

4/15/2008

35-R-08

A RESOLUTION

**Thanking the Anonymous Donor, and Authorizing the
City Manager to Accept the Contribution toward
Creation of Public Art at Raymond Park Entitled
"Conversations: Here and Now"**

WHEREAS, the City of Evanston has implemented a public art program pursuant to Ordinance 112-O-89 by providing a mechanism for funding the acquisition of works of art in public places; and

WHEREAS, an Anonymous Donor has generously offered to make a two hundred and fifty-six thousand dollar (\$256,000.00) donation toward the Creation of Public Art at Raymond Park Entitled "Conversations: Here and Now"; and

WHEREAS, the City Council hereby expresses its gratitude and appreciation to the Anonymous Donor for the generous donation to the City of Evanston Public Art program; and

WHEREAS, accepting this donation is in the best interest of the residents of Evanston; and

WHEREAS, the City Council hereby accepts the donation,

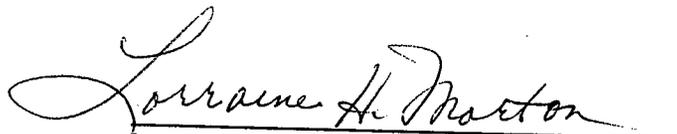
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1: That the foregoing recitals are found as fact and made a part hereof.

SECTION 2: That the City Manager is hereby authorized and directed to negotiate and execute an Agreement with the Anonymous Donor to memorialize the donation, and to negotiate any additional terms and conditions she deems necessary, consistent with this Resolution.

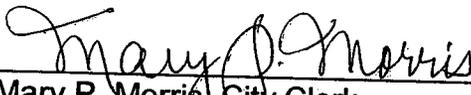
SECTION 3: That the City Clerk is hereby directed to provide a certified copy of this Resolution to Anonymous Donor.

SECTION 4: That this Resolution shall be in full force and effect from the date of its passage and approval in the manner provided by law.



Lorraine H. Morton, Mayor

Attest:



Mary P. Morris, City Clerk

Adopted: April 28, 2008

City of Evanston
Letter of Agreement for Public Art Donation

This is an Agreement made by and between [REDACTED] hereafter referred to as "Donor" and the City of Evanston, hereafter referred to as "City."

1. The Donor agrees to make a contribution of \$256,000 to the City of Evanston for the commission and installation of "Conversations: Here and Now," a work of public art by artist Indira Freitas Johnson.
2. The project is to be installed at the northwest corner of Raymond Park, 1489 Chicago Avenue, Evanston, by the artist Indira Freitas Johnson. Donor understands and agrees that the City, as owner of the Work, may remove the Work to protect life, health, safety, or public welfare as determined by the City. Additionally, the City will display the Work in a mutually agreeable location should it be necessary to remove the work.
3. The City shall have the right to make an on-site inspection of the Work after fabrication has been completed and prior to installation, to determine whether the Work is in compliance with the agreement with the Artist. Final Acceptance of the Work by the City occurs after installation of this Work and receipt by City of all documents Artist is required to provide and performance of all obligations by Artist. City's approval given as a condition precedent to installation of the Work does not obligate City to give Final Acceptance.
4. Note that City funding is not available for this Public Art Project, and that all expenses associated with the commissioning and installation of "Conversations: Here and Now" will be assumed by the Donor not to exceed the amount of the contribution.
5. Through the support of the Donor, the Artist is required to supply the equipment, tools and materials necessary to complete the project and the installation. The installation will be performed at no cost to the City.
6. The anticipated completion and installation of this project is September/October 2008.
7. The insurance requirement for Public Art on this project in Evanston will be assumed by the Artist.
8. If the City of Evanston finds it necessary, due to unusual circumstances, to terminate the project before completion, an official notification will be sent to the Donor. Any refund received from fees paid to the artist will be returned to the Donor. The City of Evanston will not be held responsible for fees paid to the Artist that are not returned, in the event that the project is terminated.
9. At the discretion of the Donor, the City will provide a plaque acknowledging the Donor's support for this commission.

Signature [REDACTED]

Date April 15, 2008

Signature Julia A. Carroll

City of Evanston

Date 4-29-08