

February 25, 2020

MEMORANDUM

To: Members of the Community Economic Development Committee
From: Asha Venkataraman, Analyst
Subject: CB 119739: AIDS Memorial Pathway Donation

On February 27, the Community Economic Development (CED) Committee will discuss and potentially vote on [Council Bill \(CB\) 119739](#). This bill would authorize the Office of Arts and Culture (“Arts”) to accept certain donations; and it would also appropriate funds enabling Arts to expend the donated funds through agreements with specific artists. The contracts would implement part of the plan for *The AMP: the AIDS Memorial Pathway* (The AMP Project), a community-driven and community-funded project to use public art as a physical place to tell the story of the AIDS crisis and includes a civic call to action through engagement, reflection, and remembrance. This memorandum provides background on The AMP Project, describes CB 119739, and outlines the impacts of the Council Bill.

Background

In 2015, a variety of stakeholders involved in the AIDS crisis agreed that the history of the AIDS epidemic in Seattle had not been collectively and comprehensively told, and that the city needed a legacy or memorial project with a call to civic action. The 2016 Adopted Budget included \$75,000 in [Green Sheet 54-1-A-2-2015](#) to fund an AIDS Legacy/Memorial Planning process to memorialize the historic and current efforts of activists and advocates working to end AIDS and AIDS-based discrimination in Seattle. The green sheet described the intended outcome of this funding as a match for \$75,000 in funds from the Museum of History & Industry (MOHAI) so that MOHAI could lead in creating a proposal to define the scope, scale, location, civic purpose, and timeline for the project, including creating a community advisory group and a steering committee.

In 2017, Council adopted [Resolution 31783](#) to continue the City’s support for and participation in the AIDS Legacy Memorial Project and requested that Arts convene an interdepartmental team with City departments, project managers, developers, and the landscape architect consultant. The City partnered with the organization, (AMP Project organization), in 2017. The planning stakeholders selected the northern end of Cal Anderson Park, the public plaza of the Capitol Hill Link Light Rail Station, and a connecting street block on East Denny Way for the memorial. As part of the [2018-2023 Capital Improvement Program Budget](#), the City allocated \$200,000 as part a joint effort between Arts and Seattle Parks and Recreation to enhance the landscape area at Cal Anderson Park as a part of The AMP Project. In 2019, *The AMP: AIDS Memorial Pathway Master Art Plan* (The Master Art Plan) laid out the vision, guiding principles, the segments of The AMP Project, and the layout and location of the public art projects. A panel of artists and community and City of Seattle stakeholders then convened as part of the City’s

regular process to commission works for the public art program to choose artists to design, create, and fabricate these specific artworks for installation. The installation of the art pieces would occur in 2020.

CB 119739

CB 119739 would allow the City to accept a donation of almost \$750,000 from the AMP Project organization and its fiscal sponsor, the Seattle Parks Foundation. The AMP Project organization has been fundraising since 2016 and continues to do so support this project. Arts plans to use the donation to contract with three artists to design and install permanent artwork:

1. Artist Christopher Jordan would design the centerpiece artwork through a \$323,500 contract;
2. Civilization, a design practice, would design artworks connecting the different areas of the installation through a \$176,000 contract; and
3. Horatio Hung-Yan Law, who created the Master Art Plan, would design artwork for the vent tower on the plaza through a \$340,000 contract.

Without acceptance of the donation, Arts would need to find another fund source for contracting with these artists or would not be able to execute these contracts.

Impacts

The City's acceptance of the donation and eventual execution of contracts would implement the art plan's vision and include the artwork in the City's Civic Art collection. Generally, the City supports public art through the 1% for Art Program, in which departments allocate one percent of the cost of capital projects to a related piece of art. However, the City's art collection does include gifts and artworks purchased partially through private funding. Similarly, this project is distinct from the 1% for Art Program projects, not only because of the City's public-private partnership with the AMP Project organization and the community driven design, but because the funding for the installation and anticipated funding for long-term maintenance would come from fundraising rather than from City departments. In addition, the intent is that any unanticipated costs from overruns for these three contracts would also be funded through donations; this intent should be reflected in future contract language.

Becoming a part of the City's Civic Art collection means that the City would take responsibility for coordinated conservation activities, which include inspections, major restorative work and routine maintenance. Arts anticipates that the costs of long-term maintenance would be supported by future donations from the AMP Project organization to the City through future legislation allowing the City to accept those donations. However, the timing and amount of those donations is unclear. Councilmembers may want to consider reviewing the existence and content of any agreements regarding how the City and the AMP Project organization to fund long-term artwork conservation.

Options

The following is a non-exclusive set of actions that Councilmembers could take regarding CB 119739:

- A. Pass CB 119739 as introduced.
- B. Amend CB 119739 to accept the donation but proviso execution of contracts pending inclusion of provisions regarding cost overruns, donation of funding for ongoing conservation activities, or other issues Councilmembers may be interested in.
- C. Do not pass CB 119739 until Arts has negotiated agreements with the AMP Project organization regarding donation of future operations & maintenance funding and responsibility for covering any cost overruns during project implementation.

cc: Kirstan Arestad, Executive Director
Dan Eder, Deputy Director