Mr. Fisher and includes provisions for reimbursement of costs associated with process from start to finish including: purchase the limestone block; delivery to the site; and expenses during the duration of the carving process. The Project Budget within the Agreement details the various phases of the process, and the Artist's Fee for the artwork.

The Agreement provides that the Artist's Fee in the amount of \$80,000 shall be paid upon completion of the Artwork and final acceptance by the City Council which shall occur via execution and delivery of a Bill of Sale, and such delivery shall coincide with the regular City Council meeting of April 18, 2012. Sales tax does not apply to this transaction per the exemption provided in Regulation 1586 of the State's Sales and Use Tax Regulations, and documentation of this exemption shall be provided to the Artist.

FISCAL IMPACT

The Ruben Castro Human Services Center project budget includes \$138,943 for public art. The Agreement with John Fisher has been applied against this budget line item.

STAFF RECOMMENDATION (ROLL CALL VOTE)

Accept the Bill of Sale for the Art in Public Places sculpture at the Ruben Castro Human Services Center and authorize payment of the Artist's Fee of \$80,000 to John Fisher per the provisions of the Agreement.

Attachment 1: Bill of Sale for Art in Public Places sculpture

John Fisher
19600 Benson Lane
Fort Bragg, CA 95437

www.fisheroppenheimer.com artisti@comcast.net

Bill of Sale to the City of Moorpark, CA

Limestone sculpture for the Ruben Castro Human Services Center

"We Are One Family" carved between Jan. 15 - April 15, 2012

612 Spring Street, Moorpark, CA.

\$80,000.00

Sales tax at 7.25%.

~~5,800.00~~

NOT Applicable

Total.

\$85.800.00

Per Sales and Use Tax
Regulation 1586



April 3, 2012 With this document, I hereby affirm that the sculpture commissioned by the city of Moorpark, "We Are One Family" is completed. With final payment I transfer ownership and all copy rights of the sculpture to the city of Moorpark.



John Fisher

