



# Memorandum

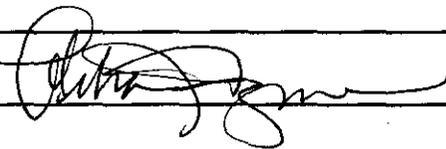
**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Paul Krutko

**SUBJECT:** CITY HALL EXHIBITS POLICY

**DATE:** July 23, 2007

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Approved  Date 7/31/07

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**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Approve and adopt the City Hall Exhibits Policy.

## OUTCOME

Adoption of a City Hall Exhibits Policy will enable the City to mount regular exhibits that celebrate City Hall as a center for community identity and pride.

## BACKGROUND

In September 2004, the San Jose Arts Commission established a committee, the New City Hall Task Force, to make recommendations to the Mayor and City Council on how to activate the public spaces in City Hall. The Task Force meetings were publicly noticed, and the recommendations resulted in policy proposals that were presented to City Council on February 15, 2005.

The Task Force envisioned San Jose's City Hall as a place where residents and visitors could come together and where the City could foster a sense of community. It recommended that the City adopt a pilot City Hall exhibits program to extend and deepen the relationship between the people who work in City Hall and members of the broader community. The stated goal of the pilot program was to:

1. Ensure that the center of civic governance also serves a center of community-building;
2. Share the cultural richness of San Jose's diverse communities and their relationship to the world;
3. Demonstrate the creativity of the people who live and work in San Jose;
4. Express the aspirations and activities of an active and engaged citizenry; and
5. Document the continuing evolution of the democratic experience in a great American city.

Because of the short time-frame available before the opening of City Hall, the City Council adopted a limited policy regarding displays in City Hall, with the displays limited to information regarding services in City Hall, and information related to an Integral Government Function. The current City policy regarding displays in City Hall is attached to this memo as Exhibit A. Once City Council accepted the Commission's report, the Office of Cultural Affairs (OCA) worked with History San Jose to draw upon the City's own historical collection for pilot exhibits at City Hall. The pilot exhibits, currently on display, focus on a variety of themes including San Jose 'then and now,' technology, public service, arts and entertainment, and agriculture. The exhibits have been successful in accomplishing the goals established by the task force. The exhibits in the Wing will remain on display until formal exhibit guidelines are adopted and funding is available to develop programming. The exhibits in the Santa Clara Lobby have been replaced with Sister City exhibits.

**Exhibits Committee:**

The New City Hall Task Force recommended that a permanent Exhibits Committee be formed to prepare formal exhibit policies and procedures in conjunction with staff and the City Attorney's office. The Exhibits Committee would also be charged with reviewing and processing exhibit applications. The Task Force recommended that the Exhibits Committee include representatives from the Mayor's Office, City Manager's Office, and General Services Department. The remainder of the committee was to include one Arts Commissioner, one artist, one exhibitions specialist, and three additional persons with exhibitions expertise, none of whom should have a conflict of interest or the appearance of a conflict. It was further recommended that the OCA public art program staff the City Hall Exhibitions Committee.

The following committee was convened after the Task Force recommendations were presented:

Ruth Tunstall Grant, Artist and Arts Commissioner, Exhibits Committee Chair  
Mignon Gibson, City Manager's Office  
Matt Morley, General Services Department  
Sharon Gustafson, Arts Commissioner  
Jan Rindfleisch, Director, Euphrat Museum, DeAnza College  
Theta Belcher, Assistant Gallery Director, San Jose State University School of Art  
Carlos Gonzalez, architect, sculptor and graphic designer  
Brandon Powell, Mayor's Office  
Barbara Goldstein, Public Art Director, ex officio  
Barbara Jordan, Assistant City Attorney, ex officio.

## **ANALYSIS**

The Exhibits Committee has met three times to evaluate the New City Hall Task Force Report, to review existing exhibits, exhibit opportunities and criteria, and to develop recommendations.

