

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # \*B-2

Urgent  Routine

AGENDA DATE December 7, 2010

CEO Concurs with Recommendation YES  NO

4/5 Vote Required YES  NO

(Information Attached)

SUBJECT:

Approval of the Installation of an Electronic Sign by the Gallo Center for the Arts

STAFF RECOMMENDATIONS:

Approve the installation of an electronic sign by the Gallo Center for the Arts not at County expense.

FISCAL IMPACT:

The construction of the Gallo Center for the Arts was a joint effort between the County and the Central Valley for the Arts/Gallo Center for the Arts to create a Performing Arts Center in Stanislaus County. On February 17, 2004, the Board of Supervisors authorized the Interim Chief Executive Officer to complete and execute an Operating Agreement between the Central Valley Center for Arts, Inc., the Gallo Center for the Arts, LLC and Stanislaus County relating to the leasing, operations, and maintenance of the Gallo Center for the Arts.

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BOARD ACTION AS FOLLOWS:

No. 2010-735

On motion of Supervisor O'Brien, Seconded by Supervisor Monteith

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

**FISCAL IMPACT: (Continued)**

At this time, the Chief Executive Officer is recommending the Board of Supervisors approve the installation of an electronic sign on the exterior structure of the Gallo Center for the Arts, completely at the sole expense of the Center. The Center's objective is to install an electronic sign display to promote upcoming events at the Center and to increase public awareness and to promote the "Arts for All" in the community and throughout the region.

With the Board's approval of this action, there is no additional impact to the County's General Fund. The total estimated cost of the design and installation of the electronic sign is anticipated not to exceed \$200,000 and shall be at the sole expense of the Gallo Center for the Arts, Inc. through a generous contribution from a private donor.

**DISCUSSION:**

On February 17, 2004, the Board of Supervisors authorized the Interim Chief Executive Officer to complete negotiations and execute an Operating Agreement relating to the leasing, operation and maintenance of the Gallo Center for the Arts.

The Operating Agreement approved by the Board of Supervisors is between Stanislaus County, the Gallo Center for the Arts (GCA), LLC ("Operator"), and the Central Valley Center for the Arts, Inc. ("CVCA"). Both the Operator and the CVCA are non-profit entities.

Under the current terms of the Operating Agreement, Section 17.2.1 requires that after occupancy, the Operator shall not make any alterations, additions, or improvements to the Center or any part of the Center, without prior consent of the County's Chief Executive Officer. According to the Agreement, Alterations means any of the following: construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work at the Center.

Proposed Sign Design

The proposed size of the sign is 15' X 20', constructed of all aluminum construction, with a highly visible electronic display. The design will maintain balance with the environment and surrounding architecture.

The design and specifications of the proposed electronic signage will conform to signs permitted in commercial and industrial zones within City of Modesto. The Center will be required under City of Modesto Title 10 Planning and Zoning Codes to obtain a permit to install the electronic signage. A conditional use permit will be required if the top of the sign exceeds the maximum of 35 feet. Per City Planning and Zoning Codes, outdoor advertising on the sign will be prohibited.

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Additionally, the proposed sign will require professional electrical and structural design services. Section 17.2.3 of the Operating Agreement requires that plans and specifications for alterations shall be prepared at the Operator's expense by a licensed design professional, and the plans and specifications shall be approved by the County and the Operator. Finally, Section 17.2.5 of the Operating Agreement requires that all improvements to or within the Center constitute Public Works projects, and all applicable provisions of the California Public Contracts Code apply to alterations constructed within or to the Center, including prevailing wage requirements. Pursuant to Public Contract Code Section 22010 et seq., all contracts for alterations in excess of statutory limit (\$25,000) shall be competitively bid to the lowest responsible bidder in accordance with applicable provisions of the Public Contract Code.

With the Board's approval of this action, there is no additional impact to the County's General Fund. The total estimated cost of the design and installation of the electronic sign is anticipated not to exceed \$200,000 and shall be at the sole expense of the Gallo Center for the Arts, Inc. through a generous contribution from a private donor.

A copy of the request from the Center is attached.

**STAFFING IMPACTS:**

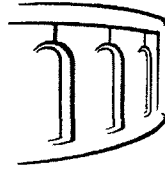
Existing Chief Executive Office Capital Projects and Gallo Center for the Arts staff will collaborate to ensure the installation of electronic signage at the Center is completed.

**POLICY ISSUES:**

Approval of the recommended action will ensure the Efficient Delivery of Public Services and promote Effective Partnerships.

**CONTACT PERSON:**

Patricia Hill Thomas, Chief Operations Officer. Telephone: (209) 525-6333



GALLO CENTER  
FOR THE ARTS

November 30, 2010

Mr. Richard W. Robinson  
Chief Executive Officer  
Stanislaus County  
1010 10th Street, Suite 6800  
Modesto, California 95354

Dear Mr. Robinson:

This letter is to advise you that at my recommendation the board of directors for the Gallo Center for the Arts, is currently studying feasibility, design and cost for an electronic sign display to promote upcoming events presented by the Center and its resident companies, as well as to promote the arts throughout the region.

The sign being contemplated is an LED marquee type, with video capabilities. Its proposed size is 15' X 20', all aluminum construction, with a design intended to maintain balance between the environment and surrounding architecture.

The placement of the sign would be on the Center's east-facing fly loft tower, at the intersection of 11th and I Street. Total estimated cost of the project is anticipated not to exceed \$200,000 and shall be at the sole expense of the Gallo Center for the Arts, Inc.

We are eager to have the county's approval of the sign installation, and look forward to the supervisors' decision.

Sincerely yours,

Lynn Dickerson  
Chief Executive Officer

*Join us in our mission to illuminate, educate and entertain. To support the Center call (209) 338-5032*