

**AN ORDINANCE APPROVING A LICENSE AGREEMENT WITH  
THF CHESTERFIELD DEVELOPMENT, L.L.C. FOR THE  
PLACEMENT OF PUBLIC ART ON CITY PROPERTY**

**WHEREAS**, the City of Chesterfield, Missouri (the “City”) has adopted a Policy For The Acceptance of Public Art (the “Policy”); and

**WHEREAS**, the Policy provides guidelines for the consideration of proposals for public artwork, including, but not limited to, lasting artistic quality and breadth of appeal, structural integrity and resistance to vandalism and weathering, meaningful and complimentary impact to specific site and the community, and absence of legal or financial burden upon the City; and

**WHEREAS**, the Policy also provides guidelines for the consideration of proposed display site or placement of public artwork, including, but not limited to, the City’s Parks Master Plan, visibility and safety, impacts upon traffic, future development, and City operations, site design, and compatibility with the uses of the site; and

**WHEREAS**, on July 29, 2009, THF Chesterfield Development, L.L.C., submitted a proposal for the placement of public artwork in the storm water detention basin (located behind Lowes) for the placement of five additional sculptures; and

**WHEREAS**, on September 23, 2009, the Finance and Administration Committee completed its review of the proposal and has recommended that the City Council accept the proposed public artwork; and

**WHEREAS**, additionally, due to the proposed display site of the artwork being on City-owned property, a License Agreement will be required for the legal placement of the artwork; and

**WHEREAS**, the City Council has long encouraged the placement of public art in the City; and

**WHEREAS**, the City wishes to enter into a license agreement with THF Chesterfield Development, L.L.C. to allow for the placement of public art on City property; and

**WHEREAS**, the City Council has determined that it is in best interest of the City and its citizens that the City enter into a license agreement with THF Chesterfield Development, L.L.C. to provide for the placement of public art on land owned by the City.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** The City Administrator of the City of Chesterfield is hereby authorized to sign a license agreement, in a form substantially similar to that attached hereto marked Exhibit 1.

**Section 2.** This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

FIRST READING HELD: \_\_\_\_\_