



Interoffice Memorandum

April 26, 2019

TO: Mayor Jerry L. Demings
-AND-
Board of County Commissioners

THRU: Randy Singh, Deputy County Administrator *RS*

CONTACT: Terry Olson, Administrator *[Signature]*
Arts and Cultural Affairs Office

SUBJECT: May 21, 2019 – Consent Agenda Item
Approval and execution of Art in the Chambers
Loan and Exhibition Agreement by and between
Orange County and Orlando Museum of Art

Three times a year our office borrows art from various institutions and art owners that fit one of the following categories: 1) from major collections in the area, 2) from artists who have lived or worked in Orange County and have a national reputation, or 3) from artists whose work fits a particular theme.

The Orlando Museum of Art has agreed to loan a selection from its Contemporary American Graphics Collection for exhibition from June 28, 2019 to October 18, 2019. This agreement was approved by the County Attorney's office.

ACTION REQUESTED: **Approval and execution of Art in the Chambers Loan and Exhibition Agreement by and between Orange County, Florida and Orlando Museum of Art (OMA) for the period of June 28, 2019 through October 18, 2019.**

TO/ls

c. Byron W. Brooks, AICP, County Administrator
Randy Singh, Deputy County Administrator

BCC Mtg. Date: May 21, 2019

Art in the Chambers Loan and Exhibition Agreement

This Art in the Chambers Loan and Exhibition Agreement ("Agreement") is made and entered into by and between **Orange County, Florida**, a charter county and political subdivision of the State of Florida ("County") and **Orlando Museum of Art (OMA)**, a non-profit organization (each a "Party" and collectively "Parties").

WITNESSETH

WHEREAS, the Orange County Arts and Cultural Affairs Office borrows art from various institutions, artists and art collectors for display in the "Art in the Chambers" exhibitions; and

WHEREAS, OMA is the owner of the artwork ("Artwork") listed in Attachment A to this Agreement and desires to loan the Artwork to the County for placement in the Orange County Board of County Commissioners Chambers, located at 201 South Rosalind Avenue, Orlando, Florida; and

WHEREAS, the Parties agree to the terms and conditions as set forth in this Agreement.

NOW THEREFORE in consideration of the foregoing and covenants hereinafter set forth, it is agreed as follows:

1. **Purpose of Agreement.** OMA as the sole owner of the Artwork, hereby agrees to loan the Artwork to the County for the period of time specified in Section 2 of this Agreement.

2. **Term.** The term of the Agreement shall commence on June 28, 2019 and terminate October 18, 2019.

3. **OMA's Warranties and Representations.** OMA represents and warrants that it a) is the owner of the Artworks and all of the rights under copyright said Artwork and b) has full authority to loan the Artwork and grant the rights provided in the Agreement. OMA further represents and warrants that nothing in the Artwork defames any person or entity, infringes any copyright or otherwise violates the rights of any third party.

4. **Transportation.** OMA shall solely be responsible for packing and transporting the Artwork to and from the Orange County Administration Center, located at 201 South Rosalind Avenue, Orlando, Florida. OMA shall be financially responsible for all costs of transportation.

5. **Care of Artwork.** County will exercise the same precautions for the Artwork as it would for the safekeeping of comparable property of its own. County has the right to execute any emergency preservation measure without OMA's permission if such measure, in the sole discretion of the County, is required to protect the Artwork or other property, or to protect the

health and safety of County personnel or the public.

6. **Indemnification.** To the fullest extent permitted by law, OMA will defend, indemnify and hold harmless the County from and against all claims (including claims of copyright infringement), damages, losses and expenses, including reasonable attorneys' fees and costs, arising out of or resulting from the display of the Artwork as listed in this Agreement.

7. **Security and Risk.** County shall exercise as much care with respect to the Artwork as the County does in safeguarding its own property. Notwithstanding the foregoing, OMA acknowledges and agrees that County will provide no additional security for the Artwork beyond the currently contracted security provided at the Orange County Administration Center. OMA bears sole responsibility for obtaining and maintaining insurance for the Artwork while it is in transit to and from the Orange County Administration Center, being installed or deinstalled, and on exhibit.

8. **Entire Agreement.** This Agreement, including its attachments hereto, contains the entire agreement between the Parties with respect to the subject matter, and supersedes all previous communications, representations, understandings, and agreements either oral and written, between the Parties with respect to the subject matter. This Agreement may not be modified or amended except in writing and signed by a duly authorized representative of each Party.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have executed this Agreement of the date and year of the last signature below.



