

APPROVED

REPORT OF GENERAL MANAGER

OCT 09 2009

NO. 09-250

DATE October 9, 2009

BOARD OF RECREATION and PARK COMMISSIONERS

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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CABRILLO MARINE AQUARIUM – PERSONAL SERVICES CONTRACT WITH EVELINA TEMPLETON TO PROVIDE SCIENTIFIC ILLUSTRATIONS AND EXHIBIT DESIGNS

R. Adams  
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J. Kolb  
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K. Regan  
M. Shull

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\_\_\_\_\_  
General Manager (for JKM)

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve a proposed Personal Services Contract with Evelina Templeton, substantially in the form on file in the Board Office, for as-needed scientific illustrations and exhibit designs for the Cabrillo Marine Aquarium, for a term of three (3) years at the rate of \$30.00 per hour, in an amount not to exceed a \$99,000, subject to approval of the Mayor and of the City Attorney;
2. Find, in accordance with Charter Section 1022, that the Department does not have personnel available in its employ, with sufficient expertise to undertake these specialized professional tasks in a timely manner, and that these services can be performed more feasibly by a qualified independent contractor than by a City employee;
3. Find, in accordance with Charter Section 371 and Section 10.15(a)(2) of the Los Angeles Administrative Code, that the services to be performed by Evelina Templeton require specialized expertise, specific knowledge and artistic talent, and that competitive bidding is neither practicable nor advantageous to this agreement in order to have a consistent design style for all Cabrillo Marine Aquarium exhibits;
4. Find that Evelina Templeton has demonstrated specific knowledge, talent and experience to provide the type of services required by the Cabrillo Marine Aquarium, including outstanding performance in an identical role under the terms of Contract No. 3019;

## REPORT OF GENERAL MANAGER

PG. 2

NO. 09-250

5. Direct the Board Secretary to transmit the proposed Personal Services Contract to the Mayor in accordance with Executive Directive No. 3 and, concurrently, to the City Attorney for approval as to form; and,
6. Authorize the Board President and Secretary to execute the Personal Services Contract upon receipt of the necessary approvals.

### SUMMARY:

Ms. Evelina Templeton is an independent artist and biological illustrator and has provided on an as-needed basis scientific illustrations and designs for the marine life exhibits on display at the Aquarium since 1981. She is currently rendering her services to the Aquarium under Contract No. 3019 which expires on December 31, 2009.

Since 1935, the Cabrillo Marine Aquarium (Aquarium) has provided visitors with both a natural and educational interactive approach to learning about the marine life of Southern California. With its spectacular natural setting adjacent to the Cabrillo Beach Coastal Park and the Port of Los Angeles, the Aquarium is uniquely suited to its leadership role in the areas of marine science education, aquaculture research and community recreation. The historic Frank Gehry-designed aquarium displays one of the largest collections of Southern California marine life in the world.

Ms. Templeton has been able to create a consistent design style for all exhibits with her specialized skills. Ms. Templeton possesses a zoology degree with a minor in art and the artwork that she has designed and created for the Aquarium is a reflection of her unusual combination of education and artistic talent. Ms. Templeton has been able to combine her scientific knowledge of marine life with her exceptional artistic talent to showcase these scientifically accurate, yet artistic exhibits for the public's enjoyment. Staff therefore recommends award of a new three (3) year contract at the rate of \$30.00 per hour in an amount not to exceed \$99,000 with Ms. Templeton after Contract No. 3019 expires.

### Charter Section 1022 Finding

On July 7, 2009, the Personnel Department completed a Charter Section 1022 review (Attachment A). While it was determined that the classification of graphic designer is able to provide some artwork, designing basic exhibits and preparing pamphlets, posters and brochures, it was also determined that there are no City classifications with expertise in marine life and scientific illustrations. Since projects would be of limited duration, any City employees hired would have to be laid off at the end of the project.

REPORT OF GENERAL MANAGER

PG. 3

NO. 09-250

The Aquarium's requirement for an illustrator/artist with skills in creating scientifically accurate marine life illustrations is critical to maintaining a consistent design style to the Aquarium's exhibits. As there are no staff with the necessary knowledge and skill required to execute exhibit artwork using a wide variety of techniques and media, including pen and ink, acrylic paint, air brush and three-dimensional modeling, it is therefore more feasible to secure these services through an independent contractor.

FISCAL IMPACT STATEMENT:

Funding for this contract is provided in the Aquarium's contractual services Account 3040, Fund 302, Department 88 under line items titled "Cabrillo Marine Aquarium Illustrator Services and Design and Exhibit Services."

This report was prepared by Michael Schaadt, Director of Cabrillo Marine Aquarium.

Attachment A

PERSONNEL DEPARTMENT CONTRACT REVIEW REPORT

1. Requesting Department: Department of Recreation and Parks

2. Contacts:

Department: Raymond Chang Phone No. (818) 243-6488 Fax No. 818-243-6451

CAO: Veronica Salumbides Phone No. (213) 473-7561 Fax No. 213-473-7514

3. Work to be performed:

The production of as-needed scientific and biological illustrations and designing and updating marine exhibits at the Cabrillo Marine Aquarium.

4. Is this a contract renewal? Yes  No

5. Proposed length of contract: 3 years  
Start Date: January 1, 2010

6. Proposed cost of contract (if known): Not to exceed \$99,000

7. Name of proposed contractor: Evelina Templeton, a sole proprietor

8. Unique or special qualifications required to perform the work:

The contractor must have knowledge, expertise, and artistic abilities in providing scientific illustrations and exhibit designs.

9. Are there City employees that can perform some of the work being proposed for contracting?  
Yes  No

| <b>Classification</b> | <b>Departments</b>  | <b>List Expires</b> |
|-----------------------|---|---------------------|
| Graphics Designer     | Airports, Cultural Affairs, DWP, Harbor, ITA, Library, Personnel, Planning, Police, PW, Rec & Parks, DOT, Zoo | No list             |

If yes,

- a. Which class(es) and Department(s): See above.
- b. Is there sufficient Department staff available to perform the work? Yes  No
- c. Is there a current eligible list for the class(es)? Yes  No  Expiration Date: See above.
- d. Estimated time to fill position(s) through CSC process? Not known due to City freeze.
- e. Can the requesting department continue to employ staff hired for the project after project completion? Yes  No
- f. Are there City employees currently performing the some of the work? Yes  No

10. Findings

- City employees DO NOT have the expertise to perform the work
- City employees DO have the expertise to perform some of the work

Check if applicable (explanation attached) and send to CAO for further analysis

- Project of limited duration would have to layoff staff at end of project
- Time constraints require immediate staffing of project
- Work assignment exceeds staffing availability

**SUMMARY:** City employees can perform some of the services the Department seeks to contract such as designing basic exhibits and preparing pamphlets, posters, and brochures. Graphics Designers would able to provide some artwork. The Personnel Department finds that there is not a classification with expertise in marine life and scientific illustrations.

Submitted by: Cathy T. Tanaka  
Cathy T. Tanaka

Reviewed by: Shelly Del Rosario  
Shelly Del Rosario

Approved by: Shannon C. Pascual  
Shannon C. Pascual

Date: 7/7/09