RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO
APPROVING AND AUTHORIZING THE CITY MANAGER TO CONTRACT WITH
MANUEL PALOS OF SAN FRANCISCO, CALIFORNIA TO PERFORM HISTORIC
CONSERVATION RESTORATION WORK ON THE WAR MEMORIAL, ELEPHANTS
AND FOUNTAIN AT THE PLAZA VIÑA DEL MAR

WHEREAS, with Resolution No. 5371 of November 27, 2012 the Sausalito City Council
adopted a design alternative preferred by the Planning Commission and Historic Landmarks
Board to provide access to the fountain in Plaza Viña del Mar for persons with impaired
mobility; and

WHEREAS, with action of March 5, 2013 (Resolution No. 5384) the City Council awarded
a contract for construction of the Plaza Viña del Mar improvements in conformance with the
adopted plans and specifications; and

WHEREAS, as an adjunct to the demolition and construction work performed, the City
retained a qualified conservation contractor (Manuel Palos) to evaluate the bases of the elephant
statues exposed when the raised platform was demolished and make appropriate repairs and
improvements on the basis that Mr. Palos had performed prior conservation work for the City on
the fountain at the Plaza Viña del Mar and is recognized for his work as a skilled conservation
contractor on historic sculptures and other structures; and

WHEREAS, with action of June 10, 2014 (Resolution No. 5460) the City Council accepted
the Plaza Viña del Mar Accessibility Improvements Project as complete; and

WHEREAS, during the course of the work at the Plaza Viña del Mar, Mr. Palos brought to
the City's attention the need for conservation work to protect the elephant sculptures themselves,
as well as the War Memorial sculpture and plaques, and certain work needed on the fountain; and

WHEREAS, the City requested the attached and incorporated by reference herein proposals
from Mr. Palos for the necessary work, and, with action of June 16, 2015 (Resolution No. 5521)
the City Council adopted the fiscal 2015-2016 budget with funding for the necessary
conservation work in the amount of $35,500 (capital project number 140-410-4018-450); and

WHEREAS, the proposed work consists of maintenance and repair of existing facilities
with no change in capacity or use and is therefore categorically exempt from the application of
the California Environmental Quality Act as provided for in Title 14 California Code of
Regulations, Chapter 3: Guidelines for Implementation of the California Environmental Quality
Act as amended January 4, 2013, Section 15301; and
WHEREAS, the proposed work consists of “professional or special services” as defined in the Sausalito Municipal Code ("SMC"), Section 3.30.020 in that it consists of services which, "…require special performance criteria, specific experience, training, personal judgment, quality of work or factors other than simply obtaining the service at the lowest cost to the City;" and

WHEREAS, as provided for in SMC, Section 3.30.510.D, contracts for professional or special services estimated to cost more than $25,000 must be approved by a resolution of the City Council and in doing so the Council must determine that it is in the best interest of the City for the services to be provided by a specific consultant – with contract terms, work scope and compensation to be determined based on direct negotiations; and

WHEREAS, on the basis of Staff's evaluation of Mr. Palos' proposals, Staff has concluded that the following findings in support of the recommended Council action can be made:

a. Palos understands the work required by the City;
b. Palos' proposals are of adequate quality and responsiveness;
c. Palos has demonstrated competence and professional qualifications necessary for satisfactory performance of the work required by the City;
d. Palos has recent relevant experience in successfully performing similar services to similar clients;
e. Palos' proposed methodology for completing the work is appropriate;
f. Palos' reference from the City for prior work is positive;
g. Palos' background and related experience is relevant and appropriate for the work required;
h. Palos' proposed compensation, rates and the basis of the proposed compensation are reasonable and acceptable;
i. Palos' proposed level of effort and schedule is reasonable and acceptable;
j. Palos' commitment for continuity and level of involvement of key personnel is acceptable; and

WHEREAS, owing to Palos' skills, experience and familiarity with the three elements of Plaza Viña del Mar in need of conservation work, Staff recommends that the City Council authorize the City Manager to contract with Manuel Palos for performance of the necessary work as described on the attached proposals on a lump sum compensation basis with the total cost not to exceed $35,000.

NOW, THEREFORE, the City Council of the City of Sausalito does hereby resolve as follows:

1. It is in the best interest of the public that the fountain, elephant statues and War Memorial at Plaza Viña del Mar receive the benefit of specialized conservation maintenance and repair (the "Work") to ensure that they remain in a condition befitting their importance in the community.
2. The Work consists of maintenance and repair of existing facilities with no change in capacity or use and is therefore categorically exempt from the application of the California Environmental Quality Act as provided for in Title 14 California Code of

3. The Work consists of “professional or special services” as defined in the Sausalito Municipal Code (“SMC”), Section 3.30.020 consisting of services which, “…require special performance criteria, specific experience, training, personal judgment, quality of work or factors other than simply obtaining the service at the lowest cost to the City.”

4. The Council has determined that it is in the best interest of the City for the Work to be provided by Manuel Palos under the contract terms, work scope and compensation described in the attached and incorporated by reference herein three proposals.

5. The City Manager is authorized to contract with Manuel Palos for performance of the Work as described in the attached proposals on a lump sum compensation basis with the total cost not to exceed $35,000.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Sausalito on this 1st day of September, 2015, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSTAIN: Councilmembers:
ABSENT: Councilmembers:

____________________________________
MAYOR OF THE CITY OF SAUSALITO

ATTEST:

_________________________________
CITY CLERK