



**CITY OF ST. AUGUSTINE CITY COMMISSION
PUBLIC ART COMMITTEE
FRIDAY, DECEMBER 1, 2023 - 9:00 AM
ALCAZAR ROOM**

1. CALL TO ORDER

◆ Roll Call

2. GENERAL PUBLIC COMMENTS

3. WELCOME TEAM MEMBERS AND GUEST

4. REVIEW OF MEETING MINUTES

4.A. Minutes: November 3, 2023

5. REVIEW AND DISCUSS REQUEST FOR QUALIFICATIONS

5.A. RFQ

6. ADDITIONAL MATTERS FOR DISCUSSION

7. ADJOURN

NOTICES: In accordance with Florida Statute 286.0105: "if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." ***In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone 904-825-1007; 1-800-955-8771 (TDB) or 1-800-955-8770 (V) via Florida Relay Services. ***The City of St. Augustine encourages anyone wishing to present the invocation at city commission meetings to contact the City Clerk's office, to be placed on the rotation list, and encourages people of all religious affiliations or of no religious affiliation to present a non-denominational invocation to inspire us in the work of the City Commission. The materials prepared and presented are part of the City's ongoing Florida Public Records and Government in the Sunshine compliance and are not intended to be relied upon or to reach investors or the trading markets.

CITY OF ST. AUGUSTINE, FLORIDA

Public Art Committee Meeting
November 3, 2023

The Public Art Committee met in formal session at 11:00 A.M., Friday, November 3, 2023, in the Alcazar Room at City Hall. The meeting was called to order by Roxanne Horvath, Chairwoman, and the following were present:

1. ROLL CALL:

Roxanne Horvath
Julie Dickover
Diane Mataraza

David Bagnall (excused)
Christina Parrish-Stone (excused)

Also Present:

David Birchim, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Colleen Kuhn, Recording Secretary

2. GENERAL PUBLIC COMMENTS

Public comment was opened; however, there was no response.

3. WELCOME TEAM MEMBERS

4. REVIEW OF MEETING MINUTES

4.A. September 1, 2023, and October 6, 2023, Public Art Committee Meeting Minutes

MOTION

Ms. Mataraza MOVED to approve the September 1, 2023, and October 6, 2023, Meeting Minutes. The motion was SECONDED by Ms. Dickover and APPROVED BY UNANIMOUS VOICE VOTE.

Ms. Horvath requested that expenses for applicant travel, and stipends be covered outside the \$250,000 budgeted for the Project.

David Birchim, City Manager, agreed that the City could fund those items separately.

Ms. Horvath requested that the meeting minutes for November 3, 2023, reflect that the cost for the Structural Engineer was the responsibility of the artist. She asked that Public Works provide a rendering of what the Tree Canopy would look like in ten years.

5. GUEST SPEAKER

Randy Roark provided the Committee with a checklist of considerations for the Request for Proposal (RFP). He shared his experience which included: serving on the Historic Architectural Review Board (HARB), serving as Chair of the 450th and Hurricane Matthew, and he noted that he lived in the Fullerwood neighborhood and was familiar with the area. He explained that his professional experience included planning improvements and arts for the Atlanta Olympics.

Mr. Roark offered suggestions on the RFP:

- Urban design

- the artwork should be appropriately sized for the intersection
- Distraction
 - The art could anchor the area and be anti-distracting
- Civic Content
 - be clear on what was wanted for the area and define how much liberty the artist would have
- Functional issues
 - be clear on whether landscaping can be part of installation
- People access
 - be specific about whether the art was interactive; consider adding a secondary interpretative installation that explains the art
- Site development
 - consider fabrication and installation issues and costs
- Contingency plans
 - consider cost overruns and change orders
- Liabilities
 - define the artist's rights to the art; alterations; be clear on contractual issues
- Location of artists
 - consider if the Project could be done by an international artist
- Public involvement
 - identify where, when and how best to involve the community; ensure the artist has civic art and public engagement experience

Ms. Lopez suggested considering an interpretative panel that allowed touch for the visually impaired.

Mr. Birchim said the Corridor Review Committee would be part of the review process.

Ms. Lopez confirmed the City Commission would make the final decision on the artist selected.

Mr. Roark offered to assist in any way he could with the RFP.

Ms. Lopez suggested that she put together a draft RFP based on the information gathered and send it to Mr. Rorak and Ms. Mataraza to review before the Committee's December meeting.

Ms. Mataraza said she would send information from the Seattle and Tacoma areas to Ms. Lopez. She suggested that the RFP not include international artists due to budget constraints.

Ms. Dickover suggested finalizing the RFP at the January meeting.

Ms. Horvath suggested having the three finalists present their proposals at a town hall meeting on a Saturday and allow the public to participate. She indicated that the artists would need to come to St. Augustine twice.

6. REVIEW OF OTHER REQUESTS FOR QUALIFICATIONS

6.A.

Included for informational purposes and not discussed.

7. UPDATE OF REQUEST FOR QUALIFICATIONS: HISTORY OF ST. AUGUSTINE BY DR. SUSAN PARKER

The Committee discussed the document provided by Dr. Susan Parker. They agreed

that additional graphics, maps, and a detailed description and history of the area would be important to add as an Exhibit to the RFP.

Ms. Horvath said she would take photos of the area. She asked Mr. Roark to share any artist contacts he may have from his experience in Atlanta.

7.A. This Committee's RFQ

8. TIMELINE DISCUSSION

9. ADDITIONAL MATTERS FOR DISCUSSION BUSINESS

Ms. Horvath invited Carlie Zervis, community member, to share her comments with the Committee.

**10. NEXT MEETING: DECEMBER 1, 2023
– 9:00 A.M.**

11. ADJOURNMENT

The meeting was adjourned at 12:02 P.M.¹

¹ Transcribed by Colleen Kuhn

November 22, 2023

CALL FOR ARTISTS REQUEST FOR QUALIFICATIONS

CITY OF ST. AUGUSTINE is inviting interested artists to provide responses to this **REQUEST FOR QUALIFICATIONS** for an exterior statue for the roundabout at the intersection of May Street and San Marco Avenue in St. Augustine, Florida.

INSTRUCTIONS TO PROPOSERS

PROJECT TITLE: Public art project for the roundabout at the intersection of May Street and San Marco Avenue.

- A. **PROJECT GOALS:** To provide an exterior statue for the roundabout at the intersection of May Street and San Marco Avenue. As the first permanent public art commission in the City of St. Augustine, the artwork should be a signature piece for the St. Augustine community and should reflect some aspect of the City's culture, unique history, or natural environment. The artwork should appeal to a broad audience and should be site-responsive, and properly scaled to the surroundings. The materials used must be able to withstand extreme weather and heavy traffic and must be structurally sound and require low upkeep and minimal maintenance costs. The City of St. Augustine intends this public art to reflect civic content and be a form of symbolic speech of the municipality.
- B. **LOCATION:** The intersection of May Street and San Marco Avenue in St. Augustine, Florida. The May Street and San Marco intersection is a recently completed modified roundabout adjacent to the St. Johns County Library Main Branch, the Waterworks Cultural Center, Davenport Park, and several neighborhoods. It is also the entry to the Vilano causeway (Francis and Mary Usina Bridge/SR A1A), Hospital Creek, and ultimately the Atlantic Ocean. The physical site for the artwork is a circular 7.8' radius stabilized dirt platform located within the traffic circle dry retention pond. The bottom of the dry retention pond is at 5' elevation, tapering up to 6' elevation at the top of bank, with the stabilized dirt platform for the artwork at 7' elevation. The site includes conduits in place for electrical connection. The site is located within a Florida Department of Transportation roadway and the artwork will have to meet all FDOT requirements and have signed and sealed engineering plans. As a busy traffic interchange, the location is highly visible to vehicular, bicycle, and pedestrian traffic. The site is not directly accessible to pedestrians. A public park is located adjacent to the traffic circle and could be the location for an interpretive panel. See **Exhibit "A"** FDOT scaled drawing, conceptual plan, aerials.

SUBMISSION DEADLINE: Thursday, February 29, 2024 at 5:00 pm

DELIVER PROPOSAL TO: City of St. Augustine, Attn: Purchasing, 75 King Street, 4th Floor, Lobby D, St. Augustine, Florida 32084.

PHYSICAL ADDRESS OF PROGRAM: City of St. Augustine, 75 King Street, St. Augustine, Florida 32084.

1.0 PROJECT INFORMATION:

- 1.1 **Project Overview:** Founded in 1565, St. Augustine is the oldest continuously occupied settlement of European and African American origin in the United States. Forty-two years before the English colonized Jamestown and fifty-five years before the Pilgrims landed at Plymouth Rock, the Spanish established at St. Augustine this nation's first enduring settlement on the shores of an area already populated by indigenous people with a rich history of their own. The site is near numerous historic sites including archeological indigenous middens, the site of the original landing of the Spanish expedition (Fountain of Youth Archeological Park), the site of the free Black settlement and fort (Fort Mose), and the site of the Florida School for the Deaf and Blind. The greater St. Augustine area includes a number of significant sites, sculptures, architecture, streetscapes, and landscapes informing the artist. See **Exhibit "B"** maps and images, brief information on the diverse population of the area through time, and "The Peoples Who Used This Roadway Over the Centuries" by Dr. Susan Richbourg Parker.

The City of St. Augustine (City) is seeking an artist or team of artists to create a large-scale, dynamic, inclusive, and site-specific civic artwork for the roundabout at the intersection of May Street and San Marco Avenue. The artist(s) selected for the commission will be responsible for the design, fabrication,

and installation of the artwork, including the structural design and related permitting through the Florida Department of Transportation (FDOT) and City staff. Experience in large scale installations, civic content, and Florida's coastal climate is preferred. The City is interested in receiving submissions from artists demonstrating their ability to provide completely realized three-dimensional artwork for the exterior display of a landmark sculpture at the roundabout at the intersection of May Street and San Marco Avenue. In addition, the artist may also include an informational panel to be installed at the adjacent public park, preferably designed as interactive and accessible to the City's visually impaired population and the School for the Deaf and Blind. See **Exhibit "C"** for examples of Touch St. Augustine. interpretive panels. This project is focused on acquiring public art that will be permanently displayed at the roundabout.

- 1.2 The artist's statement and qualifications will initially be reviewed and ranked by the Public Art Committee. The Public Art Committee will then invite up to three finalists from the RFQ submissions to visit the site and take part in a public forum to get input from the public in an interactive format towards a conceptual design. Drawing from conversations and engagement with the Public Art Committee and the community, artists will develop their proposal. The artists short-listed will then provide conceptual drawings and/or maquette to the Public Art Committee during a subsequent public meeting. The City will make available a small stipend to help defray the costs of the artist's work, travel and accommodations to the City of St. Augustine for both meetings. The Art Committee will make a recommendation for the artwork and final selection will be approved by the City Commission. The desired civic theme for the artwork must reflect or respond to its location in terms of physical characteristics, the City's distinctive iconography, natural environment and visual imagery, its historical timeline, or narrative of the people who have made St. Augustine their home. Abstract art is welcomed. The piece should be comprised of natural material, monolithic in form and require very low maintenance. If composite materials are suggested, an explanation of their benefit rather than natural materials should be included along with technical specifications and method of fabrication. The selected artist will be responsible for the design, fabrication, and installation of the artwork, to include foundation, structural design and related permitting of the plinth or base, if applicable, and the sculpture. The artwork will become part of the City's permanent public art collection. Artists are required to submit qualifications, and encouraged to provide illustrations (images, renderings), and a brief statement describing an initial concept idea for this project. It is hoped that a full range of art mediums suitable for an outdoor environment will be represented. In addition, the artist has the opportunity to include an information panel to be placed in a public park adjacent to the artwork. Accessible and interactive design for the visually impaired for the interpretive panel will be preferred.

This intersection is located in St. Augustine, Florida. The roundabout is a multi-lane design. The artwork is centrally located in the roundabout. The map and site plan in Exhibit "A" show a center island located within a dry retention pond with a diameter of approximately 15.6 feet (7.8 feet radius). The artist should include in their design a plinth that is proportional to the artwork and roundabout, to be designed and constructed in the center island of the roundabout. An anti-graffiti coating will be applied to the artwork and the artist should be informed of those technical specifications. The sculpture size and design must be compatible with its physical location. See **Exhibit "D"** FDOT requirements. The site includes trees and the artists should consider the height of the artwork including its plinth in relation to the future mature tree canopy. See **Exhibit "E"** conceptual line of site with tree canopy.

Three finalists will be selected to provide site specific proposals. Each selected finalist will be paid a stipend of up to \$750.00 (seven hundred and fifty dollars) towards the cost of travel, accommodations, and Artist's preliminary preparation. Site Specific Proposals must include a site-specific maquette and/or other visual depictions of the proposed artwork. The Art Committee will make a recommendation to the City Commission for final selection.

Design Criteria:

1. Artwork will be located at the roundabout at the intersection of May Street and San Marco Avenue.
2. Artwork to be designed for minimal maintenance, resiliency to coastal elements, and anti-graffiti coating.
3. Artwork may also include a descriptive plaque, which may be interactive/accessible and interpretive of the artwork, to be located in the adjacent public park.
4. The artwork size should be compatible with the location and must meet FDOT requirements. If any lighting is contemplated, these specifications must be included in the design.
5. Artwork to be a high quality, free standing outdoor sculpture.
6. Artwork to be an original design (not reproduced).

7. Artwork will not draw viewers to it but must be appreciated from a distance, including by pedestrians on sidewalks across from the roundabout, viewers from vehicles and bicycles entering the roundabout, and the public on adjacent properties such as Davenport Park.
8. Artwork should not create a distracting situation for drivers using the roundabout.
9. Artwork shall be placed on a plinth or concrete or other platform and stabilized consistent with signed and sealed engineering plans.
10. Artwork should be structurally sound and meet applicable standards of the FDOT, the Florida Building Code, and City Public Works requirements in regard to the foundation, wind loading, placement, etc. Final work will need to be engineered and stamped/signed by a registered Florida professional engineer.
11. Artwork must be placed in the center of the roundabout at the location depicted in the site plan. The maximum size of the artwork and any plinth or stabilized structure must fit within the 7.8' radius site.
12. Materials used must meet the demands of the City's local climate.
13. The artwork must not contain any signs or traffic control features, auditory devices, reflective surfaces, flashing lights, moving parts or illumination.
14. The artwork must be devoid of advertising, including charitable, fraternal, religious, or political signs, symbols, logos, banners or any other such device.
15. The artwork must not obstruct any signs or interfere with any sight distance, sight triangle, or view zone.
16. The artwork must have an anti-graffiti coating.
17. The artwork must have appropriate lighting for night-time visibility. Lighting fixtures to be provided by Artist and approved by local and state agencies. If no lighting is proposed, an explanation must be submitted by the artist.
18. The artist must provide a two-year warranty on materials and craftsmanship.
19. Landscape, tree canopy at maturity, existing light posts, traffic signalization, and orientation to the sun should all be taken into consideration when designing the artwork for its element.

- 1.4 Who May Apply: Visual artists experienced in media compatible with large-scale, permanent, civic outdoor public artwork, at least 18 years of age are eligible to apply. Candidates must be United States residents and legally authorized to work in the United States. City of St. Augustine staff, Public Art Committee members and their family members are not eligible to apply.

2.0 SUBMITTAL INSTRUCTIONS:

- 2.1 Artists who wish to be considered for this project must submit the materials described below at the City. Incomplete or illegible submissions will not be considered.

The following documents are required:

- 2.1.1 A current professional resume of no more than two (2) pages for each submitting artist and an artist's statement.
- 2.1.2 A list of exterior sculpture/artwork installations completed in the last 5 years. Please include owner contact information.
- 2.1.3 A maximum of 8 digital images of completed exterior sculpture/artwork. The images shall be in .JPG format. Any masking or borders should be black, not white. Image files must be properly labeled each with artist's last name and a number (1-8) assigned per image list. (e.g.:smith_1.jpg, smith_2.jpg). Artist's name should NOT appear on the image. The first five artworks presented should be those that are most related to this call. Provide details, close-ups or multiple viewpoints of large or complex artworks. Paper versions of the images should be submitted along with a digital flash drive.
- 2.1.4 Image ID sheet, explain the content and context of each image.

- 2.2 **The following documents are optional:**

- 2.2.1 A written description of proposed artwork for this project including the title, type of media, dimensions, and up to 8 images/graphics to convey the design intent of the proposed artwork.
- 2.2.2 Scans of publications, reviews or other items that may assist the City in evaluation of the artist's capabilities. (No more than 3 items of this type should be included in the submission.)

2.3 Instructions for electronic submission:

- 2.3.1 Submissions may be made to City Purchasing. The City at this time does not utilize electronic portals and submissions.
- 2.3.2 As an alternative to paper submission, a USB flash drive may be mailed or couriered to the address below, but must be received by the deadline for submission:

Sharon Whitener, Procurement Manager
City of St. Augustine
75 King Street
4th Floor, Lobby D
St. Augustine, Florida 32084

2.4 Additional Information and Instructions

- 2.4.1 Proposals will be reviewed by the Public Art Committee and the City Commission.
- 2.4.2 The intent of the initial review is to short-list a group of up to three artists to provide more specific proposals for the artwork. The City intends to contract with only one artist or artist group to fulfill the requirements of this project.
- 2.4.3 The City does not guarantee that any commission will result from this call.

3.0 ESTIMATED BUDGET, SCHEDULE AND SELECTION PROCESS:

- 3.1 Estimated Budget for the Project: The budget for this project is \$250,000 and is inclusive of all costs associated with this project, including but not limited to: artist expenses, administration, sub-consultants, travel and lodging, conservation assessment, artwork fabrication, storage, transportation and installation, related permits, licenses, taxes, and insurance. The Artist will be responsible for submitting an artwork maintenance manual upon completion. A small stipend is available to assist the finalists in defraying travel and accommodations costs for the two public meetings.

