



City of Dallas  
Office of Cultural Affairs  
Cultural Policy and Program

Adopted  
November 13, 2002  
Dallas City Council

## CULTURAL POLICY

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## CULTURAL POLICY

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The following cultural policy for the City of Dallas is the result of citizen input and professional guidance both within and outside City government. It is a policy that has been defined over several years and that uniquely addresses the needs of the citizens of Dallas.

This policy is intended to provide general directions and guidelines through which the City will seek to meet the future cultural needs of the community. The policy is not intended to bind any future City Council action to the procurement or provision of cultural services and programs. The policy shall be reviewed and updated at least once every five years.

### I. VISION, MISSION STATEMENT & GUIDING PRINCIPLES

#### **Vision Statement:**

Arts, Culture and the Humanities are essential to vital, healthy urban communities; we recognize that Dallas is home to people from throughout the world whose gifts of art, culture and customs are rich resources to be shared; we acknowledge that arts reflect the character of a city and its inhabitants, and that experiencing arts and culture is nourishing and life affirming; therefore, the mission of the City of Dallas through the Office of Cultural Affairs is as follows:

#### **Mission Statement:**

To establish a cultural system that ensures that ALL Dallas citizens and visitors have an opportunity to experience the finest in arts and culture.

#### **Guiding Principals:**

- Recognizing, honoring, preserving and celebrating the City's rich cultural heritage.
- Providing access to artistic and cultural activities for citizens who might otherwise not be able to participate.
- Advocating for capital and operating resources for arts and cultural organizations, programs and artists that serve the community.
- Delivering services and programs that address the needs of individuals as well as neighborhoods and communities.
- Giving priority to programs that dissolve boundaries, promote better human relationships, build a sense of community, reduce conflict, encourage cooperation and/or promote harmony.
- Devoting special attention to the development and education of children, and their families, as both arts patrons and artists.
- Encouraging and rewarding collaborations, communication and community building between and among arts groups, educational institutions, civic organizations, public agencies and private enterprise.
- Protecting and allowing creative expression, with the attendant risks of artistic failure, to freely flourish at all times in a democratic society.
- Establishing a long-range plan that addresses and funds capital needs of city-owned and/or operated facilities, and periodically reviewing/revising the plan.

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- Appointing citizens to the Cultural Affairs Commission who are committed to the arts, culture and the humanities, and who are representative of the community, to develop and oversee the policies necessary to meet the City's mission.
- Overseeing an Office of Cultural Affairs that develops, implements, administers and promotes programs or initiatives that support this mission, and that reflect the City's core values of integrity, leadership, innovation, commitment, sensitivity and teamwork.
- Providing the funds and other resources sufficient to ensure the accomplishment of this mission, including efforts that strengthen arts and cultural organizations.
- Calling upon citizens or citizen groups to advise the council, the Cultural Affairs Commission, the City, and Office of Cultural Affairs in the refinement of the mission and in the execution of its policies and programs.
- Ensuring excellence by providing capital and operating resources for the Arts that are equal to or better than those provided by other leading cities in the Nation.
- By integrating the Arts into the City's Cultural Tourism and Economic Development efforts.
- Recognizing and rewarding arts and cultural organizations that demonstrate a high commitment to the mission.

## **II. METHODS OF IMPLEMENTATION**

The City of Dallas seeks the most effective and economical use of public dollars and resources in the provision of cultural services to its citizens. A variety of methods will be employed to provide cultural activities in the City.

### **A. PROCUREMENT OF CULTURAL SERVICES**

1. The City's primary role is that of contracting for the services of Dallas' cultural organizations and individual artists, rather than being the direct provider of cultural services. Cultural services contracts are awarded on a competitive basis.
2. An organization contracting with the City to provide cultural services is generally required to match the contract amount with private funds. Specific match requirements are defined in the guidelines for the various cultural services contract programs.
3. All City awards shall be subject to annual appropriation by the City Council and the availability of funds.

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4. In the event of reductions to the Office of Cultural Affairs' budget for cultural services contracts programs, an attempt shall be made to distribute the reductions as equitably as possible among the various programs. Reductions to allocations through the Cultural Organization Program shall be based on the organization's total contract award plus any indirect support allocation through the Office of Cultural Affairs.
5. Increases to the Office of Cultural Affairs' budget for contractual services by, and indirect support to, organizations whose mission is not culturally specific shall be accompanied by corresponding percentage increases to the budget for services by, and indirect support to, culturally specific and ethnic organizations/artists.
6. The City shall not designate any one cultural organization as the exclusive or official recipient of City contracts for any individual art form or cultural activity.
7. All organizations performing contractual cultural services for the City must develop, implement and maintain affirmative operating policies that include measurable goals for the cultural diversification of artist, staff, board, contracts, services and programs.
8. The City offers contracts to eligible organizations and individual artists through the Cultural Organization Program (COP), the Cultural Projects Program (CPP), Neighborhood Touring Program (NTP) and other cultural services contract programs administered by the Office of Cultural Affairs through either the City's General Fund or Arts Endowment Fund interest earnings.
9. Organizations may contract with the City through only one of the following cultural services contract programs during a given fiscal year: 1) Cultural Organization Program, 2) Cultural Projects Program. Eligible organizations contracting through one of the above programs may also contract with the City through the Neighborhood Touring Program during a given fiscal year. All individuals and organizations may apply to the Leadership Exchange and Advancement Program (LEAP). It shall be the City's funding goal to provide not less than 25% of the Office of Cultural Affairs' cultural services contract program budget to culturally specific and ethnic organizations/artists.
10. Contracts awarded through the Cultural Projects Program shall not exceed an amount greater than 50% of the project budget.
11. Contracts awarded through the Cultural Organization Program to a cultural organization managing a city-owned facility, in addition to annual indirect support from the Office of Cultural Affairs and Equipment and Building Services Department, shall not exceed an amount greater than 25% of the contracted organization's annual operating revenues, based on the most recent year's completed audit at the time the Cultural Organization Program services proposal is submitted to the City.
12. Contracts awarded through the Cultural Organization Program to a cultural organization that does not manage a city-owned facility shall not exceed an amount greater than 25% of the contracted organization's annual operating revenues, based on the most recent year's completed audit at the time the Cultural Organization Program services proposal is submitted to the City.
13. Increases in operating expenses resulting from the opening of a new or renovated City-owned facility managed by a cultural organization for the City shall be considered, in addition to the contracted organization's annual operating revenues, based on the most recent year's completed audit, when determining the organization's total contract award through the Cultural Organization Program. In such instances, the contract award may

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equal up to 25% of the managing organizations anticipated operating expenses for the year in which the new or renovated City-owned facility comes on line.

14. The City shall attempt to provide consistency in the contractual amounts awarded to individual cultural organizations through the Cultural Organization Program from year to year, as long as the organizations continue to satisfactorily perform contracted services and meet eligibility requirements for such contracts. The City shall also attempt to fulfill any obligations it may have through long-term contracts with the individual cultural organizations, subject to annual review and appropriation by the City Council.
15. The Office of Cultural Affairs will produce an annual booklet that sets forth the guidelines, application process and application forms for all funding programs.

### **B. Facilities Development and Administration**

1. The city seeks to provide a variety of facilities, both large and small, in new, adapted, and renovated structures, in various locations throughout the City, that will furnish appropriate settings for public enjoyment of cultural programs.
2. These facilities shall be developed through an established cultural facilities planning process, and shall be constructed and owned by the City. The City may also maintain these facilities.
3. The development and construction of such cultural facilities shall be accomplished through a public/private cost-sharing program in involving a partnership between the City and a cultural organization or consortium of organizations. In some instances the development and construction of a facility may be funded entirely with public funds, without a formal relationship between the City and a specific cultural organization.
4. In some instances a facility or addition to an existing facility may be funded entirely by the private sector. Those facilities or additions to facilities will be developed, constructed, owned and maintained through the same process as when the public is sharing the cost for construction.
5. A City cultural facility may be managed by the City itself, or managed by a non-profit operator (usually the cultural organization that developed the facility in partnership with the City) through a multi-year management contract. The City may assist the managing organization with certain facility-related and operating costs.

### C. Services/Special Projects

The City of Dallas, through the Office of Cultural Affairs provides services to enhance the cultural development of the community. These services are available to the cultural constituency and the general public.

1. **Resource Development** – Whenever possible, the City will disseminate information about potential funding opportunities from corporate, foundation and government sources, and assist cultural organizations and individual artists with the preparation of applications. The City may also apply for those grants and funds which are available to support cultural activities on a citywide basis, particularly when local cultural organizations themselves are not eligible to receive such funding, when the City can serve as an umbrella for a number of organizations, or when City participation can enhance the chances of receiving such support.
2. **Management and Technical Assistance**-The City will provide management and technical assistance to the cultural constituency through the Office of Cultural Affairs staff and special consultants. The City reserves the right to require management assistance for any organization receiving City funds, if in the estimation of the Office of Cultural Affairs, such assistance is necessary to protect the City's investment in the project or program. Whenever possible the City will provide training opportunities and technical assistance to individual artists and scholars.
3. **Public Information** – Through a number of different initiatives, the City will:
  - a) Promote public awareness of the activities and contributions of Dallas' artists and cultural organizations.
  - b) Keep the cultural constituency informed of various opportunities and activities, and
  - c) Disseminate information obtained from local, state and national cultural service organizations.
4. **Special Projects** – The City considers Dallas' non-profit cultural organizations to be the primary providers of cultural services to the community. In exceptional cases, however, when certain services are not being provided by local cultural organizations, the City may provide such services itself through special projects.

### D. Public Art Program

The City recognizes the importance of public art as a means of enhancing the quality of life in the community and providing opportunities for local and regional visual artists. To that end, the City has implemented a Public Art Program which seeks to create and maintain the highest quality visual environment for the citizens of Dallas. The Program Involves:

1. Works of Art for Municipal Facilities and Spaces  
Policies and Procedures
2. Donations and Loans of Works of Art to the City of Dallas
3. Maintenance and Conservation of City Owned Artworks
4. Temporary Exhibitions in City Managed Spaces and Buildings

### **E. Individual Artists and Scholars:**

In order to recognize the value to the City of the work of our experienced artists, it is strongly recommended that an Artists' Initiative Program be developed.