The Committee proposes a multi-tiered program that will encourage exhibit proposals from non-profit and community-based organizations. In addition to the Integral Government Function displays, the draft policy proposes exhibits that are intended to present ideas that illuminate the following topics: Our Community, Our History, Our Creativity (see Attachment A, Draft City Hall Exhibits Policy and Attachment B, Draft Administrative Guidelines for City Hall Exhibits Program).

The City Hall Exhibits Policy is not intended to create a public forum in the exhibit areas of City Hall. Toward that end, the proposed policy has limitations on the types of exhibits that the City will display, while at the same time encouraging a variety of interesting and dynamic exhibits as follows:

- Designate public spaces on First Floor and Second Floor of City Hall for curated exhibits of Citywide or Regional significance on the topics of: Our Community, Our History, Our Creativity and that otherwise meet the City's published display criteria;
- Designate space in the Customer Service Area to continue to provide information regarding City departments and City business, programs and activities funded by the City, sister City activities, and other displays related to Integral Government Functions;
- Continue to limit the City Hall video monitors for displays regarding Integral Government Functions. However, the City will encourage displays that highlight the City's involvement in community activities (two examples of such exhibits are: photographs and costumes from outdoor special events receiving City funding from the Festival, Parade and Celebration grant program; and children's artwork or writings produced at City-funded children's art and education programs);
- Initiate and support the purchase of a San Jose art and cultural collection for display in City Hall office lobbies and conference rooms.

### **Available Exhibit Spaces**

The Exhibits Committee reviewed available exhibit spaces in City Hall considering current building usage. It has identified four types of viable display areas and formulated recommendations for how each type of area should be used:

1. **Ground Floor and Second Floor Lobbies and Passageways:** These spaces, including the Sixth Street Foyer, four niches in the Council Wing, Second Floor Tower lobby, "Mayor's Walk" on the Second Floor, and Council Lobby are most appropriate for exhibits of regional and citywide significance.
2. **Citizens Service Area Lobby:** This space, an area where community members come to apply for permits and technical assistance, is recommended for exhibits of Integral Government Function consistent with City Hall Public Use Policy (Exhibit A).

3. **City Hall Monitors:** These displays, located on the Ground and Second Floors, are recommended as venues for 'virtual' displays of Integral Government Function consistent with City Hall Public Use Policy. These displays can be interspersed with programmed City informational displays.
4. **Department Lobbies and Community Conference Rooms:** These spaces, located throughout the Tower and Wing buildings, can provide venues for display of a San Jose art and cultural materials collection. In its initial discussions, the original Task Force considered use of the Rotunda for exhibits and for sculpture. However, this space was ultimately ruled out because its continual use for events

The proposed Exhibits Policy and Procedures were reviewed and Endorsed by City Council's Community and Economic Development Committee on June 25, 2007.

### **EVALUATION AND FOLLOW-UP**

City Hall Exhibits will be reported as part of the semi-annual Public Art Workplan information memoranda to Council.

### **POLICY ALTERNATIVES**

#### ***Alternative #: Install permanent exhibits at City Hall***

**Pros:** Installing permanent exhibits at City Hall would reduce committee and staff review of potential exhibits and insure permanent, high quality displays in City Hall's lobbies and Wing passages.

**Cons:** Permanent displays would incur fairly substantial one-time costs; would require ongoing maintenance and would preclude ongoing exhibits that reflect community interests and culture.

**Reason for not recommending:** Changing exhibits will make City Hall a more lively and engaging place, symbolizing the City's central role in the life of the community.

### **PUBLIC OUTREACH/INTEREST**

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

All Exhibit Committee meetings and Arts Commission hearings on the Exhibits Policy have been conducted at publicly-noticed meetings open to the general public. In addition, this memorandum will be posted on the City's website for the August 14, 2007 Council agenda.

### **COORDINATION**

This item has been coordinated with the City Attorney's Office, General Services Department and City Manager's Office.

### **FISCAL/POLICY ALIGNMENT**

This project is consistent with the Economic Development Strategy's vision of San Jose as a unique creative and cultural center of Silicon Valley; and as the world's most livable big city, with diverse and distinctive qualities of life.

