

EXHIBIT A: CULTURAL ARTS PROGRAM EXHIBITION SERIES GUIDELINES FOR ODESSA CITY HALL

1. PURPOSE

The City of Odessa's Public Art Program presents an ongoing exhibition series at City Hall to showcase local artistic endeavors and to encourage public dialogue, understanding and enjoyment of visual art. The Program's goal is to present a series of exhibitions that reflect the artistic excellence and cultural diversity of Odessa and promote the City's cultural and economic initiatives.

2. MISSION

Odessa Arts, the manager of the City of Odessa's Public Art Program, shall curate the display of an ongoing exhibition series at City Hall to showcase and promote the excellence of local artistic endeavors in the visual arts, and to encourage public dialogue, understanding and enjoyment of visual art.

3. POLICY

The City of Odessa & Odessa Arts respect freedom of expression in visual art. However, the Odessa City Hall does not function as a traditional gallery or museum. The City reserves the right to allow the installation of artwork, and to remove or relocate artwork at its sole discretion. Display of artwork in Odessa City Hall does not create a public forum.

4. EXHIBITION LOCATIONS AND LIMITATIONS

Odessa City Hall is not a traditional gallery-style venue. All public areas of Odessa City Hall are subject to this policy.

City Hall is open to the public Monday through Friday, from 8:00 a.m. to 5:00 p.m.

Artwork displayed within the City Hall shall be appropriate to an office setting and for viewing by public officials, City employees, and citizens transacting business in the building.

5. SELECTION AND ELIGIBILITY

Exhibition is by arrangement with the Executive Director of Odessa Arts, the curator for Odessa City Hall. The Executive Director may invite organizations or individuals to submit a proposal to lend artwork to the City for an exhibition in City Hall. The Executive Director is the curator of an exhibition at City Hall with absolute discretion over selection and placement of artwork, subject to prior review and approval by the City Manager due to the nature of City Hall being a public office, not a public forum and not a traditional art gallery.

An organization or individual that wants to display an exhibition in City Hall must submit a proposal to the Executive Director. Professional visual artists over 18 years old who live or work in the Odessa area, or visual arts organizations in Odessa, are invited to submit a proposal in accordance with these guidelines.

A proposal for an exhibition shall include no more than five (5) digital images of the artwork requested to be exhibited, information about the individual artists, a proposed layout, proposed locations, and proposed installation methods. Artworks created within the last 10 years from the year of submission of the proposal will be given priority.

The Executive Director and City Manager shall review each proposal, and shall send the applicant written notice of acceptance, modification, or rejection of the proposal. The Executive Director and City Manager may appoint a selection panel to assist in evaluation of proposals. If the Executive Director and the City Manager elect to appoint a selection panel, its members may include City staff and community representatives. The City Manager shall review and approve proposed installation methods. The Executive Director's acceptance letter will include proposed exhibition dates and approved installation methods.

Selection criteria may include:

- Quality or merit of the artwork
- Work that reflects cultural diversity
- Local or national reputation of the artist
- Ownership by a museum or arts institution located in Odessa as part of its permanent collection

**IMPORTANT NOTE: City of Odessa's staff members are ineligible to apply to place items in the exhibit.*

6. TERMS OF LOAN AND LOAN AGREEMENT

The artwork in an exhibition shall be on loan to the City by the artist or organization (referred to as "Lender") at no cost to the City. The individual or organization lending the artwork is responsible for the cost of delivery and installation of the artwork. Installation must conform to the plans approved by the Executive Director and the City Manager. The Executive Director and the City Manager shall decide the placement or arrangement of pieces. Artwork submitted in an electronic format may be displayed without the audio portion, if any, at the discretion of the Executive Director and City Manager, and as necessary to conduct business in City Hall.

Artwork displayed at City Hall during an exhibition shall remain in place until the conclusion of the exhibition, unless the Executive Director and City Manager approves earlier removal. The organization or artist lending artwork for an exhibition in City Hall must provide a suitable replacement, subject to Executive Director and City Manager's approval, for artwork removed from an exhibition before its conclusion. The Executive Director and City Manager's approval may not be unreasonably withheld.

