

RESOLUTION 2016-01-01

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY AMENDING THE URBAN ART AND STREETScape PROGRAM AGREEMENT (“AGREEMENT”) BETWEEN THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) AND THE CULTURAL COUNCIL OF GREATER JACKSONVILLE, INC.; AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF THE DIA TO EXECUTE AN AMENDMENT TO THE AGREEMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Downtown Investment Authority (the “DIA”) has been designated by the City of Jacksonville as the Community Redevelopment Agency for community redevelopment areas within the boundaries of Downtown pursuant to Ordinance 2012-364-E and Ordinance 2014-0560 (collectively, the “Ordinance”); and

WHEREAS, an Urban Art Façade and Streetscape Program (the “Program”) is included in the Northbank Downtown CRA Plan approved via the Ordinance; and

WHEREAS, on March 25, 2015, the Board approved and authorized an agreement between the Cultural Council of Greater Jacksonville, Inc. (“Cultural Council”) and the DIA in the amount of \$406,000 to implement the Program pursuant to DIA Resolution 2015-03-01 (“Prior DIA Resolution”); and

WHEREAS, pursuant to the Prior DIA Resolution, the DIA and the Cultural Council entered into an agreement dated February 18, 2016 (the “Agreement”); and

WHEREAS, the DIA and the Cultural Council now desire to amend the Agreement as provided herein, now therefore

BE IT RESOLVED, by the Downtown Investment Authority:

Section 1. The DIA finds that the recitals set forth above are true and correct and are incorporated herein by this reference.

Section 2. The DIA approves and authorizes the following amendments to the Agreement (collectively, the “Amendments”):

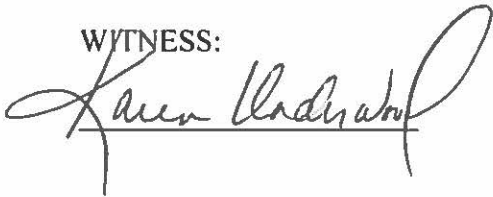
- Substitute and replace Exhibit B (Project Guideline and Implementation Plan) and Exhibit D (Project Budget and Work) with the revised Exhibit B (Project Guideline and Implementation Plan) and Exhibit D (Project Budget and Work) attached hereto; and
- Authorize the DIA Chief Executive Officer to make technical amendments to the Agreement and approve change orders (as change orders is defined in Section 2 of the Agreement) without further necessary action or approvals from the DIA

Board. For purposes of this resolution, "technical amendments" shall mean non-material amendments such as scrivener errors or other amendments that do not increase the monetary or administrative obligations of the DIA. Changes to the Project Budget within ten (10%) percent of the approved line items within a phase will be considered a technical amendment. Changes to Project Budget in excess of ten (10%) percent of the approved line items within a phase or changes in the funding amounts allocated to each phase shall require DIA Board approval.

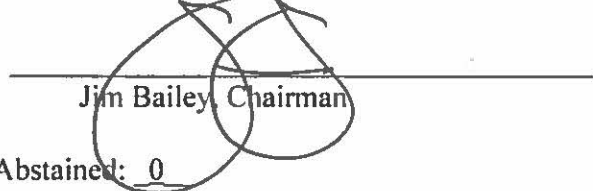
Section 3. The DIA authorizes the Chief Executive Officer to execute an amendment to the Agreement incorporating the Amendments.

Section 4. This resolution shall become effective upon its approval by the DIA Board this 27th day of January, 2016.

WITNESS:



DOWNTOWN INVESTMENT AUTHORITY



Jim Bailey, Chairman

VOTE: In Favor: 8 Opposed: 0 Abstained: 0

FORM APPROVED BY:

Office of General Counsel

REVISED Exhibit B (Project Guideline and Implementation Plan)

[Exhibit to immediately follow this page.]

EXHIBIT B
PROJECT GUIDELINE AND IMPLEMENTATION PLAN

Downtown Jacksonville Public Art Proposal: Urban Art Façade and Streetscape Program - Implementation Plan



Policies and Guidelines

Unless otherwise noted, this pilot program will adhere to policies and guidelines of Chapter 126 Part 9, Ordinance Code, and as set forth in the Jacksonville Art in Public Places Program Five Year Plan. The Program Overview and Proposed Project descriptions reiterate the Project Description BID Plan.

