

1-13-R-3636

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH KEEP ATLANTA BEAUTIFUL FOR THE PURPOSE OF ASSISTING THE CITY OF ATLANTA WITH ITS PUBLIC ART COLLECTION AND RAISING FUNDS FOR THE BEAUTIFICATION, LIGHTING AND MAINTAINANCE OF DESIGNATED PUBLIC ART IN THE ATLANTA CITY GOVERNMENT'S PUBLIC ART COLLECTION; AND FOR OTHER PURPOSES.

Committee City Utilities
 Date Oct. 15, 2013
 Chair _____
 Action Other
 Fav. Adv. Hold (see rev. side)
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav. Adv. Hold (see rev. side)
 Other _____
 Members _____
 Refer To _____

CERTIFIED
CERTIFIED
 DEC 02 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 DEC 02 2013
Rhonda Dandrea Johnson
 MUNICIPAL CLERK

AUTOMATICALLY TERMINATED
 AND
 FILED BY CLERK
 PER CHARTER SECTION 2-407
 DEC 02 2013

CONSENT REFER
 REGULAR REPORT REFER
 ADVERTISE & REFER
 1ST ADOPT 2ND READ & REFER
 PERSONAL PAPER REFER
 Date Referred: 10/7/13
 Referred To: City Utilities
 Date Referred: _____
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Committee _____
 Date _____
 Chair _____
 Action _____
 Fav. Adv. Hold (see rev. side)
 Other _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav. Adv. Hold (see rev. side)
 Other _____
 Members _____
 Refer To _____

MAYOR'S ACTION

A RESOLUTION BY
COUNCILMEMBER



A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH KEEP ATLANTA BEAUTIFUL FOR THE PURPOSE OF ASSISTING THE CITY OF ATLANTA WITH ITS PUBLIC ART COLLECTION AND RAISING FUNDS FOR THE BEAUTIFICATION, LIGHTING AND MAINTAINANCE OF DESIGNATED PUBLIC ART IN THE ATLANTA CITY GOVERNMENT'S PUBLIC ART COLLECTION; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") holds title to more than One Hundred Thirty-Five (135) works of public art throughout Atlanta (the "Artwork"); and

WHEREAS, the City does not currently possess the necessary resources or funds to maintain, beautify and/or light the Artwork; and

WHEREAS, Keep Atlanta Beautiful, an all-volunteer organization that works in partnership with City departments to establish partnerships to sustain a cleaner and more beautiful Atlanta, desires to work on behalf of the Atlanta City Government's Public Art Collection to raise funds for the beautification and lighting of the Artwork; and

WHEREAS, Keep Atlanta Beautiful believes that it can identify funding sources to maintain the Artwork in Atlanta; and

WHEREAS, it is in the best interest of the City and the Atlanta City Government's Public Art Collection to partner with Keep Atlanta Beautiful to raise funds and preserve the Artwork.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS, that the Mayor, on behalf of the City is hereby authorized to enter into a Memorandum of Understanding in substantially similar form as attached hereto as to Exhibit A (the "MOU"), with Keep Atlanta Beautiful.

BE IT FURTHER RESOLVED, that the MOU shall stipulate, at a minimum, that:

- a) Keep Atlanta Beautiful shall use all funds raised on behalf of the Public Art Collection for the purpose of supporting the care and beatification of those artworks as mutually agreed upon by Keep Atlanta Beautiful and the Office of Cultural Affairs.
- b) The Office of Cultural Affairs Public Art Program shall supervise the restoration, lighting, site improvements and non-routine maintenance of designated works of art once funds have been bequeathed and, as such, will be responsible for the overall project management.
- c) Keep Atlanta Beautiful will raise funds to achieve the goals and objectives described, and will be subject to the provisions of applicable law and terms described in Exhibit B of the MOU.

BE IT FURTHER RESOLVED, that the City Attorney or her designee is hereby authorized to prepare the MOU for execution by the Mayor.

BE IT FINALLY RESOLVED, that the MOU shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder, until the same has been approved as to form by the City attorney, signed by the Mayor, attested to by the municipal clerk and delivered to Keep Atlanta Beautiful.

