

REQUESTED COMMISSION ACTION:

Consent Ordinance Resolution Consideration/Discussion Presentation

SHORT TITLE A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BRIAN RENDA TO PAINT A MURAL ENTITLED "WORLD PEACE," ON AN EXTERIOR WALL OF A BUILDING LOCATED AT 31 N.E. 1ST STREET IN THE ALLEY BEHIND THE BAILEY CONTEMPORARY ARTS BUILDING; PROVIDING AN EFFECTIVE DATE. (Cost \$230 From the FY16 budgeted Public Art fund.)

Summary of Purpose and Why:

In accordance with Section § 160.04 POWERS AND DUTIES OF THE COMMITTEE, the Public Art Committee has the power to make recommendations to the City Commission on art and artist selection. At the May 19th, 2016 Public Art Committee meeting, the Committee voted to purchase Brian Renda's "Renda Writer" *World Peace* Mural. At the September 21, 2015 City Commission meeting, the Commission approved the FY 2016 Public Art Annual Plan. The Annual Plan included a \$10,000 Contingency/ Opportunity fund. The Public Art Committee recommended \$230 of the Contingency/ Opportunity line item be used to purchase this artwork. The location of the Mural will be on an exterior wall located at 31 N.E. 1st Street in the alley behind the Bailey Contemporary Arts Building.

City Commission approval of the selected mural, *World Peace*, is requested, and authorization is requested for appropriate City staff to pay \$230.00 to Brian Renda.



Accomplishing this item supports achieving Initiative 2.8 Further develop and promote cultural / heritage tourism opportunities.

- (1) Origin of request for this action: Public Art Committee
- (2) Primary staff contact: Laura Atria/Robin Bird/ Jennifer Gomez Ext. 4310
- (3) Expiration of contract, if applicable: _____
- (4) Fiscal impact and source of funding: \$230 from contingency/opportunity account 315-1510-539.99-10

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Dev. Services	<u>6/21/16</u>	<u>APPROVAL</u>	<u>[Signature]</u>
City Attorney	<u>6/21/16</u>	<u>Approve</u>	<u>[Signature]</u>
Finance	<u>6/21/16</u>		<u>[Signature]</u>
Budget	<u>6/21/16</u>		<u>[Signature]</u>
<input checked="" type="checkbox"/> Public Art Committee		Approval Memo # 16-245	
<input checked="" type="checkbox"/> City Manager	<u>[Signature]</u>		<u>[Signature]</u>

ACTION TAKEN BY COMMISSION:

Ordinance	Resolution	Consideration	Workshop
1 st Reading	1 st Reading	Results:	Results:
_____	_____	_____	_____
2 nd Reading	_____	_____	_____
_____	_____	_____	_____



City Attorney's Communication #2016-930

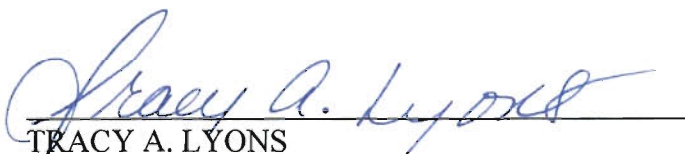
June 21, 2016

TO: Laura Atria, Public Art Program Manager
FROM: Tracy A. Lyons, Assistant City Attorney
RE: Resolution – “World Peace” Mural

As requested in your memorandum received June 17, 2016, Department of Development Services Memorandum #16-240, the following form of resolution, relative to the above-referenced matter, has been prepared and is attached:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BRIAN RENDA TO PAINT A MURAL ENTITLED, “WORLD PEACE,” ON AN EXTERIOR WALL OF A BUILDING LOCATED AT 31 N.E. 1ST STREET IN THE ALLEY BEHIND THE BAILEY CONTEMPORARY ARTS BUILDING; PROVIDING AN EFFECTIVE DATE.

Please feel free to contact me if I may be of further assistance.


TRACY A. LYONS

/jrm
l:cor/dev-srv/2016-930

**CITY OF POMPANO BEACH
Broward County, Florida**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BRIAN RENDA TO PAINT A MURAL ENTITLED, "WORLD PEACE," ON AN EXTERIOR WALL OF A BUILDING LOCATED AT 31 N.E. 1ST STREET IN THE ALLEY BEHIND THE BAILEY CONTEMPORARY ARTS BUILDING; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That an Agreement between the City of Pompano Beach and Brian Renda to paint a mural entitled, "World Peace," on an exterior wall of a building located at 31 N.E. 1st street in the alley behind the Bailey Contemporary Arts Building, a copy of which Agreement is attached hereto and incorporated by reference as if set forth in full, is hereby approved.

SECTION 2. That the proper City officials are hereby authorized to execute said Agreement between the City of Pompano Beach and Brian Renda.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2016.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

AGREEMENT

The City of Pompano Beach, a municipal corporation organized in the state of Florida ("City") desires to enter into this Agreement ("Agreement") with Brian Renda, "Renda Writer" ("Artist") to paint a mural entitled "World Peace" ("Mural") on an exterior wall located in the alley of the Bailey Contemporary Arts Building with an address located at 31 NE 1st Street, Pompano Beach, Florida 33060. for the City's public artwork display which is part of the Public Art Masterplan.