3.2 Estimated Schedule:

2024

January	Call for Artists RFQ issued
February 29	Call for Artists submission deadline
March-April	1) Public Art Committee preliminary short-list of artists selected to visit St. Augustine and produce more detailed scope of work. 2) Short-listed artists visit to St. Augustine - Public outreach meetings (town hall/community meeting format)
May	Short-listed artists provide a site-specific proposal and artist presentations to Public Art Committee at public meeting
July	Public Art Committee review and ranking of short-list of artists submissions
October	1) City Commission accepts recommendations and selects the artist 2) The artist is notified of selection and an agreement is negotiated with the top-ranked proposer
November-December	Artist presents to Corridor Review Committee for permitting approval.

3.3 Selection Process:

- 3.3.1 For this project, the Public Art Committee will propose a short-list of a minimum of three artists to develop site-specific proposals. Short-listed artists will be invited to present to the community and take public input in a community meeting. Using this information, each artist will develop site-specific proposal(s). Artists may use models, drawings, computer-generated imagery, and material samples to communicate their proposals. They must include in their proposals a working budget. The site-specific proposals will be initially reviewed and ranked by the Public Art Committee. The Public Art Committee's ranking will be considered by the City Commission which will make a final selection of the Artwork.
- 3.3.2 Subsequently an Agreement will be negotiated with the selected artist. The Agreement will require the artist to provide the complete artwork and meet all related costs such as travel, materials, fabrication, transportation, insurance, and installation of the work within a mutually agreed time period and for a fixed fee. Progress payments are made over the course of the contract in accordance with a mutually agreed upon schedule. Compliance with financial arrangements between the artist any subcontractors is the responsibility of the artist. The artist selected must also agree to transfer of certain artist's rights. See **Exhibit "F"** Commissioned Artwork Agreement.
- 3.3.3 If an agreement cannot be successfully negotiated in a timely manner with the top-ranked artist(s), the City has the option to negotiate with the artist(s) next in order of ranking.

4.0 **REQUESTS FOR INFORMATION/CLARIFICATION:**

- 4.1 Any artist requesting additional information, interpretation, and/or clarifications relating to this Call shall make a written request addressed to:

Sharon Whitener, Procurement Manager
City of St. Augustine
75 King Street
4th Floor, Lobby D
St. Augustine, Florida 32084
swhitener@citystaug.com

- 4.2 If it is deemed necessary, an addendum to this Call for Artists may be issued through City Purchasing.

5.0 **RISK:**

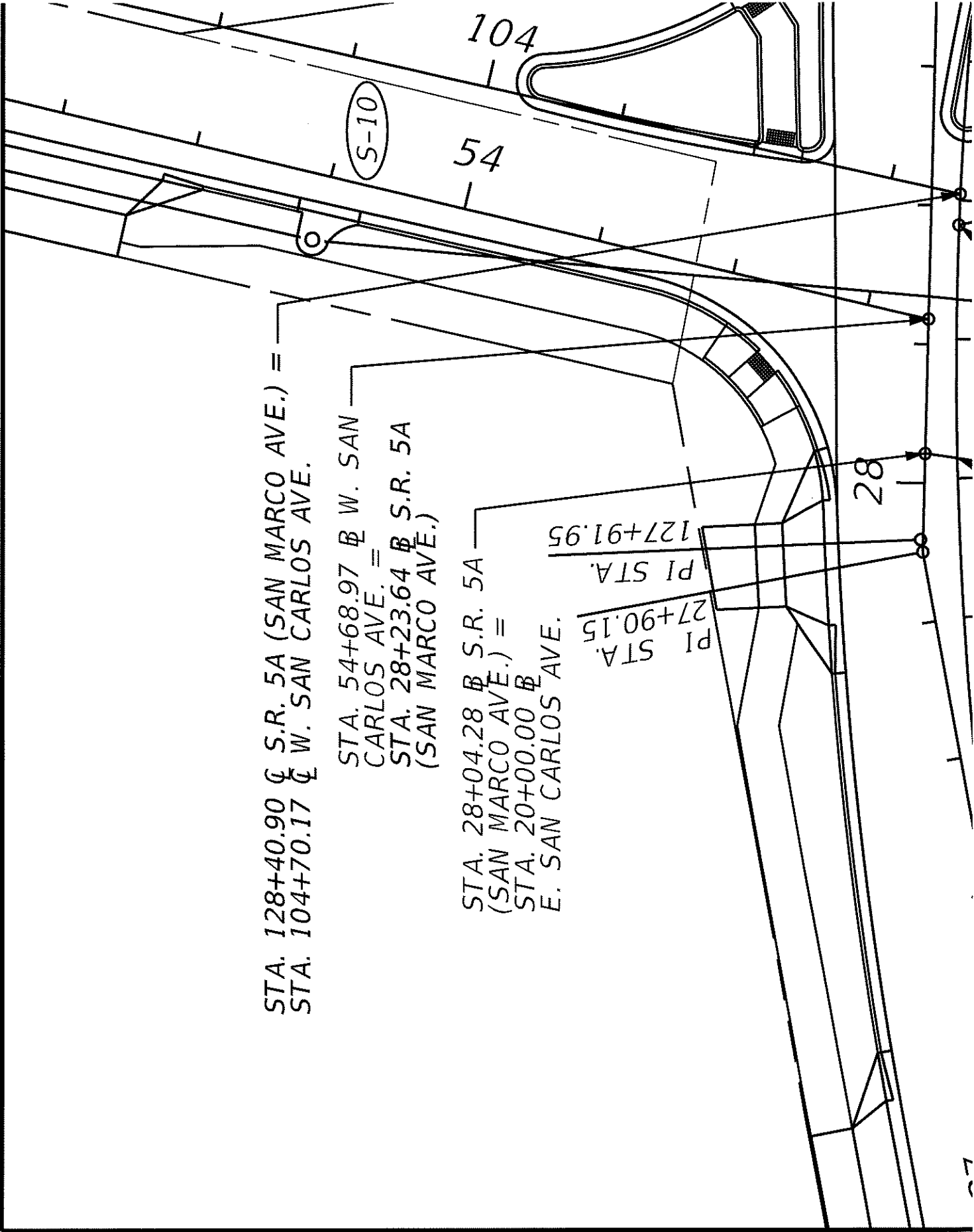
- 5.1 Persons responding to this Call do so at their sole expense and risk. The City reserves the right to change or cancel this Call at any time.
- 5.2 No proposer is guaranteed the award of an Agreement or any work as a result of being selected for this project.
- 5.3 Any changes made to this Call shall be made by means of a written addendum. It shall be the responsibility of the Artist to assure that all addenda have been received prior to submitting a proposal.

6.0 **PUBLIC RECORDS ACT:**

- 6.1 Pursuant to Florida Statutes, sealed responses to this Call to Artists are exempt from the public inspection requirements of the Public Records Act until such time as the announcement of a decision based on the proposals or within 30 days after proposal receipt date, whichever is earlier.

END OF DOCUMENT

EXHIBIT “A”





May Street Intersection

FINAL CONCEPTUAL DESIGN | MAY 16, 2017

CITY OF ST. AUGUSTINE, FLORIDA



PERENNIAL PEANUT



DUNE SUNFLOWER

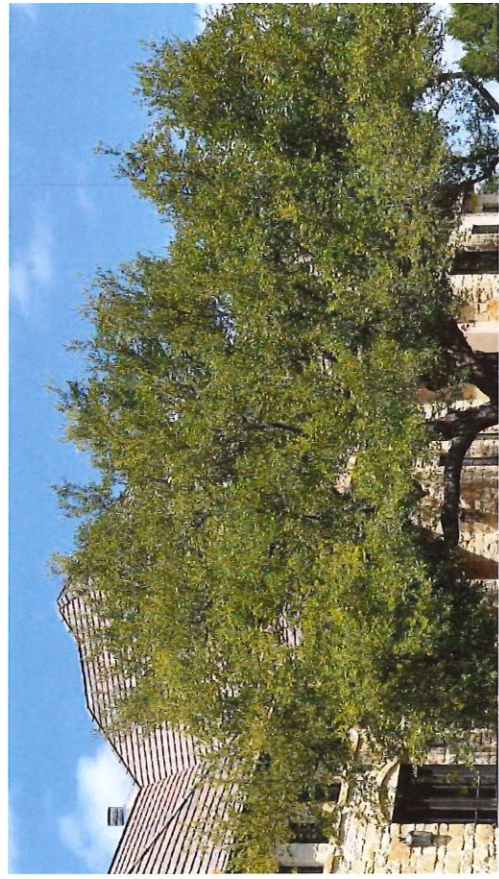


WALTER'S VIBURNUM



AFRICAN IRIS





LIVE OAK



BALD CYPRESS



CRAPE MYRTLE



OPTION B2



CRAPES



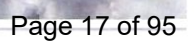
lean grass or
dwarf willow

CELANO



SCULPTURE

SCULPTURE



DAVENPORT
PARK

J + S
CAROUSEL
CRAPE MYRTLES

CRAPE MYRTLES

CORDGRASS

BALD CYPRESS

SCULPTURE

BEAR GRASS

BALD CYPRESS

BEAR GRASS

E SAN CARLOS
AVENUE
TURNAROUND

WALL

BEAR GRASS

CEDAR

EXISTING
TREES

SAN MARCO AVENUE

W SAN CARLOS AVENUE

EXISTING
TREES

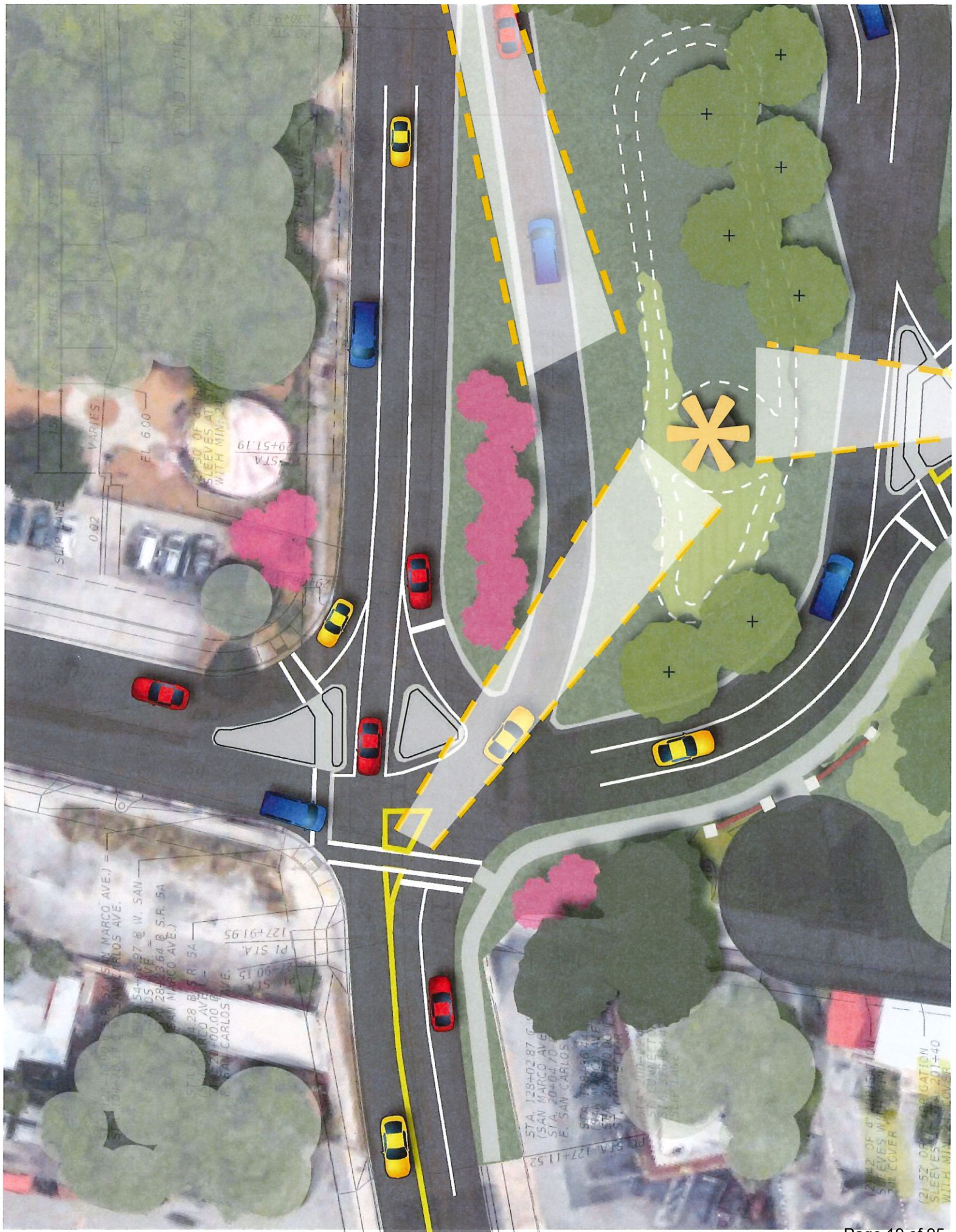
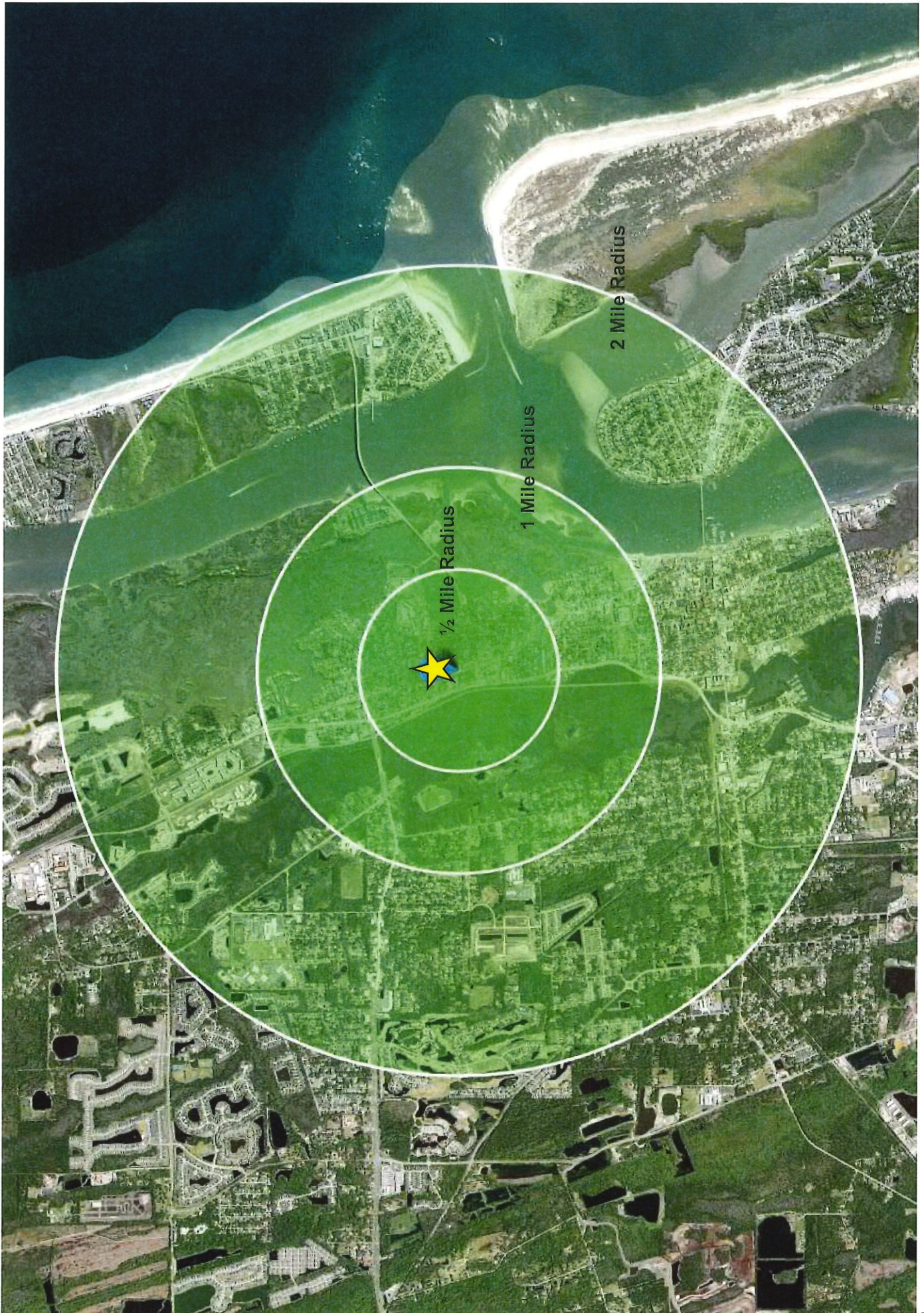