Each Lender of art for exhibition at the City Hall shall submit a complete executed loan agreement to the Executive Director on a form provided by the City. The terms of these guidelines are incorporated as part of the loan agreement.

Artwork not removed by loan agreement end date will be considered abandoned property, and the City may dispose of the artwork in accordance with its applicable policy regarding abandoned property found in chapter 1-9-1 (Abandoned Property and Vehicles) of the City Code, or as the City's policy may subsequently be amended. The City is not responsible for the storage of artworks after expiration of loan agreement. Lender may be liable for City's cost to remove and dispose of the artwork.

7. EXHIBITION SCHEDULING

The Executive Director and City Manager may reschedule or cancel an exhibition at either's discretion at any time before the start date of the exhibition. The City is not responsible for any expense or costs incurred by the Lender of the artwork related to a rescheduled or cancelled exhibition. The Executive Director or The City Manager may cancel an exhibition on display if the Executive Director or City Manager determine the cancellation is necessary to protect the artwork or due to unexpected use of City Hall. The Executive Director or City Manager may not cancel an exhibition to make room for a different, unscheduled exhibition.

8. REQUIRED DOCUMENTATION

Not later than the 30th day before the installation date of a scheduled exhibition, the organization or artist lending the artwork must provide the Executive Director with the following:

- a complete and fully executed loan agreement;
- an inventory of work to be exhibited, including the following information for each piece: the name of the artist, title, medium, dimensions, insurance value, and whether the piece is available for sale;
- a written statement describing the exhibition as the basis for a press release by the City;
- if the Lender wants to waive coverage under the City's Insurance Policy, a certificate of insurance.

The Executive Director may cancel an exhibition if the Lender of the artwork fails to submit the required information on or before the due date. The Executive Director may not permit installation of an exhibition if the lender has not submitted the required information on or before the date the exhibition is scheduled to begin.

9. DELIVERY, INSTALLATION, AND DE-INSTALLATION

The Lender of the artwork shall deliver the artwork for an exhibition and all related components, including stands, artist statements, and other informational material as required in the loan agreement on the date specified in the loan agreement. All two-dimensional artwork submitted must be framed or mounted and ready to hang. The Lender will be responsible for all installation and deinstallation costs that exceed normal installation and deinstallation methods as provided by the City. All three-dimensional artwork submitted must be self-supporting or include a stand. Art presented in an electronic medium must be accompanied by appropriate audio and video equipment.

The Executive Director and the City Manager shall supervise installation of artwork for an exhibition. If approved in writing by the City Manager, the Executive Director may allow the Lender to install the exhibition under Executive Director's supervision or to provide at least one individual to assist the Executive Director's installation of the exhibition.

The Executive Director and the City Manager shall supervise de-installation of artwork for an exhibition. If approved in writing by the City Manager, the Executive Director may allow the Lender to de-install an exhibition or to assist the Executive Director dismantling and removing all artwork and other components of an exhibition.

The Executive Director and City Manager may allow artwork to be removed and replaced at specified times during an exhibition. The same guidelines apply to artwork removed and replaced during an

exhibition as apply to the original installation or dismantling of an exhibition.

10. RELOCATION OR REMOVAL OF ARTWORK

Odessa Arts and the City of Odessa respect freedom of expression in visual art. However, the City Hall does not function as a gallery or museum and is frequented by citizens with diverse opinions and backgrounds who are there to conduct business with the City.

The Executive Director and the City Manager shall select artwork that is suitable and appropriate in theme and quality to the functions of City Hall. If the Executive Director or the City Manager receives a complaint that a particular work of art is derisive, vulgar, gruesome, or otherwise offensive to visitors, the City Manager shall review the complaint and make a determination. The City Manager retains sole discretion on whether to move or remove artwork subject to a complaint.

