



Legislation Text

File #: RES PH 18-58, **Version:** 1

Approving the temporary installation of artwork in the public right-of-way on the Robert Street Skyway windows between the Pioneer Endicott and First National Bank Buildings.

WHEREAS, the Minnesota Museum of American Art "Applicant" wishes to utilize the Robert Street Skyway windows between the Pioneer Endicott and First National Bank Building to install a pop up exhibition of distinctive and colorful cut films and signage inspired artwork "Project"; and,

WHEREAS, the Project will consist of temporary translucent films of text and colored geometric shapes mounted directly on interior window surfaces; 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 all 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 the Director of Public Works has convened a panel to evaluate the proposal; and,

WHEREAS, the District 17 Planning Council and adjacent property owners have been notified of the application; and,

WHEREAS, the Project can remain in place until May 31, 2019 with written permission of the adjacent property owners and verified insurance coverage through that date, otherwise the installation must be removed by December 31, 2018; and,

WHEREAS, Applicant further understands engaging in unpermitted activity or failure to follow any term outlined in this policy and approved permit will result in revocation of the Project’s permit;

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.