#### **Purpose:**

- To provide greater artistic freedom in the creation and implementation of projects,
- Establish a task force to define guidelines and funding opportunities, and
- Create a clearinghouse to facilitate cooperative efforts between artists and private entities.

### **F. Other Initiatives**

In recognition of their importance to the future development and strength of the cultural community, the City is committed to pursuing the following initiatives:

1. Arts in Education – The City will support local cultural organizations in their efforts to enhance the range and quality of arts education in primary and secondary schools, with an emphasis on all public schools located within the Dallas City limits.
2. Cultural Pluralism – The City will encourage the development of special projects which celebrate the cultural pluralism of Dallas and whenever possible, collaborate with the international cultural community.
3. Support for Individual Artists – The City will continue to seek opportunities for the development of new programs, initiatives and facilities to serve the individual artist.
4. Community Cultural Development – The City will seek to develop partnerships, share resources and coordinate efforts with the chambers of commerce and other local organizations for the purpose of enhancing the growth and well being of the cultural community.
5. Cultural Facility Development – The City will explore ways to encourage the incorporation of cultural facilities in private development projects
6. Cultural Tourism Development - The City will support and encourage programs, projects and initiatives, which promote the development of cultural tourism and promote Dallas and its cultural industry as a valuable resource. The City and the cultural community will strive for excellence as we work together to become the state and regional leader in arts and culture.
7. Film Industry Development - The City will seek opportunities to work with other City Departments to encourage more filming for television, movies and other purposes in the Dallas area, and to promote the employment of Dallas-based actors in local film projects.
8. Partnerships - The City will develop partnerships encouraging and enabling the production of quality arts programs through corporate, media, economic development, and other external entities as well as through other city departments and city initiatives. The goals and priorities for the development of partnerships are:
  - To bring arts to the underserved
  - Provide venues to all neighborhoods

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- Make arts accessible in non-art venues
- Encourage communication and cooperation between the City Departments and the Office of Cultural Affairs to bring broader participation and resources to arts development.

### **III. Responsibility For Implementation Of Cultural Policy**

Responsibility for the implementation of this Cultural Policy and Program will rest primarily with the Office of Cultural Affairs of the City Manager's Office, with the advice of the Cultural Affairs Commission, and with the Dallas City Council providing review and final approval.

A. The City Manager shall:

1. Annually review the Office of Cultural Affairs' management of arts and cultural programs, activities, and facilities located on city property as necessary to carry out the duties and responsibilities assigned to it by City Charter and other applicable law.

B. The Office of Cultural Affairs shall:

1. Review this Cultural Policy and Program at least once every five years with advice of the Cultural Affairs Commission, and with the Dallas City Council providing review and final approval.
2. Develop and periodically update a long-range strategic plan for implementation of the Cultural Policy and Program.
3. Periodically amend, with the advice of the Cultural Affairs Commission, the guidelines for individual programs. Any such changes that have significant budget impacts shall be submitted to the City Council for approval.

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- C. The Cultural Affairs Commission shall:
1. Act as an advisory body to the city council in accordance with Section 8-26 of the Dallas City Code:
  2. Make recommendations concerning the establishment and implementation of cultural policies and procedures, including cultural diversity.
  3. Make recommendations concerning the design, operation and use of city facilities devoted to the arts and other cultural activities.
  4. Make recommendations to encourage the development of new and emerging cultural programs and activities involving emerging cultural organizations and artists with special emphasis on the development of ethnic and minority artists and arts organizations.
  5. Make recommendations concerning the expenditure of city funds on cultural programs, facilities and organizations.
  6. Make recommendations to create opportunities for all citizens of the city to have access to the arts and the means of cultural expression.
  7. Encourage appointment of individuals who have an interest and passion in the arts, or cultural organizations with demonstrated support of both.
  8. Must serve in accordance with applicable requirements of the City Charter, City Code and Code of Ethics for the City of Dallas.
  9. Be assigned by the Commission Chair to serve as non-voting, ex-officio members (Cultural Affairs Commission Liaisons) of, but not limited to, the governing boards of all cultural organizations contracting with the City through the Cultural Organization Program.
    - a) Individual Commissioners shall also be appointed to serve as ex-officio members on the advisory boards of cultural facilities operated by the Office of Cultural Affairs.
    - b) Commissioner liaisons shall be reviewed and appointed by the Chair of the Cultural Affairs Commission, based on specific interests and capabilities of individual Commissioners in order to serve as a resource to the organization.
    - c) These ex-officio memberships will allow Commissioners to report on the programs and needs of those organizations to the full Commission and the Office of Cultural Affairs. Direct access to individual Commissioners will enable the various cultural organizations to readily obtain information regarding the activities of the Commission and the Office of Cultural Affairs.
    - d) The appointments shall change every two years and/or at the discretion of the Chair of the Cultural Affairs Commission
    - e) Commissioners will be expected to attend one-half of all designated organizational board meetings. At no time during the relationship should the individual commissioner liaison attempt to speak for or make promises

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on behalf of the full Commission or the Office of Cultural Affairs. It must always be made clear that the liaison is speaking as an individual citizen.

### CULTURAL PROGRAM

#### **I. Cultural Services Procurement – Criteria And Procedures For Cultural Programs**

##### **A. Cultural Organization Program (COP)**

1. The Cultural Organization Program provides payment in consideration for the full range of an organization's services to the public for one year.

a. For organizations managing or occupying city-owned cultural facilities through long-term management contracts or long-term use agreements:

(1) Direct (cash) payment for services is provided through an annual supplemental agreement to the long-term management contract of use agreement. Contract amounts may be tied to administrative, programmatic or facility-related costs.

(2) Additional facility-related-indirect support may be provided on behalf of the organization by the Office of Cultural Affairs (utilities, building supplies, fountain maintenance, waste disposal) or other City Departments (site and structural maintenance, building improvements) per the terms of the long-term management contract or long-term use agreement. Organizations receiving indirect support will be required to file a conservation plan outlining resource and cost saving measures for utilities with the Office of Cultural Affairs.

(3) Total City direct payment through the Cultural Organization Program, when combined with indirect support to an organization through the Office of Cultural Affairs and Equipment and Building Services Department, shall be considered as part of the organization's annual operating budget and shall not exceed an amount greater than 25% of the contracted organization's annual operating revenues, based on the most recent year's completed audit at the time the Cultural Organization Program services proposal is submitted to the City. For purposes of calculating this 25% figure, the Equipment and Building Services Department contribution shall be based upon amounts actually expended by that Department during the previous fiscal year for ongoing, structural maintenance of a facility, and shall not reflect amounts expended for one-time major repair projects.

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- b. For organizations that do not manage city-owned facilities: Direct (cash) Payment for services is provided through an annual cultural services contract between the City and the organization and may be used for administrative, programmatic or facility-related costs. Total City direct payment through the Cultural Organization Program shall not exceed an amount greater than 25% of the contracted organization's annual operating revenues, based on the most recent year's completed audit at the time the Cultural Organization Program services proposal is submitted to the City.
  - c. Eligible organizations contracting with the City through the Cultural Organization Program may also provide services through the Neighborhood Touring Program as long as the combined total of all City cultural services contract awards does not exceed 50% of the contracted organization's annual operating revenues, based on the most recent year's completed audit at the time the Cultural organization Program services proposal is submitted to the City.
2. Eligibility Criteria: Any cultural organization meeting the following criteria is eligible to apply to the Cultural Organization Program.
- a. Operational history of at least three years.
  - b. Annual Operating budget of at least \$75,000 (excluding those organizations in the Cultural Organization Program in FY 2001-02) based on prior year actual revenues. (This figure may be adjusted annually by the cost of living index. If not available at the time of application, an audited financial statement for the organization's prior fiscal year must be provided to the City before the organization may enter into a contract for services through this program.)
  - c. At least one paid part-time (50% or more) professional staff person.
  - d. Produce a season of programs, exhibitions, performances and /or publications for the public, consistent with the medium and with the mission of the organization.
  - e. Have a board of directors that represents a broad cross section of the population of the City of Dallas (i.e. geographic, ethnic, socioeconomic, etc...)
  - f. Compliance with all local, state and federal laws, which prohibit discrimination.
  - g. Demonstrated and viable community outreach programs.
  - h. Demonstrated commitment to cultural diversity in all aspects of the organization's operations and programming.
  - i. Primary focus of operation to provide services to the citizens of Dallas.
  - j. Administrative offices permanently located in the City of Dallas.
  - k. IRS status as a non-profit 501 (c) (3) corporation.
  - l. Must agree to participate in management assistance activities if required by the City.
3. Review Criteria – When determining the amount of payment to be made to an eligible organization for services through the Cultural Organization Program, applicants are evaluated according to the following criteria:

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- a. Quality of Services- Has the organization maintained high quality standards in its artistic and cultural services?
  - b. Need - how great is the City's need for the services provided by the cultural organization? To what extent would procurement of services by the City serve to meet the needs of the community and the organization?
  - c. Comparison of Public and Private Support - has the organization actively pursued and received funds from the private sector or individual contributors? Has it demonstrated an ability to generate levels of earned and unearned income consistent with accepted standards for similar organizations?
  - d. Stability/ Accountability- Has the organization performed in a reliable manner in the past year, in terms of its regular programming, its community outreach, fiscal management practices, and compliance with City contracts.
  - e. Cultural Diversity- Has the organization demonstrated a commitment to cultural diversity in all aspects of its operations such as board, staff, programs, audiences and outreach?
4. Review process – Following initial review by the Office of Cultural Affairs Staff, eligible applications are evaluated by an advisory panel composed of a diverse group of artists, representatives from cultural institutions and organizations, and representatives from the community at large who are given specific direction and orientation to enable them to fairly review applicant proposals. The panel ranks the proposals on the basis of the merit of the services, the extent the procurement of services would meet the needs of the community and the organization, the organization's capacity to meet the needs of the community and the organization, the organization's capability to raise matching funds. Office of Cultural Affairs staff assigns recommended contract amounts based on the panel rankings and established ceilings. These recommendations are forwarded to the Cultural Affairs Commission for review. Final recommendations are provided to the City Council through the City Manager's Office as part of the Office of Cultural Affairs' annual budget request and are approved or modified by the City Council. Awards are not final until the budget approval by the City Council.
5. Contractual Requirements – Upon City Council approval of the Office of Cultural Affairs budget, the City will enter into cultural services contracts with the approved organizations. Such organizations must conform to specific reporting procedures, and must provide the City with an annual audited financial statement. The City will audit funds and accounts of these organizations on a regular basis, and reserves the right to do so at any time. In addition, the City may offer, or in some cases, require, special management assistance to organizations contracted with under this Program.