Program Overview

The Urban Art Façade and Streetscape Program (also known as DIA Urban Art Projects) is an arts-based civic engagement initiative to promote community development through urban design and attractive streetscape enhancements with semi-permanent and permanent public art installations. Individual artists or artist teams are encouraged to partner with property owners (public and private) to produce façade enhancements and streetscape designs that engage audiences of all ages at the street level. The Urban Art Façade and Streetscape Program is complementary to clean up and beautification initiatives with each community-based activity further enhancing and shaping the city's overall design and visual aesthetic while highlighting the individuality and identities of residents, schools, and businesses by neighborhood.

Pilot Areas

Urban Art and Streetscaping Areas are defined as areas that have been identified as appropriate for public art to be displayed on agreed upon public and private facilities. The Downtown Community Redevelopment Area is included in that definition.

Phases 1-3

Projects will be commissioned by a phased approach for an estimated four years (see Phases 1-3: Map and Timeline). Phased areas are designed by priority and complementary to current City of Jacksonville revitalization and enhancement strategies underway within the Downtown Community Redevelopment Area. It is the intent of the Urban Art Façade and Streetscaping Program to serve as a model for future city-wide projects.

EXHIBIT B
PROJECT GUIDELINE AND IMPLEMENTATION PLAN

Proposed Projects

Duval Walls

Duval Walls is a live outdoor exhibition of mural artists and artist teams installing site-specific, semi-permanent and permanent public art murals on to the facades of buildings. These large-scale signature murals are designed to encourage greater pedestrian connection and community engagement. Featured walls will beautify and enliven the streetscape and serve as pathways and corridors leading residents and visitors to experience the downtown urban core as a neighborhood of renewed visual vibrancy through the arts. This item is in concert with the DIA's CRA plan and has been approved for funding.



- **Public art budget (75%): \$78,750**
Budget includes the artist(s) fee, supplies, liability insurance, preparing, power washing and priming surface, equipment rental (if applicable), and travel-related expenses.
- **Administrative budget (20%): \$21,000**
Project Management, permitting fees, archiving/documentation, plaque/signage
- **Long-term maintenance budget (5%): \$5,250**

Skyway Walls

Skyway Walls will enhance the overall street-level engagement, promote walkability, and improve safety with highly visible concrete support columns and infrastructure of the skyway rail system targeted for semi-permanent and permanent public art murals. Artists/artist teams will be commissioned to transform these concrete canvases into designs and welcoming imagery to encourage visitors and residents of all ages to utilize transit-stations. This program is in concert with the DIA's CRA Plan and is approved for funding.



- **Public art budget (75%): \$48,000**
Budget includes the artist(s) fee, supplies, liability insurance, preparing, power washing and priming surface, equipment rental (if applicable), and travel-related expenses.
- **Administrative budget (20%): \$12,800**
Project management, permitting fees, archiving/documentation, plaque/signage
- **Long-term maintenance budget (5%): \$3,200**

EXHIBIT B
PROJECT GUIDELINE AND IMPLEMENTATION PLAN

Traffic Signal Cabinets

The Traffic Signal Cabinet program is geared towards the recognition and celebration of local artists. Through the Traffic Signal Cabinet program, artists are asked to develop designs to wrap each City of Jacksonville traffic signal cabinet. Once professionally wrapped, these traffic signal cabinets in downtown/neighborhood business districts will contribute to the vitality and attractiveness of the urban streetscape and deter graffiti. This program is in concert with the DIA's CRA Plan and is approved for funding.



- **Public art budget (75%): ~~\$6,750~~\$12,938**
Budget includes the artist(s) fee, fabrication, supplies, liability insurance, equipment rental (if applicable), and travel-related expenses.
- **Administrative budget (20%): ~~1,800~~\$3,450**
Project management, permitting fees, archiving/documentation, plaque/signage
- **Long-term maintenance budget (5%): ~~\$450~~\$862**

Bike Racks

Bicycle parking should be readily available along shared streets and at destinations. Bike rack designs should balance form with function, be able to accommodate between a minimum of 4-6 bikes, and comply with national bicycle parking standards. Artist-designed proposals will be commissioned and selected for fabrication and installation at approved sites, which may include multiples of the same design. This program is in concert with the DIA's CRA Plan and is approved for funding.

