

RESOLUTION NO. 826

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE
ACCEPTING THE DONATION OF A GRAND PIANO FROM UP FOR ARTS**

WHEREAS, UP for Arts is a non-profit, 501C3 community organization formed in 2000 to bring public art to University Place; and

WHEREAS, UP for Arts is a City Partner that has worked with the City to solicit, fund and install public art in public places throughout the City to beautify the City and promote the enjoyment of public art, including the art installation in the University Place Library/Civic Building Atrium; and

WHEREAS, over the last three years, UP for Arts, on its own initiative, has raised \$20,000 to acquire a grand piano, with cover, to be donated to the City to enhance musical performances in the Library/Civic Building Atrium; and

WHEREAS, at this time the City has no specific data regarding the costs of grand piano ownership, but such data will be developed and funding for that purpose set within the City's normal budget process; and

WHEREAS, UP for Arts' donation is conditioned on UP for Arts being allowed to use the piano without charge for performances presented by UP for Arts; and

WHEREAS, the donation is otherwise unconditional; and

WHEREAS, the Pierce County Rural Library District shares ownership of the Atrium with the City, and has not opposed the addition of the grand piano to the Library/Civic Building Atrium;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON:

Section 1. Incorporation of Recitals. The recitals are hereby incorporated herein as if set forth in full.

Section 2. Acceptance of UP for Arts Donation of Grand Piano. The City Council of the City of University Place hereby accepts from UP for Arts the donation of a grand piano with the sole condition that for so long as the City owns the piano, and subject to all other applicable laws, rules and City policies, UP for Arts is allowed to use the piano without charge for performances presented by UP for Arts.

Section 3. Ownership and Maintenance of Grand Piano. Upon acceptance by the City Council, all ownership and control of the piano, as well as all costs of maintenance, and any liability arising from the grand piano will be borne solely by the City, and the City will hold the Pierce County Rural Library District as co-owner of the Atrium harmless from any costs or claims arising out of the grand piano.

Section 4. Access to and Use of the Grand Piano. So long as the donated piano is located in Library/Civic Building Atrium, access to and use of the piano is governed by the Atrium Operating Agreement, and Atrium Policies and Procedures approved by both the City and the Library District as those currently exist or may be amended in the future in writing approved by both parties.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption by the City Council.

ADOPTED BY THE CITY COUNCIL ON FEBRUARY 13, 2017.



Javier H. Figueroa, Mayor

ATTEST:



Emelita Genetia, City Clerk

APPROVED AS TO FORM:



Steve Victor, City Attorney