

RESOLUTION NO. 2020-94

**RESOLUTION APPROVING PUBLIC ARTS COMMISSION'S (PAC)
RECOMMENDATION TO LOCATE A MUSICAL ART BENCH ON THE NORTHEAST
CORNER OF 21ST AVENUE AND "A" STREET**

WHEREAS, Tualatin Valley Creates (TVC) has requested to locate a musical art bench on the northeast corner of 21st Avenue and "A" Street; and

WHEREAS, the PAC has been through a process to consider the bench including reviewing the design and location for the proposed musical art bench; and

WHEREAS, the PAC bylaws allow the PAC to approve the purchase of art to be owned by the City and the location of that art including conferring with other boards and commissions if required in the PAC's bylaws; and

WHEREAS, TVC will be retaining ownership of the bench and will be responsible to maintain the bench; and

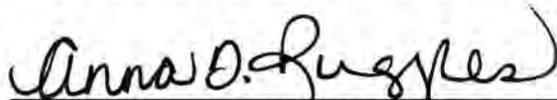
WHEREAS, the PAC has approved the attached design and location of the musical art bench and is recommending that the City Council give final approval of the design and location of the musical art bench so the project can proceed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. The City Council hereby approves the design, attached as Exhibit A, and location of the musical art bench to be located on the northeast corner of 21st Avenue and "A" Street.

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 28th day of September, 2020.



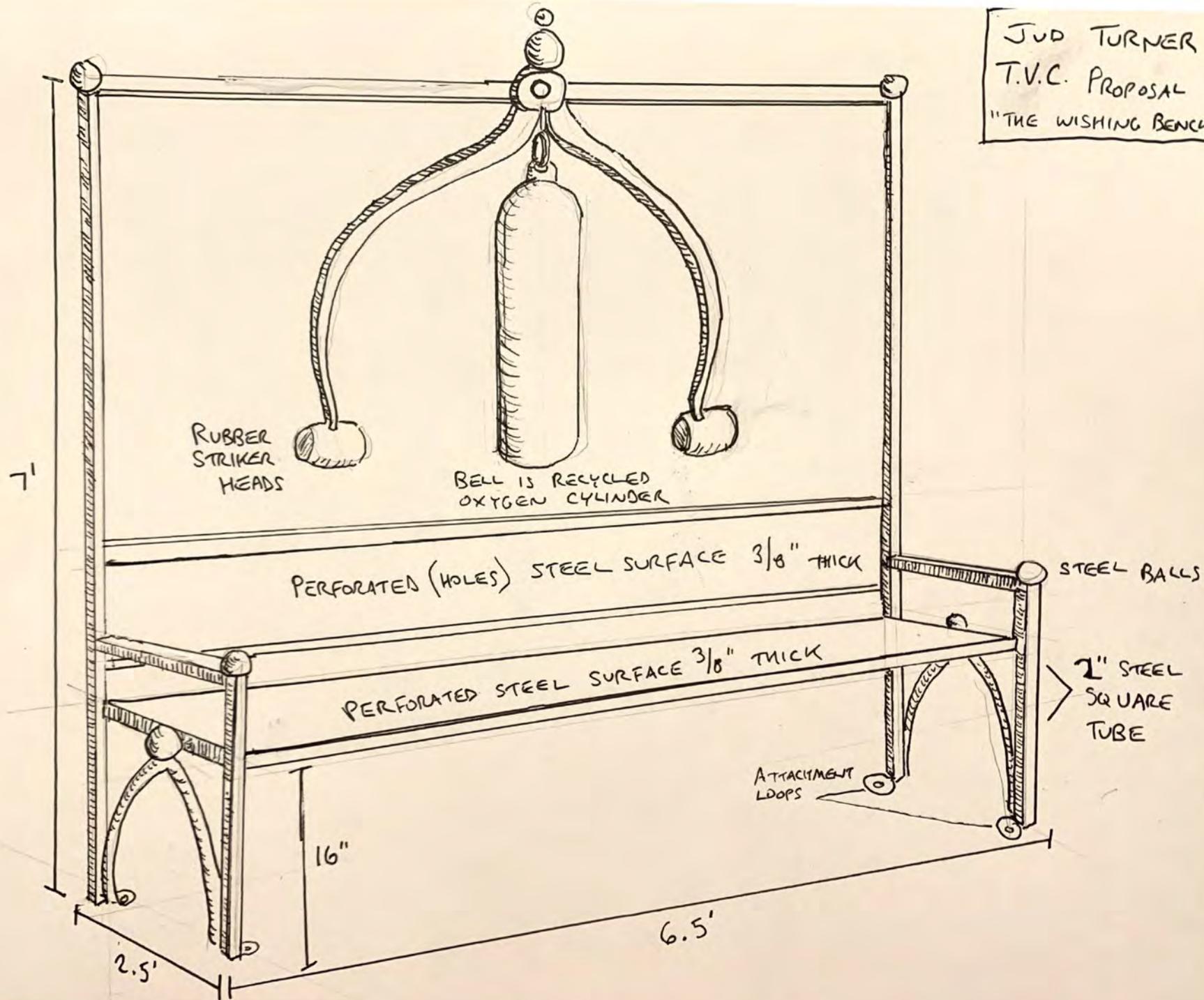
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of September, 2020.