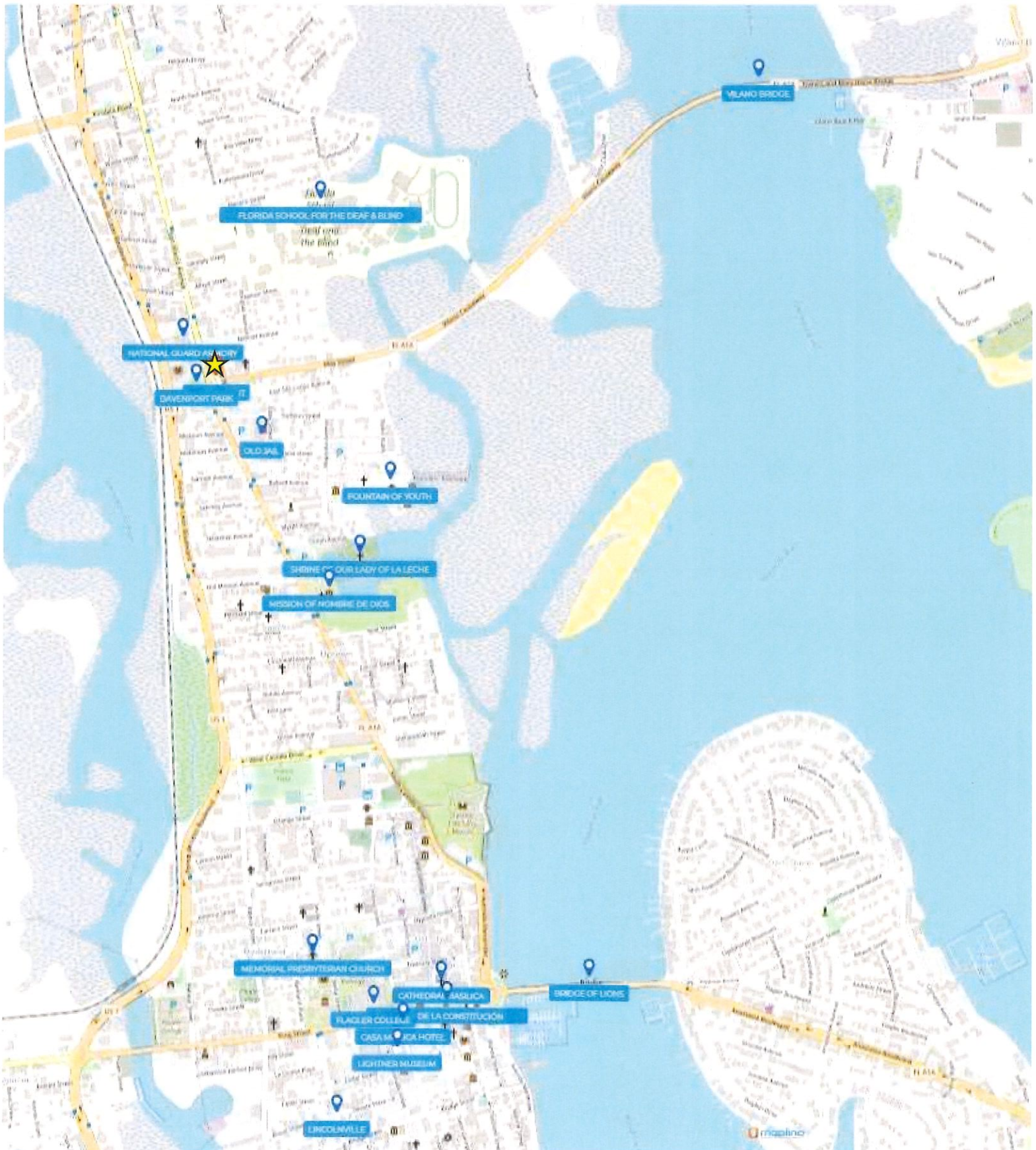


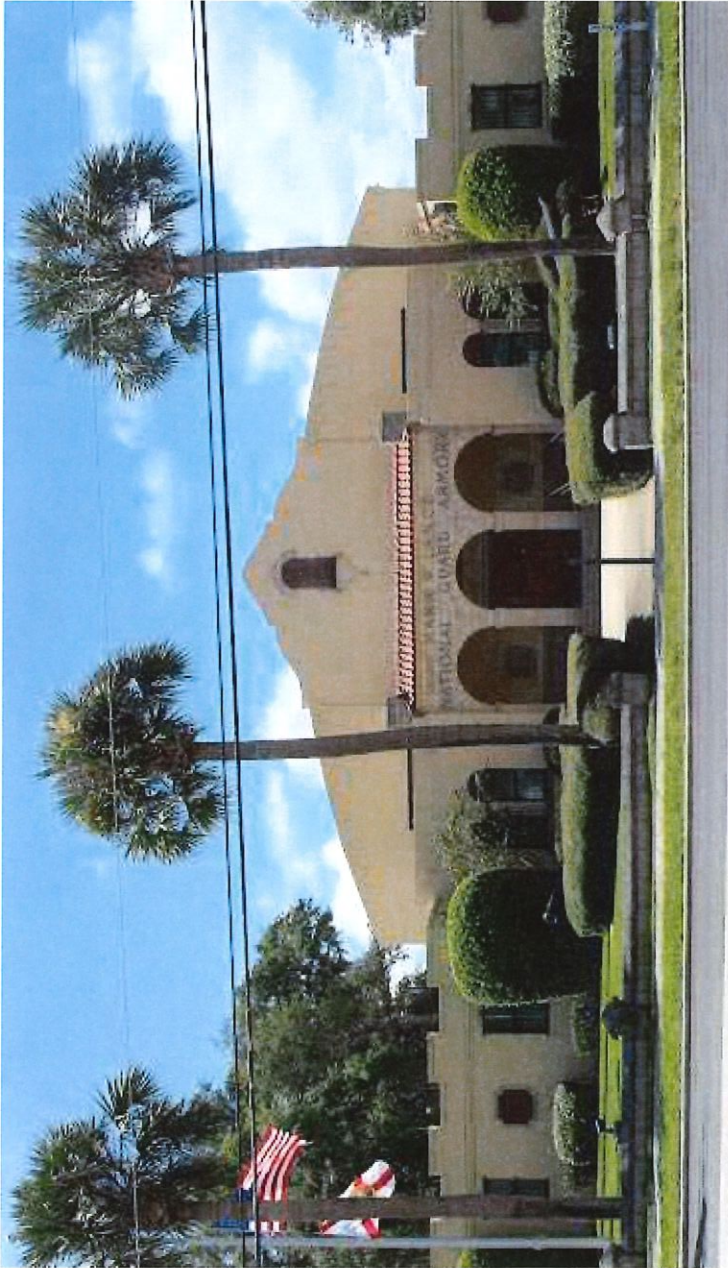
EXHIBIT “B”

Distance Map

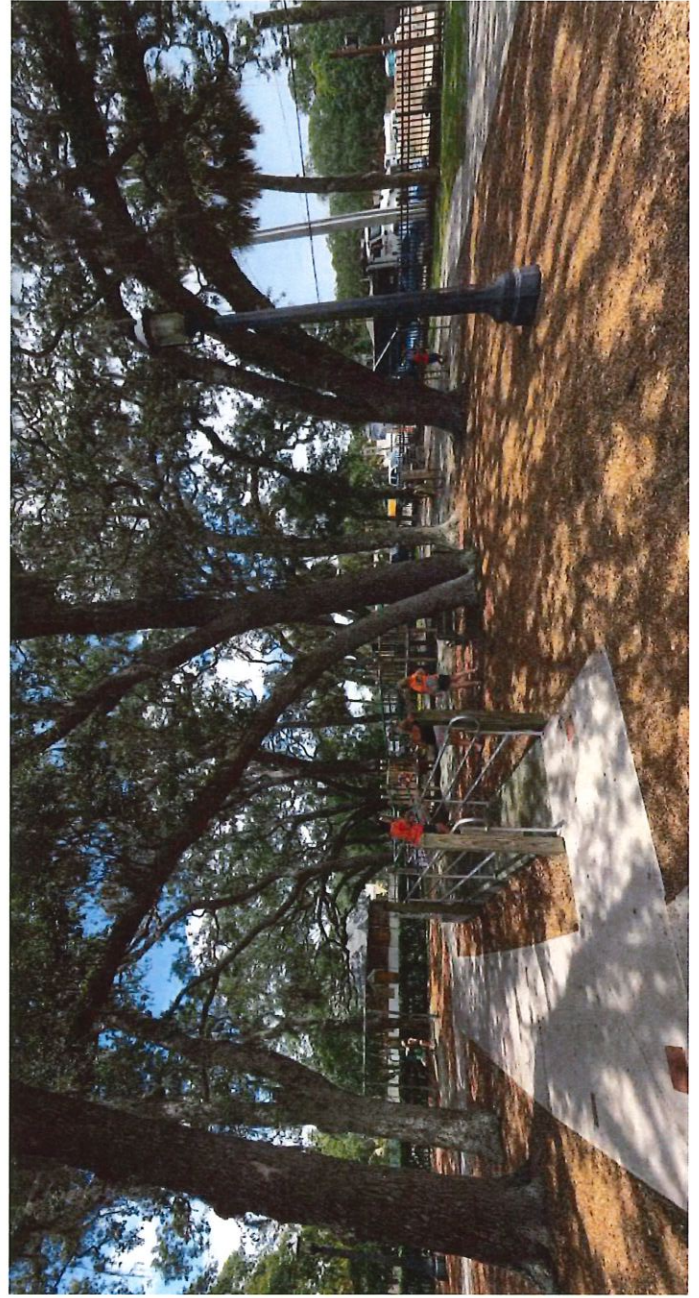


Pinpoint Location Map





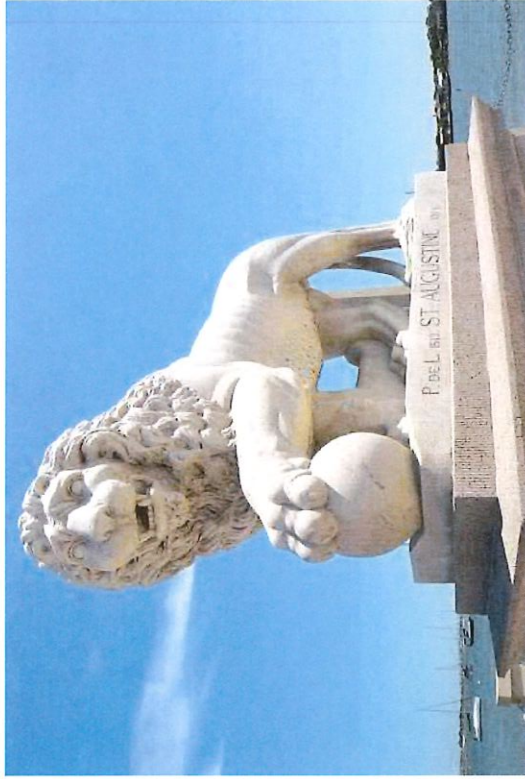
Mark W. Lance
National Guard Amory



Davenport Park

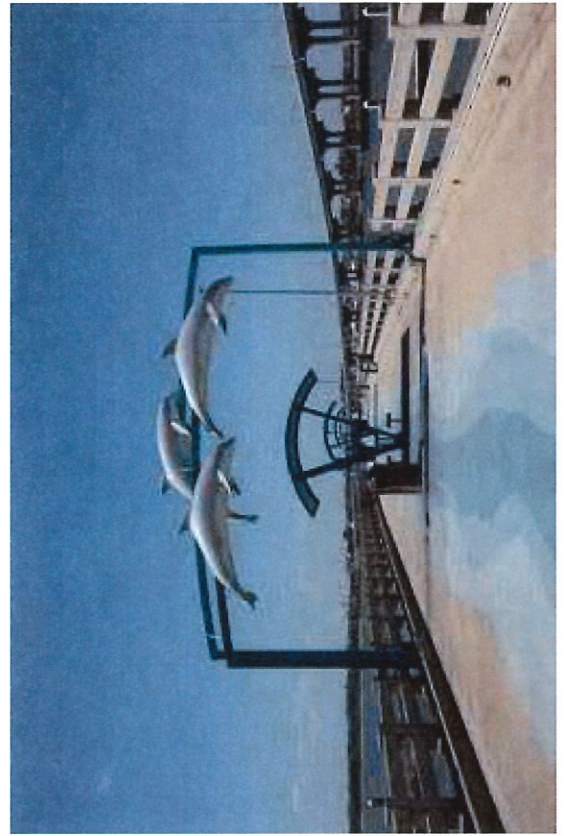
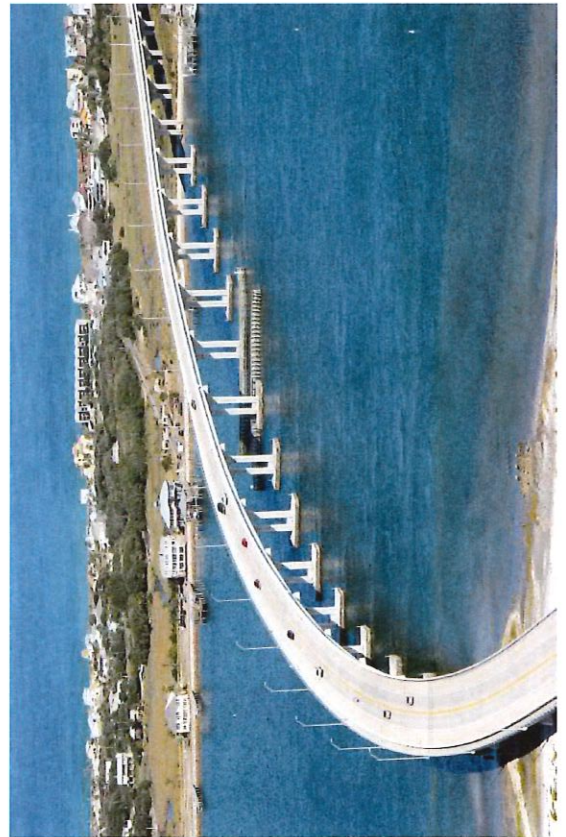
The Bridge to Anastasia Island n/k/a The Bridge of Lions

Originally Built in 1895



Francis and Mary Usina Bridge a/k/a Vilano Bridge

Originally Built in 1927



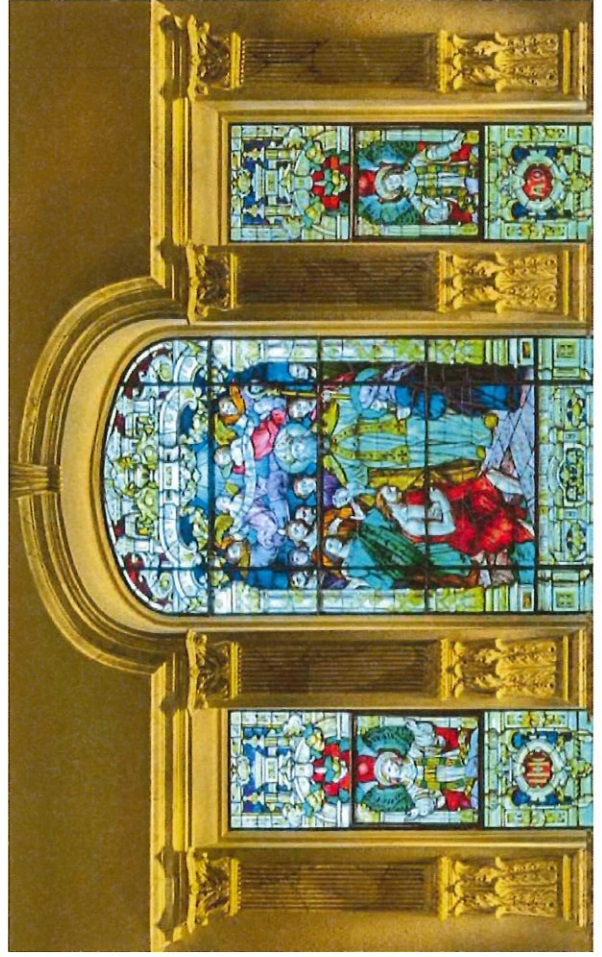
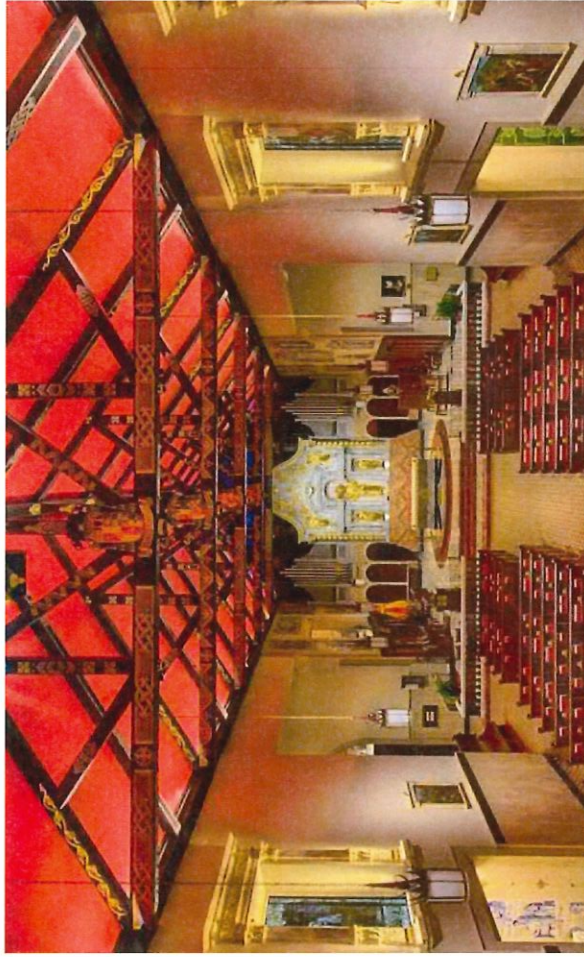
Casa Monica Hotel a/k/a Cordova Hotel