### **COST SUMMARY/IMPLICATIONS**

A continued program of exhibits in City Hall is dependent on funding, estimated at \$50,000 to \$100,000 annually. There is no line item for this purpose currently identified in OCA's or any other department's annual budget. The Office of Economic Development will include a request for a City Hall Exhibits Program as part of its 2008-2009 Budget Request.

### **CEQA**

Not a Project



PAUL KRUTKO  
Chief Development Officer,

For questions please contact BARBARA GOLDSTEIN, PUBLIC ART DIRECTOR, at (408) 277-5144 ext 27.

**Attachment A**

*City of San José, California*

**COUNCIL POLICY**

|  |                       |                      |
|--|-----------------------|----------------------|
| <b>TITLE:</b><br><br>CITY HALL EXHIBITS POLICY | <b>PAGE</b>           | <b>POLICY NUMBER</b> |
|  | <b>EFFECTIVE DATE</b> | <b>REVISED DATE</b>  |

**APPROVED BY**

Council Action:

**Section I. Purpose**

The purpose of this policy is to establish a City Hall Exhibit Program to provide for temporary display of artwork and artifacts in the San José City Hall, to help enliven the City Hall and to celebrate the creative and diverse community of San José.

**Section II. Introduction**

Several areas have been identified inside City Hall as areas available for exhibits (referred to as "Exhibit Spaces") as further described below. Neither the San José City Hall nor the Exhibit Spaces are a public forum. The Exhibit Spaces are located in the primary, if not the only, passageways and lobbies for City employees and members of the public (including children) to reach certain City departments, to obtain City services and to conduct City business. Therefore, the City will not display artwork or other items containing explicit sexual imagery, nudity, graphic depictions of violence, or any item that creates a hostile work environment for employees.

The policies outlined below will be subject to periodic review. From time to time, the City may adopt and incorporate into this policy such additional guidelines as it deems necessary. The City may also adopt and amend administrative guidelines to implement this policy.

### **Section III. Program Description**

#### **A. Purpose, Goals & Objectives**

The purpose, goals and objectives of the San José City Hall Exhibit Program are:

1. To enliven and enrich the City Hall environment by incorporating artwork and artifacts into exhibits on the following topics (“Exhibit Topics”):
  - **Our History** – exhibits illustrating the history of the City of San José;
  - **Our Community** – exhibits providing information on the varied neighborhoods and residents of San José;
  - **Our Creativity** – exhibits illustrating the visual and performing arts in San José and the Silicon Valley and the many contributions to technology and innovation from San José and the Silicon Valley;
  - **Our Government** – exhibits providing information from the City regarding an “Integral Government Function,” which includes, but is not limited to, a duty which the City or the Redevelopment Agency of San Jose (“RDA”) is required to perform by law; activities reasonably necessary to conduct the City’s or RDA’s business; public educational activities engaged in traditionally by the City or RDA; information related to the functions and activities of City or RDA; official proclamations of the City or RDA and transmission of information regarding Sister Cities of the City.
2. To enhance the aesthetic experience of persons visiting and working in City Hall.
3. To increase the awareness of the professional quality artwork produced by artists who live locally, with particular emphasis on San José and the Silicon Valley, but not to highlight any one particular artist or individual.
4. Provide exhibit space for the City’s art and cultural material collection.

#### **B. Exhibit Space – Specified Topics**

1. **Ground Floor and Second Floor Lobbies and Passageways:** These spaces, including the Sixth Avenue Foyer, four niches in the Council Wing; Second floor Tower Lobby, “Mayor’s Walk” on the second floor, and the second floor Council Chamber Lobby are Exhibit Spaces

bordering the areas receiving the widest range of visitors to City Hall. These spaces are designated for exhibits of interest to a more regional or Citywide audience, and which are limited to the following three Exhibit Topics :

- **Our History:** illustrating the history of San José
- **Our Community:** providing information on the varied neighborhoods and residents of San José
- **Our Creativity:** illustrating the visual and performing arts in San José and the Silicon Valley and the many contributions to technology and innovation from San José and the Silicon Valley

Exhibits in these areas should change no more than twice a year, pursuant to a schedule to be developed by the Exhibits Committee, as further described below.