### B. Cultural Projects Program (CPP)

1. The Cultural Projects Program procures cultural services on a project basis from cultural organizations, educational institutions, social services organizations, and other non-profit organizations.
2. An organization contracting with the City through the Cultural Projects Program shall not receive a contract amount greater than 50% of the project budget.
3. Organizations contracting with the City through the Cultural Projects Program may also provide services through the Neighborhood Touring Program as long as the combined total of all City cultural services contract awards does not exceed 50% of contracted organization's annual operating revenues, based on the most recent year's completed audit. Organizations submitting joint proposals are eligible to request a greater amount of payment for their collaborative project than they could otherwise request if applying separately.
4. Program Goals:
  - a. To provide cultural services in all areas of the City of Dallas,
  - b. To create greater awareness of the cultural and artistic heritage of Dallas, and to increase the citizen access to and participation in these activities,
  - c. To stimulate development of new funding sources to support cultural activities in Dallas, and
  - d. To increase the artistic and administrative capabilities of the city's cultural organizations, and to provide cultural services not otherwise available in the community.
5. Types of projects to be supported:
  - a. Projects that increase the quality of the applicant organization's cultural activities. Projects for all types of cultural activities will be considered as long as they indicate a significant impact on the organization's cultural/artistic programs as well as a direct benefit to the citizens of Dallas. Projects must be professionally directed.
  - b. Artistic Residency Projects that provide frequent exposure to a targeted audience over a period of time while continuing to involve the larger community.
  - c. Projects that increase the administrative efficiency of the applicant organization. Proposals must demonstrate a clear benefit to the citizens of Dallas. The City will pay up to 50% of salary expense for a staff position included in this budget.
  - d. Collaborative Projects between two or more organizations will be considered as long as they demonstrate a significant potential impact on the organizations involved through the sharing of expertise and resources, and provide a clear benefit to the citizens of Dallas.
6. Limitations – Applicant organizations may submit only one individual or collaborative proposal per year to the Cultural Projects Program. An organization cannot contract with the City through both the Cultural Projects Program and the Cultural Organization Program during the same fiscal year.

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7. Eligibility – An organization meeting the following criteria is eligible to apply to the Cultural Projects Program:
  - a. Professional direction for the proposed project,
  - b. Primary focus of organization to provide services to the citizens of Dallas,
  - c. Organization not currently under contract with the City through the Cultural Organization or Leadership Exchange and Advancement Program,
  - d. IRS status as a private, non-profit 501 (c) (3) corporation, an educational institution, or a unit of government, and
  - e. Administrative offices permanently located in the City of Dallas.
8. Assistance received under this program will generally require a dollar-for-dollar match. At no time will City support exceed 50% of the total project budget or the organization's annual operating expense. "In-Kind" matching funds may be used in place of a portion of the required cash match. Requests to use In-kind-matching funds must be approved by OCA prior to submission of the proposal.
9. Review process – Following initial review by the Office of Cultural Affairs Staff, eligible applications are evaluated by an advisory panel composed of a diverse group of artists, representatives from cultural institutions and organizations, and representatives from the community at large who are given specific direction and orientation to enable them to fairly review applicant proposals. The panel ranks the proposals on the basis of the merit of the project, the extent procurement for services would meet the needs of the community and the organization, the organization's capacity to meet the program objectives, and the organization's capability to raise matching funds. The Office of Cultural Affairs staff assigns recommended contract amounts based on the panel rankings and established ceilings. These recommendations are forwarded to the Cultural Affairs Commission for review. Final recommendations are provided to the City Council through the City Manager's Office as part of the Office of Cultural Affairs' annual budget request and are approved or modified by the City Council. Awards are not final until the budget approval by the City Council.
10. Contractual Requirements – The City will enter into cultural services contracts with the approved organizations. Such organizations must conform to specific reporting procedures. The City will audit funds and accounts of these organizations on a regular basis, and reserves the right to do so at any time. In addition, the City may require that organizations receiving contracts through this program participate in management assistance activities.

### C. Neighborhood Touring Program (NTP)

1. Purpose of Program – To provide opportunities for culturally and/or ethnic specific arts programs which: 1) Heighten citizen understanding of the unique contributions of the various cultures to the community, and 2) Participate in neighborhood events throughout the City which showcase and celebrate the community's unique history, traditions and heritage. 3.) The program also seeks to expose Dallas citizens to art forms or traditions with which they may not be familiar.
2. Eligibility Criteria – Individual artist applicants must be residents of the City of Dallas. It is not necessary for an organization applying to this program to have an IRS status as a non-profit 501 (c) (3) corporation. However, to be eligible to participate in the program, an organization or an artist must have demonstrated non-profit goals and objectives and be office within the City of Dallas. If the service provided through the Neighborhood Touring Program is a continuation of services provided to the City through the Cultural Organization Program, and Cultural Projects Programs, that service must be performed in addition to those other contractual services.
3. Matching Requirements – Organizations/artists contracting with the City to provide services through this program are not required to match the contracted amount. Organizations contracting with the City through the any funding program may also provide services through the Neighborhood Touring Program as long as the combined total of all City cultural services contract awards does not exceed 50% of a contracted organization's annual operating revenues, based on the most recent year's completed audit.
4. Review Criteria – Proposals will be evaluated according to the following criteria:
  - a. The qualifications of the artist/organization, based on training professional experience, quality of work, planning skills, past record of achievement, and potential to manage and carry out the service; and
  - b. The need of the community for the particular service, based on how the service will increase understanding of the cultural heritage of the participating artists, how the service will meet an underserved need in the community, and how the service will benefit the community.
5. Review Process – Following an initial review by the Office of Cultural Affairs all eligible applications are evaluated by a diverse advisory panel of local arts professionals and presenters according to the above review criteria. The Office of Cultural Affairs staff assigns recommended contract amounts based on the panel rankings and established ceilings. These recommendations are forwarded to the Cultural Affairs Commission for review. Final recommendations are provided to the City Council through the City Manager's Office as part of the Office of Cultural Affairs' annual budget request and are approved or modified by the City Council. Awards are not final until the budget approval by the City Council.

6. Contractual Requirements – The Office of Cultural Affairs will assign a number of services to each approved artist or organization. Payments are made upon the completion of each service upon receipt of a completed invoice, host evaluation and artist evaluation form, and subject to final review by Office of Cultural Affairs Staff. Any program funds allocated to, but uncommitted by a particular artist/organization at a specified time each year will be placed in a pool of funds to be made available to all artists/organizations on the program roster.

### **D. Leadership Exchange and Advancement Program (LEAP)**

1. The Leadership Exchange and Advancement Program (LEAP) provides management and technical assistance to artists and arts or cultural organizations in order to build artistic and administrative capacity, through the following initiatives:
  - a) Mentoring – Provides opportunities for a minimum of three months during which time individuals/organizations may benefit from the expertise and experience of successful individuals/organizations.
  - b) Workshops – Provides one-time or on-going learning opportunities in an educational setting provided by the Office of Cultural Affairs and/or other service providers.
  - c) Consultations – Provides professional services to individuals/organizations to address specific needs.
  - d) Facilities Reimbursement – Provides space to eligible individuals/organizations at a reduced rate.
  - e) THIS IS NOT A DIRECT FUNDING PROGRAM FOR APPLICANT ORGANIZATIONS.
2. Eligibility Criteria – Any artist, arts or cultural organization that meets the eligibility requirement of any existing funding program, and specifically resides/offices in the City of Dallas.
3. Review Criteria – When determining the amount of payment to be made on behalf of an individual/organization, applications are evaluated according to the following criteria:
  - a) Need – How great is the individual's and/or organization's need to participate in management and technical assistance? To what extent would procurement of services by the City serve to meet the needs of the community and the organization?
  - b) Stability/Accountability – Has the individual/organization performed in a reliable manner in the past year, in terms of regular programming, community outreach, fiscal management practices (organizations only), and compliance with City contracts?
  - c) Ability to Succeed – Does the individual/organization meet the requirements for participation in this program and show the capability to comply with requirements and successfully complete management and technical assistance programs?
4. Review Process – LEAP is administered by the Office of Cultural Affairs and includes application review, selection, implementation and evaluation. The Staff will select applicants that meet the program criteria and guidelines for participation, subject

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to the availability of funds. Staff recommendations will be forwarded to the Cultural Affairs Commission for review and approval.

- a) Priority is given to emerging, small, midsize and ethnic specific organizations and/or artists.
- b) Submission of an application does not guarantee participation; sufficient planning and early application are encouraged.

5. Guidelines – Complete guidelines are set forth in the annual Funding Guidelines Book issued by the Office of Cultural Affairs each fiscal year. At a minimum program guidelines include the following:

- a) Submission of a completed application 90 days prior to project implementation.
- b) Ability to meet any financial obligations not covered through LEAP (i.e. production costs, travel, fees, etc.)
- c) Completion of all program requirements and submission of progress reports and final evaluation.

6. Guidelines specific to the Facilities Reimbursement Program:

- a) The Facilities Reimbursement Program includes space use for performances, rehearsals, meetings, auditions and workshops. Other uses are subject to the approval of the Director of the Office of Cultural Affairs and the Facility Provider prior to implementation.
- b) Facility Provider – Provides space to eligible applicant organizations at a reduced rate. Each Facility Provider establishes and implements policies/procedures and usage rates for their facility, subject to the approval of the Office of Cultural Affairs.
- c) User Groups/Individuals – Access the Facilities Reimbursement Program by applying to LEAP. They must meet the eligibility requirements and criteria for participation.

d) The User Groups/Individuals – must complete a contract with the Facility Provider that outlines the terms of usage, times, dates, cancellation policy, and estimate of costs and any security deposits required. A copy of this contract must be returned to the Office of Cultural Affairs for review and approval prior to program implementation.

e) The User Groups/Individuals may not transfer hours to another organization.

f) A Facility Provider may not arrange services through the Facilities Reimbursement Program without prior approval by the Office of Cultural Affairs.