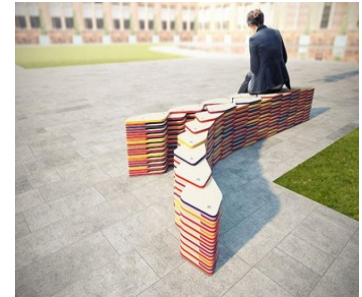


- **Public art budget (75%): ~~\$20,625~~\$28,969**
Budget includes the artist(s) fee, fabrication, supplies, liability insurance, equipment rental (if applicable), and travel-related expenses.
- **Administrative budget (20%): ~~\$5,500~~\$7,725**
Project management, permitting fees, archiving/documentation, plaque/signage
- **Long-term maintenance budget (5%): ~~\$1,375~~\$1,931**

EXHIBIT B
PROJECT GUIDELINE AND IMPLEMENTATION PLAN

Street Furnishings

Street furnishings take the form of benches, chairs, trash receptacles, planters, etc. designed with function and should be provided where social activity exists in public spaces. Different kinds of seating (benches, single chairs, etc.) and seating arrangements should be provided to allow for socializing and gathering along the main pedestrian connectors. Secondary seating such as planter, curbs, rails and other raised surfaces should be encouraged in future developments. This program is in concert with the DIA's CRA Plan and is approved for funding.



- **Public art budget (75%): ~~\$7,125~~19,031**
Budget includes the artist(s) fee, fabrication, supplies, liability insurance, equipment rental (if applicable), and travel-related expenses.
- **Administrative budget (20%): ~~\$1,900~~5,075**
Project management, permitting fees, archiving/documentation, plaque/signage
- **Long-term maintenance budget (5%): ~~\$475~~1,269**

Outdoor Sculpture Installation

In highly visible areas, outdoor sculptures of various media and styles are displayed for permanent exhibition in the public realm or the support of rotating private exhibit installation program (city parks, green spaces, sidewalks or right-of-way). Ranging in size, style, and format, the projects are designed to shape the city and aesthetic legacy that we wish to preserve, promote public interest in outdoor public art, develop community pride, and draw visitors to the retail or civic areas where they are displayed. This program is in concert with the DIA's CRA Plan and is approved for funding.



- **Public art budget (75%): ~~\$53,100~~116,813**
Budget includes the artist(s) fee, supplies, liability insurance, equipment rental (if applicable), and travel-related expenses.
- **Administrative budget (20%): ~~\$14,150~~31,150**
Project management, permitting fees, archiving/documentation, plaque/signage
- **Long-term maintenance budget (5%): ~~\$3,500~~7,787**

EXHIBIT B
PROJECT GUIDELINE AND IMPLEMENTATION PLAN

Project Implementation

Process

- Eligible public and private facilities or sites will be identified and approved by the appropriate entity (e.g. City of Jacksonville’s Public Works Department, Public Parking Division, Jacksonville Transit Authority, etc.)
- Experienced local, regional and national artists will be considered for selection. Local artists are encouraged to apply
- Selection criteria will be used by the Art Selection Panel for evaluating qualifications and proposed concepts
- Submissions will be considered by the Request For Qualifications process only
- Artists will be notified if and when they are selected
- Artists will collaborate to produce complimentary project types and program goals

Honoraria

Finalists may receive a stipend from the Art in Public Places Program to develop concept proposals. The selected Artist receives an artist budget and is responsible for the cost of all materials required to complete and protect their artwork. The compensation should cover all expenses including:

- All materials required including anti-graffiti coating
- Any presentation costs
- Design development
- Final design
- Labor and artist fees
- Meeting time
- Rental equipment
- Site preparation
- Artwork fabrication
- Installation
- Travel
- Insurance

Design Guidelines

- Artwork must be original.
- Designs may be representational or abstract but must respond to the urban context and be appropriate given the location and audience

EXHIBIT B
PROJECT GUIDELINE AND IMPLEMENTATION PLAN

- Designs cannot contain advertisement or promotion for any business product or viewpoint
- The text: The Art in Public Places Committee reserves the right to restrict or remove any artwork it deems inappropriate. Artwork that contains the following content is not permitted:
 - Hate speech
 - Extreme or gratuitous violence
 - Pornography
 - Illicit drug references
 - Gang references and profanity
 - Or any other content, which would be prohibited from public display due to its graphic or obscene nature
- Facade/site size may vary; selected artists must be willing to adjust designs to their particular location

