

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2021-356**

A RESOLUTION APPROVING THE CONCEPT FOR A WORK OF PUBLIC ART TITLED “WAITING” BY BRIAN DONNELLY, AS KAWS, IN CONJUNCTION WITH THE PLAZA CORAL GABLES DEVELOPMENT PROJECT AT 2901 PONCE DE LEON BOULEVARD IN FULFILLMENT OF THE ART IN PUBLIC PLACES REQUIREMENT FOR PUBLIC ART IN PRIVATE DEVELOPMENT (PREVIOUSLY PROPOSED WORK BY THE ARTIST UNANIMOUSLY RECOMMENDED BY THE ARTS ADVISORY PANEL APPROVAL/DENIAL VOTE: 7 TO 0;; PROPOSED WORK UNANIMOUSLY RECOMMENDED BY THE CULTURAL DEVELOPMENT BOARD APPROVAL/DENIAL VOTE: 6 TO 0).

**WHEREAS**, Agave Plaza Trustee (hereafter referred to as the Developer) is constructing a mixed-use project at 2901 Ponce de Leon Boulevard, The Plaza (the “Project”). The Developer has chosen the option of petitioning for a waiver of the Art in Public Places Fee requirement by acquiring and installing artwork within the project 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**, Brian Donnelly, as KAWS (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 August 25, 2021, a concept proposal of a public artwork by KAWS was presented to the Arts Advisory Panel for review, which recommended acceptance of the concept to the Cultural Development Board; and

**WHEREAS**, on September 21, 2021, the concept proposal of the recommended public artwork by KAWS was presented to the Cultural Development Board, which reviewed it and accepted the recommendation of the Arts Advisory Panel to recommend the Artist’s concept; and

**WHEREAS**, on November 16, 2021, a revised concept proposal by the recommended artist KAWS was presented to the Cultural Development Board, which reviewed it and accepted the revised Artist’s concept; and

**WHEREAS**, the proposed art piece is estimated to be \$2,056,750 (two million, fifty-six thousand, seven hundred fifty dollars) which is less than the required 1% of the Aggregate

Project Value of \$4,100,000 (four million, one hundred thousand dollars) (as shown on Exhibit A attached hereto); the Developer has proposed additional works of art that have been approved, thus completing their commitment to Art in Public Places for this project;

**NOW, THEREFORE, 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.** The City Commission does hereby approve the Artist's concept and proposed preliminary budget for a work of public art by KAWS 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.

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

PASSED AND ADOPTED THIS SEVENTH DAY OF DECEMBER A.D., 2021

(Moved: Mena / Seconded: Anderson)

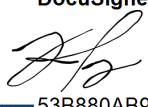
(Yeas: Fors, Jr., Mena, Anderson, Lago)

(Absent: Menendez)

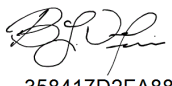
(Unanimous: 4-0 Vote)

(Agenda Item: H-2)


APPROVED:

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**VINCE LAGO**  
MAYOR

ATTEST:

DocuSigned by:  
  
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**BILLY Y. URQUIA**  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

DocuSigned by:  
  
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**MIRIAM SOLER RAMOS**  
CITY ATTORNEY