7. Contractual Requirements – The City will enter into cultural services contracts with approved individuals/organization for the purchase of professional services. Contractors must conform to specific eligibility, criteria, guidelines and reporting procedures. Applicants and/or contractors who fail to comply with all program requirements may forfeit LEAP funds, and are subject to probation or suspension from participation in LEAP. The City reserves the right to evaluate and/or audit program funds and accounts of LEAP participants at any time. Any exceptions to LEAP as described above are subject to the review and approval of the Director of the Office of Cultural Affairs.

### **E. Arts Endowment Fund**

On September 26, 1984, the City Council authorized the establishment of an Arts Endowment Fund for the procurement of services by emerging culturally specific and ethnic cultural organizations and artists, to supplement the services provided by those organizations/artists to the City through other cultural services programs. Policies for use of annual interest earnings from this fund are as follows:

1. The Office of Cultural Affairs, as part of the regular budget process and in consultation with the Cultural Affairs Commission, will submit for Council approval projects that exceed \$15,000. Emphasis will be given to projects involving culturally specific and ethnic artists, technicians and administrators. Projects will generally be of limited duration (not to exceed three years, but generally only one year). All projects will be subject to annual review and approval by the Director of the Office of Cultural Affairs, and may include emergency requests from organizations for programmatic or operating needs.
2. Arts Endowment proceeds will not be used to substitute for items requested, but not included, as part of the annual General Fund budget, unless the purpose is to procure services from culturally specific and ethnic artists and cultural organizations.
3. Special emphasis will be given to projects, which benefit more than just a single artist or cultural organization.
4. While the Arts Endowment may be used to pay for demonstration or pilot programs that would likely require more than one year, projects which do not involve annualization through the General Fund or which can be paid for through private sources in subsequent years will be given preference.
5. These policies shall be subject to periodic review, at least every three years.
6. The Cultural Affairs Commission shall actively encourage growth of the Arts Endowment Fund principal through private sources.

### **F. Ineligible Activities**

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City funds allocated through the Cultural Organization Program, Cultural Projects Program, Neighborhood Touring Program, Leadership Exchange and Advancement Program and other cultural services contract programs administered by the Office of Cultural Affairs through either the General Fund or Arts Endowment Fund interest earnings cannot be used to procure services from organizations that office outside of the City of Dallas, nor will funds be used to procure services from any organization that did not meet the terms of its prior year cultural services contract, as determined by the Office of Cultural Affairs. In addition, City funds cannot be used to pay direct costs for:

1. Activities, which do not have a cultural or artistic focus, or whose primary focus is religious or political in nature.
2. Projects planned primarily for fund raising purposes.
3. Activities restricted to an organization's membership or which do not benefit the general public.
4. Tuition expenses.
5. College/university or school projects that are part of a required course or curriculum that does not involve and serve the general public.
6. Fellowships or contracts to individuals (does not preclude purchase of services from individuals).
7. Scholarships, cash prizes, purchase awards.
8. Out-of-city travel.
9. Underwriting of capital expenditures (buildings, land or permanent equipment).
10. Activities which have occurred prior to the signing of a cultural services contract.
11. Underwriting of past deficits.
12. Activities of Dallas-based organizations that occur outside the City limits unless: a) There is clear benefit of the activity to the citizens of Dallas, and b) there are no other appropriate facilities within the City of Dallas for the particular activity (in terms of availability, affordability, and size), and c) specific activity locations are approved by the City prior to the signing of a contract for services with the organization.
13. Endowments.
14. Non-contract related services, lobbying, attorney's fees, fees for penalties, and fees for incorporation or obtaining tax-exempt status.

## II. Facilities Development And Administration

### A. Cultural Facilities Planning Process

1. The City shall establish a planning process to ensure that:
  - a. The interests of the City are adequately represented in the planning for any City-owned cultural facilities.

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- b. Future City-owned cultural facilities are properly located, and designed using LEED program guidelines and/or address efficient use of natural resources and utilities.
  - c. City-owned cultural facilities are utilized, managed and programmed to be responsive to the needs of the local cultural community.
  - d. All proposals for City-owned cultural facilities are given formal and equal consideration.
  - e. The interests of the cultural community as a whole are served by the rational allocation of resources for planning and capital construction.
  - f. A review process exists for the redeployment of city cultural facilities that may be available due to the relocation of a managing organization (i.e. to a new facility) to ensure that existing cultural facilities are available and accessible to the cultural community to the greatest extent possible.
2. Projects may be initiated either by cultural organizations or by the City.
  3. The Office of Cultural Affairs, with the advice of the Cultural Affairs Commission, shall be responsible for cultural facility planning for the City and will work with other appropriate City Departments to coordinate funding, design, and construction of City-owned cultural facilities.
  4. The City may share planning costs with cultural organizations participating in specific facility projects.
  5. Final design and implementation plans for any City cultural facility project will be developed following a designation of funding by the City Council. Anticipated users of any new or renovated facility must be well represented throughout the design process to ensure an optimal facility plan. Detailed operating and maintenance plans will be developed, along with any required management agreements, prior to the completion of the facility.
  6. The Office of Cultural Affairs will provide oversight for all cultural facilities, existing and in development, and will undertake a mandatory annual inspection and evaluation of all city-owned arts facilities for the purpose of identifying capital repair needs.
  7. The Office of Cultural Affairs will work with Cultural Organizations managing City-owned facilities to ensure that they are ADA compliant and will assist all facilities in achieving maximum accessibility for all citizens.

### **B. Public/Private Cost Sharing Program For Development And Operation Of Cultural Facilities**

1. This program is based upon the following basic principles:
  - a. The City of Dallas will assist qualified cultural organizations in providing needed facilities in accordance with a carefully conceived and approved plan.
  - b. In order to qualify for the Public/Private Cost Sharing Program, all projects are subject to the review and approval of the Office of Cultural Affairs and the City Managers Office prior to project implementation. Participation is not confirmed until approved by the City Council.
  - c. Facilities developed under this program will be constructed and owned by the city. The City may also maintain these facilities.

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- d. Once established and agreed upon, the cost of acquisition of sites will be shared 75% by the City of Dallas and 25% by the participating cultural organization(s).
  - e. The established cost of construction of facilities will be shared 60% by the City of Dallas and 40% by the participating cultural organization(s).
  - f. The City of Dallas may provide direct payment for services and/or indirect support to each managing organization as part of the general budget process.
2. The following public/private cost-sharing principles apply to original construction as well as to additions/improvements to existing facilities:
- a. Pre-construction Costs – 25% Private 75% Public
    - (1) Site acquisition
    - (2) Clearance
  - b. Construction Costs – 40% Private 60% Public
    - (1) Preparation of architectural plans and specifications
    - (2) Construction of building and parking
    - (3) Site improvement: access and landscaping
    - (4) Furniture and furnishings – less salvage

### c. Facility Operation Costs

(1.) Newly constructed/renovated City-owned facilities managed by the participating cultural organization - It is the City's intent, subject to annual City Council appropriation and the availability of funds, to assist managing cultural organizations with certain facility-related costs either on an indirect basis through the budgets of various City departments, or through annual cultural services contracts with the managing cultural organization itself. The specific nature of this assistance will be negotiated on a case-by-case basis and included in the long-term management contract with each organization. Such support may include:

- (a.) Maintenance of site.
- (b.) Maintenance of City-owned collections (but not collections of plant life).
- (c.) Structural maintenance of buildings and improvements, to include maintenance of mechanical systems.
- (d.) The Office of Cultural Affairs, together with appropriate City Departments, will review major repair needs annually in consultation with the Cultural Organizations. A master schedule will be developed to anticipate major capital repairs.
- (e.) Minor improvements to buildings, unless the cultural organization wishes to make such improvements at its own expense with prior City approval.
- (f.) Insurance: City will procure and pay for all-risk property insurance for City-owned buildings, City-owned contents and City-owned improvements. The cultural organization may be required by contract to provide additional insurance coverage.
- (g.) Utilities: gas, electricity, water and sewer, waste disposal, but not telephone. However, each organization is required to develop and submit a utilities conservation plan in order to comply with State and Local requirements. Organizations currently operating city -owned facilities will be required to reduce their utility expenses by 5% in year one and maintain that reduction in years 2-5. Those organizations that do not achieve and maintain a 5% reduction will be required to pay the difference. For the purposes of calculating a 5% reduction, the Office of Cultural Affairs will establish a base from an average utility cost (based on actual expenditures in the two most recently completed fiscal years) per facility. This will only apply to organizations currently operating city-owned facilities.

- (h.) Any additional payment that may be provided by the City for the cultural organization's contractual services shall be determined on an annual basis by City Council appropriation upon recommendation of the Cultural Affairs Commission and the City Manager. However, under no circumstances shall the City's annual direct payments to the cultural organization together with indirect support for utilities and structural maintenance exceed an amount greater than 25% of the organization's prior year operating expenses.
- d. Newly constructed/renovated City-owned facilities managed by the City or on behalf of the City by a third party where the participating cultural organization becomes a major tenant:
  - (1.) City responsibilities will be determined on a case-by-case basis and will be included in the management agreement with the third party organization.
  - (2.) The participating cultural organization (plus other organizations) will pay rent for use of the facility.

### **C. Utilization Of Existing City-Owned Facilities**

The City may enter into long-term contracts with cultural organizations for the management of existing City-owned cultural facilities, or may elect to manage such facilities itself. These facilities may be available for use on a rental basis by various cultural organizations and individuals.

