

RESOLUTION NO. _____

A RESOLUTION APPROVING THE PURCHASE OF THE ARTWORK "MONARCH MIGRATION" FROM ARTIST JIM GALLUCI SCULPTOR, LTD.; AND AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

WHEREAS, on October 5, 2022, the city entered into an Exhibition Agreement with artist, Jim Gallucci of Jim Gallucci Sculptor, Ltd. ("Artist") for his "Monarch Migration" to be exhibited on the city's Sculpture Walk;

WHEREAS "Monarch Migration" sculpture is located at the City Hall patio and faces the traffic circle on Broad and New Streets;

WHEREAS, the Kingsport Public Arts Committee considered the acquisition of the artwork "Monarch Migration" at its February 3, 2023, meeting and voted to make a favorable recommendation to the board of mayor and aldermen that city should acquire the same;

WHEREAS, the city desires to purchase said artwork from Artist for the amount of \$15,000.00 and Artist is agreeable to sell for the same; and

WHEREAS, funding is identified in account GP2217.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the purchase of the artwork title "Monarch Migration" for the price of \$15,000 is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10, of the Charter of the City of Kingsport, an Agreement of Sale for Artwork, to deliver the agreement and take any and all action as may be required on the part of the city to carry out give effect to, and consummate the transactions contemplated by the agreement and this resolution.

SECTION III. That the mayor is further authorized to make such changes, approved by the mayor and the city attorney, to the agreement set out herein that do not materially alter the material provisions of the agreement, and the execution thereof, by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION IV. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort, and prosperity of the citizens of the city.

SECTION V. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 21st day of March, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY