

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2016-274**

A RESOLUTION APPROVING THE DONATION OF A WORK OF PUBLIC ART IN CONJUNCTION WITH THE GABLES WATERWAY PROJECT AT 6100 CABALLERO BOULEVARD IN FULFILLMENT OF THE ART IN PUBLIC PLACES REQUIREMENT FOR PUBLIC ART IN PRIVATE DEVELOPMENT.

**WHEREAS**, Gables Waterway (hereafter referred to as Developer) is constructing a townhouse at 1600 Caballero Boulevard (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 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**, Alberto Cavaliere (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 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 7, 2016, the concept proposal of the recommended public artwork was presented to the Cultural Development Board, which reviewed and accepted the recommendation of the Arts Advisory Panel to recommend the public art; and

**WHEREAS**, the proposed art piece is estimated to be greater than the required one percent (1.0%) of the Aggregate Project Value (as shown on Exhibit A attached hereto); and

**WHEREAS**, the Developer is required to provide for the perpetual maintenance of the artwork, which will be realized as a one-time contribution of ten percent of the fair market value of the artwork into a public art maintenance fund; and

**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 adoption hereof.

**SECTION 2.** That the City Commission does hereby authorize the public art concept for a work of public art in 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 provide for the perpetual maintenance of the artwork through a one-time contribution of ten percent of the fair market value of the artwork prior to receiving a Certificate of Occupancy.

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

PASSED AND ADOPTED THIS SIXTH DAY OF DECEMBER A.D., 2016.

(Moved: Keon / Seconded: Quesada)

(Yeas: Quesada, Slesnick, Keon, Lago, 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