MEMORANDUM OF UNDERSTANDING between THE CITY OF ATLANTA and KEEP ATLANTA BEAUTIFUL

Exhibit A
CHECK LIST OF ARTWORKS

Accession #	Title of Artwork	Artist Name	Location	Lighting Status
CA1911.01	Peace Monument	Allen, George Newman	Piedmont Park near 14th St. and Piedmont Ave.	Existing but not Working
CA1969.01	La Familia de Pie	Laveron, Elena	Renaissance Park, Piedmont Ave.	Existing but not Working
CA1996.05	Ex-Static	Artemis, Maria	Pine St and West Peachtree St	Existing but not Working
CA1996.21	Carnegie Education Pavilion	Jova, Daniels, and Busby Architects	Hardy Ivy Park	Existing but not Working
CA1996.22	New Endings	Kempler, Dianne S.	Freedom Park (near North Ave. and Euclid Dr.)	Existing but not Working
CA1996.29	Carrie Steele Logan	Owens, Brian	Auburn Research Library	Existing but not Working
CA1996.32	Bas Relief Auburn Ave.	Owens, Brian	Auburn Ave. at Hilliard St. (Street Lamp)	Existing but not Working
CA1996.35	Heritage Park Memorial	R, P, Dimitropoulos	Heritage Park	Existing but not Working
CA2009.06	The Horn Section	Coffin, Zach	Cleopas Johnson Park	Existing but not Working
CA1980.01	In Honor Of The Brave Service And Dedication of Atlanta Police Officers	Steinman	Woodruff Park on Peachtree St. side	Not Present
CA1981.02	Emerging	Smith, Mark	Carnegie Way at Spring St, traffic median	Not Present
CA 1977.03	Cometh the Sun	Patterson, Curtis	Gordon-White Pk. Abernathy & White St.	Not Present
CA 1970.02	Untitled	Clover, James	Frankie Martin Pk. Pharr Rd. /P 'tree	Not Present
CA1997.01	Meeting of the Elders	Burimoh, Jimoh	Howell Park, Ralph David Abernathy Rd.	Not Present
CA2003.01	Peachtree Hills Mural	Melton, Attiya	Peachtree Hills Recreation Center, 308 Phills Rd.	Not Present
CA2012.02	Tree of Life	Yvonne Domenge	Freedom Park near North Ave at Oakdale	Not Present
CA.X.05	Untitled Totem	Johnson, Art	Piedmont Park	Not Present
CA.X.06	Charles Lincoln Harper	Dwight, Ed	Ashby at Mason Turner Streets	Not Present
CA1938.01	Memorial To Atlanta Pioneer Women's Society 1847-1869		Thomas, Steffen Wolfgang Piedmont Park near 15th Street entrance	
CA1948.01	Talbot Memorial	Bridges, George	Grant Park, Cyclorama turnabout	Not Present
CA1969.02	Atlanta From the Ashes	Quirino, Gamba	Woodruff Park	Not Present
CA1978.02	Not to Scale	Chatham, Ted	West Manor Park. 3240 Manor Circle	Not Present
CA1985.02	My Spirit is Changing	Martln, Toby	Perkerson Park off Deckner Ave.	Not Present
CA1987.01	Free Nelson Mandela	Hammons, David	Piedmont Park at 10th St. entrance	Not Present
CA1988.01	Hard Days Work Shack	Buchanan, Beverly	Studioplex, 659 Auburn Ave.	Not Present
CA1993.04	In Search of Awe	Hand, Eleanor	Four Corners Park	Not Present
CA1993.05	Ancestral Totem	Odeleye, Ayokunle	Calhoun Pk. Piedmont and Auburn Ave.	Not Present
CA1995.04	No Goal IS Too High ...	GSU Sculpture Forum	Peachtree St at Poplar St.	Not Present
CA1996.01	Decode / Recode	Conway, William F.	Decatur St. at Peachtree Center Ave.	Not Present
CA1996.06	Five Points	Beasley, George	Five Points at Peachtree St.	Not Present
CA1996.12	Summerhill Rebirth	Cunfer, Patricia	Georgia Ave. at Connally St.	Not Present
CA1996.28	Spirit, Family, and Community	Odeleye, Ayokunle	Calhoun Park at Piedmont Ave.	Not Present
CA1998.01	The Last Meter	Eino	Piedmont Park	Not Present
CA2008.04	Andrew Young Statue	Harris, Johnpaul	International Blvd. and Spring St.	Not Present
CA1996....	Folk Art Park Collection	Several Artists	Ralph McGill & Courtland	Not Present

Exhibit B – Project Logistics and Financing

- 1) Prior to Keep Atlanta Beautiful raising funds for specific works of art, it will first notify the City through its office of Cultural Affairs, of its interest in specific art (“Check list of Artworks or any inclusion hence forth”) and the type of work contemplated (the “Project”).
- 2) The City will notify Keep Atlanta Beautiful of any special concerns around the designated artwork or the project. If none are identified, Keep Atlanta Beautiful will begin the process of estimating the cost to complete the Project. The estimation process will include Keep Atlanta Beautiful consulting with outside contractors and the Office of Cultural Affairs Public Art Program to determine scope of work expenses (“Estimated Cost”).
- 3) Once an estimated cost of the project(s) is determined, the Office of Cultural Affairs will authorize Keep Atlanta Beautiful to begin the fundraising process with one or more donors that it believes would have interest in funding the project.
- 4) Once Keep Atlanta Beautiful has gained commitments from donors to fund the estimated cost, it will then work with the City’s Public Art Program to prepare a detailed Project plan (the “Project Plan”). The Project Plan will include specific details on the project including the exact nature of any restoration work; the exact location of any lighting that is to be installed, the type of lighting, a project timeline, and a work plan for the contractors.
- 5) Once Keep Atlanta Beautiful has raised the required funds, Keep Atlanta Beautiful will provide to the City an accounting of funds to remedy the project plan. Working with the Office of Cultural Affairs, Keep Atlanta Beautiful and the City will finalize contracts with vendors to complete the project.
- 6) The Public Art Program will oversee project management and the Office of Cultural Affairs will have an advisory role relative to fundraising. Keep Atlanta Beautiful will act as the fiduciary agent to ensure that the each project is funded to completion per the contracted plan and maintenance specification of the Public Art Program.
- 7) Once the Project is complete with such determination to be made by the Office of Cultural Affairs, project specifics, promotions and news releases will be coordinated between Keep Atlanta Beautiful and the City of Atlanta before release.