### **D. Cultural Facility Management Contracts**

1. All organizations responsible for operating newly constructed, renovated or existing City-owned cultural facilities must enter into long-term management contracts with the City. Two types of assistance may be provided by the City through these contracts, subject to annual appropriation by the City Council and the availability of funds:
  - a. Indirect support (which may include structural maintenance and utilities expenses paid from the budgets of various City Departments), and
  - b. Direct payment to the organization for services provided through an annual supplemental agreement to the long-term management contract. Contract amounts may be tied to administrative, programmatic or facility-related costs.
2. Management contracts are negotiated on a case-by-case basis. Each contract will reflect the needs of the City and the cultural organization, and will specify the requirements the cultural organization must meet with regard to the management contracts when such leases expire.
3. The relationship does not create in the City any proprietary or supervisory authority over the organization's other activities unless directly stipulated in the contractual agreement between the City and the organization.
4. All revenues and private contributions generated by a cultural organization, which has a contract from the City to manage a City-owned facility, will accrue to that specific cultural organization. The City will have no direct claim against these revenues. The City, however, may from time to time, by contractual agreement, assess rental or other appropriate fees for the utilization of City-owned facilities.

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5. The City encourages each cultural organization managing a city-owned facility to develop an operating endowment to cover future operating.

### **E. Community Cultural Centers**

1. The City of Dallas recognizes the need for facilities to serve emerging cultural organizations and artists, and, to that end, has developed a network of community cultural centers. Each of these cultural centers is multi-purpose in nature, with a small theater, a gallery and classroom/studio spaces. It is the City's intent to explore partnerships and collaborations to develop additional cultural centers at appropriate locations in the City based on the stated needs of the community or neighborhood to be served, and based on available funding. All centers are managed by the Office of Cultural Affairs and are available for the use of many different organizations and individuals for a nominal fee.
2. Each cultural center will have an Advisory Council composed of citizens of the neighborhood and community at large who are interested in the activities of the center. Membership in the Advisory Council is open to any interested Dallas citizen. The Advisory Council serves in an advisory capacity only, and plays an active support role in the implementation of activities at the Center.

### **F. Cultural Districts**

The City of Dallas currently has two districts with a concentration of City-owned cultural facilities, the downtown Arts District and Fair Park. From time to time, the City may designate other areas as cultural districts.

### **G. Cultural Resources**

The City of Dallas possesses a unique cultural resource in the form of a city-owned radio station, WRR FM, a 24-hour classical music station serving the citizens of Dallas and the North Texas Region within a 100-mile radius. The station provides quality classical music programming, showcases numerous local arts organizations, provides live broadcast of regular City Council meetings and by City Ordinance transfers 25% of its profits to the cultural community through the Arts Endowment. For these reasons the City of Dallas recognizes and encourages that this cultural asset must be preserved and valued for its broad contributions to the quality of life of the City and its cultural community.

**III. PUBLIC ART PROGRAM**

**A. MISSION STATEMENT:**

To enrich the community through the integration of the vision and work of artists into the planning, design and construction of public spaces.

GOALS of the City's Public Art Program are:

- To encourage individual artists to work and live in Dallas, and to make the citizens of Dallas aware of their contributions to the quality of life in the City.
- To create opportunities for greater flexibility and artistic freedom in the public art program.
- To foster a mutual educational dialogue between the artist producing a public art project and the community in which the project will be placed.
- To support loans, donations and opportunities to
  - Commission or purchase art of the highest aesthetic quality, and
  - Accept land and/or spaces for the display of public art
- To enhance the cultural appeal of the City of Dallas by promoting and supporting artists and the arts.

**B. GENERAL POLICIES**

1. Local v. Non-local Artist – The Public Art Program provides opportunities for artists to contribute to the visual environment. The Program focuses primarily on local and regional artists, but does not preclude use of artists of national and international reputation. The quest for the highest quality cannot be limited to one geographic location, and the sharing of different artistic perspectives should be encouraged.
2. Diversity – It is the policy of the City of Dallas to involve qualified Minority and Women-Owned Enterprises to the greatest extent feasible in the City's construction, procurement and profession services programs. The City, its contractors and subcontractors shall not discriminate on the basis of race, color, religion, national origin, gender or sexual orientation in the award and performance of contracts. All administrators of the City's Public Art Program will uphold this Policy.

Office of Cultural Affairs staff will seek the cooperation of the Business Development & Procurement Services department to develop a program or process for assisting minority artists to obtain certification or recognition as a minority vendor.

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3. Insurance and Liability – The City recognizes that it is both difficult and extremely costly for artists to obtain the kinds and amounts of insurance **and bonding** coverage required for City projects. When the artist is a member of a design team, this coverage, if available, shall be provided directly by the prime contractor architect, engineer, etc.) responsible for contracting with the artist. For artists contracting directly with the City to produce an artwork, or artplace, insurance requirements shall be evaluated on a project specific basis, and when the artist does not already carry the required coverage, insurance costs may be provided by the City from the Public Art Administration Fund and added to the artist's fee.

Public Art Projects may be exempted from the requirement for bonding.

Artists or collaborative teams of artists shall be liable for their own negligent acts and omissions during the fabrication and installation of an artwork or artplace. However, artists must have all construction drawings, plans, specifications, and installation methods reviewed and certified by an engineer licensed in the State of Texas to guarantee stability and safety.

4. Community Involvement – A process for community involvement in public art projects shall be established to create mutual educational opportunities for the residents of the neighborhood and the artists.

Those responsible for naming selection panels, the panelists themselves, and also the artist(s) selected, must recognize that the project is for a public space, and that the public will be involved. It is recognized that public art can provoke radically different viewpoints, and that the Public Art Program is responsible for establishing guidelines for appropriate response.

Individual Artist Support – Although a Public Art Program generally benefits the visual artists, the City shall explore ways to involve artists representing all art forms, as well as to support individual artists' initiatives.

Collaboration - The City, through its Public Art Program, shall encourage and promote the collaboration of design professionals in the formation of the City's art collection, made up of artworks and artplaces. Collaborative teams of artists, architects, landscape architects, and /or engineers should be used wherever feasible and appropriate in public projects and readily visible or accessible to the general public, whether specifically art projects or public works projects such as new buildings remodels, new streets, erosion and flood control devices, new parks, etc.

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Education – In order to assure a future for the Public Art-Program, as well as to provide enrichment and breath in the educational experience of Dallas school children, it is imperative that art appreciation, the creative process, the value of diversity and experimentation in the arts, and the impact of the visual arts on the daily environment become part of the learning experience provided by all Independent School Districts serving City of Dallas residents. It is therefore recommended that the staff of the Office of Cultural Affairs work with and encourage each school district to provide these learning opportunities.

It is also recommended that some form of public education activity be included in the planning of every public art project. Costs for such activities would be included under administration in the total project budget.

Deaccessioning – Because the City has the responsibility for conserving its public art collection, and because the disposal of artworks may have serious implications, for the Artists and the citizens of Dallas, deaccessioning should be a deliberate and seldom-used procedure. No work of art will be deaccessioned within ten years after acquisition, unless necessitated by extenuating circumstances. Since deaccessioning of the city-owned collection maintained by the Dallas Museum of Art is governed by a separate City Ordinance (See Dallas City Code- Chapter 2, Article IV, Sec. 2-37.12), this policy shall not apply to the Museum.

Deaccessioning of artplaces and applied art concepts should be considered according to the above policy insofar as possible. Protection of the designed work should be provided within reason in contract documents. When the City, for any reason, finds it necessary to modify, remove, destroy or in any way alter an artwork or an artplace, the department or agency making the decision shall provide 30 days advance notice to the Office of Cultural Affairs, which in turn, shall make a reasonable effort to notify the artist, to include providing such notice in writing by registered mail.

### Marketing

Develop collaborative strategies with public and private organizations (such as the Dallas Convention and Visitors Bureau) to promote public art and art in public spaces as staffing and annual budget permit.

### **C. PUBLIC ART COMMITTEE – (See Ordinance, SEC. 2-105)**

1. Appointment and Responsibilities – The Public Art Committee is a standing committee of the Cultural Affairs Commission. The responsibilities of this committee are to:
  - a. Oversee quality control of the Public Art Program and projects.
  - b. Review and recommend for approval by the Cultural Affairs Commission through majority vote of the Public Art Committee the nature and scope of projects and artworks, as well as artists for the Public Art Program.

- c. Make recommendations regarding any issues that arise from a specific artwork or art project.

The Public Art Committee is composed of the three full Council appointments to the Cultural Affairs Commission, and eight members who are qualified citizens appointed by the Chair of the Cultural Affairs Commission from a list of candidates provided by the Office of Cultural Affairs staff. An effort will be made to ensure balance on the Committee in terms of gender, ethnicity, and geographic representation within the City. The Chair of the Public Art Committee is one of the three Commission members, and is appointed by the Chair of the Cultural Affairs Commission.

2. Qualifications for membership on the Public Art Committee – All appointments to the Public Art Committee, both the three Commission and eight citizen members, must be recognized as a visual artist (by means of a currently demonstrable record of exhibitions, work sold/collected and/or commissioned) or as an architect, landscape architect, art historian or critic, arts advocate/collector, urban planner or engineer, with appropriate professional credentials, and some combination of the following:
  - a. Knowledge of and/or skills in the visual arts.
  - b. Wide knowledge of regional and national individual artists and their work.
  - c. Demonstrated experience as an advocate for the visual environment.
  - d. Evidence of willingness to encourage and promote change, experimentation, new artistic and design expressions.
  - e. Evidence of community activities significant enough to confirm knowledge of cultural and artistic issues and individuals within the City.
  - f. Understanding and empathy toward ethnic and gender diversity.
  - g. Knowledge of the Dallas Public Art Plan, its implications for the City, and the processes.

In addition, the eight citizen members must have resided in the City of Dallas for at least one year and be current registered voters.

3. Term of Membership of Citizen Members -The term of membership of the eight citizen members on the Public Art Committee is two years, with a limitation of two consecutive terms. Appointments are made so as to ensure that there are always at least four continuing citizen members. A citizen member who is absent from more than 25 percent of the regular meetings during any 12 month period, whether excused or not, shall be subject to dismissal. A citizen membership which has been forfeited under the provisions of this policy shall be filled for the remainder of the term by appointment of the Cultural Affairs Commission. The eight citizen members of the Committee may include other qualified members of the Cultural Affairs Commission, and residency/term/attendance requirements for their members will be dictated by Dallas City Code provisions for boards and commissions.

#### **D. ADMINISTRATION OF THE PUBLIC ART PROGRAM**

Responsibilities of the Public Art Committee, the Cultural Affairs Commission, and the Director of the Office of Cultural Affairs for administration of the Public Art Program are outlined in the Dallas City Code, Chapter 2, Article X, Section 2-105(b).