Peter B. Truax, Mayor

JUD TURNER
T.V.C. PROPOSAL
"THE WISHING BENCH"





A place where families and businesses thrive.

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	9.
MEETING DATE:	09/28/2020
FINAL ACTION:	RESO 2020-94

As amended (Should have been Northeast Corner of 21st Avenue & A Street)

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *September 28, 2020*

PROJECT TEAM: *Paul Downey, Administrative Services Director*

SUBJECT TITLE: *Resolution Approving Musical Art Bench and Location*

ACTION REQUESTED:

<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	Order	<input checked="" type="checkbox"/>	Resolution	<input type="checkbox"/>	Motion	<input type="checkbox"/>	Informational
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X all that apply

ISSUE STATEMENT: The City has received a request from Tualatin Valley Creates (TVC) to locate a musical art bench within the City. The Public Arts Commission (PAC) has been working with TVC on the bench and a location for a bench. The PAC has approved the bench and its location on City-owned property but since TVC will be retaining ownership of the bench, the City Council will need to give final approval of the bench and its location. The PAC's bylaws allow them to approve art work that will be owned by the City but are silent on the PAC being able to approve art that is owned by somebody else but located on City property. The City Attorney's Office is recommending that the City Council grant final approval of the bench and its location. Staff has prepared a resolution for Council consideration approving the musical art bench and its location on City-owned property.

BACKGROUND: TVC approached the PAC about the concept of a placing a musical art bench on City-owned property in late 2019. TVC is funding four musical art benches that will be placed in cities throughout the county. From November 2019 through February 2020, the PAC has discussed the concepts of the musical art benches, the design of each bench, and members of the PAC have worked with TVC looking at possible locations for the proposed bench in Forest Grove. The tentative location selected was at the city-owned parking lot on the northwest corner of 21st Avenue and "A" Street.

Greg Robertson and I met with Raziah Roushan from TVC at that corner to discuss the specific location on that corner and the requirements for the concrete pad on which the bench would be installed. One the reasons that TVC liked the proposed location is that the bench would be located on the western end of the potential festival street. We agreed to a specific location on that corner suggested by Greg Robertson which alleviated his concerns over clear pedestrian access to the intersection and potential ADA concerns. We offered that the City would install the concrete pad as the cost to do so is minimal and City engineering staff could manage the installation of the pad.

At the PAC meeting on September 17, 2020, Raziah Roushan presented the design selected for Forest Grove and the proposed location for the bench that had been reviewed by PAC members and City staff. Raziah told the PAC the bench is being designed and constructed so the noise from the bench does not exceed 60 decibels. PAC members asked questions about the design and if there were any ADA issues concerning the bench. After discussion about the bench and the location, the PAC approved the bench and its location and recommended that the City Council grant final approval for the bench and its location. The design for the bench is included as Exhibit A of the proposed resolution to approve the bench and its location. The reason that the Council is being asked to approve the bench and its location is discussed in the Issue Statement section of this report.

If the Council approves this project, City staff will work with TVC to negotiate a revocable license for TVC to be able to locate the bench at the property.

FISCAL IMPACT: The cost estimate of installing the concrete pad is \$300 to \$400 as the City will have a contractor who is already doing other concrete work for the City install the concrete pad.

STAFF RECOMMENDATION: Staff has prepared a resolution for Council consideration to approve the musical art bench and its location on City-owned property.

ATTACHMENT(s): Resolution Approving Public Arts Commission's (PAC) Recommendation to Locate a Musical Art Bench on the Northwest Corner Of 21st Avenue and "A" Street