COUNTY:

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Bryon W. Burks*
for Jerry L. Demings
Orange County Mayor

Date: 21 May 19

ATTEST: Phil Diamond, CPA,
County Comptroller, as Clerk of the
Board of County Commissioners

By: *Katie Smith*
Deputy Clerk

Printed Name: Katie Smith

PARTY:

Orlando Museum of Art

By: *Aimee Miller*
Title: Head Curator, OMA
Date: 5/6/19

Attachment A

Orlando Museum of Art

Art in the Chambers 2019

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Loan Number: 74.07.01
Artist: **Josef Albers**
Title: *Untitled (Hirshhorn Museum Portfolio - JHM I)*
Date: 1973
Medium: Silkscreen on paper
Dimensions: 25 x 35 in.
Credit Line: Purchased with funds provided by the Council of 101
Most Recent Value: \$18,000 7/6/2018



Loan Number: 74.07.02
Artist: **Josef Albers**
Title: *Untitled (Hirshhorn Museum Portfolio - JHM II)*
Date: 1973
Medium: silkscreen on paper
Dimensions: 25 in. x 35 in.
Credit Line: Purchased with funds provided by the Council of 101
Most Recent Value: \$10,000 10/1/2012



Loan Number: 2007.06
Artist: **Ben Aronson**
Title: *Closed Ramp*
Date: 2007
Medium: four color etching on paper
Dimensions: 36 1/4 x 29 3/4 in.
Credit Line: Gift of Martin and Estelle Karlin
Most Recent Value: \$3,000 4/21/2007



Loan Number: 93.07
Artist: **Christopher Brown**
Title: *Station*
Date: 1993
Medium: etching, softground, spitbite and aquatint on paper
Dimensions: 30 5/8 x 30 in.
Credit Line: Purchased with funds provided by the Council of 101
Most Recent Value: \$4,500 7/6/2018

Orlando Museum of Art

Art in the Chambers 2019

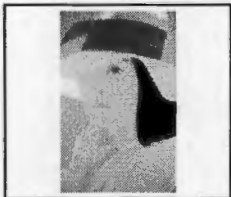
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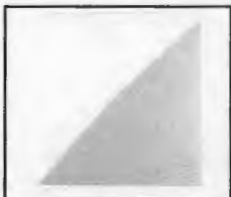
Loan Number: 91.10
Artist: **Carroll Dunham**
Title: *Wave*
Date: 1988-1990
Medium: etching on paper
Dimensions: 53 x 73 1/2 in.
Credit Line: Purchased with funds provided by the Council of 101
Most Recent Value: \$4,500 7/6/2018



Loan Number: 75.01.13
Artist: **Robert Indiana**
Title: *Golden Love*
Date: 1973
Medium: lithograph on paper
Dimensions: 40 x 40 in.
Credit Line: Purchased with funds provided by the Council of 101
Most Recent Value: \$15,000 7/6/2018



Loan Number: 85.18
Artist: **Alex Katz**
Title: *Red Band*
Date: 1979
Medium: serigraph on paper
Dimensions: 55 x 36 1/4 in.
Credit Line: Purchased with funds provided by the Council of 101
Most Recent Value: \$40,000 10/1/2012

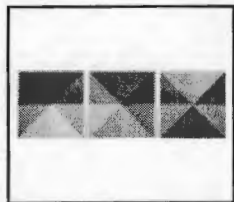


Loan Number: 82.12 A-154, T-310, EK-17
Artist: **Ellsworth Kelly**
Title: *Untitled (Colored Paper Image XIV)*
Date: 1976
Medium: colored pulp on paper
Dimensions: 32 1/4 in. x 31 1/2 in.
Credit Line: Purchased with funds provided by the Council of 101
Most Recent Value: \$20,000 10/1/2012

Orlando Museum of Art

Art in the Chambers 2019

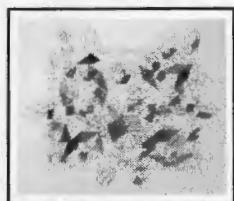
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Loan Number: 78.03.05
Artist: **Sol LeWitt**
Title: *Three Squares with a Different Color in Each Half Square*
Date: 1971
Medium: Silkscreen on paper
Dimensions: 15 1/2 x 40 1/2 in.
Credit Line: Purchased with funds provided by the Council of 101
Most Recent Value: \$25,000 10/1/2012



Loan Number: 2006.05
Artist: **Suzanne McClelland**
Title: *Mamamay i*
Date: 2004
Medium: Intaglio, lithography and collage on paper
Dimensions: 70 3/4 x 35 in.
Credit Line: Purchased with funds provided by the Council of 101
Most Recent Value: \$2,800 5/20/2010



Loan Number: 2006.36
Artist: **Tony Robbin**
Title: *D-54*
Date: 2006
Medium: digital print on paper
Dimensions: 30 x 40 in.
Credit Line: Gift of William D. and Norma Canelas Roth
Most Recent Value: \$3,500 5/1/2011



Loan Number: 74.07.19
Artist: **James Rosenquist**
Title: *Brighter Than the Sun*
Date: 1972
Medium: lithograph on paper
Dimensions: 28 in. x 38 in.
Credit Line: Purchased with funds provided by the Council of 101
Most Recent Value: \$6,500 7/6/2018

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Loan Number: 2006.03

Artist: **Richard Tuttle**

Title: *Step By Step*

Date: 2002

Medium: Woodcut on paper

Dimensions: 80 x 40 3/4 in.

Credit Line: Purchased with funds provided by the Council of 101

Most Recent Value: \$20,000 6/27/2018

Total Loaned Value: \$172,800