2. **Citizens Service and Information Center Lobby:** This space located on the first floor and second floor of the City Hall tower, is an area where community members come to apply for permits and technical assistance. This area is designated for exhibits that are limited to Integral Governmental Functions.
3. **City Hall Video Monitors:** These video displays, located on the Ground and Second Floors of the City Hall, may be made available by the City from time to time for temporary display of digital media illustrating aspects of Integral Governmental Functions, including without limitation, displays generated from City funded community programs and other activities funded by the City.
4. **Department Lobbies and Public/Community Conference Rooms:** The Department Lobbies and Conference Rooms open to the Public are designated for City-owned art and cultural material and for Integral Governmental Function Displays.

#### **Section IV. Administration**

The Director of General Services in coordination with the Director of Public Art shall administer the City Hall Exhibit Program, coordinating with other staff as necessary. The Director of Public Art shall work with the Exhibits Committee, as defined below, to implement the City Hall Exhibit Program for the Ground Floor and Second Floor Lobbies and Passageways and the Department Lobbies and Public/Community Conference Rooms. The Public Art Director shall coordinate such activities with the Director of General Services. The Director of General

Services shall implement the City Hall Exhibit Program for the Citizens Service and Information Center Lobby and the City Hall Video Monitors.

The Public Art Director will:

- A. Convene the Exhibits Committee as needed, as described below.
- B. Prepare and monitor all necessary records and documentation.
- C. Help coordinate all physical and logistical components of exhibit installation. However, unless the City provides otherwise in its solicitation for the exhibit, the exhibitor is responsible for installation and removal of his or her artwork under the City's direction in all areas.
- D. Coordinate publicity and media attention for displays. However, the City has no obligation to publicize any artwork or exhibit.

#### **Section V. Maintenance and Protection of Artwork or Exhibit Items**

- A. The City is not responsible for maintaining or protecting any artwork, artifact or other item related to the exhibit while on display at the San José City Hall. The exhibit or exhibitor's agent shall enter into an agreement with the City, including a waiver releasing the City of San José from any and all liability for loss or damage to the works on display and an indemnification for any claims arising from the Exhibit.
- B. The exhibit or exhibitor's agent may include his/her name and contact information along with the display, but the City shall not be responsible for facilitating the sale of any work. The City's Exhibit Program is not intended as a means of commercial sales and exhibitors shall be prohibited from displaying prices on material displayed.
- C. Applicants are responsible for obtaining copyrights, licenses and any other permission necessary to display the artwork or artifacts and for providing accurate captions.

## **Section VI. Artwork and Material Selection**

### **A. REVIEW BODIES– THE EXHIBITS COMMITTEE**

1. An Exhibits Committee shall be selected by the Arts Commission and shall be subject to the Brown Act. The Exhibits Committee shall review exhibit solicitations and applications and make exhibit recommendations to the Public Art Director and the City Manager, regarding Exhibits to be located in the Ground Floor and Second Floor Lobbies and Passageways. The Exhibits Committee shall make recommendations to the City Council on any proposed changes to this policy and shall also be consulted on guidelines prepared by the Office of Cultural Affairs to administer the Exhibit Program.

The Exhibits Committee shall include up to 7 voting members, including representatives from the City Manager's Office and General Services Department, one Arts Commissioner, one artist, one exhibition specialist, and two additional persons with exhibition expertise, none of whom should have a conflict of interest or the appearance of a conflict. The City Attorney will be available to provide advice and shall be included in all committee communications. OCA public art program will provide staff for to support the City Hall Exhibits Committee. The term of a member of the Exhibits Committee shall be for three years, with staggered terms where reasonably possible. No compensation shall be received by members of the Exhibition Committee.

2. The Exhibits Committee will review exhibit material according to the Selection Criteria set forth in Subsection VI(C), below.
3. Artwork and Exhibition Materials will be displayed for the period described in the solicitation materials, this policy or the Exhibit Program Guidelines.
4. The City Manager shall have final authority over the selection, arrangement, placement and duration of display of all works of art or other artifacts or displays.