Built in 1888



The Cathedral Basilica of St. Augustine

Built in 1797



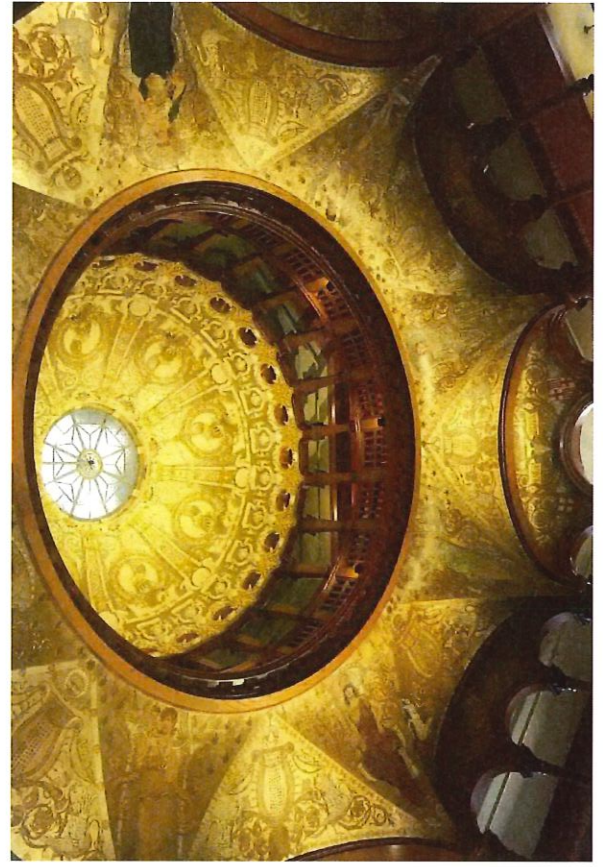
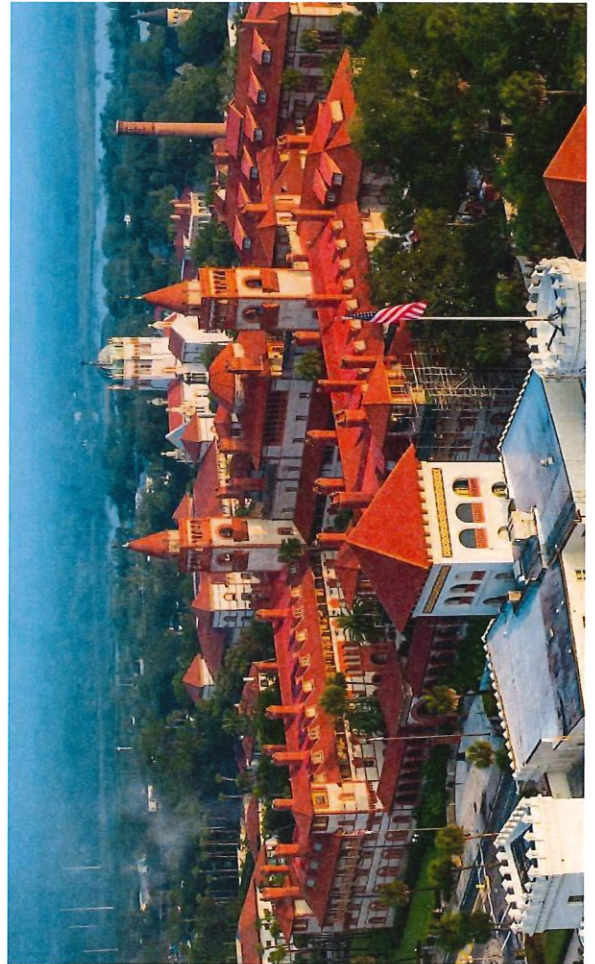
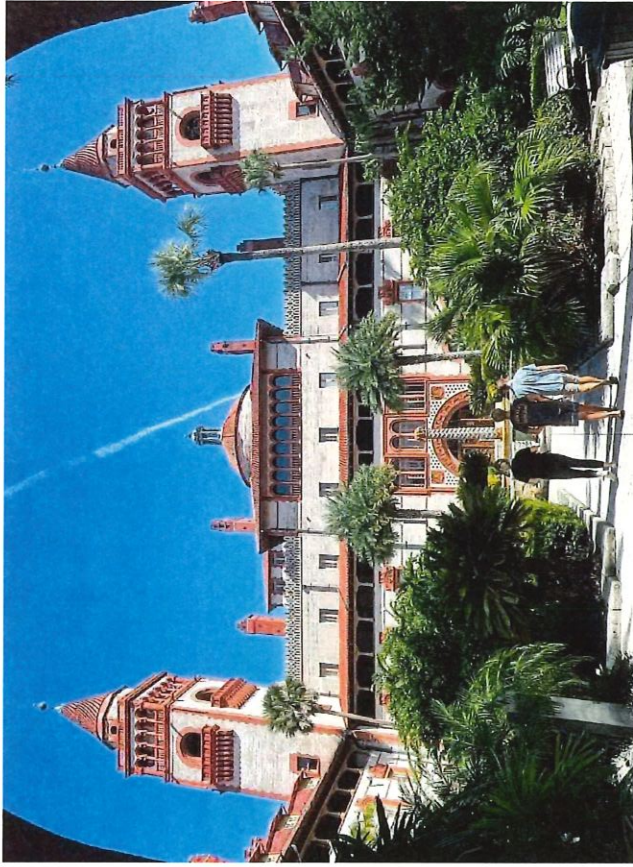
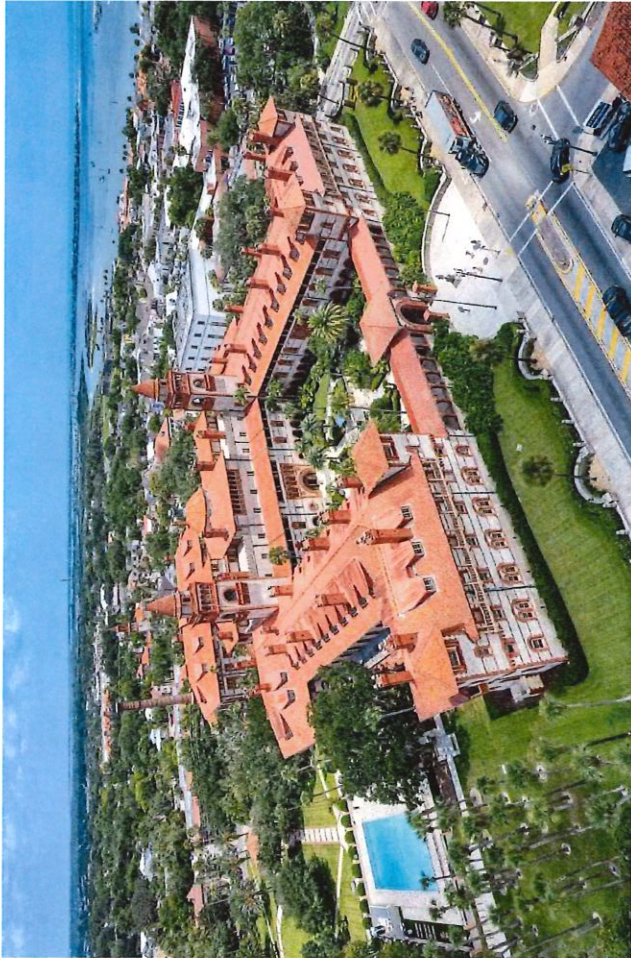
Father Pedro Camps Memorial Monument

Located in the courtyard of the Cathedral Basilica



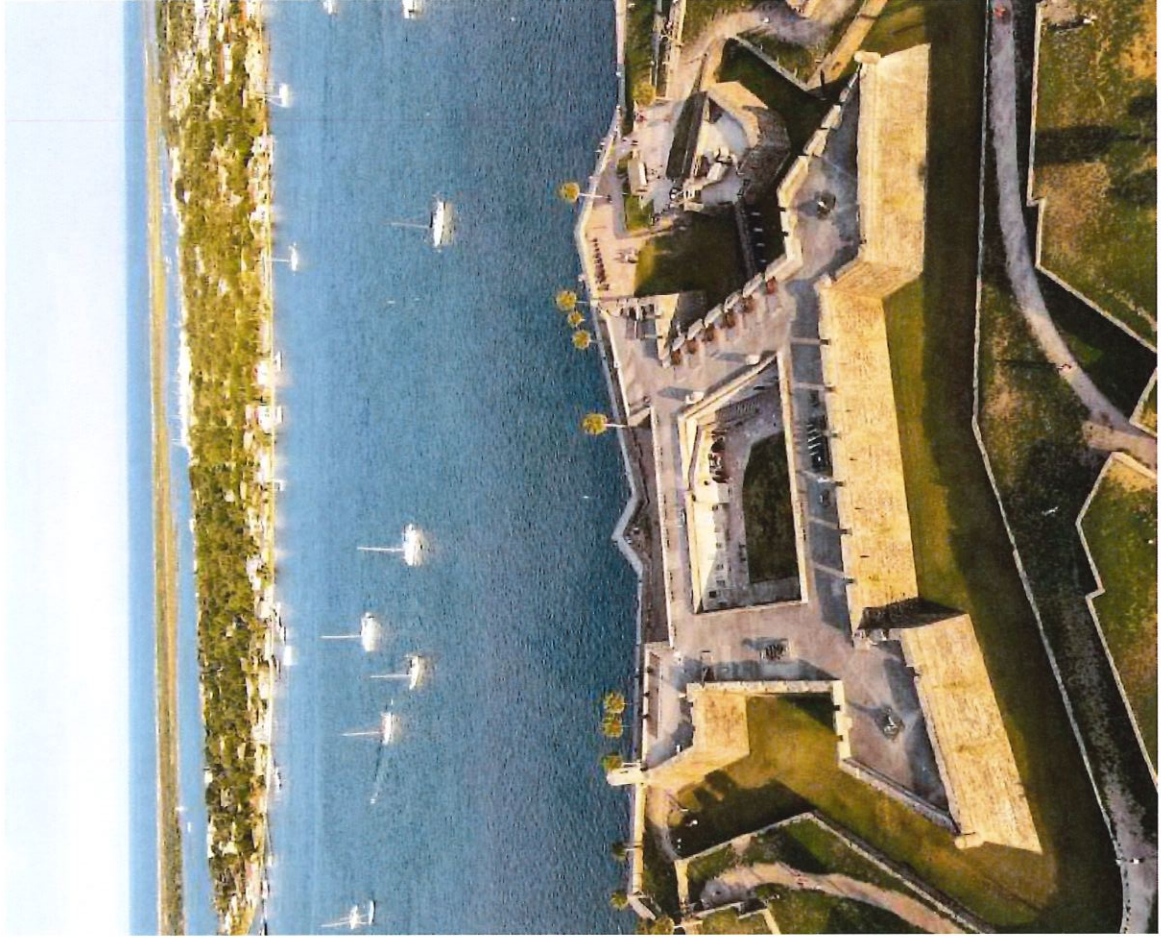
Hotel Ponce de León n/k/a Flagler College

Built in 1888



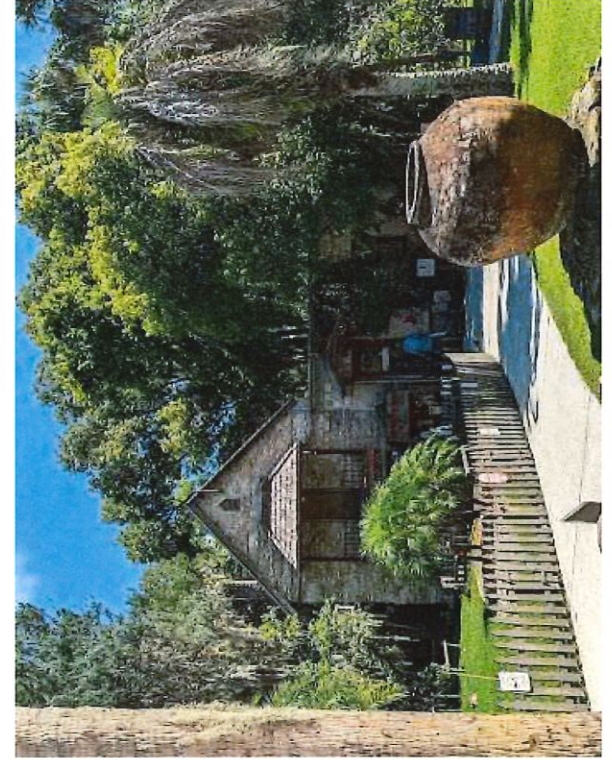
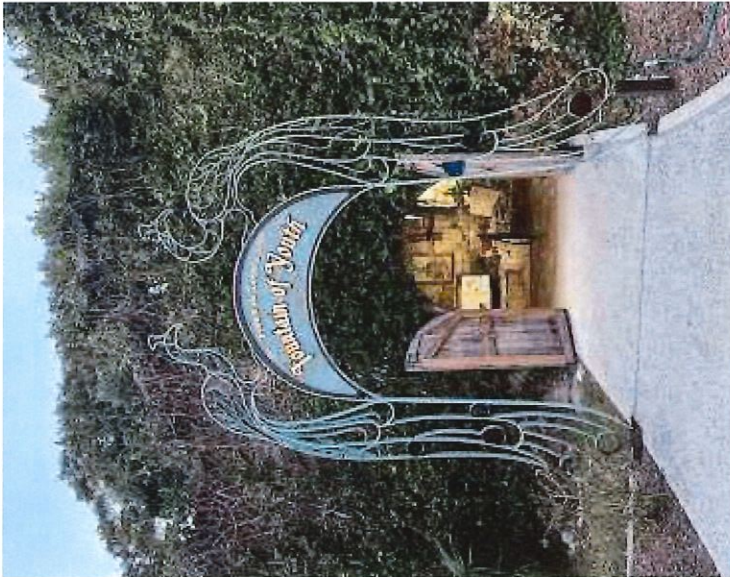
Castillo de San Marcos

Built in 1695



The Fountain of Youth

Founded by Pedro Menendez de Aviles in 1565
Established as an Attraction for Education in 1927



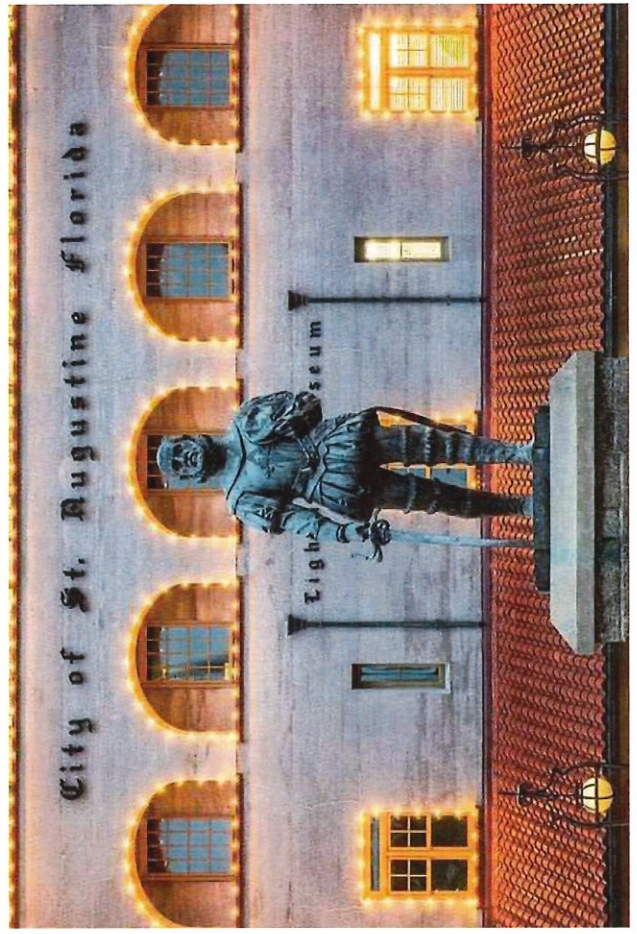
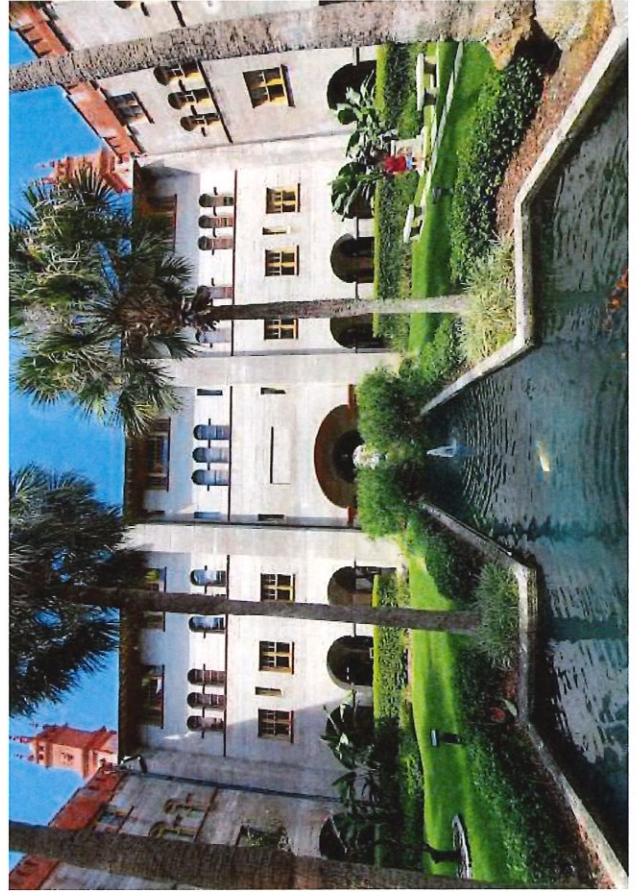
Florida School for the Deaf and the Blind

Established in 1885



Hotel Alcazar n/k/a Lightner Museum

Built in 1887



Lincolnville Historic Churches



St. Paul African Methodist Episcopal Church
Established in 1873 along the Maria Sanchez Creek by
the formerly enslaved Richard James.



The First Baptist Church of St. Augustine
Established in 1872 through the efforts of Mrs. Hannah
Jordan. During the 1960s, was a place for mass meetings
involving the N.A.A.C.P. and S.C.L.C. Considered the
cradle of the civil rights movement in St. Augustine.



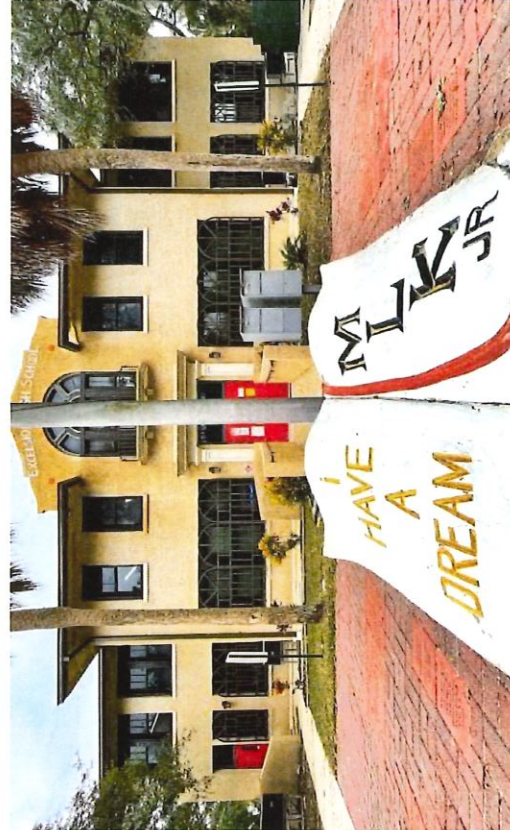
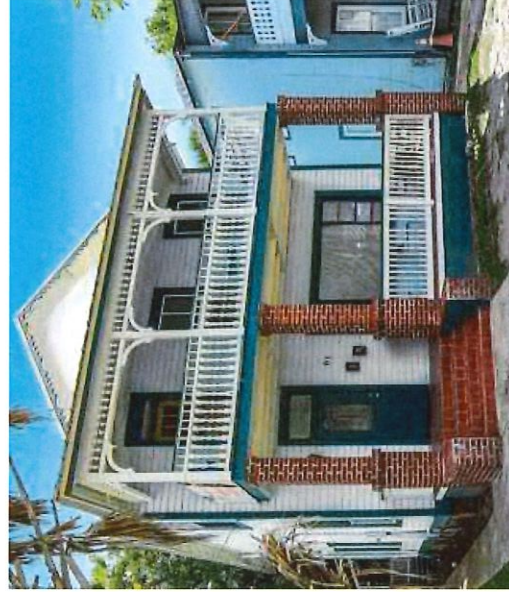
St. Cyprian's Episcopal Church
Founded in 1893 for the former enslaved.



