



## Legislation Text

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**File #:** RES PH 18-317, **Version:** 1

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Approving the installation of a bus stop bench and bicycle rack dedicated to the Green Stairs in the public right-of-way "ROW" to the South 215 Wabasha Street South.

WHEREAS, the Neighborhood Development Alliance ("Applicant") wishes to utilize the area in the public ROW immediately to the South of 215 Wabasha Street South (former Green Stairs location) for a bus stop bench and bicycle rack dedicated to the Green Stairs ("Project"); and,

WHEREAS, the Project will consist of a galvanized metal, epoxy and glass bench and bike rack on a concrete pad that will serve as an homage to the former Green Stairs at this location; and,

WHEREAS, resolution #02-1108 adopted by City Council on November 27, 2002, provides the permitting policy and process for the review and approval of public art proposed in the ROW, and

WHEREAS, resolution #02-1108 sets forth the following general conditions for Artwork Installation:

(1) Artworks approved for installation in the public ROW must be of an appropriate size, scale and material to withstand the weather, traffic and other rigors of public ROW conditions, (2) it is preferable that works be fabricated off-site, (3) all costs and arrangements for the transportation of the work to the site shall be the responsibility of the applicant, (4) all costs of, and arrangements for, the removal of the artwork from the site shall be the responsibility of the applicant, (5) the City shall require applicants to warranty that the works of art shall not require any extraordinary maintenance during the term of the installation in the public ROW, (6) the risk of loss or damage to the work of art shall be born solely by the applicant. The applicant must provide proof of appropriate liability insurance coverage; and,

WHEREAS, resolution #02-1108 also sets forth an application process that includes a written request to the Director of Public Works that includes:

(1) a description of the artwork proposed for installation in the public ROW; its size (height, width, depth), general shape, colors and materials, (2) a description of the proposed location of the installation, including notations on a city map of all the elements referenced below for the applicable skyway, (3) a description of the structural and mechanical aspects of the artwork and related appurtenances, (4) a description of the qualifications of the artist and of those involved in its installation, (5) an illustration of the artwork in a scale drawing of the work in its proposed location or locations, (6) identification of the owner of the artwork (7) a statement pledging that the applicant will properly maintain the artwork for the duration of its installation in the public ROW, (8) a schedule of the artwork installation, specifying the date of its arrival and installation at the site, the term of its exhibition, and the anticipated date of its removal, (9) a certificate of insurance as proof of general liability coverage of not less than \$1,000,000 per occurrence, which shall not exclude explosion, collapse, and underground property damage, and not contain an "aggregate" policy limit. The general liability coverage shall contain an endorsement naming Saint Paul Public Works as additional named insured as to acts committed by the applicant for which the City could be held responsible; and,

WHEREAS, Applicant has submitted complete and proper applications for the Project which meet the conditions laid out in resolution #02-1108; and,

WHEREAS, Applicant has submitted a Certificate of Insurance as proof of general liability coverage of

\$1,000,000 per occurrence, which does not exclude explosion, collapse, and underground property damage, and does not contain an “aggregate” policy limit; and,

WHEREAS, as outlined in the approval process of resolution #02-1108, Public Works has reviewed Applicant’s application; and,

WHEREAS, the Director of Public Works recommends approval of the application;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Saint Paul hereby grants approval to Public Works to issue a Permit to Applicant for the Project.