### **B. PROPOSAL SOLICITATION**

1. OCA shall periodically conduct a publicly-advertised Request for Proposals (RFP) for City Hall exhibits.
2. Organizations and professional curators will be eligible to submit exhibit proposals.

### C. SELECTION CRITERIA

1. Exhibit proposals must be relevant to the Exhibit Topics identified above.
2. Artwork must have recognized artistic merit that enhances the aesthetic experience of those who visit and work in the San José City Hall.
3. Exhibit materials must be of broad historical or cultural significance to the San José or the Silicon Valley region.
4. The organization or curator must have demonstrated capacity to create an exhibition based on documentation of past curatorial experience of similar or larger exhibits.
5. The artwork, materials and exhibits as a whole must be suitable for display to a diverse audience including children and employees. It should enhance its setting and help create a sense of place. The City will not display items that contain explicit sexual imagery, nudity, or graphic depictions of violence, or any artwork that would create a hostile work environment for employees.
6. Artwork and exhibit materials must be of exhibition quality, in stable condition and suitable in scale, materials, and form for display in the San José City Hall for the anticipated display period.
7. The City will not accept items that, due to the manner of construction, materials, or any other factor, may pose a threat to public safety.
8. Exhibit proposals submitted by Santa Clara County-based individuals and organizations shall receive points for local preference.

## Attachment B

*City of San José, California*  
OFFICE OF CULTURAL AFFAIRS

|  |                           |                          |
|--|---------------------------|--------------------------|
| <b>TITLE: ADMINISTRATIVE GUIDELINES<br/>FOR CITY HALL EXHIBITS<br/>PROGRAM</b> | <b>PAGE</b>               | <b>POLICY<br/>NUMBER</b> |
|  | <b>EFFECTIVE<br/>DATE</b> | <b>REVISED DATE</b>      |

**APPROVED BY**

Chief Development Officer, City Manager's Office

### **Section I. Purpose**

The City Hall Exhibit Policy establishes a framework for the temporary display of artwork and artifacts in the San José City Hall. The purpose of the program is to help enliven the City Hall, to celebrate the creative and diverse community of San José, and to educate the public.

### **Section II. Application Process and Procedures**

Several areas have been identified inside City Hall as areas available for exhibits (referred to as "Exhibit Spaces") as further described below. Neither the San José City Hall nor the Exhibit Spaces are a public forum. The Exhibit Spaces are located in the primary, if not the only, passageways and lobbies for City employees and members of the public to reach certain City departments, to obtain City services and to conduct City business. The artwork, materials and exhibits must be suitable for display to a diverse audience. The artwork materials and exhibits should enhance its setting and help create a sense of place. Therefore, the City will not display artwork or other items containing explicit sexual imagery, nudity, graphic depictions of violence, or any item that creates a hostile work environment for employees.

The procedures outlined below will be subject to periodic review. From time to time, the City may adopt and incorporate additional procedures as it deems necessary.

1. Applications to create exhibits for display in these areas should be submitted on a standard application form. Applications for display in the areas defined in the City Hall Exhibit Policy as the "Ground Floor and Second Floor Lobbies and Passageways" shall be reviewed by the City Hall Exhibits Committee on a quarterly basis. Exhibits may be proposed

by organizations capable of creating displays of a professional standard, by curators, or by community organizations that wish to be paired with a professional curator.

2. Applicants are responsible for providing accurate captions and for obtaining copyrights, licenses and any other permission necessary to display the work.
3. Exhibitors shall allow the City to use images of exhibits for noncommercial purposes, and Exhibitors shall not unreasonably delay or withhold consent. Reproductions for noncommercial purposes include but are not limited to the following: reproduction in exhibition catalogues; slides photographs, and electronic formats; postcards, posters, and calendars; in art magazines, art books, and art and news sections of print and electronic newspapers and websites; in general books and magazines not primarily devoted to art but of an educational, architectural, historical or critical nature; slides and film strips not intended for a mass audience; and television from stations operated for educational purposes or on programs for educational purposes from all stations. On any and all such reproductions, City shall place a copyright notice in the form and manner required to protect the copyrights in the works under the United States copyright law.

