

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2016-171**

A RESOLUTION APPROVING THE CONCEPT FOR A DONATION OF A WORK OF PUBLIC ART TO BE SITED IN BALBOA PLAZA IN CONJUNCTION WITH THE TOWNHOUSE PROJECTS AT 444 VALENCIA AVENUE AND 2509 ANDERSON ROAD IN FULFILLMENT OF THE ART IN PUBLIC PLACES REQUIREMENT FOR PUBLIC ART IN PRIVATE DEVELOPMENT.

**WHEREAS**, Torre Companies (hereafter referred to as Developer) is constructing buildings at 444 Valencia Avenue and 2509 Anderson Road (the "Project") and has chosen the option of petitioning for a waiver of the Art in Public Places Fee requirement by donating and installing artwork to the City as specified in the Zoning Code, Article 3, Division 21; and

**WHEREAS**, The Project meets the requirement to contribute one percent (1.0%) of the aggregate project value to the Art Acquisition Fund pursuant to Article 3, Section 3-2103 Subsection A2 of the Coral Gables Zoning Code; and

**WHEREAS**, on October 27, 2015, the City Commission signed Resolution 2015-256 authorizing combining Art in Public Places fees associated with 444 Valencia Avenue and 2509 Anderson Road; and

**WHEREAS**, the Developer wishes to apply these funds toward donation of public artwork in close proximity to the Project; and

**WHEREAS**, The proposed public artwork location is Balboa Plaza, located at 2414 De Soto Boulevard; and

**WHEREAS**, Roberto Behar and Rosario Marquardt of R & R Studios (the "Artist"), selected by the Developer, was approved as a qualified artist by the Arts Advisory Panel in accordance with the City of Coral Gables Art in Public Places: Funding, Goals, and Implementation Guidelines; and

**WHEREAS**, on March 30, 2016, the Artist and the Developer presented a concept proposal of the public artwork to the Arts Advisory Panel for review, which recommended acceptance to the Cultural Development Board; and

**WHEREAS**, on June 07, 2016, the Artist and the Developer presented the concept proposal of the recommended public artwork to the Cultural Development Board, which reviewed and accepted the recommendation of the Arts Advisory Panel to recommend the Artists's concept for donation of a work of public art; and

**WHEREAS**, the proposed art piece is estimated to be \$87,000, which is less than the required 1% of the Aggregate Project Value of \$9,200,000 (as shown on Exhibit A attached hereto); therefore, the Developer will pay the estimated balance of \$5,000 to the Art Acquisition Fund;

**BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

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

**SECTION 2.** The City Commission does hereby authorize the Artist's concept and proposed preliminary budget for a work of public art in partial fulfillment of the Art in Public Places requirement, attached hereto as Exhibit A, provided that such work shall meet all other applicable criteria of the Zoning Code, and other applicable codes, statutes, laws, rules, and regulations, and provided that the Developer pays the difference in the balance to the City for deposit into the Art in Public Places fund.

**SECTION 3.** That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SIXTH DAY OF JULY A.D., 2016.

(Moved: Quesada / Seconded: Keon)

(Yeas: Lago, Quesada, Slesnick, Keon, Cason)

(Unanimous: 5-0 Vote)

(Agenda Item: G-1)

APPROVED:



JIM CASON  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY