



Legislation Text

File #: 1971-2014, **Version:** 1

BACKGROUND: This legislation is to pay artist design and advisory fees to Queen E. Brooks for her replacement *African Portal* design proposal. On March 10, 2014, Council approved legislation submitted by the Recreation and Parks Department to replace the existing Kwanzaa Playground, including the installation of new paths and fence, and artwork improvements. One of the artworks slated for improvement was *African Portal*, by artist Queen E. Brooks. *African Portal* is a wooden gateway carved and painted with Adinkra symbols that is located at the Bryden Road entrance to the park. Extensive damage caused by wood rot was discovered in the upper beam and joints of the artwork when it was dismantled. The artist was consulted and agreed with the recommendation that the artwork was beyond repair.

Upon the request of the City's Public Art Program and the Recreation and Parks Department, Brooks created a design proposal for a replacement *African Portal* to be constructed out of steel. The artist and park committee had already been interested in reinterpreting and replacing the existing *African Portal* with a more durable material. The artist's design for the replacement *African Portal* was unanimously approved by the Columbus Art Commission on June 26, 2014. The replacement will be constructed under the existing Recreation and Parks construction contract using funds previously allocated for contingency and improvements to the existing *African Portal*.

Due to timing and the discovery of more extensive damage to the existing *African Portal*, the Art Commission and Council schedules, and the opportunity to immediately start fabricating the new artwork under the Recreation and Parks Department's exiting contract for Park improvements, fabrication of the Portal has begun prior to the artist receiving her fee for design and advisory services. This legislation is filed as emergency to expedite the Professional Services contract with the artist in connection with this work.

FISCAL IMPACT: This legislation authorizes the transfer and expenditure of \$3,500 within the 2014 Capital Improvement Budget, Fund 735, Northland and Other Acquisition Fund.

To amend the 2014 Capital Improvements Budget; to authorize the transfer of cash and appropriation within the Northland and Other Acquisitions Fund; to authorize the Director of Development to enter into a Professional Services Contract with artist Queen E. Brooks for artist fees and advisory services for work at the Kwanzaa Playground at English Park; to authorize the expenditure of \$3,500.00 from the Northland and Other Acquisition Fund; and to declare an emergency. (\$3,500.00)

WHEREAS, the 2011 condition assessment by McKay Lodge Conservation Laboratories identified and prioritized improvements to city owned outdoor artwork, including the works located at the Kwanzaa Playground at English Park; and

WHEREAS, on March 10, 2014, Council passed Ordinance No. 0262-2014 that included improvements to existing artworks in Kwanzaa Playground at English Park; and

WHEREAS, upon closer examination it was discovered that the condition of the *African Portal* artwork by artist, Queen E. Brooks, was damaged beyond repair; and

WHEREAS, with the artist's concurrence, the artwork was decommissioned by the Columbus Art Commission and a new replacement design by Brooks was approved by the Commission on June 26, 2014; and

WHEREAS, the Commission unanimously approved a fee of \$3,500 to compensate Brooks for her design of the replacement *African Portal* and consultation during fabrication and installation of the piece; and

WHEREAS, using funds available in the existing contract with Tyeveco, Inc., authorized by Ordinance No. 0262-214, the Recreation and Parks Department has undertaken the fabrication and installation of the replacement *African Portal*; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into contract with artist Queen E. Brooks due to timing of the discovery of extensive damage to the existing *Portal artwork*, thereby preserving the public health, peace, property, safety, and welfare; **NOW THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the 2014 Capital Improvements Budget, authorized by ordinance 0683-2014, be and is hereby amended to provide sufficient budget authority for the appropriate projects authorized within this ordinance as follows:

Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended

735/440119-100000/ Public Art/ \$338,792/ (\$3,500)/ \$335,292
735/440119-100003/ Public Art - Kwanzaa Playground/ \$0/\$3,500/\$3,500

SECTION 2. That the City Auditor be and is hereby authorized to transfer cash and appropriation within the Northland and Other Acquisitions Fund, No. 735, as follows:

Transfer from:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

735/440119-100000/ Public Art/06-6621/735190/\$3,500

Transfer to:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

735/440119-100003/ Public Art - Kwanzaa Playground/06-6621/735193/\$3,500

SECTION 3. That the Director of Development be and is authorized to enter into a Professional Services Contract with artist Queen E. Brooks for artist fees and advisory services related to the fabrication and installation of her replacement *African Portal* design proposal at the Kwanzaa Playground at English Park for an amount not to exceed \$3,500.00.

SECTION 4. That for the purpose of paying the cost of this contract the sum of up to \$3,500.00 or so much thereof as may be needed, is hereby authorized to be expended from the Northland and Other Acquisitions Fund as follows:

Division: 44-01

Fund: 735

Project/Detail: 440119-100003

Project Name: Public Art - Kwanzaa Playground

OCA: 735193

Object Level One: 06

Object Level Three: 6621

Amount: \$3,500.00

SECTION 5. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 6. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 7. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

SECTION 8. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.