

## **ATTACHMENT A**

### **Airway Public Art Lighting Policy**

This document provides the application review process and eligibility for requests to illuminate with certain colors the Artwork called I-10 Corridor Aesthetic Improvement Project created by the artist Vicki Scuri (the "Policy").

#### **Application Review Process:**

1. Applicants must submit an application and pay an application fee to the Museums and Cultural Affairs Department ("MCAD"). Applications must be filled out on a form designated by MCAD. The application form can be found at <https://mcad.elpasotexas.gov/public-art>. Application fees are non-refundable. Applicants are encouraged to contact MCAD prior to submitting an application to verify that a particular date is available. MCAD will not consider incomplete applications. MCAD will not consider applications that are not accompanied by the payment of the application fee. Application fees will be set annually by City Council through the annual budget resolution.
2. Once MCAD receives a complete application, the application will be routed to MCAD to determine eligibility as provided below. Applications will be reviewed on a first come, first served basis. MCAD will review an application within 10 City business days of receiving a completed application and payment of the application fee.
3. If MCAD determines that an application is eligible, then MCAD will approve the application and notify the applicant of the approval.

#### **Eligibility**

MCAD will evaluate a completed application to verify if the application is eligible. If the application meets all of the following criteria, then the application will be deemed to be eligible:

- Applicant must be affiliated with an organization. The applicant must provide proof of affiliation and authority to apply on behalf of the organization.
- The request must be to:
  - Celebrate a national holiday;
  - Celebrate a Texas holiday;
  - Celebrate an El Paso municipal or county holiday;
  - Bring awareness to community health or wellness; or
  - Honor first responders and/or armed forces.
- The requested color is not in the list of MCAD's prohibited colors.
- The requested dates are available.
- The requested dates do not exceed more than 15 calendar days.
- The requested dates are for a continuous period.
- The request is for a single static color. No transitions or combinations are permitted.
- Application is received a minimum of 90 days in advance of the requested date.
- The requested date is not more than one calendar year in advance of the application date.

- The applicant has not had a previous application approved in 2 years prior to the current application date.
- Not more than 11 applications have been approved for a particular calendar year. (maximum of 12 applications may be approved per calendar year).

### **Notification to Applicants**

The City, through the Museums and Cultural Affairs Department, may elect to restrict certain dates or change the color of the artwork for any municipal reason, including but not limited to, health and safety, to celebrate city events or cultural programs, or to promote economic development and tourism. If the City elects to use a date that has been reserved by an applicant, then the City will allow the applicant the option of selecting a different available date or have the application fee refunded to the applicant. The City may change the color of the artwork without any prior notification to an applicant that has a reserved date. Nothing in this policy creates or designates the artwork or the artwork's vicinity as a public forum.