

February 12, 2020

WHEREAS, Chapter 2, Article X, Section 2-105 of the Dallas City Code directs the Office of Arts and Culture to encourage the donation of high quality artworks to the City; and

WHEREAS, City of Dallas Cultural Policy Section 7 G (iii) directs "Whenever artwork is proposed as a donation, the donor must provide not less than 10% of the currently appraised value of the artwork for future conservation and maintenance costs. In extraordinary circumstances, the Director may choose to waive this policy following review by the Public Art Committee and the Arts and Culture Advisory Commission"; and

WHEREAS, the Callejo-Botello Foundation, a 501(c)(3) non-profit corporation, desires to donate the sculpture "Adelfa Callejo," by German Michel Leal, which honors Adelfa Callejo, to be located at the Main Street Garden Park located at 1902 Main Street and \$10,000.00 for the maintenance and conservation of the sculpture, to the City of Dallas.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a contract with the Callejo-Botello Foundation, approved as to form by the City Attorney, accepting **(1)** the donation of the sculpture "Adelfa Callejo," created by artist German Michel Leal, valued at \$100,000.00, from the Callejo-Botello Foundation (Foundation) to be installed by the Foundation at Main Street Garden Park (Park), located at 1902 Main Street, with the specific placement of the sculpture in the Park to be approved by the Park and Recreation Board; and **(2)** a monetary donation in an amount not to exceed \$10,000.00 from the Foundation for maintenance and conservation of the sculpture.

SECTION 2. That the contract shall include the following terms:

- a) The Foundation shall have a right of first refusal to take possession of the sculpture in case of deaccession or removal of the sculpture from the public art collection and shall pay for all cost of such removal.
- b) The Foundation shall retain the rights to display the sculpture in any two-dimensional medium for non-commercial purposes (including use in a print or digital reproduction) and to display the sculpture in any two-dimensional or digital medium for educational or documentary purposes.
- c) The Foundation may use the sculpture for other purposes with the prior written approval of the Director of the Office of Arts and Culture.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit funds from the Foundation in an amount not to exceed \$10,000.00 in the Office of Cultural Affairs Gifts and Donations Fund, Fund 0388, Department OCA, Unit 5029, Revenue Code 8411.

SECTION 4. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$10,000.00 in the Office of Cultural Affairs Gifts and Donations Fund, Fund 0388, Department OCA, Unit 5029, Object 3070.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$10,000.00 from the Office of Cultural Affairs Gifts and Donations Fund, Fund 0388, Department OCA, Unit 5029, Object 3070.

SECTION 6. That this contract is designated as Contract No. OCA-2019-00011692.

SECTION 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