For and in consideration of the mutual covenants and obligations created hereby as well as other good and valuable considerations, Artist agrees to paint said Mural and City agrees to pay the Artist for such Mural in the total amount of Two-Hundred-Thirty dollars (\$230.00) to be paid upon completion of said Mural, of which \$30.00 will be utilized for material expenses.

The Artwork will be a permanent artwork for the City and the City holds the right to deaccession the Artwork after a period of one (1) year from its installation. This Agreement, the written proposal and the photographs, attached herewith and incorporated herein is the complete agreement ("Agreement") to complete the above-described work of art for the City.

By signing this agreement you further acknowledge and attest that you have read and reconfirmed acceptance of all provisions set forth in this Agreement. The subject mural is a work of art created by Artist and nothing in this Agreement should be construed to mean that a transfer of ownership of the Official Artwork will occur. Artist retains complete ownership of the Official Artwork. All uses of the images, other than those specified in this Agreement must be approved by Artist.

Work of Art

The Artist agrees to create the artwork as proposed and described in its submitted design. ("Mural Design") The area wall which the Mural will be painted on will be initially painted white by the City. Thereafter, the Artist shall be responsible to provide all painting material to complete said Mural. The creation of the mural will lead into the launch of artist Renda Writer's "World Peace Mural Tour" which is a tour and international art campaign that will run from July – October, 2016 throughout five (5) major cities of the United States. It is the artist goal, prior to the official out-of-state launch, to complete several "World Peace" murals in and for South Florida, as part of the local "World Peace" mural campaign.

Location

The Artwork will be located and on public display in the back alley of the Bailey Contemporary Arts located at 31 N.E. 1st Street, Pompano Beach, Florida 33060.

Modifications of Design

Modification shall mean more than 25% overall change from the originally submitted and approved design and are prohibited. Minor modifications must be submitted and approved by City staff only under circumstances when it is necessary to facilitate the artwork. The City staff may at its sole discretion, approve the work as executed, or require a review by the Public Art Committee.

City Inspection of the Work of Art

City staff will be on-site during the creation and completion of the Mural. The final work will be inspected to ensure compliance with the approved Mural Design.

Schedule

The Mural shall take one business day to complete and will be completed by July, 2016.

Payment

Upon completion by the Artist, Artist shall be paid consideration in the total amount of Two Hundred Thirty Dollars (\$230.00).

NOTICES

City Contact

CITY OF POMPANO BEACH
Attn: Laura Atria,
Public Art Program Manager
100 West Atlantic Boulevard
Pompano Beach, Florida 33060
(954)786-4310.

Artist Contact:

Brian Renda.
[Renda Writer@yahoo.com](mailto:RendaWriter@yahoo.com)
www.WorldPeaceMuralTour.com
www.RendaWriter.com

Interpretation.

Each party had the full opportunity to participate in the drafting of this Agreement and, therefore, the Agreement shall not be interpreted against any party on the ground that the party drafted the Agreement or caused it to be prepared.

Authority to Enter Into Agreement.

Each person signing below personally warrants and represents that the City has approved this Agreement and, intends to be bound by its terms and that they are duly authorized to execute this Agreement on behalf of the City.

Governmental Immunity.

City is a political subdivision of the State of Florida. Each party agrees to be fully responsible for the acts and omissions of its agents or employees to the extent permitted by law. Nothing herein constitutes or shall be construed as consent to be sued by third parties in any matter arising out of this Agreement or any other contract.

Hold Harmless:

The Artist hereby agree to the extent permitted by law, to indemnify against and hold the City, its officers, officials, employees and agents, harmless and hereby further agrees to defend the City of Pompano Beach against all claims brought against the City, its employees, officials, officers and agents, for any loss, damage or injury of any kind or character whatsoever without limitations, sustained by any party whatsoever in relation to the conveyance and installation of the above described artwork.

Artist expressly agree that this Hold Harmless Agreement is intended to be as broad and as inclusive as permitted by laws of the State of Florida, and that if any portion thereof is held invalid, it is agreed that the balance shall notwithstanding, continue in full force and effect.

THIS SPACE LEFT BLANK INTENTIONALLY

“CITY”:

Witnesses:

CITY OF POMPANO BEACH

By: _____

Lamar Fisher, Mayor

By: _____

Dennis Beach, City Manager

Attest:

(SEAL)

Asceleta Hammond, City Clerk

Approved As To Form:

Mark E. Berman, City Attorney

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instruments were acknowledged before me this _____ day of _____, 2016 by **LAMAR FISHER**, as Mayor, **DENNIS BEACH** as City Manager and **ASCELETA HAMMOND**, as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY’S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

"ARTIST"

Witnesses:

[Handwritten Signature]

By:

[Handwritten Signature]

Brian Renda, "Renda Writer" Artist

Print Name:

Brian Renda

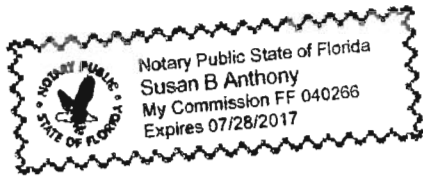
(SEAL)

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 16 day of JUNE, 2016 by BRIAN RENDA and SUSAN ANTHONY. He/she/they is/are personally known to me or who has produced FL. LICENSE (type of identification) as identification.