Bethel Baptist Church
Established in 1939 and provided meeting space for the
N.A.A.C.P. Youth Council and when Dr. Martin Luther
King, Jr. came to town in 1964.

Lincolnville Historic District / Civil Rights Movement

Originally called Africa or Little Africa, Lincolnville was settled by recently freed enslaved in the marshes of Maria Sanchez Creek just west of St. Augustine in 1866. Largely developed between 1866 and 1930 where the former Yallaha and Buena Esperanza orange grove plantations once stood, Lincolnville is a historic Gullah Geechee community and home to the largest concentration of late Victorian era buildings in the oldest city in the continental U.S.



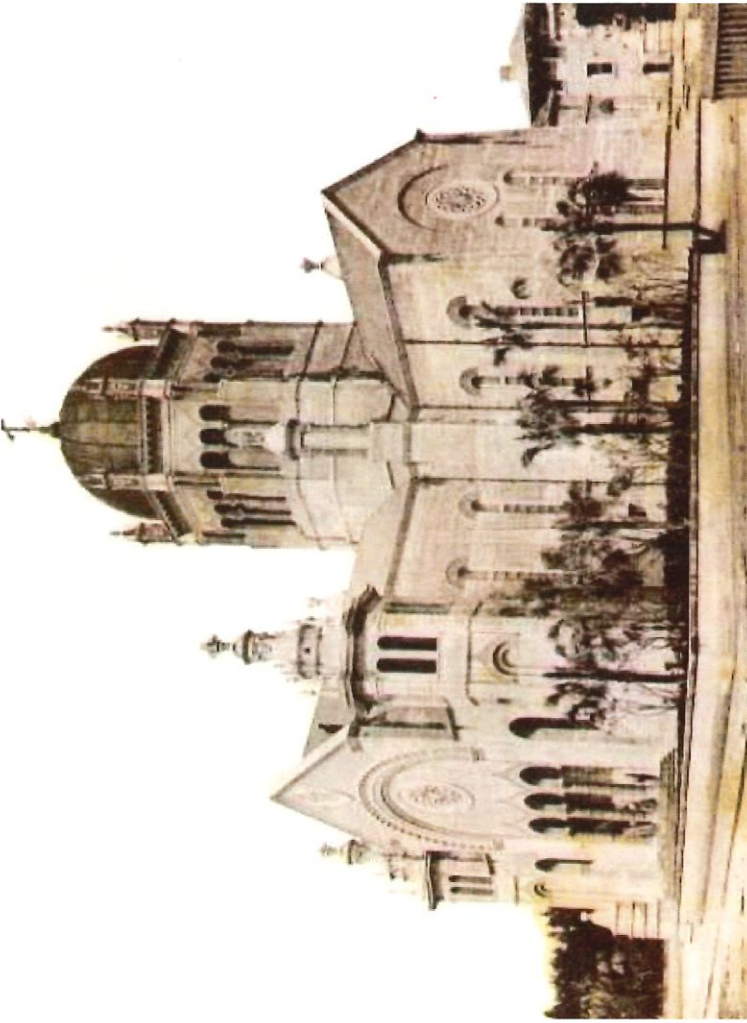
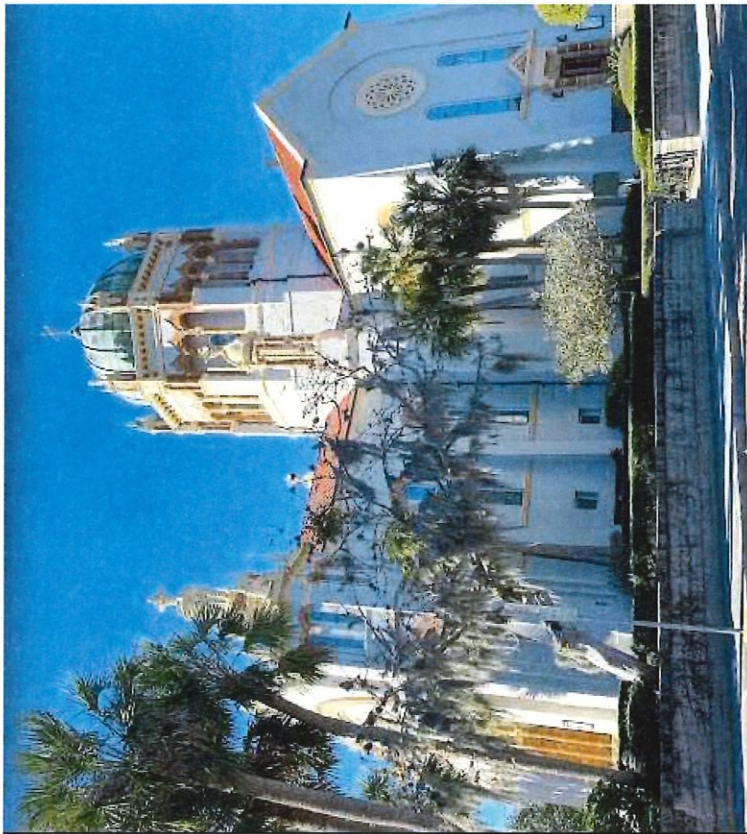
Excelsior High School n/k/a
Lincolnville Museum and Cultural Center



Accord Civil Rights Museum

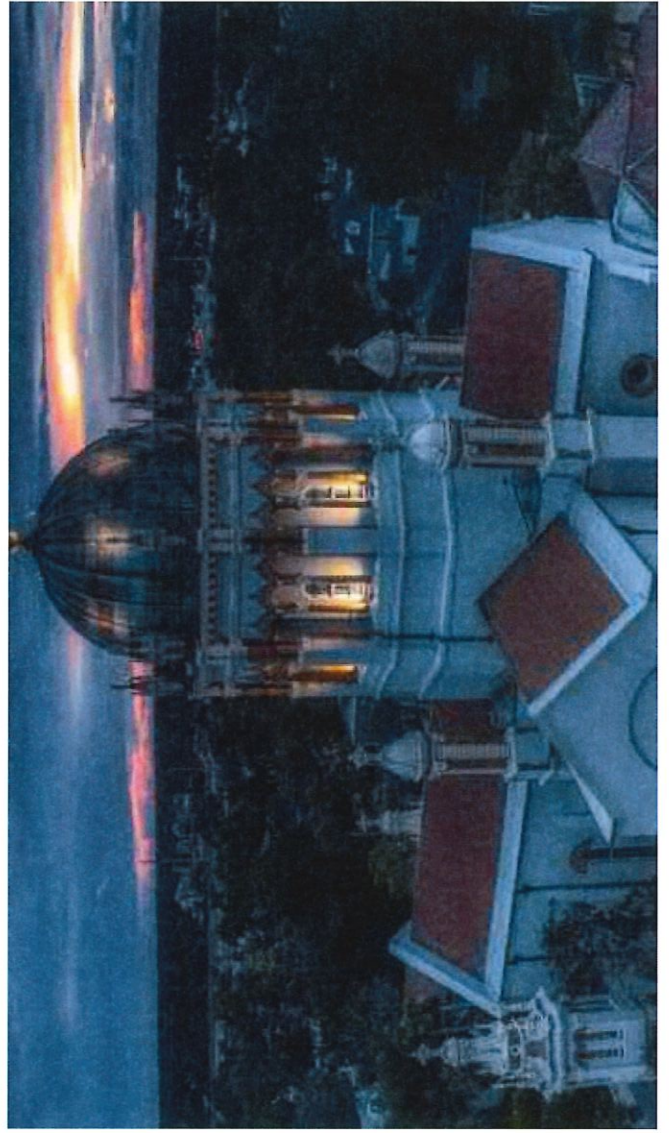


St. Augustine Four: Woolworth
Lunch Counter Sit-In of 1963



Memorial Presbyterian Church

Built in 1825



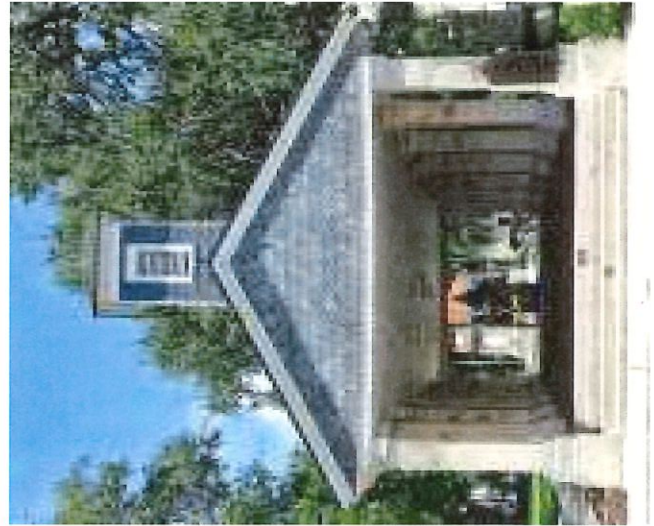
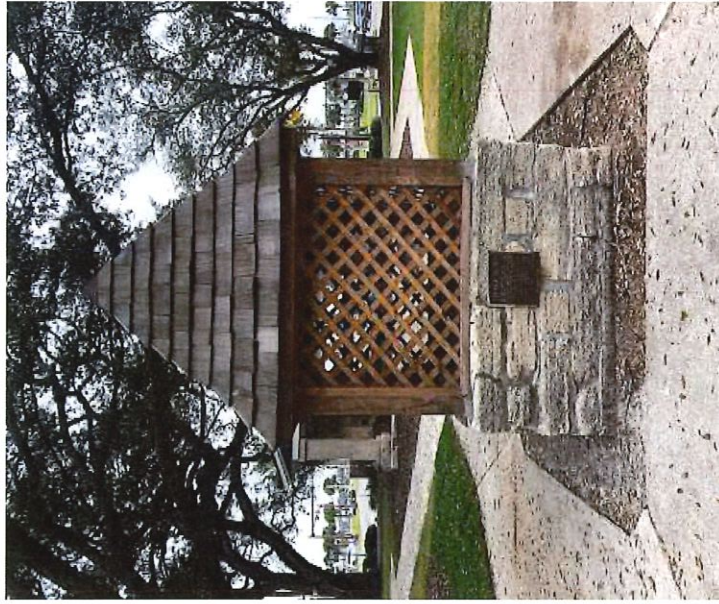
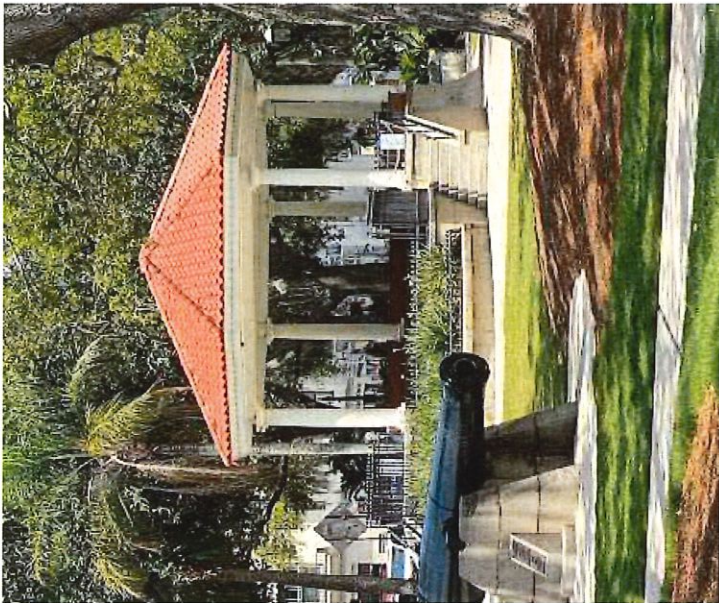
The Old Jail

Established in 1891



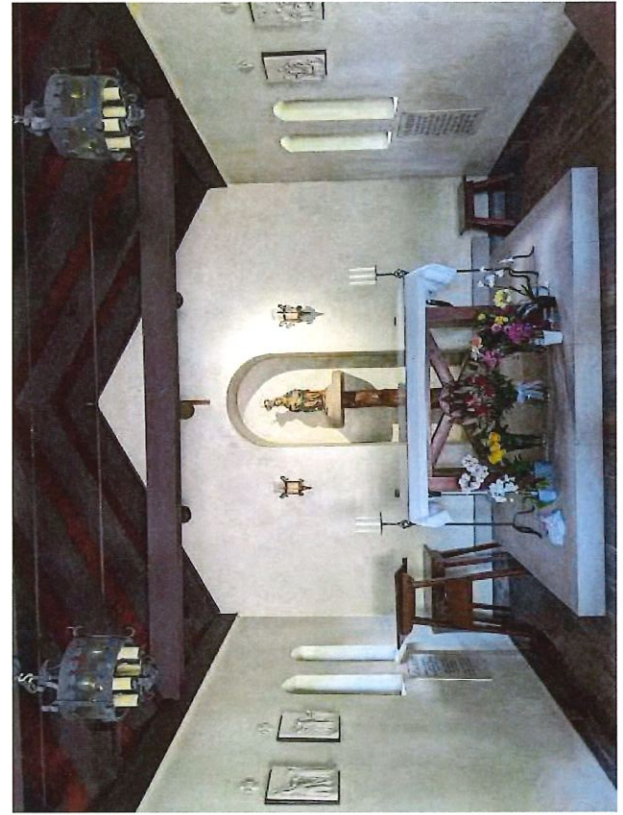
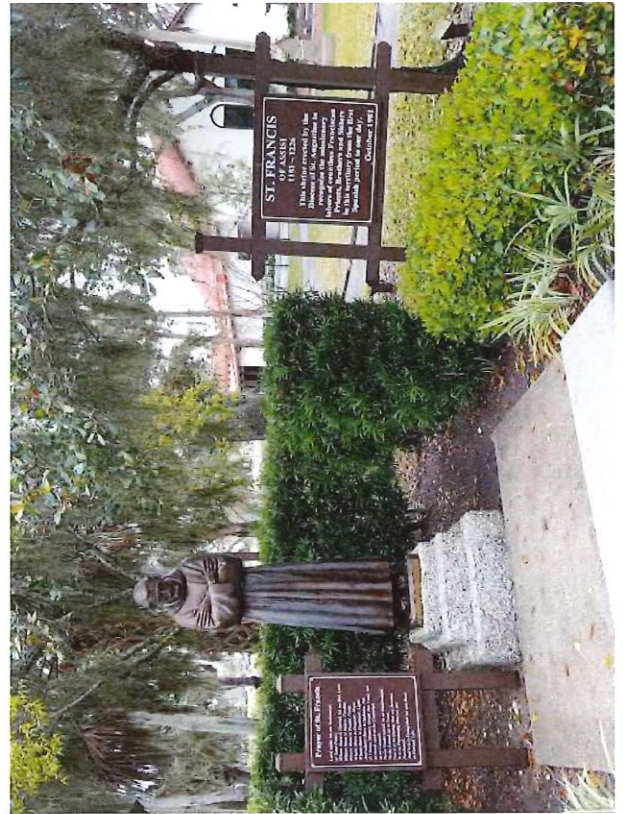
Plaza de la Constitución

Established in 1573

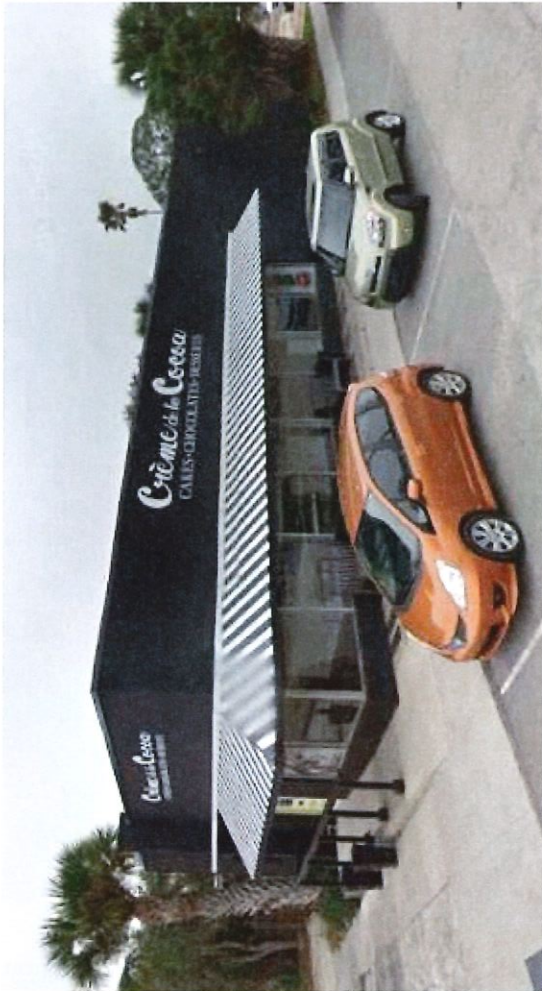


National Shrine of Our Lady of La Leche at Mission Nombre de Dios

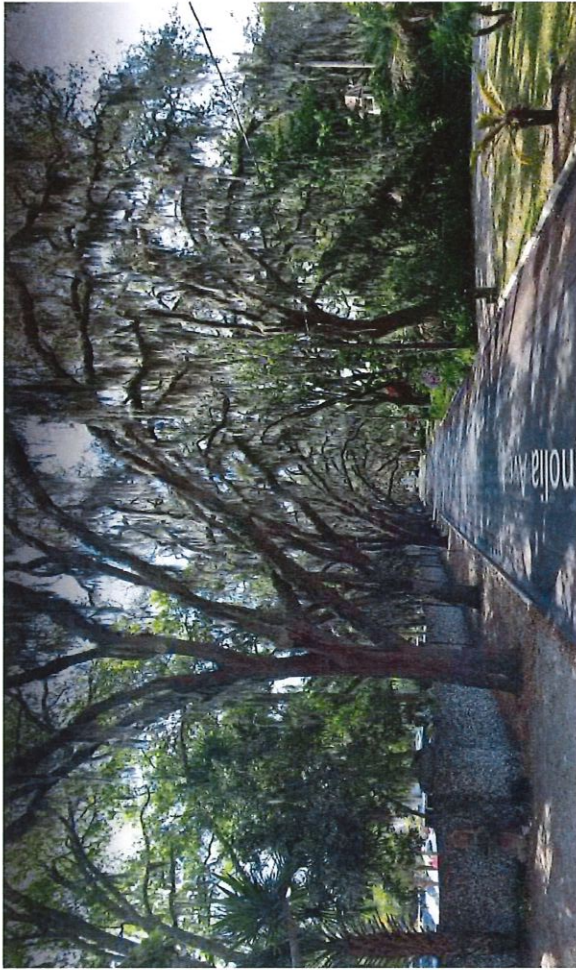
Established in 1587



Local Businesses



Residential Neighborhoods



THE PEOPLES WHO USED THIS ROADWAY OVER THE CENTURIES

For thousands of years residents of this area used this pathway or trail that now encompasses the roundabout. From here one can see other means for travel and transport—by water to the east, in modern times by train tracks to the west.

