



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 3/28/2024

File ID: TMP-4041

Department: Administration

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and The Arts Council d/b/a Arts Huntsville for the promotion of public art.

Resolution No.

Finance Information:

Account Number: N/A

City Cost Amount: \$ N/A

Total Cost: \$ N/A

Special Circumstances: N/A

Grant Funded: \$ N/A

Grant Title - CFDA or granting Agency: N/A

Resolution #: N/A

Location: (list below)

Address: N/A

District: District 1 District 2 District 3 District 4 District 5

Additional Comments: N/A

RESOLUTION NO. 24-_____

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor be, is hereby authorized to enter into an Agreement between the City of Huntsville and The Arts Council, Inc. dba Arts Huntsville, on behalf of the City of Huntsville, a municipal corporation in the State of Alabama, which said agreement is substantially in words and figures similar to that certain document attached hereto and identified as "Agreement between the City of Huntsville and The Arts Council, Inc. dba Arts Huntsville for the promotion of public art" consisting of four (4) pages and the date of March 28, 2024, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, an executed copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

ADOPTED this the 28th day of March, 2024.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 28th day of March, 2024.

Mayor of the City of
Huntsville, Alabama

AGREEMENT BETWEEN THE
CITY OF HUNTSVILLE AND
THE ARTS COUNCIL, INC. dba
ARTS HUNTSVILLE

STATE OF ALABAMA)
)
COUNTY OF MADISON)

AGREEMENT

THIS AGREEMENT is made and entered into this 28th day of March , 2024 , by and between the City of Huntsville, Alabama, an Alabama municipal corporation (hereinafter referred to as the "City") and The Arts Council, Inc. dba Arts Huntsville, an Alabama non-profit corporation (hereinafter referred to as the "The Arts Council").

RECITALS

WHEREAS, arts, entertainment and culture provide a highly valuable quality of life benefit to the citizens of Huntsville; and

WHEREAS, The Arts Council has served as the City's local arts agency since its founding in 1962;

WHEREAS, The Arts Council has managed the City's Arts and Cultural Grant Program since its establishment in 2013;

WHEREAS, the City's Public Art Master plan calls for the development of annual and capital public art projects; and

WHEREAS, The Arts Council has particular knowledge and ability to assist the City with development of the arts, entertainment and cultural sector, arts and cultural grants, and public art; and

WHEREAS, The Arts Council has the expertise and ability to solicit, receive and administer grant funding and sponsorships in support of arts promotion and public art; and

WHEREAS, The Arts Council has a positive reputation within the Huntsville community which gives it the ability to increase public support and contributions to arts promotion and public art; and

WHEREAS, the City and The Arts Council desire to work cooperatively toward the development of the arts, entertainment and cultural sector, arts and cultural grants and the Public Art Master Plan;

President of the City Council
of the City of Huntsville, Alabama

Date: _____

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, the parties do hereby agree as follows, to-wit:

1. The Arts Council will provide the following services to support the Huntsville Public Art Master Plan:
 - a) Develop and manage annual work plan of public art installations supporting City of Huntsville capital projects, development partnerships and City of Huntsville creative placemaking goals.
 - b) Offer professional development support to Huntsville artists working to enter the public art arena.
 - c) Provide community engagement and education opportunities to Huntsville residents and visitors.
 - d) Maintain and annually update City of Huntsville public art inventory.
 - e) Oversee annual maintenance of City of Huntsville public art inventory and coordinate maintenance with City of Huntsville General Services.
 - f) Be expressly authorized to seek and accept financial sponsorships from philanthropic organizations, local businesses, and corporations to support the City of Huntsville Public Art Program. Documentation of the terms of the sponsorships is to be maintained on file in The Arts Council administrative office and open to review by the City of Huntsville upon request. The City has the right of approval for all sponsors.
 - g) Serve as the primary vehicle for collecting, vetting, and managing proposed public art installations throughout the City.

2. As consideration for the services provided by The Arts Council, the City will:
 - a) Provide project-based support for public art projects through September 30, 2026 in the annual amounts of \$250,000 (FY24), \$300,000 (FY25), and \$350,000 FY26 to support neighborhood-based public art murals, small-scale commissions, and large-scale installations in the City of Huntsville. This funding may be increased by amendment to this agreement.
 - b) Pay The Arts Council an annual staff support allowance of \$77,000 in FY24, \$162,960 in FY25, and \$172,738 in FY26, as professional services, payable in annual quarterly installments. This funding may be increased by amendment to this agreement.

The term of this Agreement commences on April 1, 2024 and continues through September 30, 2026.

This Agreement, along with all exhibits and attachments or other documents affixed hereto or referred to herein, embodies the entire agreement, intent and understanding of the City and The Arts Council and merges herein all prior and contemporaneous agreements, conditions, covenants, discussions, provisions, representations, statements, terms, warranties and understandings heretofore made between the City and The Arts Council, whether written, oral or both.

IN WITNESS WHEREOF, the parties hereto have hereunto set their signatures and seals, as of the day and year first above written.

THE ARTS COUNCIL, INC., dba Arts Huntsville a private, non-profit corporation in the State of Alabama

By: _____
Allison Dillon-Jauken, Executive Director

CITY OF HUNTSVILLE, a municipal corporation in the State of Alabama

By: _____
Tommy Battle, Mayor

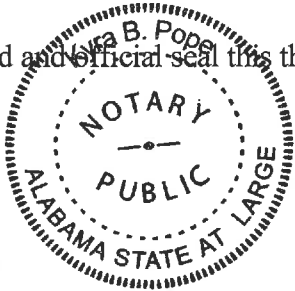
ATTEST:

Shaundrika Edwards, City Clerk

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Allison Dillion-Jauken whose name as Executive Director of ARTS COUNCIL, INC. dba Arts Huntsville, a private, non-profit corporation in the State of Alabama, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the document, she, as such officer and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 20TH day of MARCH, 2024.



Kyrá Brown Pope
Notary Public *COMMISSION EXPIRES*
2/23/26

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and S. Edwards whose names as Mayor and City Clerk ; respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the _____ day of _____, 20____.

Notary Public