

REDEVELOPMENT AGENCY STAFF MEMO

DATE: June 9, 2015 **ITEM #:** 8.B.
PREPARED BY: Matt Dahl
RE: Consideration and Approval of Terms for a Grant Agreement with Central Ninth Partners for the Design and Installation of Public Art at 153 West 900 South

REQUESTED ACTION: Approve resolution establishing the terms for a public art grant agreement with Central Ninth Partners.

POLICY ITEM: West Temple Gateway Strategic Plan – Central 9th Development

BUDGET IMPACTS: The total proposed grant amount is \$15,000. Staff proposes funding the grant with \$10,000 from the West Temple Gateway Public Art account and \$5,000 from the West Temple Gateway Central 9th Development account. As proposed, the remaining balance in the West Temple Gateway Public Art account would be \$0 and the remaining balance in the West Temple Gateway Central 9th Development account would be \$125,792.

EXECUTIVE SUMMARY/ANALYSIS: The RDA has selected Central Ninth Partners (the “Developer”) to purchase RDA-owned property located at 153 West 900 South and construct a 9,000 square foot commercial development on the site (the “Development”). As part of the terms of the transaction, the Developer is required to include a public art feature within the Development. Art must be visible to the public and be designed by a local artist.

The Developer has selected an artist and determined a basic concept for the public art element. The Developer has budgeted \$15,000 for the art feature, but feels that to realize the full vision of the art work \$30,000 will be required. The Developer has requested that the RDA match its contribution with a \$15,000 grant.

The Developer’s proform indicates that funding the full \$30,000 art budget would be difficult, making additional funding necessary. Staff is supportive of providing the additional \$15,000 in the form of a grant from funds that the Board of Directors has allocated for public art and development assistance. The \$15,000 grant would be in addition to the previously approved terms that would allow for full write-down of the value of the land as part of the development transaction.

Staff has prepared a proposal for the terms of a grant agreement for public art. The RDA Board is being asked to approve the attached term sheet resolution.

ANALYSIS & ISSUE: The design for the Development includes a flat CMU wall that fronts 900 South and is intended to be the location for the required public art feature. As part of the design process for the Development, the Developer selected Mark Hofeling and Christian England (the “Artists”) to design and install the art feature.

The Artists’ concept for the art feature is a mural comprised of cut steel plates, shadow boxes, bar grates, and actual tools. These elements will be used to depict essential moments in the Salt Lake Valley’s development. The art design is currently in the early conceptual stages, and will likely be modified to show different images. While the exact images included in the art will change, the proposed \$30,000 budget reflects a firm understanding of the materials, size, and processes to complete the art work.

Staff is proposing that the grant agreement not add additional review requirements for the art work’s design, beyond what is already contemplated as part of the terms for Purchase and Sale Agreement. The Purchase and Sale Agreement terms give design review authority to a Design Review Committee comprised of RDA staff, RAC Members, the City’s Urban Designer, and a private architect. The final design for the art work will be completed prior to closing on the sale of the Property. The fabrication and installation of the art will be required prior to the RDA’s issuance of a Certificate of Completion.

ATTACHMENTS:

1. Resolution
2. Term Sheet

RESOLUTION NO. 759.____

June 9, 2015

RESOLUTION OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF SALT LAKE CITY APPROVING TERMS FOR A PUBLIC ART GRANT AGREEMENT WITH CENTRAL NINTH PARTNERS

WHEREAS, the Redevelopment Agency of Salt Lake City (“Agency”) was created to transact the business and exercise the powers provided for in the Utah Community Development and Renewal Agencies Act; and

WHEREAS, the Agency adopted the “West Temple Gateway Neighborhood Development Plan” on August 1, 1987; and

WHEREAS, the West Temple Gateway Project Area 2015-2018 Strategic Plan indicates that the development of Agency-owned properties in the Central 9th Neighborhood is its first priority project; and

WHEREAS, the Central Ninth Partners (“Developer”) have been selected to develop an Agency-owned property located at 153 West 900 South (Development); and

WHEREAS, the Agency requires the Developer to include an element of public art in the Development; and

WHEREAS, the Developers have requested a \$15,000 matching grant from the RDA to enhance the quality of the required public art; and

WHEREAS, the Agency has determined that contributing a \$15,000 matching grant to partially fund the public art would improve the quality of the Development.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF SALT LAKE CITY, that we do hereby approve the Central 9th Public Art Term Sheet attached hereto.

BE IT FURTHER RESOLVED, that the Board does hereby authorize the Chief Administrative Officer and Executive Director to provide a matching grant to Central Ninth Partners and execute the documents attendant to such grant funding in accordance with the Central 9th Public Art Term

Sheet attached hereto. The transaction shall also incorporate such other terms and agreements as recommended by Agency counsel.

Passed by the Board of Directors of the Redevelopment Agency of Salt Lake City, this 9th day of June, 2015.

Stan Penfold, Chairperson

ATTEST:

D. J. Baxter, Executive Director

Transmitted to the Chief Administrative Officer on _____. The Chief Administrative Officer

does not request reconsideration

requests reconsideration at the next regular Agency meeting.

Ralph Becker, Chief Administrative Officer

ATTEST:

D. J. Baxter, Executive Director

Approved as to form: _____
Damon Georgelas

**Central 9th Public Art Grant Agreement
Term Sheet**

Purpose: The Central 9th Public Art Grant (the “Grant”) shall be a matching grant that will be used to enhance the quality of public art included in the development located at 153 West 900 South (the “Development”)

Grant Amount: \$15,000

Grant Recipient: Central 9th Partners (Developer)

Conditions to Disbursement:

1. Agency shall have approved the final design and budget for the art work.
2. The Developer shall be in compliance with all agreements with the RDA.
3. Developer shall provide the RDA with invoices for completed work associated with the design, fabrication, and installation of the public art.
4. Developer shall provide lien waivers for all work funded by previous grant disbursements.
5. The Agency shall have determined that all work on the public art in compliance with the approved design and budget.
6. The total amount of grant disbursements shall not exceed the Developers payments for the design, fabrication and installation of the public art.

Conditions of Grant:

1. The Developer shall not modify, destroy, relocate, or transfer ownership of the public art without the written consent of the RDA.
2. The Developer shall have secured rights from the Artist that allow the Agency to: (1) make and reproduce images of the public art in Agency publications; (2) elect, at no additional cost to Agency, to take ownership and possession of the art work in the event Developer no longer wishes to own and display the work.
3. Such other terms as required by Agency legal counsel.