We don't know what the earliest residents called themselves. Today we give names to those earliest residents for our own convenience. Humans lived in this area 4,500 years ago or before. In the 1500s (Common Era) a new sort of people arrived in large ships from across the ocean.

Spanish settlers stepped ashore here in 1565 and founded the city of St. Augustine. St. Augustine is the oldest European-settled city in the United States. The city became the capital of colonial Florida for almost two and half centuries. Whites, Blacks who first arrived with the Spanish, and the indigenous people already in residence for millennia all used this roadway.

St. Augustine was the first place where Europeans and Indians interacted continually day after day. The newcomer Spanish and the Indians quickly developed an ambivalent and an ambiguous relationship—sometimes friendly, sometimes hostile. The Spanish established Christian missions in existing Indian towns that lay north and west of St. Augustine. Mission Nombre de Dios (Name of God) was the first mission and was located along the tidal creek and today's San Marco Avenue. The mission's Indians came into St. Augustine to work and to trade; some remained as residents of the city. Local Indians worked in the Spaniards' fields and at times the Indians' storehouses provided corn to feed the Spanish.

Spain built Castillo de San Marcos, the masonry fortress on St. Augustine's shoreline, in 1672 to defend the city's seaward and landward sides. The fortification is made of locally quarried shell stone (coquina). It is the oldest masonry fortification in the continental United States. Spanish workmen, free and enslaved Blacks, and mission Indians were the builders of the Castillo. British and, later, American invaders marched along this route to attack Castillo de San Marcos and St. Augustine's residents. Unsuccessful in capturing the fortress, the invaders used the same road to retreat. Castillo de San Marcos was never taken by attack. Castillo de San Marcos was designated a National Monument in 1924.

For almost a century (1687-1790) enslaved Blacks fled from British South Carolina to Spanish St. Augustine in hope of freedom. This road led from the city to the village that was established for freed Blacks at Mose Creek (Fort Mose). Residents of Fort Mose were prepared to defend St. Augustine and themselves from raids by their former masters from Carolina.

After Spain traded Florida to Great Britain in 1763, British planters arrived with hopes of wealth from cash crops. British soldiers came, too. British planters brought workers from the Mediterranean (later, "Minorcan") to be workers on the large farms. This path became part of the King's Road, which British officials extended north from St. Augustine to the Georgia border and south to New Smyrna. Florida remained loyal to Great Britain during the American Revolution.

Defeated Great Britain returned Florida to Spain after the War of the American Revolution. Spanish residents returned to use this pathway for 37 years.

A U.S.-Spain treaty delivered Florida to the United States in 1821. Americans clamored to move into Florida to acquire land. Seminoles succumbed to Americans' pressure for their land and moved to the center of the peninsula.

As soon as Florida became an U.S. territory, American tourists began coming to spend the winter in St. Augustine.

In the late 1800s wealthy Henry Flagler brought the standardized railroad to St. Augustine. The tracks of his Florida East Coast Railway often paralleled this old trail, in many places laid only a few hundred feet from the road. Flagler built luxury hotels to bring wealthy tourists who rode his railroad to Florida. All sorts of freight came into Florida and the state's crops and commodities rode the rails as they passed nearby, heading to more northern markets.

Private automobiles became popular in the early 20th century. Motorists demanded good roads. This roadway was paved with shell that was excavated from huge mounds created by prehistoric Indians. Locally this road was known as the "Shell Road" and as "San Marco Avenue." In 1917 this road was paved with bricks. By then the road was part of a long trail for automobiles: the Quebec-to-Miami trail called the Atlantic Highway, the Minnesota-Miami route known as the Dixie Highway, and the Key West-Maine route designated U.S. Highway One. Florida A1A, the state's Atlantic coastal route, also shares the roadbed before heading east to the shoreline.

St. Augustine donated five acres on San Marco Avenue to serve as a residential, educational institute for Florida's deaf and blind children. The Florida School for the Deaf and the Blind opened in 1885 and continues to serve Florida's children. San Marco Avenue serves as "classroom" for blind students to learn to deal with sidewalks, curbs, vehicle traffic, intersections, and traffic signals.

Florida briefly enjoyed a phenomenal land rush in the middle of the 1920s and an accompanying population surge. More people required homes and brought more automobiles. For the first time bridges were built to connect the mainland to new barrier-island subdivisions, ocean bathing and beach businesses. In 1925 May Street became the conduit to the bridges to North Beach.

After World War II ended in 1945, young families moved to this area. Tourism grew. Motels popped up along San Marco Avenue for the growing tourist trade. St. Augustine marketed its early Spanish history as never before.

After World War II Blacks in the United States were frustrated that their efforts defending freedom during the war had not brought more freedoms for them. In 1963 and 1964 civil rights activists arrived in St. Augustine to integrate restaurants, churches, and to demand inclusion in community events with marches, sit-ins, pray-ins, swim-ins. Most of the demonstrations took place in the center of old St. Augustine around the Plaza and within a few blocks of there. Dr. Martin Luther King, Jr., and future United Nations Ambassador Andrew Young came to St. Augustine. The demonstrations ended when Congress passed the Civil Rights Act on July 2, 1964.

The opening of Disneyworld in Orlando in 1971 at first pulled visitors away from St. Augustine. But after a while, tourists viewed St. Augustine as an adjacent visit and came to see an authentic old city. Much of the colonial town had been reconstructed to resemble St. Augustine's buildings of the 1700s.

A cultural center sits next to the roundabout's intersection, offering a library, a cultural center building and a park. The St. Augustine Waterworks Building provided water to the City from 1898 to 1927. Thereafter, the building served until 2005 as a community center for meetings, performances, and exhibits. The City of St. Augustine restored the historic building and today the St. Johns County Cultural Council oversees and supports cultural events from this location. When the building ceased to be a waterworks, the adjacent land became Davenport Park, offering a place for both play and relaxation. The St. Johns County Main Library, built in 1987, adjoins the Waterworks property.

St. Augustine has capitalized on its weather, oceanfront location, and historical ambience. St. Augustine is now a popular daytrip and a popular wedding venue. Its many festivals draw visitors and create gridlock on its streets. This roundabout is part of the solution to manage traffic.

Susan Richbourg Parker, Ph.D.
November 13, 2023

EXHIBIT “C”

Touch St. Augustine Interpretive Panels

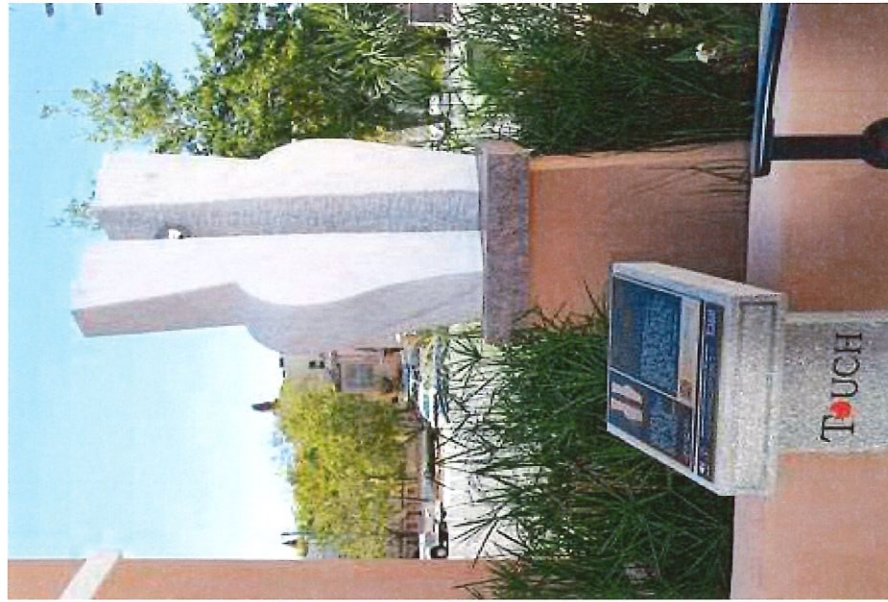


EXHIBIT “D”

127 Community Aesthetic Features

127.1 General

A Community Aesthetic Feature (CAF) is an enhancement installed within the Department's right of way to represent or reflect the surrounding community's identity, culture, and values. A CAF may also enhance the sense of place through which a highway passes.

A CAF placed within FDOT right of way (R/W), or attached to an FDOT structure or facility must be approved by the Department. These features are designed, maintained, and paid for by a local governmental agency. A CAF is typically constructed by the sponsoring entity, but may be included as part of a Department project.

The [Community Aesthetic Feature Agreement](#) (**Form Number 625-010-10**) must be executed by the local governmental entity and the Department prior to any construction within the Department's R/W. This agreement provides for the removal and/or relocation of the CAF at the local governmental entity's expense should it not be maintained by the local governmental entity, or if the Department needs the R/W for transportation purposes. A Deposit, Performance Bond, or Letter of Credit is required as part of the [Community Aesthetic Feature Agreement](#). A waiver of the Deposit, Performance Bond or Letter of Credit is allowed for certain minor installations as indicated within the CAF agreement.

See **F.S. 334.187** for Bond and Letter of Credit requirements.

Final plans for placing a CAF within the Department's R/W must be accompanied by a resolution of the local governmental entity indicating their full financial responsibility for the feature's design, construction and maintenance during its lifespan.

127.2 Requirements

A CAF must meet the Department's requirements governing safety, access, and maintenance of the highway. A CAF is classified in the following categories:

- (1) Public Art (Stand Alone or Affixed)
- (2) Local ID Markers (Stand Alone or Affixed)

While there are some criteria unique to each category, all CAFs must meet the following requirements:

- (1) Except where parking is available, select a site and lay out the site plan to deter drivers from stopping within the roadway. If drivers are expected to stop or park, provide for parking in the plan. If public access is available, Department Standards and Specifications must be met, including ADA requirements. Prohibit public access to the CAF when located within limited access R/W.
- (2) The feature must not contain any signs as defined in the **2009 Manual on Uniform Traffic Control Devices (MUTCD), Part 1, Chapter 1A.13**, traffic control features, auditory devices, reflective surfaces, flashing lights, moving parts or moving illumination.
- (3) The feature must not contain any advertising per the **MUTCD** and **23 C.F.R., 1.23** which prohibits advertising on, or commercial use of the R/W. Commercial advertising on state R/W is also prohibited by **Chapter 479, Florida Statutes**, including charitable, fraternal, religious, or political signs, symbols, logos, banners, web links, or any other such devices.
- (4) Lighting of the feature must not be directed at motorists, bicyclists or pedestrians. For lighting criteria see **FDM 231**. When located near an airport, the feature must not create a hazard as defined by **Section 333.01(3), F.S.**
- (5) In absence of feature lighting, messages or text included on Local ID Markers must be retroreflective. Decorative or accent lighting must not include any strobe effects, flashing lights, moving parts, or moving illumination.
- (6) Local ID Markers (Stand-Alone or Affixed) are not allowed on limited access facilities unless they are part of an overall aesthetic treatment plan that can include landscaping and other aesthetic components.
- (7) Local ID Markers intended to represent the geographic boundary of the county, municipality, sovereign nation, or unincorporated area should be located in close proximity to the actual geographic boundary of that area. Remove existing standard geographic boundary guide signs, and/or non-official signs or structures, at or near the location.
- (8) Do not install Local ID Markers in both the median and roadside at a given location.
- (9) CAF installations involving the Interstate System, which are visible from the Interstate mainline, require FHWA approval.
- (10) CAFs within the median of a limited access facility are prohibited.
- (11) One Stand-Alone feature will be allowed per mainline interchange approach (for a maximum of two installations). The local governmental entity must select one site from amongst the ramp and the mainline, along the outside of a ramp, or the area inside a loop ramp.

- (12) The feature must meet applicable building codes and design criteria for similar structures or landscaping placed adjacent to the highway's R/W, including wind loading commensurate with highway signs in the area.
- (13) The feature must not cause adverse impacts or create public controversy related to any of the following:
 - (a) Property access
 - (b) Air quality
 - (c) Noise
 - (d) Water quality
 - (e) Wetlands
 - (f) Floodplain encroachments
 - (g) Imperiled, endangered or threatened species or their critical
 - (h) Habitat historical resources
- (14) The CAF, including amenities like landscape or fencing, must not obstruct signs or interfere with a sight distance, sight triangle, or permitted view zone (billboards).
- (15) The CAF final design must be signed and sealed by a responsible professional licensed in Florida, excluding art wraps.

127.2.1 Public Art (Stand-Alone)

Additional requirements for Public Art (Stand-Alone) are as follows:

- (1) All roadways
 - (a) The location must be outside the appropriate lateral offset or clear zone as defined in **FDM Table 215.2.3** and **Table 215.2.4**, and should be as close to the right of way line as practical.
 - (b) The structure may not display messages with text, or contain any words or alpha-numeric characters.
 - (c) The artist's insignia may be inscribed or etched on a small plaque affixed to the artwork, or placed on the artwork itself. The insignia must not be visible from the roadway so as to avoid distraction to drivers or bicyclists.
 - (d) The object's highest point must not be greater in elevation than 25 feet above the nearest point of the roadway.
- (2) Curbed roadways

The feature may be placed within the median of curbed roadways, where:

- (a) The Design Speed is less than or equal to 45 mph, and
- (b) R/W is restricted, and
- (c) A minimum 4-foot offset from the face of curb is provided.

127.2.2 Public Art (Affixed)

Additional requirements for Public Art (Affixed) are as follows:

- (1) The feature may not display any messages with text, or contain any words or alpha-numeric characters.
- (2) The artist's insignia may be inscribed or etched on a small plaque affixed to the artwork, or placed on the artwork itself. The insignia must not be visible from the roadway so as to avoid distraction to drivers or bicyclists.
- (3) For bridges, the feature must not reduce the vertical clearance over the roadway.
- (4) For art wraps affixed to roadside features:
 - (a) Do not obstruct traffic control cabinet vents with the art wrap.
 - (b) The DDE should coordinate with the District Traffic Operations Office during the review process for traffic control cabinet wraps.
 - (c) Art wrap themes can be approved for general use by a local government entity.
 - (d) A CAF Agreement will be required for these features.
 - (e) Any maintaining agency, other than a local government, must coordinate approvals and maintenance through the appropriate local government entity.
 - (f) Logos representing the local governmental entity are permitted.
 - (g) A Deposit, Bond, or Letter of Credit is not required for art wraps on traffic control cabinets.

127.2.3 Local ID Marker (Stand-Alone)

Additional requirements for a Local ID Marker (Stand-Alone) are as follows:

- (1) All roadways:

- (a) The location must be outside the appropriate clear zone and lateral offset as defined in **FDM 215.2.3 and 215.2.4** and should be as close to the R/W line as practical.
 - (b) The structure may contain text such as the name of the municipality, county, or community area (as defined in **Chapter 14-51.041, F.A.C.**) with a short phrase or message. Text such as “Exiting” or “Leaving” are prohibited.
 - (c) The object’s highest point must not be greater in elevation than 25 feet above the nearest point of the roadway.
- (2) Curbed roadways:
- The feature may be placed within the median of curbed roadways, where:
- (a) The Design Speed is less than or equal to 45 mph, and
 - (b) R/W is restricted, and
 - (c) A minimum 4-foot offset from the face of curb is provided.
- (3) Limited Access Facilities:
- (a) Provide a minimum 50-foot offset (100-foot preferred) from the edge of the traveled way, whether guardrail is present or not. The 50-foot to 100-foot lateral offset will help to minimize driver distraction, and reduce the likelihood that vertical structures will become storm debris blown across the roadway.
 - (b) Letter height must not exceed four feet.
 - (c) Short phrases or messages are prohibited.

127.2.4 Local ID Marker (Affixed)

Additional requirements for a Local ID Marker (Affixed) are as follows:

- (1) All roadways:
 - (a) The feature may contain text such as the name of the municipality, county or community area (as defined in **Chapter 14-51.041(2)(c), F.A.C.**) with a short phrase. Text such as “Exiting” or “Leaving” are prohibited.
 - (b) For bridges, the feature must not reduce the vertical clearance over the roadway.
- (2) Limited Access Facilities:
 - (a) Letter height must not exceed four feet.
 - (b) Short phrases or messages are prohibited.

127.3 Approval Process

The application process is conducted in two phases, the Concept Phase and the Final Phase.

When any of the requirements in **FDM 127.2** are not met, a Design Variation must be approved by the State Roadway Design Engineer.