**E. WORKS OF ART FOR MUNICIPAL FACILITIES AND SPACES – POLICIES AND PROCEDURES**

1. City's Responsibilities

- a. In the event it becomes necessary for the City to alter, modify, rearrange, remove or relocate a public artwork or artplace, the City shall endeavor to notify the artist of its intent to do so to include providing written notification by registered mail. The City recognizes that such changes may compromise the artistic integrity of the artwork or artplace, and also impact the appraised value of the artwork. To this end, the artist shall be given the opportunity to disclaim authorship and request the City not use his/her name in any connection with the given work if the City's reasonable efforts to contact the artists are unsuccessful, the City shall proceed with its plans. In all instances, the Office of Cultural Affairs must be provided 30 days advance notice of the intent of a City department to modify, rearrange, remove or relocate any City-owned Public artwork or artplace. Nothing contained in this policy shall be constructed as a grant of any right or property interest in the public artwork or artplace, as all such rights and ownership belong solely to the City of Dallas, except to the extent expressly stipulated in the original contract with the artist, or as set forth in section below.
- b. Maintenance of public artworks and artplaces shall be the responsibility of the City, not the artist, and the City shall commit to keeping them in well-maintained condition.
- c. Repairs, restoration and/or conservation shall be the responsibility of the City. The City shall make a good and reasonable effort to notify the artist(s) or collaborative team in writing before repairs or any treatment is performed, and to obtain input from them. If the artwork in question is a discrete object and not integral to the architecture, the City may offer the artist(s) or collaborative team the opportunity to perform or supervise the work. The City shall reserve the right to perform maintenance or make minor and/or emergency repairs without consulting the artist(s) provided this work is done according to maintenance and materials information provided by the artist at the time of acquisition.
- d. The artist may retain copyright and other intellectual property rights in and to the final design and the final artistic work itself. The Artist shall grant to the City a perpetual, irrevocable license to graphically to depict or display the final artistic work for any non-commercial purpose whatsoever. When a work of visual art is incorporated in or made part of a City-owned building in such a way that removing the work from the building will cause the destruction, distortion, mutilation, or other modification of the work, the City shall have absolute, unrestricted rights incidental to its full ownership of the final artistic work to alter, change, modify, destroy, remove, move, replace, transport, or transfer, in whole or in part, the final artistic work when the City deems it necessary within its discretion in order to exercise the City's powers and responsibilities in regard to public works and improvements, in furtherance or the City's operations or for any other good cause.

When an artwork is acquired by the City after the City Council's adoption of this Cultural Policy and Program, and the artwork is a painting, drawing, print, or sculpture, or a photographic image created for exhibition purposes only, existing in a single copy, or in signed, consecutively numbered limited editions of no more than 200 copies, and the artwork either is not an integral part of a City-owned facility, or is part of a City facility but can be reasonably removed without

- distortion, mutilation or other modification, the artist shall have the right to: 1) prevent any intentional distortion, mutilation, or other modification of the artwork that would be prejudicial to the artist's honor or reputation, or 2) prevent destruction of the work when it is of recognized stature. These rights may be waived by the artist through a signed, written instrument. The City shall make a diligent, good faith effort to notify the artist of the intended action affecting the artwork, to include providing such notice in writing to the artist by registered mail before proceeding with its plans.
- e. At the City's option, an artist or collaborative team involved with creating an artwork or artplace may coordinate construction/fabrication, installation, or application of designs or concepts when carried out by third parties. This will ensure the quality and design control specified by the artist(s), who shall have the right to provide specifications/qualifications for the fabricators. However, this coordination must be managed through the appropriate construction management personnel when the artwork is an integral part of the construction/renovation project. Artist coordination for installation, fabrication or application of artwork should not result in delays to the construction schedules. Any material delays to construction schedules must be approved by the Director of Cultural Affairs and the director of the construction department.
2. Artist's responsibilities and warranties - On any City project including public artwork, the contract with the artist shall require the artist to warrant that:
- a. The artwork, artplace, or art concept is the result of the artist's personal creative efforts except in the case of design collaboration.
- b. The art is unique and original and does not infringe upon any copyright. The artist must agree to hold the City harmless against any claims for copyright infringement.
- c. The art or a duplicate has not been accepted for sale elsewhere.
- d. The art is free and clear of any liens.
- e. The execution and fabrication of the art will be performed in a professional manner.
- f. The art as fabricated and installed will be free of defects in material and craftsmanship, including, but not limited to, any defects constituting "inherent vice" or qualities which cause or accelerate deterioration
- g. Reasonable maintenance of the art will not require procedures or materials substantially in excess of those described in the maintenance recommendations submitted by the artist(s).
3. Selection of Artists - whenever feasible, a different selection panel will be recommended by the Public Art Committee for each public art project. The panels should be given as much latitude as possible, not only in selecting the artist(s) for the project(s), but also in refining the definition of the site and the parameters of the artist's contribution to the project. For these reasons the panels should be named at the very earliest possible time after the project has been identified in order to permit the implementation of a design collaboration should that be appropriate to the project. A member of the Public Art Committee should be named by the Chair of the Public Art Committee to serve as a non-voting liaison and advisor for each panel.

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a. Eligibility Requirements:

- (1) Artists will be selected on the basis of their qualifications as demonstrated by past work, appropriateness of the proposal to the particular project, its probability of successful completion, and practicality of long-term maintenance.
- (2) Specifically excluded are undergraduate students; the design architect (or other design professional) or members of the firm (c): city employees or their relatives; and artists who are members of, or related to members of the Public Art Committee or the Cultural Affairs Commission, or artworks by any of the above.
- (3) The Public Art Committee may establish specific requirements for each project.

b. Methods of Selecting Artist(s):

If possible, when art is to be integrated into the design and construction of new and renovated facilities, the artist(s) shall be selected at the same time as other members of the design team.

- (1) Direct election-artist(s) chosen directly by artist-selection panel.
- (2) Limited competition – artist(s) or artist/design teams invited by selection panel to submit proposals.
- (3) Open competition – any artist (s) /design team applies, subject to limitations established by selection panel or Public Art Committee.

- c. Criteria for Selection of Artists or Artworks
  - (1) Quality – of highest priority are capabilities of the artist(s) and the inherent quality of the artwork(s)
  - (2) Media - required all visual forms may be considered, subject to limitations set by the selection panel or the Public Art Committee.
  - (3) Style - artworks of all schools, styles, and tastes should be considered for the City collection.
  - (4) Nature - artworks and artplaces should be appropriate in scale, material, form and content for the immediate, general, social, and physical environments with which they are to relate.
  - (5) Permanence - consideration should be given to structural and surface integrity and stability, to permanence, protection against theft, vandalism, and weathering, as well as to the probability of excessive maintenance and repair costs.
  - (6) Elements of Design - consideration should take into account that in addition to measuring up to aesthetic standards public art may also serve to establish focal points, terminate vistas; modify, enhance, or define spaces, or establish identity.
  - (7) Safety - artworks and artplaces must be free as far as reasonably possible from any unsafe conditions or factors.
  - (8) Diversity - the Public Art Program shall strive for diversity of style, scale, media, artists - including ethnicity and gender as well as equitable distribution of artworks and artplaces throughout the City.
- d. Composition of Artist-Selection Panel - It shall be composed of at least three but no more than five voting members and a variable number of non-voting members. Every effort will be made to ensure minority representation on each selection panel.
  - (1) Voting Members
    - (a) One representative from the neighborhood or community in which the artwork or artplace will be located.
    - (b) Two to three artists and arts or design professionals (i.e., curators, collectors, administrators, architects), excluding any who might have a conflict of interest related the selection of the artist(s).
    - (c) At the discretion and by mutual consent of the Director of the Office of Cultural Affairs and the Director of the City department responsible for construction, one design professional (architect, landscape architect, engineer) representing the City.

- (2) Non-Voting Advisors to the Selection Panel - may include, but are not limited to:
  - (a) The design architect and/or engineer (if selected at this point.)
  - (b) The project manager from the City department responsible for construction
  - (c) A member of the Public Art Committee
  - (d) The Public Art Coordinator for the Office of Cultural Affairs
  - (e) A representative from the City department with management responsibility for the property where the artwork or artplace will be located.
- e. Responsibilities of the Selection Panel – They must:
  - (1) Meet in open session as many times as necessary to make selection (no formal notice required).
  - (2) Implement the artist selection process based on any parameters established for the project by the Public Art Committee (i.e., site, medium/media, scope of project, national or regional significance, etc.)
  - (3) Respond to the Public Art Committee by recommending an artist, artists or design team to be commissioned for the project, or an artist or artists whose existing work is to be purchased for the project.
4. Implementation of Annual Art Plans
  - a. Verifying Public Art Fund Appropriations
    - (1) Office of Cultural Affairs staff, immediately after the annual budget approval, shall review with the Financial Services Office the City's annual capital improvement budgets and calculation for new art appropriations to the Public Art Funds and the Public Art Administration fund.
    - (2) Office of Cultural Affairs staff shall review with the Financial Services Office the status of accounts (or funds) for projects carried over from previous years.
  - b. Establishing Annual Public Art Projects Plan
    - (1.) Office of Cultural Affairs staff shall work with the appropriate City departments to review the annual capital improvement program projects of the City, including those funded by bond propositions and by City funds from other sources, and shall;
      - (a.) Identify and determine the scope of pending projects (i.e., extent of built environment, art/architecture integration potential, design team potential, socio-geographic setting, urban design/planning need).
      - (b.) Provide to the Public Art Committee by council district a list of potential projects, including the above information and any funding recommendations suggested by departmental staff.