NOTARY'S SEAL:



[Handwritten Signature]

NOTARY PUBLIC, STATE OF FLORIDA

SUSAN B. ANTHONY

Name of Acknowledger Typed, Printed or Stamped

FF 040266

Commission Number



**PUBLIC ART COMMITTEE
MEMORANDUM #16-245**

DATE: May 31, 2016
TO: City Commission
FROM: Public Art Committee
SUBJECT: All Hands on Deck Proposal

At the meeting of the Public Art Committee held on April 19, 2016, the Committee discussed the proposed World Peace Mural by artist Brian Renda "Renda Writer".

The Committee unanimously approved the proposal and think it will be an asset to the City.

A handwritten signature in blue ink, appearing to read "Terrence Davis", is written over a horizontal line.

Terrence Davis
Chair
Public Art Committee

From: [Thomas McMahon](#)
To: [Laura Atria](#)
Subject: Re: World Peace Mural
Date: Tuesday, June 7, 2016 4:37:47 PM

Laura,

We look forward to the new art work to be placed on our building

thanks.

Tom

On Jun 7, 2016 3:49 PM, "Laura Atria" <Laura.Atria@copbfl.com> wrote:

Hello Tom,

Thank you so much for allowing us to use your wall for the newest mural in Pompano Beach! I have attached the image of the wall we wish to use and the proposal that Renda, the artist, had supplied us with. The colors the artist will be using are red, blue and black on a white wall. (The wall will be painted and primed.)

Please e-mail me back with your approval. Thank you so much again!





Proposal:

World Peace Mural in Pompano Beach

Summary:

The idea is to create a "**World Peace**" mural in **Pompano Beach**.

The creation of the mural will lead into the launch of artist **Renda Writer's "World Peace Mural Tour."**

The "**World Peace Mural Tour**" is a tour and international art campaign that will run from July - October 2016 and will involve the creation of 5 "**World Peace**" murals in 5 major US cities: **Detroit, Philadelphia, Boston, Washington DC, and New York.**

Before the out-of-state launch of the official tour, the goal is for **Renda Writer** to complete several "**World Peace**" murals in (and for) **South Florida** during May, June, and July, as part of a local "**World Peace**" mural campaign, that will honor the artist's home turf as the official starting point for the tour.

Creation of such a mural will help to involve the **City of Pompano Beach** and its' residents in the early stages of an international art campaign that is sure to attract attention from all forms of media as it develops into a worldwide news story.

Wall Specifications:

- Wall can be interior or exterior (obviously, exterior gets more impressions)
- Wall can be any surface / texture (cinder block, brick, drywall, wood, etc.)
- Wall can be any size (obviously, the bigger the better)

Payment:

- **Renda Writer** would be willing to **discount** his normal day rate of **\$450 per day** by **more than 55%**, charging only **\$200 per day**. The mural should take **only 1 day to complete** (if the wall is prepped first). (The "**World Peace**" mural pictured on the next page was completed in only 4 hours and measured approximately 30ft x 12ft.)

- Additionally, the cost of paint and supplies should be covered along with payment for labor. (The "**World Peace**" mural pictured on the next page was completed for under \$20.)

Renda Writer

(310) 404-4184

RendaWriter@Yahoo.com

www.WorldPeaceMuralTour.com

www.Facebook.com/WorldPeaceMuralTour

www.RendaWriter.com

The "**World Peace**" mural pictured below was created by Renda Writer at Allapattah Middle School in Miami Dade County on April 22nd, 2016.





MEMORANDUM

Development Services

ADMINISTRATIVE REPORT NO. 16-237

DATE: May 19, 2016

TO: Public Art Committee

VIA: Jennifer Gomez, Assistant Development Services Director *JG*

FROM: Laura Atria, Public Art Program Manager *LA*

RE: Renda Writer Mural Proposal

Mural artist Renda Writer has approached Staff with a mural opportunity. The mural is entitled *World Peace* and would lead into the launch of Writer's "World Peace Mural Tour". The tour and international art campaign will run from July – October 2016 and will involve the creation of five (5) *World Peace* murals in five (5) major cities: Detroit, Philadelphia, Boston, Washington DC and New York.

Before the out-of-state launch of the official tour, the goal is for Writer to complete several *World Peace* murals in South Florida.

Writer is willing to discount his pay rate to \$200 per day, the mural should only take one (1) day to complete. Paint and supplies will also need to be supplied by the City.

The Committee is to review Writer's mural proposal and either accept or reject it. The Committee should also discuss possible locations for the mural.

Attached is Renda Writer's *World Peace* proposal.