127.3.1 Concept Phase

The Concept Phase includes District coordination with the applicant to ensure:

- (1) The appropriate Community Aesthetic Feature category is selected,
- (2) The corresponding requirements are achievable and acceptable, and
- (3) The conditions of the [Community Aesthetic Feature Agreement](#) are acceptable.

The District will submit a concept drawing and documentation to the State Roadway Design Engineer. The concept submittal must include a **Submittal/Approval Letter**, which can be found in **FDM 103, Form 122-A**. The **Submittal/Approval Letter** is to be signed by a representative of the requesting entity and the District Design Engineer or Turnpike Design Engineer.

Upon review by the Roadway Aesthetic Community of Practice (RACoP) and the State Roadway Design Engineer, conceptual approval may be granted. If the concept and proposed Design Variations are deemed acceptable, the signed **Submittal/Approval Letter** indicating Central Office conceptual approval will be returned to the District. Otherwise, conceptual approval will be denied with comments. The conceptual approval is valid for one year, at which time the local governmental entity may request an extension from the District.

For applications involving the Interstate System, the District should coordinate with the FHWA District Transportation Engineer prior to submitting to the Central Office.

The package submitted to the Central Office for conceptual approval must include the following:

- (1) The designation of the feature category.
- (2) A conceptual drawing/rendering showing the top, front, and side views of the feature with labeled dimensions, material designations including connections, proposed lighting configuration, and any alpha-numeric characters.

- (3) A draft site plan and section view dimensioning the location of the feature in relation to the roadway and the R/W.
- (4) The design speed of all adjacent roadways.
- (5) A citation of the Governing Design Standards (or Governing Standard Plans), criteria, and building code to which the feature will be designed.
- (6) If the feature is to be affixed to a bridge:
 - (a) Identify the bridge owner.
 - (b) Declare what the impact is to the bridge loading.
- (7) The Signature/Approval Letter signed by the applicant and the District Design Engineer or Turnpike Design Engineer.

127.3.2 Final Phase

The Final Phase includes the preparation and review of all final documents. The District will submit the **Submittal/Approval Letter** and final documents with a recommendation for approval to the Central Office. The Roadway Aesthetic Community of Practice (RACoP) and the State Roadway Design Engineer will review the application and provide approval to place the feature, or deny the submittal with comments.

The package submitted to the Central Office for final approval must include the following:

- (1) Site Plans, including a Traffic Control Plan if temporary maintenance of traffic will be required to place or maintain the feature.
- (2) Structural Plans including a wind load analysis.
- (3) Local Governmental Entity Resolution.
- (4) Design Variations for any requirements in **FDM 127.2** that are not met.
- (5) **Community Aesthetic Feature Agreement** signed by the local governmental entity.
- (6) **Signature/Approval Letter** signed by the applicant and the District Design Engineer or Turnpike Design Engineer.

Upon receiving Central Office final approval and, if applicable, FHWA, the District will notify the local governmental entity that placement of the feature may proceed. The final approval is valid for one year, at which time the local governmental entity may request an extension from the District.

127.4 Place Name Signs

Customized Place Name Signs are considered Local ID Markers which are addressed in **FDM 127.2.3 and 127.2.4**.

The placement of Place Name Signs within FDOT R/W is regulated by the Department. Requirements for Place Name Signs within FDOT R/W are located in **Rule Chapter 14-51, F.A.C., Part IV Place Name Signs**.

All signs placed within the Department's R/W must meet the requirements contained in the **MUTCD, Part 2**. Signs for general information, services, tourist destinations, and recreational/cultural interest areas all have specific chapters in the **MUTCD**, which specify color, size and lettering requirements. Destination signs are classified in the **MUTCD** as Guide Signs.

127.5 Blue Star Memorial Markers and Flag Poles

Blue Star Memorial Markers and Flag Poles are not considered Community Aesthetic Features and are not covered by this chapter. These markers are managed through the Local FDOT Maintenance and Traffic Operations offices.

EXHIBIT “E”



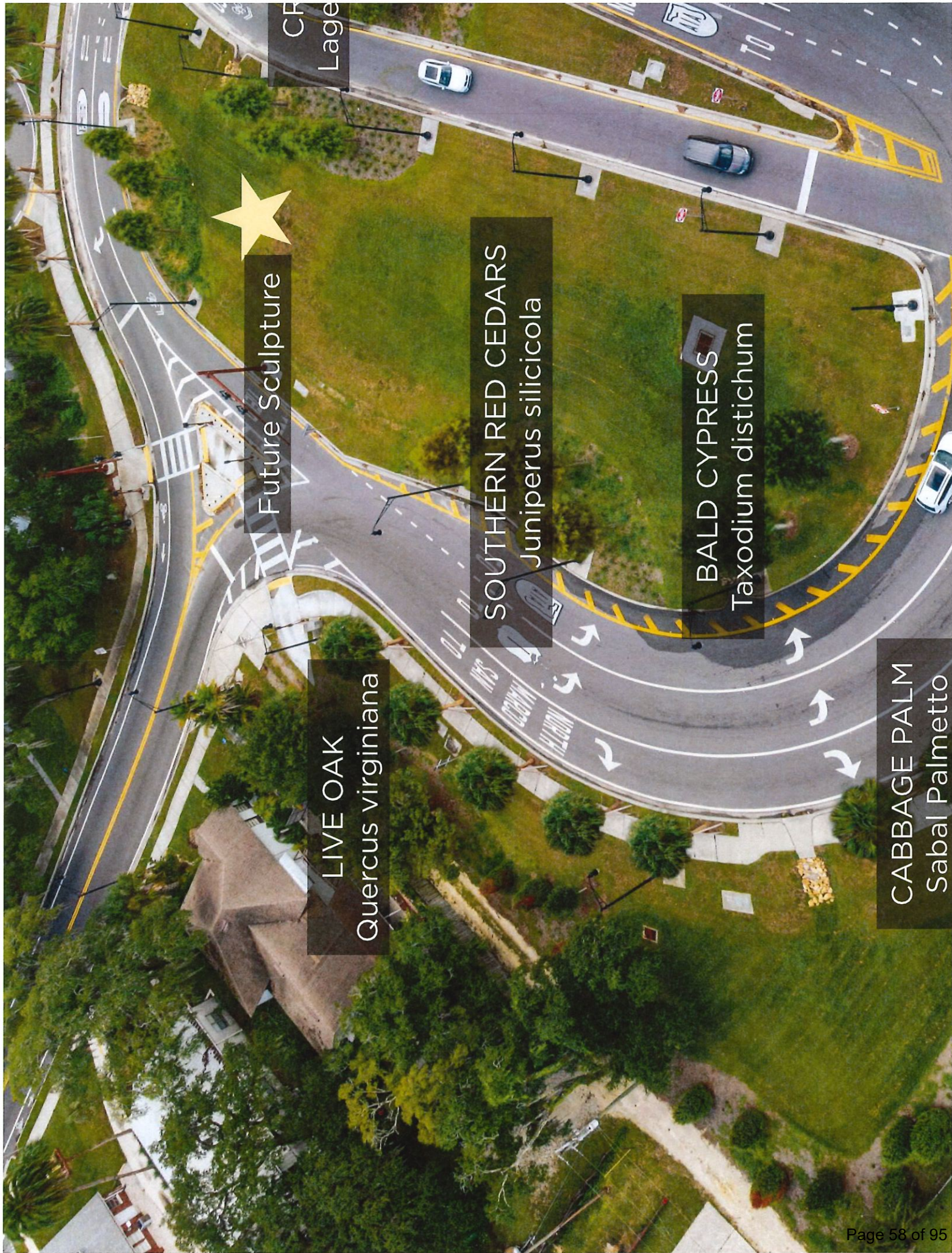
11.22.2023

MAY STREET/ SAN MARCO AVENUE

Landscape Growth Imaging



CITY OF
ST. AUGUSTINE



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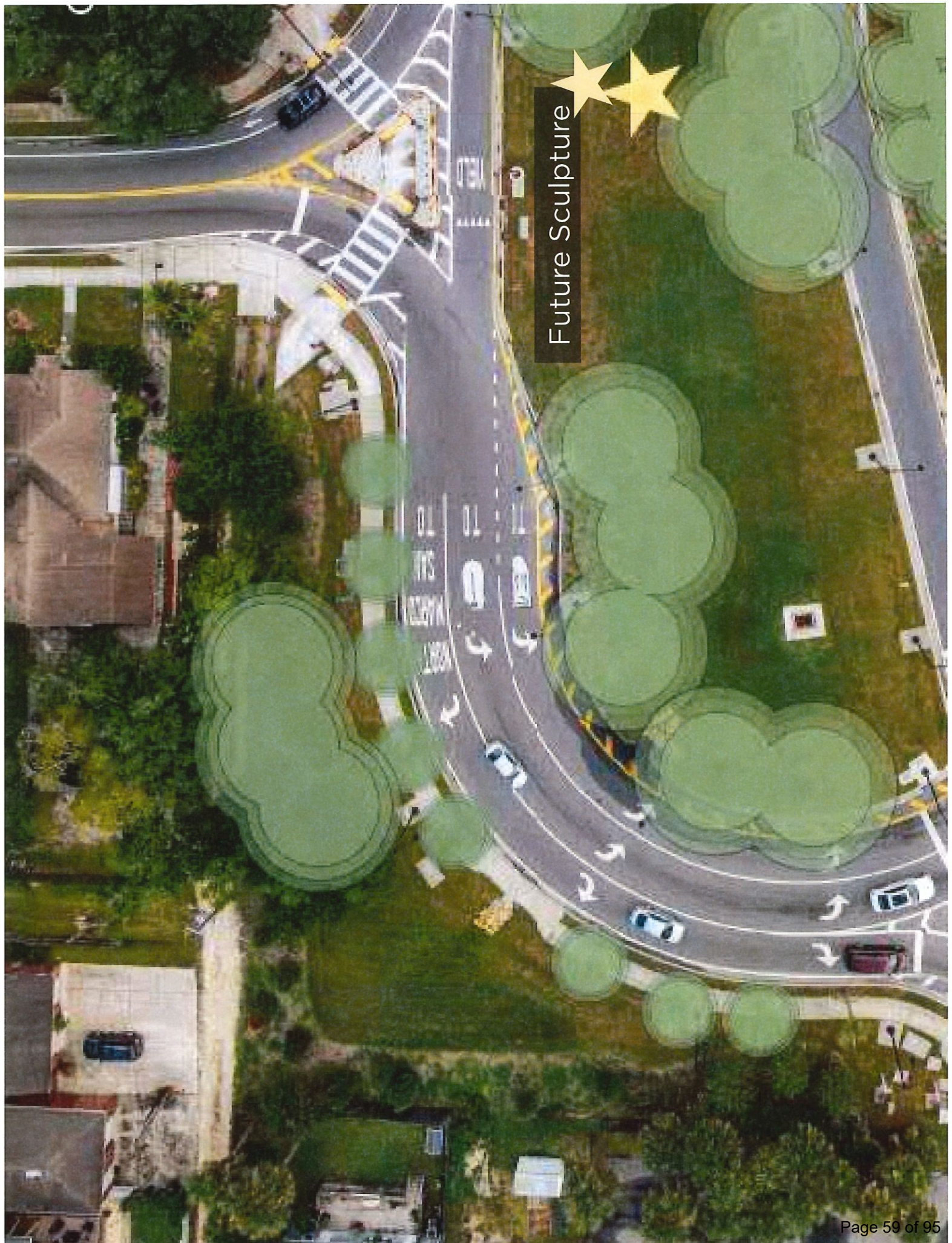
Future Sculpture

LIVE OAK
Quercus virginiana

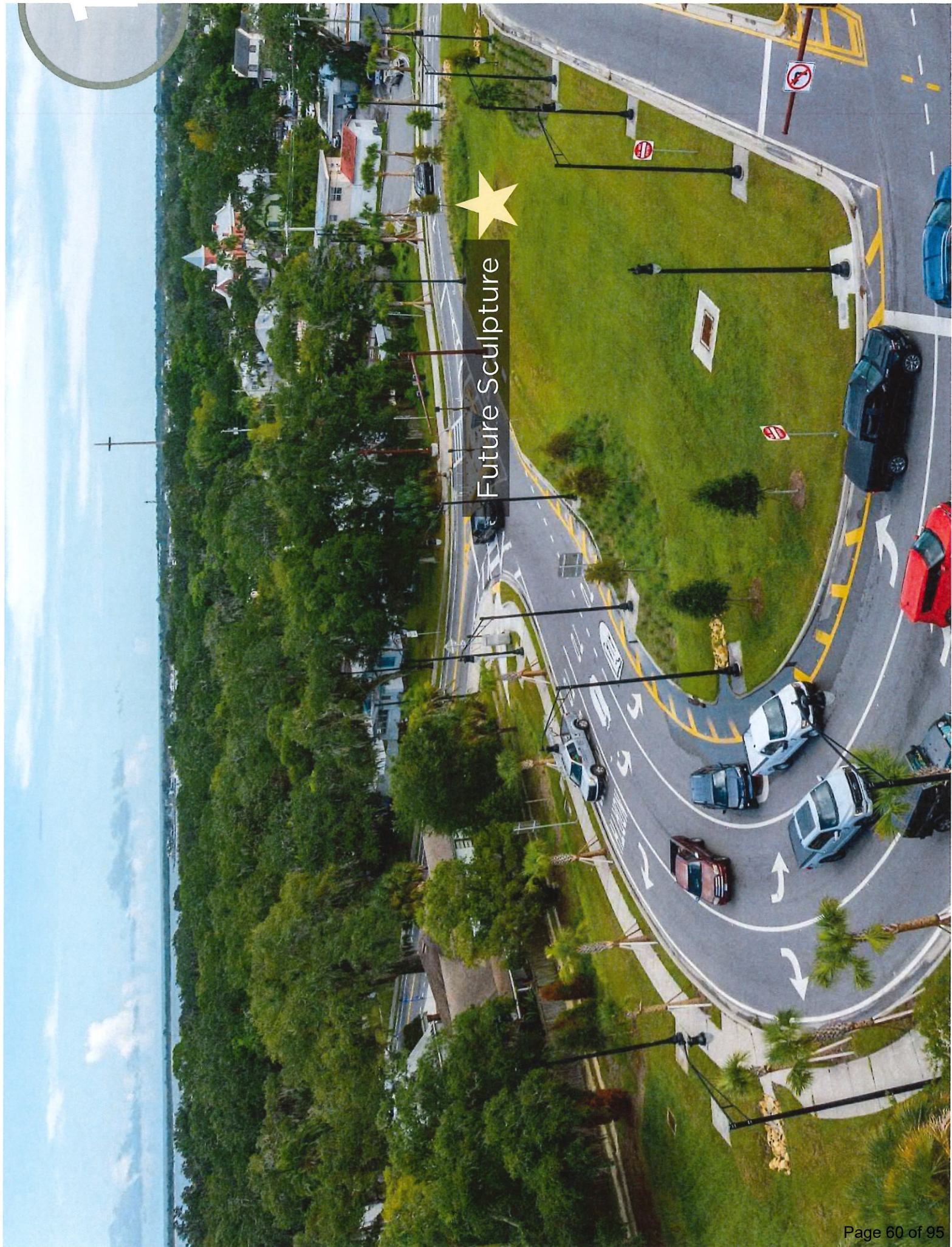
SOUTHERN RED CEDARS
Juniperus silicicola

BALD CYPRESS
Taxodium distichum

CABBAGE PALM
Sabal Palmetto



Future Sculpture



Future Sculpture

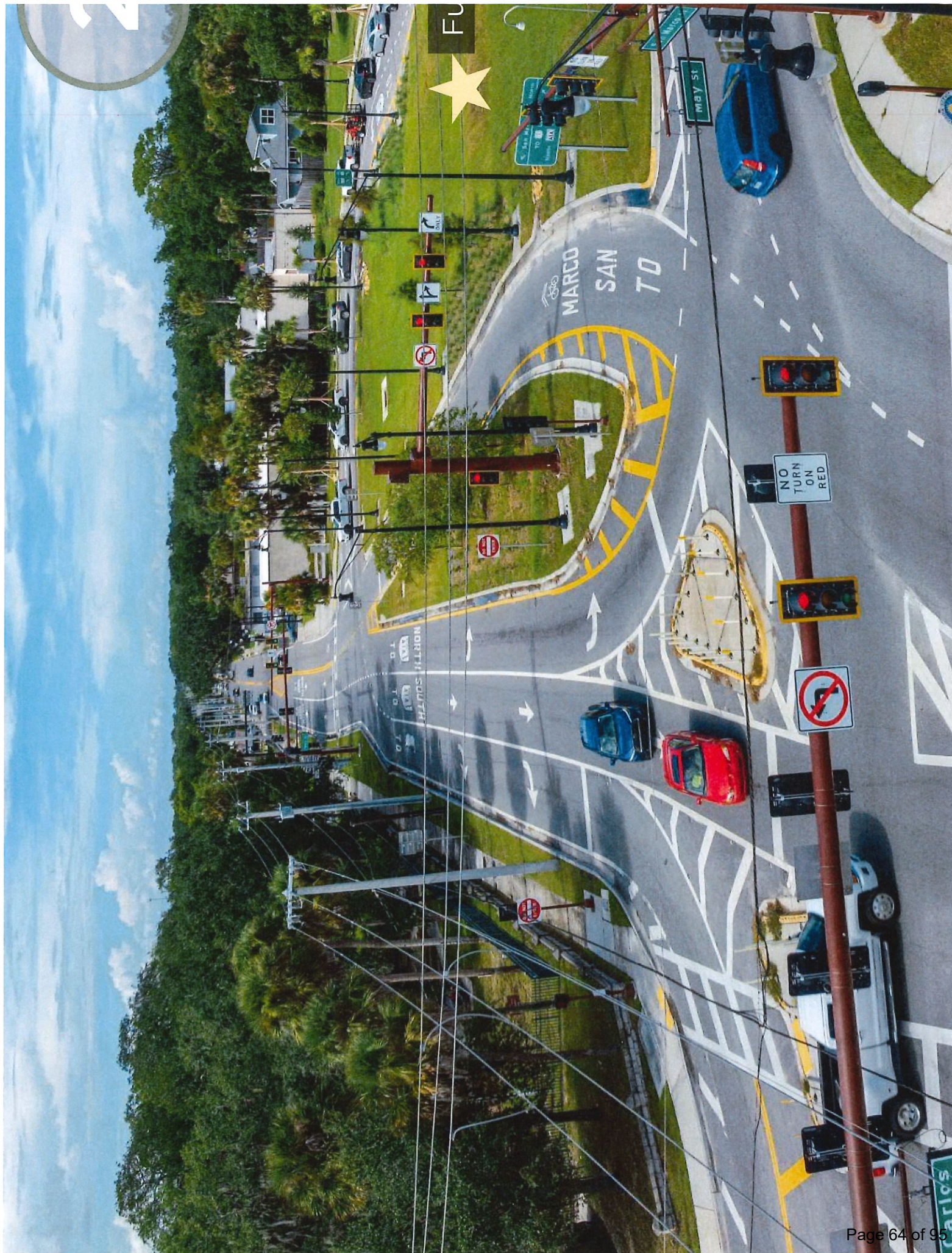


Future Sculpture



Future Sculpture



















Future Sculpture







Future Sculpture



Future Sculpture



Future Sculpture



Future Sculpture



Future Sculpture

EXHIBIT “F”

COMMISSIONED ARTWORK AGREEMENT

THIS AGREEMENT is entered into on _____ by and between CITY OF ST. AUGUSTINE, a municipal corporation organized under the laws of the State of Florida ("CITY"), and _____ ("ARTIST").