- (2.) Determine, in conjunction with the Public Art Committee, an appropriate allocation per project from the pool of available funds.
  - (3.) The resulting Plan, as developed by the Public Art Committee in conjunction with Office of Cultural Affairs staff, will be submitted to the Cultural Affairs Commission for review and recommendation for approval by the City Council.
5. Accessioning Procedure (to be carried out by Office of Cultural Affairs staff)
- a. Assign accession number according to the plan established by the Richards Study of 1987 (for example: CDI990.1)
  - b. Complete documentation according to the format established by the Richards study of 1987, and incorporate it into the documentary library (include color photos).
  - c. Forward documentation information, including a value amount, to the City's Risk Management Department.
6. Deaccessioning Procedure
- a. The Public Art Committee shall review the entire collection at least once in every ten-year period to assess condition, however, it may recommend deaccessioning of specific artworks on a case-by-case basis at any time.
  - b. The Public Art Committee shall act as the panel or name an independent qualified panel to review works designated for consideration for deaccessioning.
  - c. The Public Art Committee may recommend any of the following courses of action as a result of deaccessioning review:
    - (1) Relocate artwork.
    - (2) Sell or trade artwork (secure professional appraisal and advertise sale; seek competitive bids; dispose of work via surplus property procedures).
    - (3) Remove work from display and store.
    - (4) If no other alternative is evident, remove and permanently dispose of artwork. Disposal could include return to the artist, or donation to charity or other local government entity.
  - d. Artists whose work is under consideration for deaccessioning shall be notified by reasonable means, to include written notification by registered mail, and shall have the right of first refusal to purchase the artwork(s).
  - e. Proceeds from sale of artworks
    - (1) The City shall retain all proceeds from the sale of artworks except when the City is obligated by contract to share such proceeds with the artist. No such agreement shall provide for payment to the artist in excess of 15% of the appreciated value.
    - (2) All other proceeds shall be deposited into the Public Art Fund limited to the acquisition of other artworks for the City.

7. Procedure for Considering Requests to Borrow City-owned Artworks

Office of Cultural Affairs staff shall research requests to borrow City-owned artworks, and make recommendation to the Public Art Committee, which shall review same and make recommendation to the Cultural Affairs Commission.

**F. DONATIONS AND LOANS OF WORKS OF ART TO THE CITY OF DALLAS**

1. The City of Dallas encourages donations and loans of works of art for public places. When gifts or donations of major artworks are proposed for placement with any city agency or department, the proposal shall be reviewed by the Public Art Committee and the Cultural Affairs Commission. This procedure shall also apply to works of art proposed for long-term loan to the City. The objectives of this policy are:

- a. To provide uniform procedures for the review and acceptance of gifts and loans of works of art to the City of Dallas.
- b. To maintain high artistic standards in works of art displayed by the City of Dallas.
- c. To vest in a single City agency, the responsibility for insuring the management and maintenance of the City's public artworks.
- d. To facilitate planning for the placement of works of art in the City facilities.
- e. To provide for appropriate recognition of artists and of donors of works of art to the City of Dallas.

2. Summary of the procedures for donating or loaning artworks:

- a. The donor discusses the nature of the gift and City procedures with Office of Cultural Affairs staff, and working with staff and the receiving agency or department, prepares and submits a proposal for review by the Public Art Committee.
- b. The Public Art Committee reviews the proposal according to the following considerations and supporting information:

(1) Aesthetic

- (a) Written proposal with detailed description of artwork, including sketches and/or a model of the artwork; and photos or slides of the artist's work.
- (b) Qualifications and other pertinent information regarding the artist, as presented in artist's resume plus appropriate publicity materials.
- (c) Provenance for an existing artworks.

(2) Financial

- (a) Cost of fabrication and installation.
- (b) Source of funding.
- (c) Estimated maintenance costs and funding source.

- (d) Statement of value of the artwork
  - (e) Revenues generated by any collateral material other than that used for educational purposes.
- (3) Safety and Maintenance
- (a) Susceptibility of the artwork(s) to normal wear and to vandalism.
  - (b) Potential dangers to the public.
  - (c) Special insurance requirements.
- (4) Environmental
- (a) Appropriateness to the site, both specific and general.
  - (b) Scale of the artwork in relation to site.
  - (c) Impact on ecology.
- (5) Timeliness
- (a) Allowance of sufficient time for normal review process by the Public Art Committee, Cultural Affairs Commission, and any other agencies or departments involved.
  - (b) Timely and appropriate response to committee and staff requests for additional materials.

- c. The Cultural Affairs Commission reviews the Public Art Committee's recommendations of acceptance or non-acceptance. Before making a recommendation the Public Art Committee may request further or more detailed information to be considered at additional review sessions, and/or it may attach conditions to its recommendation of acceptance. For example, the Committee may suggest suitable sites for placement of artwork(s), stressing the need for equal distribution throughout the City.
- d. The Cultural Affairs Commission shall review all recommendations of the Public Art Committee regarding proposed loans or donations of artworks.
- e. The City shall accept donated artworks only when accompanied by a legal instrument of conveyance of title, enumerating any conditions of the gift that the City has agreed to accept, and the appropriate warranty of originality. In general, gifts shall be accepted without restrictions as to future use or disposition. The Office of Cultural Affairs shall forward copies of the conveyance of title and the stated insurance value for donated artwork(s) to the appropriate City departments, document the artwork(s), and accession number.
- f. Exceptions to the review process:
  - (1) Exhibitions of 90 Days or Less – Any artwork or exhibition of artworks to be displayed on City property for 90 days or less will not be subject to the above outlined review process. Review and approval will be the responsibility of the department or agency with jurisdiction over the space involved. (See Temporary Exhibitions in City-Managed Buildings)
  - (2) Gifts of State – Gifts of State (artwork) presented to the City of Dallas by foreign governments (municipal, state, or national) may be accepted by the Mayor or the City Manager on behalf of the City of Dallas. Appropriate placement shall be determined jointly by the Mayor's or City Manager's Offices, the Office of Cultural Affairs with the advice of the Public Art Committee and the Cultural Affairs Commission. Appropriate recognition and publicity shall be the responsibility of the department or agency with jurisdiction over the placement site. Provision for maintenance must be resolved when the gift is accepted.

### **G. MAINTENANCE AND CONSERVATION OF CITY-OWNED ARTWORKS**

- 1. An artwork shall be considered to include, but not be limited to any sculpture, mural, painting, drawing, mixed media work, or structure created by an artist, artists, or a collaborative team. The term, "City owned" designates any artwork which by donation, purchase or commission has been permanently placed on, or in, City owned property (excluding collections under the jurisdiction of the Dallas Museum of Art, which has its own acquisition, de-accessioning, and maintenance procedures).

2. Whenever artwork is proposed as a donation, the donor must provide for maintenance. If, because of the physical nature of the artwork and/or the location, this is estimated to be minimal (suggested maximum \$100 annually), the City may agree (but is not obligated) to assume that cost.
3. With regard to works already in the City's collection, for which no maintenance provisions have been made, it shall be the responsibility of the department occupying and/or responsible for the property on or in which the artwork(s) is/are located to ensure that the artwork(s) is/are properly maintained, and that when repair or conservation becomes necessary, such treatments are implemented according to the following guidelines:
  - a. Office of Cultural Affairs staff recommends conservator or technician, based on type and condition of artwork.
  - b. Public Art Committee reviews staff recommendation, makes- recommendation to Cultural Affairs Commission.
  - c. Cultural Affairs Commission reviews and makes recommendation.
  - d. If approved, Office of Cultural Affairs staff initiates appropriate paperwork and coordinates repair and/or conservation treatment.
4. The Office of Cultural Affairs and the Public Art Committee will encourage and support the City's reaffirmation of the prior commitment to Adopt-A-Monument of an appropriate level of funds for the annual maintenance of the City's existing sculpture and monument collection (including those conserved and restored by Adopt-A-Monument.)

### **H. TEMPORARY EXHIBITIONS IN CITY-MANAGED SPACES BUILDINGS**

1. The City shall control the content and arrangement of all temporary exhibitions, and reserves the right to reject any part of an exhibition or to change the manner of display if the items to be exhibited are contrary to the City's community responsibility. Every item used must meet the City's standards of value and aesthetic quality.
2. Artworks or exhibitions loaned for display on City property for 90 days or less shall not be subject to the standard review process. Review and approval shall be the responsibility of the agency or department with jurisdiction over the space where the art is exhibited. However, it is understood that all decisions will be based on the standards recommended in this document. Displays and exhibitions at City-managed cultural centers and museums are not subject to the review process.
3. Book lists, posters, signs, brochures, publicity, and all materials relative to any exhibit shall be subject to review and approval by the City.

## CULTURAL POLICY

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4. The Special Events Coordinator for City Hall is responsible for exhibitions and events taking place in City Hall as well as on the plaza. However, placement of artworks on the plaza is a joint responsibility involving the Office of Cultural Affairs. Temporary art exhibitions installed in interior public spaces in City Hall will be juried or curated by arts professionals, and the juror(s) or curator(s) shall be identified.
5. Procedures for all City departments and offices with regard to implementation of exhibits are as follows:
  - a. Coordination of Exhibits - all exhibits and displays shall be coordinated by a designated official for the municipal facility housing the exhibit or display. The sponsoring agency or department shall be identified on materials related to the exhibit.
  - b. Types of exhibits - The City may invite outside exhibitors to display their own materials, the materials being appropriate to the needs and purposes, and in harmony with the standards and guidelines of this policy. Unsolicited requests from outside exhibitors shall be directed to the designated official who will carefully evaluate the requests. The requests must be submitted in writing, including a list of the contents and a description of the exhibit. Final authority regarding the acceptance or rejection of outside exhibits for display rests with the City.
  - c. Conditions of exhibit
    - (1) An Exhibit Agreement shall be executed outlining the responsibilities of the exhibitor and the City. The City does not provide insurance coverage for temporary exhibits on City property.
    - (2) Sale of works exhibited – The City shall in no way act as agent in connected with the sale of exhibited works not owned by the City.
      - (a) Purchase prices shall not be posed, nor shall they be listed in exhibit brochures.
      - (b) Inquiries regarding purchase prices shall be referred to the exhibitor or his/her agent.
      - (c) Transactions for the purchases of exhibited items shall be directly between the purchaser and the exhibitor or his/her agent. Such transactions shall not be conducted on or in the exhibit site.
      - (d) The City shall receive no fees, commissions or other regard from purchase of items from exhibits.
      - (e) City employees shall be treated as any other citizens with regard to purchase of exhibited items.
      - (f) No exhibited item sold during the period of the exhibition may be removed before the end of the exhibition unless such removal and any necessary rearrangement is approved by the City.
      - (g) The City may from time to time, make exceptions to these policies in areas especially designated for the sale of artworks, or in the context of special events.

- (3) Termination of Exhibit – If the City does not receive notification regarding where an exhibit should be shipped (if a traveling exhibition), or if the exhibit is not claimed and removed within fifteen (15) days after the closing date, there shall be a charge to the exhibitor or owner of the item(s) exhibited, of a reasonable daily storage fee. This fee shall begin on the sixteenth (16<sup>th</sup>) day following the close of the exhibit. If the items are not claimed within three (3) months following the closing date of the exhibit, the City may dispose of the items as it sees fit. Reasonable request for extensions of exhibit time will be considered.

## **I. PARK AND RECREATION – PUBLIC ART PROJECTS**

### **A. Capital Construction Projects**

1. All capital construction projects with a public art component will make provision for coordination between the design artist and the other design professionals in the planning, design and construction of the park and recreation facility.
2. The Park and Recreation Board may reprogram public art appropriations for bond construction projects on property subject to Park Board jurisdiction to increase funding for a specific project or projects, if it will benefit the quality of the public art projects and is in the best interests of the public art program.
3. Park and Recreation Department staff shall work in cooperation with the Office of Cultural Affairs Public Art Staff to:
  - a) Determine new appropriations funded through capital bond programs on property subject to Park Board jurisdiction and the annual allocations available for public art projects.
  - b) Develop a public art plan for capital projects on park property for approval by the Park and Recreation Board.
  - c) Determine, with the approval of the Park and Recreation Board, the appropriate allocation per project from the available funds.

### **B. Criteria for Selection of Artworks**

1. Public art projects to be located on property under the jurisdiction of the Park and Recreation Board must meet the following criteria:
  - a. Enhance the site by incorporating one or more of the following:
    - (1.) Incorporating the art for a utilitarian purpose such that the art becomes integral to the intended activities at the site; i.e. play area, seating area, lighting, entry way, signage, etc.
    - (2.) Artwork compliments, enhances and reflects the immediate park environment.
    - (3.) Artwork reflects the history of the community and or city. When applicable, consideration should be given to restoration/conservation of historical elements.
    - (4.) Artwork recognizes individuals who have made significant contributions to the park system or quality of life issues in Dallas.

- b. Be presented to representatives from the community for comment on the artwork design. Artwork to be located at a recreation center must be presented to the recreation center advisory council and surrounding community.
- c. Be approved by the Park Board as to its placement and appropriateness relative to the criteria listed in subsection a).

### **C. Selection of the Artist**

1. The Artist-Selection Panel for public art projects to be placed on property subject to Park Board jurisdiction shall be composed of six voting members. Every effort will be made to ensure minority representation on each selection panel. Meetings of the artist selection panel will be held in open session and pursuant of the Texas Open Meetings Act Section 551.002 including the notification requirement (Section 551.043). A quorum (majority) of voting members must be present in order to conduct business.
  - a) Voting members should include:
    - (1.) Two representatives approved by the Director of Park and Recreation and Assistant Director of Planning, Design, Construction and Facility Services, from the neighborhood or community in which the artwork is to be placed, with one of the representatives meeting the qualifications of an arts or design professional.
    - (2.) Three artists and/or arts or design professionals.
    - (3.) One design professional (architect, landscape architect, engineer) representing the Park and Recreation Department.
  - b) Non-voting members can include:
    - (1.) The design architect and/or engineer (if selected at this point).
    - (2.) The Assistant Director of Planning, Design, Construction and Facilities Services or his appointee from the Park and Recreation Department.
    - (3.) One Park and Recreation Department staff member, appointed by the Director, representing the area of the park system where the artwork is to be located.
    - (4.) A member of the Public Art Committee.
    - (5.) A member of the Planning and Design Committee of the Park and Recreation Board or the Park Board member from the district in which the artwork is to be sited.
    - (6.) The Public Art Program Manager or the Public Art Coordinator for the Office of Cultural Affairs.
2. Pursuant to the City Charter, the Park and Recreation Board is responsible for siting all amenities or improvements on Park Property.

## CULTURAL POLICY

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### HISTORY

The City of Dallas' support of the arts dates from 1928 when it entered into a landlord-tenant relationship with the Dallas Museum of Fine Arts. Since that time, support for facilities and programs have been expanded to meet the growing needs of Dallas citizens. The City Arts Program (later called the Division of Cultural Affairs) was formally established in 1976 as a Division of the Dallas Park and Recreation Department. In 1989, the City Council transferred this responsibility to the newly created Office of Cultural Affairs within the City Manager's Office. An eighteen member Cultural Affairs Commission, appointed by the City Council, serves as the advisory body to the Office of Cultural Affairs.

The Office of Cultural Affairs is a department of the City of Dallas that provides funding to promote and support the arts in Dallas. The department serves as a resource and works with both public and private sector entities to encourage collaborations between the arts community, civic organizations and the education community. The purpose, then and now, is to coordinate existing cultural programs, to develop new cultural activities, oversee City-owned arts facilities, and to promote public awareness for the City's role in the arts. Cultural Facilities now owned and/or operated by the City of Dallas, but not necessarily under the purview of the Office of Cultural Affairs, include:

Annette Strauss Artist Square	Kalita Humphries Theater & Annex
Arts District Theater	Majestic Theater
Bath House Cultural Center	Meyerson Symphony Center
Dallas Arboretum & Botanical Gardens	Music Hall
Dallas Convention Center Theater	Old City Park
Dallas Museum of Art	The Science Place I and II
Dallas Museum of Natural History	South Dallas Cultural Center
Dallas Zoo	Sammons Center for the Arts
Hall of State	Samuel Grand Amphitheater
Ice House Cultural Center	Texas Discovery Garden
Juanita J. Craft Civil Rights House	The Women's Museum

**GLOSSARY OF TERMS**

**Accession** – The procedure followed to log in, designate, and incorporate an artwork or artplace into an art collection.

**Acquisition of Artwork** - The inclusion of an artwork or artplace in a permanent art collection whether through commission, purchase, gift, or other means.

**Acquisition of Land** – (As per City Charter) To acquire property within or without its boundaries or within the boundaries of other municipalities for any public purpose, in fee simple or lesser interest or estate, by purchase, gift, devise, lease or condemnation, and may sell, rent, lease, hold, manage and control any property now owned by it or which it hereafter may acquire; construct, own, lease, operate and regulate public utilities.

**Art Concept** – An idea or concept, whether realized or not, developed by an artist, artists, or a collaboration team of artist(s) and design professionals.

**Artplace** – A space designed by an artist, working alone or in collaboration with other design professionals, to create a place of unified aesthetics.

**Artist (Visual)** – One who works in, is skilled in, or conceptually creates in any area of the fine arts, such as painting, drawing, print-making, sculpture, etc., but also including one whose skill and primary focus are cross-disciplinary.

**Audit** – A formal examination and subsequent financial report and management letter of an organization’s account books or financial situation.

**Collaboration** – The process of co-equal, cooperative goal-focused effort by members (artists, architects, landscape architects, and/or engineers) of a team, in the design of an art concept or artplace.

**Conservation** – The repair, cleaning, restoration and/or preservation of artworks or artplaces.

Repair: To put back in good or operable condition after damage of decay.

Restoration: Reconstruction of original form, color, etc.

Preservation: Protection from future damage, decay or wear involves cleaning and application of protective covering.

Conservator – One who by training and experience is qualified to perform conservation treatment on works of art.

**Cultural** – Of or pertaining to the arts, the humanities or the broader aspects of the sciences.

**Cultural Organization** – Those private, non-profit, incorporated organizations which provide what are commonly considered fine arts, performing arts, folk arts, the humanities or the sciences, or which have an historical or aesthetic value to the community.

**Cultural Services Contract Programs** – Programs administered by the Office of Cultural Affairs through which cultural services contracts are awarded on a competitive basis to eligible organizations and individuals. These programs typically have formal guidelines, matching requirements, and/or a public review process. Includes the Cultural Organization Program, Cultural Projects Program, Neighborhood Touring Program, Leadership Exchange and Advancement Program, activities supported through the Arts Endowment Fund, and similar programs. Does not include the Public Art Program.



## CULTURAL POLICY

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**Deaccession** – The indefinite removal of an artwork or artplace from permanent display, whether it is disposed of or not.

**Emerging Organization** – A cultural organization that has not yet met the basic eligibility criteria for contracting with the City through the Cultural Organization Program.

**Culturally Specific and Ethnic Cultural Organization** – An organization whose membership is primarily composed of one or more ethnic populations which are classified as non majority by the U.S. Bureau of the Census, and whose primary purpose is the preservation, production or presentation of art forms and cultural activities indigenous to such cultures.

**In-Kind** – The value of goods or services directly donated to a project where no dollars are exchanged. In-kind services or goods must be reported by an estimated cash value amount supported by verifiable documentation.

**Lease Agreement** – A legal agreement between the City and a cultural organization outlining the terms for the use or occupancy of a cultural facility.

**Maintenance of Artwork** – Periodic procedures, usually recommended by the artist(s), such as dusting, washing, etc., necessary for the protection of an artwork from normal environmental damage or wear and tear from normal usage.

**Management Contract** – A legal agreement between the City and a cultural organization wherein the organization will manage a City-owned cultural facility on behalf of the city.

**Office of Cultural Affairs' Budget** – Total general funds, and interest earnings from the Arts Endowment Fund allocated annually by the Dallas City Council to the Office of Cultural Affairs.

**Operational History** – The record of a cultural organization's stability including but not limited to their ability to conduct events, maintain fiscal responsibility and to continuously expand their audience.

**Part-time Professional Personnel** – A staff person or persons who serve the organization in a professional capacity for a minimum of twenty (20) hours per week.

**Primary Purpose** – The basic, focus or center of activity of the organization.

**Professional** – A person who is paid for his or her expertise, skills, and talent. Does not include amateur or knowledgeable laypersons.

**Public Art** – Artworks or artplaces created by an artist, artists, and/or a collaboration of artists and design professionals, for a public place for the public to experience, or for a public purpose.

**Season** – Visual arts exhibitions, performances, or other similar activities, which are open to the public according to a regular schedule or on a continuing basis from period to period.