

**MIDVALE CITY, UTAH
RESOLUTION 2023-R-12**

**A RESOLUTION OF MIDVALE CITY APPROVING
A TERM SHEET TO PARTICIPATE IN THE MIDVALE
MAIN ANNUAL MURAL FESTIVAL BY ALLOWING THE
INSTALLATION OF A MURAL AT CITY HALL**

WHEREAS, the Redevelopment Agency of Midvale City (the “Agency”) was created by the Midvale City Council to transact the business and exercise the powers provided for in the Utah Redevelopment Agencies Act; and

WHEREAS, the Agency created the Main Street Community Development Area (the “CDA”) in 2015 to revitalize and improve the Main Street area; and

WHEREAS, the overarching goal of the CDA is to establish an arts and culture district within the Main Street area; and

WHEREAS, an annual mural festival was initiated in 2022 to enhance the Main Street area with public art and the Agency is planning for an additional ten murals to be installed at this year’s mural festival; and

WHEREAS, the City Hall building is owned by Midvale City and the decision to enhance the east side of the building with a mural as part of the 2023 mural festival rests with the city council members and mayor.

NOW THEREFORE BE IT RESOLVED, by the City Council of Midvale City, Utah, that it approves and adopts a term sheet found in Attachment A for the allowance of a mural to be installed on the northern end of the east-facing wall of the city hall building located at 7505 S Holden in Midvale.


PASSED AND ADOPTED BY THE CITY COUNCIL OF MIDVALE CITY, STATE OF UTAH this 21st day of March, 2023.





Marcus Stevenson, Mayor

ATTEST:




Rori L. Andreason, MMC
City Recorder

Voting by the City Council	Aye	Nay
Quinn Sperry	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Paul Glover	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Heidi Robinson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bryant Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dustin Gettel	<input checked="" type="checkbox"/>	<input type="checkbox"/>



City Hall Mural Term Sheet

Parties:	Midvale City (“City”) and Redevelopment Agency of Midvale City, Utah (the “Agency”)
Project:	The Agency sponsors, organizes, and carries out an annual mural festival within the Main Street CDA. During its first year (2022), the mural festival supported the creation of 20 murals within the Main Street Area. This year, the Agency would like to see the mural festival add 10 new murals to the area. Furthermore, the Agency would like for one of those murals to be on the northern most wall on the east facing façade of the city hall building, located at 7505 S Holden, Midvale, Utah 84047.
Image of Mural Site:	
Artist Selection:	<p>The Agency has already put out a call for artists. Last year, our call for artists yielded over 120 respondents. The call this year welcomes artists from Utah, throughout the nation, and international artists to apply. To date (3/16/2023) 35 artists have responded, and the call closes 3/24/2023.</p> <p>After the call for artists closes, a committee comprised of three community members (two Main Street Business Alliance members and a Midvale resident muralist from last year’s festival) and three City/RDA Staff members will meet to select artists based on the walls that have been secured and the styles or esthetics the city council and mayor are looking for. As long as enough artists apply to the call for artists, the committee will select two potential artists for each secured wall. The Committee will then have the city council and mayor select the artist from the two options provided to them.</p>
Mural Development:	<p>The selected artists will be notified, invited to participate in the 2023 mural festival, and be provided with information on the city hall wall they will be painting. The Committee will also let the artists know of any concerns, expectations, or limitations from the city council and mayor.</p> <p>The artists will then develop a rough rendering for the mural. The rendering will then go to the City/RDA staff and the city council and mayor for approval. Once approved, the artist can then begin their mural starting on June 5, 2023.</p>
Mural Festival:	The mural festival, as an event, spans from when the artists may begin their murals, June 5 th , until the main advertised event on June 10 th when the artists must have their

	<p>murals completed. The artists are required to be completing their murals or available to the public by their murals during the festival on June 10th from 4-9pm. The festival event will include other elements, like a craft market, workshop from Craft Lake City, youth outreach and involvement, food trucks, etc.</p>
Mural post Festival:	<p>The plan for this and all other mural festival murals is for the mural to remain in place for three years. After the three-year period, the Agency will begin considering including the wall in upcoming mural festivals to receive a new mural over the existing one. Considerations include the popularity of the mural, the quality of the mural after three years of weathering, etc.</p> <p>The Agency will be responsible for the mural's maintenance. This includes repairing damage done from vandalism. Graffiti, if severe enough, could result in the mural being prematurely painted over and replaced.</p>
Agreement Term:	<p>This Agreement will have a three-year term. A new agreement would be required for a new mural. The City would also be allowed to paint over it after three years. The RDA would no longer be obligated to maintain the mural after three years.</p>
Nonperformance:	<p>If the City were to paint over the mural (the only way in which they could break the agreement) the City would have to compensate the RDA for the cost of the mural (up to \$4K). If the RDA did not perform, (maintain the mural) the City could rectify the issue as they saw fit.</p>
Compensation:	<p>There is no compensation for either party. The artist(s) that create(s) the mural will be compensated by the RDA.</p>
Termination:	<p>Agency can terminate if the City and Agency cannot agree on a mural that works for the site or if the City were to remove the mural. The City can terminate if the Agency is not keeping the mural maintained during the required maintenance period.</p>
Artist Obligations:	<p>Artist has right of first refusal to repair the mural if that is ever needed. The mural will stay up for at least three years, as long as it is not severely damaged.</p>
Rights to the art:	<p>The City will have the right to reproduce the mural in its own documents, website, promotional material, etc.</p>
Miscellaneous:	<p>if the building were to be sold the agreement would be terminated.</p>