WHEREAS, ARTIST has been commissioned to create an original work of art pursuant to RFQ _____ for the CITY; and

WHEREAS, CITY wishes to accept ownership of ARTIST's artwork;

NOW, THEREFORE, in accordance with the mutual promises contained in this Agreement and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the CITY and ARTIST hereby agree as follows:

1. **ARTIST**

Name: _____

Address: _____

Phone: () Fax: () Email: _____

2. **ARTWORK**

ARTIST transfers all rights of ownership to the artwork listed on this Agreement to the CITY. ARTIST shall deliver the artwork to the CITY free and clear of any liens, claims or other encumbrances of any type. ARTIST shall furnish a signed, sworn and notarized Warranty of Title, attached as Exhibit "A" and incorporated herein. This Section shall survive termination of this Agreement.

<u>Title of Work</u>	<u>Artist Name</u>	<u>Medium, Dimension</u>	<u>Year Completed</u>	<u>Value</u>
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3. **WAIVER OF RIGHTS**

ARTIST shall provide the CITY with an executed Waiver of Artist Rights, attached as Exhibit "B" and incorporated herein, for each artwork.

4. INFORMATION AND MATERIALS TO BE SUBMITTED

Prior to the execution of this Agreement by the CITY, ARTIST shall submit to CITY:

- A. One photograph (no larger than 8-1/2" x 11") of each artwork. ARTIST shall label the back of the photograph with ARTIST's name, address, telephone number, email address, artist or co-artist of work, title of work, medium, dimensions, year completed and sale price. ARTIST agrees that the medium of the artwork represented in the submitted photograph shall be the medium of the artwork conveyed to the CITY.
- B. Artist(s) resume(s) for artwork.
- C. Artwork Condition Report, attached as Exhibit "C" and incorporated herein.
- D. All other terms, conditions, materials and documents required pursuant to RFQ _____.

5. LIABILITY

ARTIST shall bear the risk of loss of, or damage to, the artwork until the artwork is delivered to the CITY. Upon acceptance of the artwork, CITY shall bear the risk of loss of, or damage to, the artwork.

6. SELECTION AND DISPLAY OF ARTWORK

CITY shall have sole discretion to select and display artwork.

7. TRANSPORTATION OF ARTWORK

Upon execution of this Agreement, ARTIST shall deliver the artwork on an agreed date to the location specified by the CITY.

8. INSTALLATION OF ARTWORK

CITY shall have sole discretion to install and select a location for all commissioned artwork. ARTIST may be required to provide two-dimensional artwork(s) to CITY in a frame and "ready to hang." If the artwork is sculpture, ARTIST may be required to provide CITY with an appropriate pedestal or plinth for display purposes and a clear cover for protection if such is deemed necessary by the CITY. Public artwork to be displayed outdoors must be made of suitable materials to withstand the climate and specifics of the display area. If the artwork requires signed and sealed engineering plans for installation, ARTIST will provide same CITY.

9. SIGNAGE AND PUBLIC EDUCATION

CITY shall provide any interpretive signage for the artwork. All education programs related to the artwork shall be coordinated through the CITY.

10. CARE OF ARTWORK

CITY shall take all reasonable care to maintain and protect the artwork. Should the artwork become damaged, depending on the nature and extent of damage, CITY may remove the artwork from its display location. CITY shall exclusively have the right to determine when and if repairs and restorations to the artwork are required.

CITY shall perform repairs and maintenance for the artwork guided by the written specifications of ARTIST provided on the Documentation Worksheet, attached as Exhibit "D" and incorporated herein. Notwithstanding any provision in this Agreement to the contrary, CITY shall have no obligation to protect or maintain the artwork against CITY-approved renovation to or demolition of the building or public space in or around which the artwork is located if the artwork cannot reasonably, in the sole discretion of the CITY, be salvaged or relocated prior to the renovation or demolition.

CITY may make reasonable inquiry to ARTIST during ARTIST's lifetime, to recommend repair and restoration of the artwork of a significant nature. Repairs to the artwork are considered significant if the artwork will no longer represent the ARTIST's original work or if the artwork damage poses a threat to public safety. Notwithstanding, CITY shall have the right to make its own repairs, restoration, or alteration of the artwork itself or of the location and conditions of display. This section shall survive termination of this Agreement.

11. REPRODUCTION AND CREDIT

ARTIST acknowledges and agrees that CITY may photograph or digitally copy or reproduce the artwork for any lawful CITY purposes without ARTIST's permission or payment of copyright or other fee to ARTIST. ARTIST further acknowledges and agrees that the general public may photograph the artwork and that any public records related to the artwork are governed by Florida's Public Records Law. CITY assumes no role or liability for any third-party use of ARTIST's copyrighted materials, and ARTIST shall indemnify and save harmless CITY from any claims related to copyrighted materials of the artwork. CITY shall credit the Artist as the creator of the artwork when reasonably possible.

12. SALE OF ARTWORK

The CITY reserves the right to sell, donate or otherwise divest itself of the artwork.

By my signature, I, ARTIST, am representing that:

- (1) I am fully authorized to transfer to CITY the artwork listed in this Agreement;**

(2) The artwork is all in good condition except where noted in the Artwork Condition Report; and

(3) I have read and agree to abide by the terms of this Agreement.

Signed, sealed and delivered
in the presence of:

ARTIST:

Witness

Printed Name: _____

Printed Name: _____

Witness

Printed Name: _____

(Mailing Address) _____

(Telephone Number) _____

CITY:

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

ATTEST:

BY: _____

David Birchim, City Manager

Darlene Galambos, City Clerk

(SEAL)

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

City Attorney

EXHIBIT "A"

WARRANTY OF TITLE

I, _____ guarantee and warrant that the artwork listed in this
Commissioned Artwork Agreement is free and clear of any liens, claims or other encumbrances of any
type.

Signed, sealed and delivered
in the presence of:

ARTIST:

Witness
Printed Name: _____

Printed Name: _____

DATE: _____

Witness
Printed Name: _____

The foregoing instrument was acknowledged before me this _____ day of _____,
2023, by _____ [] who is personally known to me or [] who
has produced _____ as identification and who did take an oath.

Notary Public, State of Florida at Large

(Print Notary Name)

My Commission Expires: _____

EXHIBIT "B"

WAIVER OF ARTIST RIGHTS

Title of Artwork: _____.

Artist, or estate thereof, as the creator of the artwork named above, transfers all rights of ownership in artwork to the CITY OF ST. AUGUSTINE, FLORIDA ("CITY"). Artist specifically waives and releases all rights, including all right of attribution and integrity, which Artist may have in the artwork as provided by 17 U.S.C. §§ 106A and 113(d).

Artist acknowledges that the artwork may be installed at a location of the CITY'S choice. Artist further understands that the CITY may, in the future, desire to display the artwork in another location or under different conditions and Artist agrees that the CITY shall have the right to display the artwork as and where the CITY, in its sole discretion, desires. Artist agrees that the CITY shall have the right to remove the artwork from its CITY-assigned location and acknowledges that the installation of the artwork in the CITY-assigned location and manner of installation may subject the artwork to destruction, distortion, mutilation, or other modification, by reason of its removal. In the event that any dispute arises between the CITY and Artist over the removal of the artwork, Artist agrees that Artist's sole and exclusive remedy shall be to have the CITY permit Artist to remove the artwork so as to minimize any anticipated damage to the artwork. After removal, Artist shall deliver possession of the artwork to the CITY.

Artist represents to the CITY that Artist alone is possessed of the rights transferred or waived above and that Artist is lawfully entitled to transfer or waive all such rights. In the event that Artist prevails in any dispute with the CITY over the ownership or display of the artwork, Artist agrees that Artist's sole and exclusive remedy shall be to have the CITY permit Artist to remove the artwork and, upon returning to CITY any consideration given by the CITY for the artwork, retain possession of the artwork. This Waiver shall survive termination of the Artwork Donation Agreement.

Signed, sealed and delivered
in the presence of:

**ARTIST
OR ARTIST'S ESTATE REPRESENTATIVE:**

Witness
Printed Name: _____

Printed Name: _____

DATE: _____

Witness
Printed Name: _____

EXHIBIT "C"

ARTWORK CONDITION REPORT

Title of Artwork: _____ **Medium:** _____

Dimensions _____ H x _____ W x _____ D

Artist: _____

Name of Examiner: _____ **Examination Date:** _____

Number of photographs or diagrams enclosed: _____

Please indicate exact location, size and severity of defect. Indicate if recent or old. Provide complete sketch or diagram.

Support: ☐ Canvas ☐ Wood Panel ☐ Paper ☐ Paperboard ☐ Composition Board
 ☐ Metal ☐ Other _____

Surface Plane: ☐ Free of distortions
 ☐ Localized distortions _____
 ☐ Corner distortions _____
 ☐ General undulations/warping _____
 ☐ Distortions due to storage _____
 ☐ Frail ☐ Brittle ☐ Stained _____
 ☐ Creased

Tension: ☐ Tight ☐ Adequate ☐ Slack ☐ Canvas can contact cross-bars

Tears/Splits: ☐ None apparent ☐ Yes _____

Losses: ☐ None apparent ☐ Yes _____

Accessory Support: ☐ Stretcher ☐ Other _____

Lining: ☐ None ☐ Yes: ☐ Glue lined ☐ Wax lined ☐ Other _____

Ground and Paint Film: ☐ Oil ☐ Acrylic ☐ Pencil ☐ Other _____

Crackle Patterns: ☐ Localized only _____

☐ General brittle fracture network

☐ Drying cracks ☐ Bar marks ☐ Raised edges

Cleavage / Flaking: ☐ None apparent ☐ Yes _____

Losses: ☐ None apparent ☐ Yes _____

Other Damages: ☐ None apparent ☐ Yes: ☐ Scratches ☐ Fingerprints ☐ Spots

☐ Stains ☐ Accretions ☐ Rubs

Surface: ☐ Varnished ☐ Unvarnished ☐ Waxed ☐ Glass/Regular

☐ Glass/Non-reflective ☐ Plexi

Appearance: ☐ Acceptable ☐ Slightly Discolored ☐ Disturbing

☐ Other: ☐ Crazed Varnish ☐ Scratched ☐ Blooming ☐ Grime

Dirt: ☐ Heavy Soiling _____

☐ Visible: ☐ Fingerprints ☐ Other _____

Display Frame: ☐ Framed ☐ Unframed ☐ Gilt ☐ Plain ☐ Other _____

Backboard: ☐ None ☐ Board ☐ Foam Core ☐ Hard Board

Glazing: ☐ None ☐ Glass ☐ Acrylic ☐ Low Reflecting Glass

Rigidity: ☐ Adequate ☐ Inadequate

Disjoints/Splits: ☐ None apparent ☐ Yes

Gilding/Paint Losses: ☐ None apparent ☐ Yes

Hanging Devices: ☐ None apparent ☐ Yes

Other: ☐ Touching Glazing/Plexi ☐ Separated Properly

Special handling, packing and display requirements: _____

Diagram:

(Please indicate exact location, size and severity of defect. Indicate if recent or old.)

EXHIBIT "D"

DOCUMENTATION WORKSHEET

INSTRUCTIONS FOR COMPLETING THE DOCUMENTATION WORKSHEET:

This Documentation Worksheet is the CITY OF ST. AUGUSTINE'S source of information about the artwork. Please complete the Documentation Worksheet in accordance with the following instructions.

Please fill in the information in the spaces indicated or write "n/a" (for "not applicable"). Please provide as much information as possible. All information must be legible (printed or typed).

SECTION 1. ARTIST INFORMATION:

If the artwork is created by a team of artists, please provide information for EACH artist on the team.

Name: Fill in the artist's full name. Enter "unknown" if the author of the artwork is not known.

Date of Birth: Fill in the artist's date of birth.

Birthplace: Fill in the artist's place of birth, and death if applicable and known.

Citizenship: Fill in the artist's current citizenship.

Ethnicity: Fill in the artist's ethnic background: Caucasian, African American, Hispanic, Asian background, or other (describe if "other" is used).

SECTION 2. ARTWORK INFORMATION:

Title: Fill in the title of the artwork, or note "untitled."

Discipline: Fill in the discipline under which the artwork may be categorized (include an explanation if "other" is used).

Medium: Describe medium of the artwork.

Materials: Provide a complete list of all materials which compose the artwork. Include generic and manufacturer's product names, as well as product numbers. Include contact information of product manufacturers if available. Note the words "see attached list" and attach list to worksheet if necessary.

Completion Date: Fill in the date of completion of the artwork. Include a date for completion of fabrication if different from date of installation.

Dimensions of the Work: Fill in dimensions of the artwork (H x W x D). For clarity, please attach a rough perspective drawing of the artwork indicating dimensions for 3-D works (sketch does not need to be to scale).

Inscription and Identifying Marks: Describe type and location of any marks such as signature, title, date or other marks which may help identify the artwork.

Siting: Describe the location of the artwork if a permanent installation. Include general and any pertinent detailed information (i.e. address, building name/location, exterior/interior and artwork site location in relation to building or major structure).

SECTION 3. FABRICATION & TECHNICAL SPECIFICATION INFORMATION:

Fabricator(s)/Collaborator(s): List company name and contact information (address, telephone/fax, contact name) of any fabricator(s) and/or collaborator(s) for the artwork. If more than one fabricator, please include a brief description of specific work performed by each.

Method of Fabrication: Describe method of fabrication of the artwork.

Fabrication Documents: The following documents may be submitted: working models; material samples; shop and/or as-built drawings; plans; and specification information. Please provide specification information for all paint materials (primers and finishes) used in the creation of the artwork.

Maintenance Instructions: Describe in detail the suggested maintenance procedure. Include special materials required, instructions for their use and recommended frequency of procedure. Additionally, describe any acceptable material substitutes for primers and/or paint finishes.

Lighting: Describe any special lighting requirements for the artwork whether or not provided/integrated as part of the artwork. Describe lighting recommendations if applicable.

SECTION 4. PUBLICITY INFORMATION:

Exhibitions: Fill in exhibition history of the artwork. Indicate whether or not the proposal or drawings have been exhibited. Include copies of exhibition materials (i.e. invitations, news articles) if available.

Publications: Fill in publication history, reproduction or mention of the artwork. Include copies of publications if available.

SECTION 1. ARTIST INFORMATION:

Name: _____
(Last) (First) (Middle Initial)

Date of Birth: _____/_____/_____
(Month) (Day) (Year)

Birthplace: _____

Citizenship: _____

Ethnicity: ☐ White ☐ Black ☐ Hispanic ☐ Asian ☐ Indigenous ☐ Other _____

SECTION 2. ARTWORK INFORMATION:

Title: _____

Discipline: ☐ Painting/Drawing ☐ Sculpture ☐ Ceramic ☐ Fiber Art
☐ Photography ☐ Film/Video ☐ Other _____

Medium: _____

Materials (Give a general description of materials which compose the artwork):

Below, provide a list of all commercially manufactured materials which are part of the artwork:

	<u>Generic Name</u>	<u>Product Brand Name/Number</u>
1)	_____	_____
2)	_____	_____
3)	_____	_____
4)	_____	_____

5) _____

6) _____

List the manufacturer contact information for all commercially manufactured materials listed above:

<u>Company Name</u>	<u>Business Address</u>	<u>Telephone/Fax/Email</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Completion Date: ____/____/____
(Month) (Day) (Year)

☐ Denotes date of fabrication

☐ Denotes date of installation

Dimensions (Attach isometric sketch with dimensions if necessary):

_____ H x _____ W x _____ D

Inscriptions and Identifying Marks:

☐ Artist's Signature – Location _____

☐ Date – Location _____

☐ Other – Location _____

Siting:

Street Address: _____

Building Name: _____

Building Floor Level: _____

Exterior/Interior Application ("E" or "I"): _____

SECTION 3. FABRICATION AND TECHNICAL SPECIFICATION INFORMATION:

Fabricator(s) / Collaborator(s):

<u>Name</u>	<u>Address</u>	<u>Telephone</u>	<u>"F" or "C"?</u>
_____	_____	_____	_____
_____	_____	_____	_____

Method of Fabrication: _____

Fabrication Documents:

Note fabrication documents for the artwork which have been provided to the CITY or are being submitted.

- ☐ Working Drawings/Plans
- ☐ As-built Drawings
- ☐ Working Model
- ☐ Material Samples (*Describe*) _____
- ☐ Specifications (*Describe*) _____

Maintenance Instructions (Describe the suggested maintenance procedures):

Cleaning Materials: _____

Cleaning Instructions: _____

Cleaning Frequency: _____

Replacement Parts (Components which require regular replacement):

Materials: _____

Sources: _____

Paints / Finishes:

Primers: _____

Paints: _____

Number of Coats: _____

Graffiti Protection (Describe whether or not provided or required):

Lighting:

SECTION 4. PUBLICITY INFORMATION:

Exhibition History:

Publications:
