

AN ORDINANCE 2015-05-21-0433

AUTHORIZING AN AGREEMENT WITH THE PASEO DEL RIO ASSOCIATION TO INSTALL A MEMORIAL SCULPTURE TO ROBERT HUGMAN ON THE RIVER WALK.

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WHEREAS, the Paseo del Rio Association (PDRA) has a mission to promote, preserve, and protect the River Walk; and

WHEREAS, they conduct special events throughout the year that promote the River Walk as a tourist and resident destination, including the Holiday River Parade each November; and

WHEREAS, on April 1, the Historic and Design Review Commission approved the PDRA's proposal to install a memorial, bronze bust upon a granite pedestal to honor Robert H. H. Hugman (1902-1980), who was a local architect and is considered the "Father of the River Walk"; and

WHEREAS, a bronze plaque to provide information regarding Hugman and his efforts will be attached to the pedestal; and

WHEREAS, the site will be on the River Walk near Hugman's former office in the Clifford Building and will be added to the existing, self guided walking tour that highlights Hugman's work on the River Walk; and

WHEREAS, as part of the proposed agreement, the PDRA will retain ownership of the artwork and be responsible for all costs associated with installation, maintenance, and repair; and

WHEREAS, the period of installation is indefinite; however, if the City requests the artwork's removal, the PDRA will be responsible for all associated costs and for restoring the site to its pre-existing condition; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or her designee, or the Director of the Center City Development and Operations Department or her designee, is authorized to execute an agreement with the Paseo del Rio Association to install a memorial sculpture to Robert Hugman on the River Walk. A copy of the agreement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SW/vv
05/21/15
Item #15

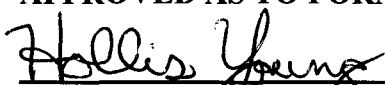
SECTION 3. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 21st day of May, 2015.


M A Y O R
Ivy R. Taylor

ATTEST:


Leticia M. Vadek, City Clerk

APPROVED AS TO FORM:


for Martha G. Sepeda, Acting City Attorney

Agenda Item:	15 (in consent vote: 5, 6, 7, 8, 9, 13, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26)						
Date:	05/21/2015						
Time:	09:57:15 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing an agreement with the Paseo del Rio Association to install a memorial sculpture to Robert Hugman on the River Walk. [Carlos Contreras, Assistant City Manager; Lori Houston, Director, Center City Development]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				x
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

PUBLIC ART INSTALLATION AGREEMENT

City of San Antonio

NAME OF ARTWORK: Robert H.H. Hugman Memorial Bust

Date: 3/16/2015

Owner: Paseo del Rio Association

Contact: Nancy D. Hunt

Address: 110 Broadway #500

City: San Antonio

State: Texas

Zip: 78205

Telephone: 210-227-4262

E-Mail: nhunt@paseodelrio.com

INSTALLATION PERIOD:

Indefinite

ARTIST NAME: Sean Klinksiek

Artwork Title: Robert H. H. Hugman Memorial Bust

Date: 3/16/2015

Description: A bronze memorial bust of Robert H. H. Hugman, which will be attached to a triangular granite base. Two sides of the base will have a bronze plaque with a short description of Hugman's contribution to the creation of the River Walk and why he is considered the Father of the River Walk.

Approximate Weight: 3000 pounds

Dimensions: (Height x width x depth): 7'8 H, 3' W, 2'6' D

Insurance Value: (US Dollars): \$50,000

Condition of Artwork: New

CONDITIONS GOVERNING ART INSTALLATION

CARE, PRESERVATION & EXHIBITION

It is understood by the Owner and City of San Antonio that all tangible artworks are subject to gradual inherent deterioration for which neither party is responsible.

Owner shall be solely responsible for any necessary maintenance of the Artwork. Owner agrees to abide by the specific maintenance schedule and procedures below.

City of San Antonio will not be responsible for performing any alteration, restoration or repair to Artwork. City of San Antonio retains the right to determine when, if, and for how long the Artwork will be exhibited after its installation.

MAINTENANCE SCHEDULE & PROCEDURES

Owner shall remove graffiti from Artwork within seven calendar days of its discovery.

Owner shall repair damage to Artwork within 30 calendar days of its discovery.

Owner shall regularly inspect Artwork at no less than 30 day intervals to identify graffiti and damage.

Owner shall clean Artwork every six months and apply paste wax.

TRANSPORTATION, INSTALLATION, AND REMOVAL

Owner shall be solely responsible for transportation of the Artwork and its installation as approved by the appropriate city departments and boards, which may include the Historic Preservation Office and Historic and Design Review Commission (HDRC). Upon written notice from City, Owner shall remove Artwork and all associated infrastructure. Owner shall be solely responsible for the removal of the Artwork and the restoration of the area to a condition equal to or better than its condition existing prior to installation, including removal of support structures and lighting, if any, and landscape and sidewalk restoration.

INSURANCE

Owner understands and agrees that City shall be under no obligation to purchase insurance for the Artwork. Prior to installation of the Artwork, Owner will provide a valid Certificate of Insurance indicating a commercially reasonable level of liability coverage for damages or injuries caused by the

actions of Owner or Owner's contractor during installation and naming the City as an additional insured. Any damage to City property caused by the installation of the Artwork shall be the responsibility of Owner. Owner agrees to defend, indemnify and hold harmless the City of San Antonio, its officers, employees and agents from any claim for damages that arise out of or in connection with action approved in this agreement.

REPRODUCTION AND CREDIT

City of San Antonio may photograph or reproduce the Artwork for educational, catalog and publicity purposes. Artwork may be photographed by the general public for non-commercial or private use. Whether individual labels are provided for artwork on display is at the discretion of City of San Antonio. Owner certifies that it has the legal right to assign the limited copyright as detailed above and will defend and hold harmless the City of San Antonio from any claims asserted by the creator of the Artwork for violations of the creator copyright.

CHANGE IN OWNERSHIP AND/OR ADDRESS

It is the responsibility of the Owner or its agent to notify City of San Antonio promptly in writing if there is any change in ownership of the Artwork or if there is a change in the identity or address of the Owner.

I have read and agree to the conditions listed above and certify that I have full authority to enter into this Agreement.

Signed *Lori Houston* Date 4-23-15
Owner

Signed _____ Date _____
Lori Houston, Director, Center City Development & Operations Department, City of San Antonio