Other Items to Consider

Skyway Walls and Duval Walls

- The property owner, whether private or public, are responsible for cleaning and preparing the facades of approved sites.
- The artist is responsible for priming the façade with approved UV paints, and applying a clear coat /UV protective coating to seal the completed art design.
- Artists must supply their own water
- Drop cloths should be used at all times while painting
- Passage on the sidewalk for pedestrians must be maintained at all times and cannot block traffic or lanes of the street

Traffic Signal Cabinets

- Each available City of Jacksonville owned Traffic Signal Cabinet has been designated for vinyl application only and must be professionally installed
- Only durable vinyl wraps which are guaranteed to last 5-7 years may be used in the creation of the artwork. Enamel and spray paints are not approved.
- Artwork designs should cover all sides and top of the box meeting the exact size specifications of each Cabinet
- Artists must avoid designs with dark palettes
- Access to the boxes and to the contents of the boxes must be possible at any time
- The hinges on each box that open the cabinet are NOT to be wrapped

EXHIBIT B
PROJECT GUIDELINE AND IMPLEMENTATION PLAN

Bike Racks, Street Furnishings, Outdoor Sculpture

- Sidewalk or right-of-way locations will be determined by Art in Public Places and the City of Jacksonville
- Bike Racks, Street Furnishings, and Outdoor Sculpture must be:
 - Constructed of permanent materials, be vandal resistant and virtually maintenance free
 - Designed to be structurally secured to a concrete foundation
 - Capable of withstanding adverse weather conditions including high winds, high temperatures, humidity, heavy rain, storms, etc.
 - Be able to withstand a high traffic, public environment
 - Take into consideration the safety of the users
- Any engineering design or calculations required for the Bike Racks, Street Furnishings, and Outdoor Sculpture by the City of Jacksonville will be the responsibility of the artist

Maintenance and Sustainability

- A 5% maintenance set aside is required at the onset of all DIA projects
- Anticipated life span: 5- 10 years
- 6-12 month survey for maintenance and sustainability
- If material failure – initiate repair within 48 hours, repaint or reinstall the design, or return to its original condition
- If vandalism – initiate a 48-hour removal process in conjunction with the property owner
- Ambassadors at nearby sites will be encouraged to oversee each project on a regular basis between inspections

Terms of Agreement

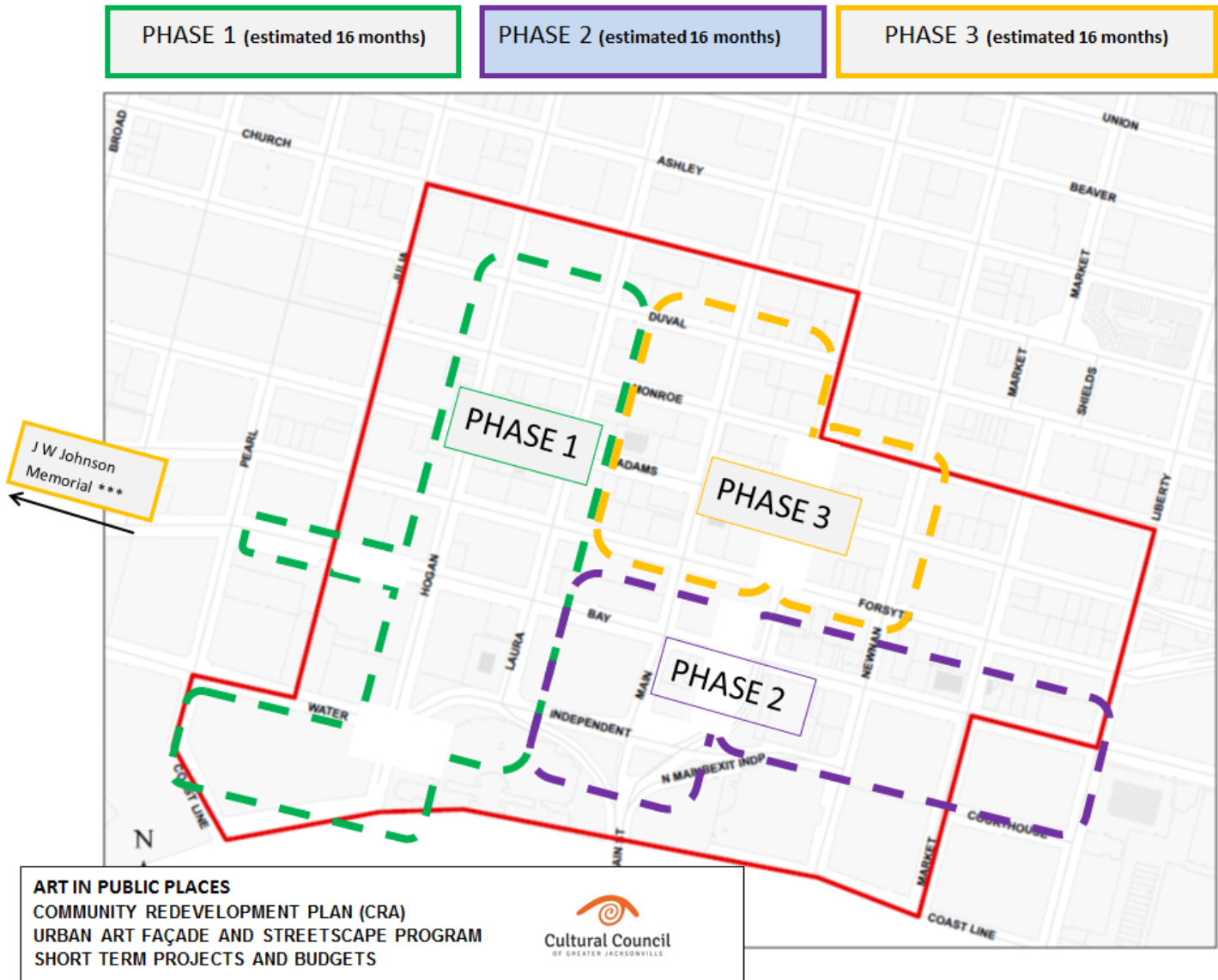
All artists selected must agree to the following:

- The work submitted by the artist is original, solely owned by the artist and reproduction will not violate the rights of any third party. Since the artistic designs leading up to and including the final design and dimension of the artwork are unique, the artist shall not make any additional, exact duplicate reproductions of the final design and dimension, nor shall the artist grant to a third party the right to replicate the artistic designs and dimensions of the artwork, without the written permission of the Art in Public Places Committee
- The accepted artwork developed under this contract shall be the exclusive property of the City of Jacksonville or entity who owns the facility/site
- The artist grants to the owner of the facility/site, an irrevocable license to make reproductions of the artwork and the final designs to be used in brochures, media, publicity and catalogs or other similar publications

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PROJECT GUIDELINE AND IMPLEMENTATION PLAN

- The artwork may be removed and/or destroyed at any time by the property owner without notification to the artist to accommodate replacement

Phases 1-3: Map and Timeline



REVISED Exhibit D (Project Budget and Work)

[Exhibit to immediately follow this page.]

EXHIBIT D
PROJECT BUDGET AND WORK
Revised 1-25-2016

ART IN PUBLIC PLACES
COMMUNITY REDEVELOPMENT PLAN (CRA)

URBAN ART FACADE AND STREETScape PROGRAM

PROPOSED PROJECTS AND BUDGETS: PHASE 1-3

Item	Phase 1 Notes	Budget	Phase 2 Notes	Budget	Phase 3 Notes	Budget	Item Budget Totals
Skyway Columns	Two projects	\$64,000	X	\$0	X	\$0	\$64,000
Traffic Signal Cabinets	Seven	\$9,000 \$11,250	Four	\$3,000	Four	\$3,000	\$12,000 \$17,250
Bike Racks	Five multiple, Two single	\$27,500 \$26,875	Ten single	\$7,625	One multiple, two single	\$4,125	\$20,000 \$38,625
Street Furnishings	Two seating sculptures	\$9,500 \$9,375	Four seating sculptures	\$10,000	Two seating sculptures	\$6,000	\$32,000 \$25,375
Duval Walls	X	\$0	One project	\$52,500	One project	\$52,500	\$105,000
Outdoor Sculpture	One	\$70,750 \$69,250	One	\$66,500	One (J. Weldon Johnson)	\$20,000	\$173,000 \$155,750
Phase Budget Totals		\$180,750		\$139,625		\$85,625	\$406,000