

AGREEMENT

THIS is an Agreement relating to art work placed at the Salem Public Library and West Salem Branch of the Library between *The City of Salem*, an Oregon municipal corporation, (*the “City”*) and the *Salem Public Library Foundation*, an Oregon domestic nonprofit corporation, (*the “Foundation”*).

Whereas, the City and the Foundation both have interest in putting high quality art work on public display;

Whereas, the City owns the main branch of the Salem Public Library and leases a property in West Salem, which houses a branch of the Salem Public Library;

Whereas, the majority of the art work in the City’s Public Art Collection are derived from donations and purchases made in connection with the 1972 and 1976 Mayor’s Art invitational;

Whereas, many of these original art works are displayed in the City’s Salem Public Library facilities;

Whereas, in 1981, the Foundation was established as a 501(C)(3) organization to raise and administer funds for the creation, implementation, and sustenance of non-tax supported projects and services for the Salem Public Library; and

Whereas, it is generally assumed that the art works acquired and located in the Salem Public Library facilities after 1981, when the Foundation formed, are Foundation-owned as more particularly shown on “Attachment A,” (*the “Salem Public Library Foundation Collection”*);

Whereas, the City is self-insured and, with the support of the Salem Public Art Commission and the Public Art Fund, as established in Salem Revised Code Chapter 15 in 2010, has the responsibility for acquisition, maintenance and de-accessioning of items in the public art collection;

Whereas, the City Council adopted guidelines for the Salem Public Art Commission in 2012, which, in part, reflects expectations for the two organizations as it relates to acquisition of art work for their respective collection and communications regarding movement of art work featured in the Salem Public Library, and;

Whereas, in 2016, the City began a process to comprehensively inventory, appraise the art work in the collection for insurance purposes, assess the conditions of the art work, and prioritize maintenance of the collection.

NOW, THEREFORE, the parties agree as follows:

While art work from both collections are on display at the Salem Public Library facilities, both parties will be responsible for maintaining the condition, curating (movement, protection and display) and de-accessioning of art work in their respective collections.

Placement of art work within the Library is subject to the approval of the Library Administrator. The Salem Public Library Foundation Collection, attachment A hereto, is the list of all Foundation owned art work placed at the Main Branch, and West Salem Branch of the Library. This list shall be periodically updated as Foundation owned art work is added to or removed from the Library.

When considering the placement or relocation of art work in the City's Public Art Collection that (a) was originally displayed in Salem's Carnegie Library (Attachment B) or (b) at the time of donation, the donor indicated the art work be displayed in the Library, the Salem Public Art Commission will make every effort to coordinate with the Salem Public Library Foundation.

The Foundation will appraise and insure its collection at Foundation discretion.

The City shall use reasonable care to avoid damage to, or the loss of, Foundation owned art work. However, the Foundation agrees to release, indemnify and hold the City harmless from any claim, should any art work owned by the Foundation on display in the Salem Public Library be damaged, misplaced, or stolen while on display at the Library.

Dated this _____ day of _____, 2016.

CITY OF SALEM

SALEM PUBLIC LIBRARY FOUNDATION

By: STEVE POWERS, City Manager
City of Salem

By: BOB D'ENTREMONT, President of
Salem Public Library Foundation

Attachment A: The Salem Public Library Foundation Collection

- Tom Allen: The Kapok Tree
- Rodd Ambroson: The Annunciation
- Evelyn Benner: The Reef #2
- Robert Bibler: Still Life with Bottle, X, and Del Sarto
- Elizabeth Brinton: Fall Still Life
- Jon Coburn: Auto Drop
- Jon Jay Cruson: Night Tide
- Karolyn Eiseman: Detroit Lake
- Bernard Eubanks: Gilbert House
- Kristen Gerde: Science Theme (etched glass around skylight in Children's Area)
- Kristen Gerde: Science Theme (etched glass in Children's Area, Discovery Room)
- Carl Hall: The Willamette at Floodtide
- Carl Hall: Santiam River Canyon
- Carl Hall: Willamette Valley, South Salem
- Carol Hausser: Light Against the Dark
- Robert Hess: Falling Books
- Lance Hidy: Children Ask the World of Us
- Lance Hidy: The Center for the Book
- Eileen Cotter Howell: Carnival
- Bonnie Hull: Agate Beach
- Bonnie Hull: Circle of Light
- Bonnie Hull: Salem buildings at book case ends (Children's Area)
- Bonnie Hull: Everything, Everything
- Bonnie Hull: Homage to Clifford: Objects in Space
- James Kirk: Yellow Flowers
- Wayne Knowles: Athabasca Caribou
- Kristin Kuhns: Willamette Valley Wildlife Friends (Children's Area Art)
- Jennah Litecky: untitled copper etching
- Nils Lou: The Yggdrasill Tree of Knowledge
- Patty Manning: Calligraphy
- Marth: Al Louck's Dahlias
- James Mattingly: Print 89
- Sue-Del McCulloch: Green Grass River
- Lori McLaughlin: Deepwood Greenhouse
- Lori McLaughlin: Little Boats
- Hilda Morris: Study for Calligraphy
- J.W. Oberorf: Western River

- Stev Ominski: The Hatch (Dragon Fly)
- Stev Ominski: Fissure (River Scene)
- Stev Ominski: Midday (Tackle)
- Stev Ominski: Natives (Fish)
- Stev Ominski: The Evening Entered the Studio
- Cathey Philbrick: Bookcase
- Cathey Philbrick: Painted Carousel Horses
- Frederick Remington reproduction: The Cheyenne
- Jun-Ichiro Seikino: Kyoto (the Last 53 Stations)
- Le Roy Setziol: untitled wood carving
- Eileen Sorg: Geneology
- Eileen Sorg: The Literary Family
- Jack Tankersley: Nocturnal Bangkok
- Valerie Willson: Minnaloushe Creeps Through Grass

Attachment B: Art Work in the City's Public Art Collection Originally Displayed in Salem's Carnegie Library

- (unknown) Fowler: Multnomah Falls
- Robert Bruce Horsfall: The Great Blue Heron
- Anthony Euwer: Landscape
- Frederick Williams: A Summer Vista
- Untitled marble sculptures of children from Garfield School