11. GUIDED TOURS

The Executive Director or City Manager may allow guided tours of an exhibition during regular business hours or at other times approved by the City Manager for City Hall. If guided tours are permitted, the Executive Director shall provide training to volunteer tour guides relating to how a tour may be conducted in City Hall, including information on limited public access to certain areas. The Lender of the artwork on exhibit shall provide written material for use by the tour guides describing the artwork on display, including information about the artist.

12. RECEPTION

City Hall may not be used for private functions. The City of Odessa & Odessa Arts may host a public reception to honor the current annual exhibition.

13. SALES

Artwork on display at City Hall may be for sale by the Lender loaning the material provided that any artwork sold remains on display until the conclusion of the exhibition. However, earlier removal may be approved by the Executive Director or City Manager.

The Lender is responsible for all aspects of a sale transaction on artwork on display at City Hall. Information on how to contact the Lender to purchase artwork may be included on the descriptive label for the artwork, and in supplementary sales material provided at the sole expense of the Lender. The Executive Director and City Manager must approve any supplementary sales material and the location and display of the material.

The City of Odessa does not receive a commission on, or compensation from, the sale of artwork exhibited at City Hall.

14. INSURANCE

The City of Odessa's Insurance Policy provides coverage for artwork loaned to the City for exhibition. However, the City disclaims liability up to the policy's deductible and in excess of the policy limits. The City will take every reasonable precaution to secure the safety of artwork on loan to the City, but is not responsible for damage or theft except as covered in the Insurance Policy. The Lender of the artwork assumes all uncovered risk.

15. CITY HALL ARTWORK PURCHASE POLICY

The City of Odessa desires to establish temporary art exhibitions of the highest quality for public display. This policy is based upon a firm commitment to accept a responsibility for expanding its citizens' experience with the visual arts.

15.1. VISION

Develop a permanent collection of artwork by regional visual artists or arts organizations through an annual selection and purchase of artwork.

15.2. GOAL

The goal to develop a permanent artwork collection as procured from the City Hall Artwork Exhibition Series is to showcase regional artistic endeavors and to encourage public dialogue, understanding and enjoyment of visual art. The goal of the annual exhibit is to present a series of exhibitions that reflect the artistic excellence and cultural diversity of Odessa and promote the City's cultural and economic initiatives.

15.3. ARTWORK ELIGIBILITY and SELECTION

Eligible artworks to be considered for permanent collection must be selected as part of the annual City Hall Exhibition Series Program. Artworks may be 2 or 3-dimensional and must require a modicum of routine maintenance and not pose any health or physical risk to employees and visitors of City Hall. For selection criteria for the exhibition, please see Section **5. SELECTION AND ELIGIBILITY**. A budget for annual purchase of an artwork may be established by Odessa Arts.

Once an exhibition has been selected, the Odessa Arts Executive Director may invite either City of Odessa employees, or citizens of Odessa, or both to cast their votes on the artwork to be purchased by the City. The results of the voting process shall be forwarded to the City Manager for final approval and purchase authorization of the selected work.

15.4. EXHIBITION POLICY

Artworks owned by the City shall remain on display as part of the ongoing exhibition program series at City Hall or may be sited at other City facilities. Placement of the artworks purchased by the City is at the sole discretion of the City Manager's Office.

15.5. PEOPLE'S CHOICE PURCHASE

Staff will implement a public process to select an artwork for purchase and include the annual purchase of a work from each subsequent annual exhibition. The selection process will include:

- Public announcement of the City's intent to purchase a piece.
- Invitation to City employees and the public to view the works and vote
- Voting would take place during the period of the exhibition.
- Paper ballots available at City Hall.
- Announce the winner and purchase of the piece as part of the next exhibit opening.

15.6. FUNDING

Funding for purchase of artwork will be subject to availability of annual Hotel/Motel Bed Tax and shall serve as tourism promotion. The budget shall not exceed \$5,000 annually.

The Odessa Arts Executive Director and the City Manager may solicit community input on the purchase of artwork for the City Hall artwork collection; however, final determination will also be based on the following considerations:

- Cost (e.g. within the proposed budget limits)
- Business use
- Public safety
- Maintenance requirements