

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2013-

RESOLUTION AUTHORIZING AN EXTENSION OF THE TEMPORARY DISPLAY OF "THE SPIRAL" BY CA' D'ORO LLC D/B/A CA' D'ORO ART GALLERY ON CITY PROPERTY LOCATED ON THE PLAZA OF THE CORAL GABLES MUSEUM.

WHEREAS, Pursuant to Resolution No. 2012-208 passed on November 13, 2012, Ca' d'Oro Art Gallery (the "Gallery"), installed for temporary display a sculpture entitled "The Spiral" by Italian artist Enzo Carnebianca (the "Sculpture") in the courtyard of the plaza of the Coral Gables Museum; and

WHEREAS, Mr. Carnebianca's work is in prestigious collections throughout the world such as the Vatican in Rome; and

WHEREAS, the Coral Gables Museum has requested that the sculpture remain in the plaza for a longer period of time, and the Gallery has agreed; and

WHEREAS, the Gallery has agreed to pay all costs involved with the display; and

WHEREAS, the City may at any time require removal of the exhibit either permanently or temporarily; and

WHEREAS, the installation and maintenance of the sculptures continue to be the sole responsibility of the Gallery, in accordance with the terms of the proposed Hold Harmless and Restrictive Covenant Encroachment Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. That the foregoing "Whereas" clauses are here hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon the adoption hereof.

SECTION 2. That the exhibition period for the Sculpture be extended for up to four months, and that the Amendment to Hold Harmless and Restrictive Covenant Encroachment Agreement is hereby approved (the "Amendment") in substantially the form attached hereto as Exhibit "A."

SECTION 3. That the City Commission does hereby authorize the City Manager to execute the Amendment with such modifications to the form attached hereto, as may be approved by the City Manager and City Attorney in order to implement the intent of this resolution.

SECTION 4. That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS NINETEENTH DAY OF FEBRUARY, A.D., 2013.

(Moved: / Seconded:)

(Yeas: / Nays:)

(Vote:)

(Agenda Item:)

APPROVED:

JAMES CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

CRAIG E. LEEN
CITY ATTORNEY