**A. For Exhibits Located in the City Hall Ground Floor and Second Floor Lobbies and Passageways :**

Exhibits in these areas should be changed no more than twice a year, ideally staggering the change of displays so that there are new exhibits on display quarterly.

1. OCA will issue an open Request for Proposals (RFP), which shall be disseminated to local community and cultural institutions, requesting submissions for exhibits to be installed in the display areas identified in the RFP as available, and identifying which of the Exhibit Topics outlined in the Council Exhibits Policy are the focus of the particular Exhibit solicitation.
2. OCA shall issue a Request for Qualifications for curators with the goal of creating a pool of qualified and interested curators who can coordinate the exhibits solicitation, coordinate the work of the Exhibits Committee, and oversee exhibit installation in available Exhibit Spaces and other such spaces as may be designated for public display.

3. The Exhibits Committee may select an exhibit proposal that is worthy of development and requires the expertise of a professional curator. In such cases, subject to available funding, the Committee may propose pairing a curator from the pool with the proposing organization in order to create the exhibit.
4. Organizations and curators proposing exhibits will be encouraged to seek additional outside funding to produce their exhibits.
5. OCA shall convene the Exhibits Committee generally quarterly, or as needed, to review curatorial qualifications and exhibit proposals submitted. The Exhibits Committee will make recommendations to OCA and the City Manager.
6. The City Manager will review and determine from the recommendations, a pool of curators and exhibit proposals proposed to be developed into exhibits.

**B. Exhibits of Integral Government Function: Citizens Service and Information Center Lobby**

This area will follow the display procedures established by the General Services Department (See Attachment A) and are not covered by these guidelines.

**C. Community-Based Exhibits: City Hall Video Monitors**

Exhibits displayed on these monitors shall be reviewed through a standard application process administered by the General Services Department (GSD). This area will follow the display procedures established by the GSD (See Attachment A) and are not covered by these guidelines. Applications will be reviewed when received by GSD staff.

**Procedures**

The City shall issue exhibit guidelines, criteria and application forms for display on City Hall video monitors that follow the display procedures established by the General Services Department (See Attachment A).

1. Potential exhibitors shall submit an application form for display on City Hall video monitors.
2. Applications will be reviewed on a continuous basis and on a first come first served basis – no application deadlines.

3. Designated GSD staff will review and approve applications for compliance with guidelines.
4. Departmental Displays may be limited to two weeks unless otherwise provided by the Director of General Services.
5. Exhibitors are responsible for providing display material in an electronic format that is compatible with display requirements for video monitors.

**D. Department Lobbies and Public/Community Conference Rooms: Art and Cultural Materials Exhibits**

The Department Lobbies and Conference Rooms open to the public are designated for City-owned art, City-owned cultural materials and for Integral Governmental Function Displays.

OCA will work with Departments and GSD to create, purchase and/or commission City Hall art and cultural material collections for display in Department Lobbies and Public Conference Rooms. It is recommended that this City owned artwork and materials may represent all of the topics covered by the Exhibits Policy - San José's history, community, creativity or City governmental activities. Applications for displays in Departmental Lobbies must be signed by the Director or Deputy Director of the City Department and submitted to General Services, and will be reviewed when received by GSD staff.

Gifts of art or other material offered for display in these areas shall be subject to review by the Exhibits Committee whose recommendations shall be forwarded to OCA and the City Manager for approval.

**Procedures for Purchase of Artworks and Artifacts based upon Appropriation of Funds for Display in City Hall**

1. Identify key locations for installation of art and cultural materials.
2. Issue an open Request for Proposals to artists, artisans and cultural institutions, including those in Santa Clara County to submit materials for purchase consideration.
3. Convene the Exhibits Committee, supplemented by arts and cultural professionals, to review materials submitted and recommend a purchase to the Arts Commission through the Public Art Committee.

