

Art Policy



COMMUNITY & CULTURAL SERVICES DEPARTMENT

TO: Brian Denmark, Assistant City Manager/COO *BD*
FROM: Lori Grumet, Community & Cultural Services Director *LG*
SUBJECT: City Art Policy – Work Session Agenda Item (Sept. 10, 2012)
DATE: August 31, 2012
FILE NO.: F#13-015

The purpose of this memo is to provide a brief overview on the development of a City Art Policy to be presented to Council at the September 10, 2012 Work Session.

In 2010 with the move into the New City Hall, the need to establish guidelines and policy relative to the art accumulated by the City in past years, and to document and care for the same became evident. Few records exist documenting the art held by the City. In addition, artists were coming forward to donate pieces to the City but there were no standards to receipt the donations, inventory them or track them through time.

Meanwhile the building was sterile, without any art on display in public areas. An Ad Hoc Committee was created and appointed by Council to pilot a program to display works of art in City Hall, the "Art on Loan Program". This program is now completing its second successful year.

Staff held public information sessions with interested citizens over several months in the spring of 2012 and the attached proposed policy is the result. The policy covers three aspects of art for the City: 1) The permanent art collection; 2) The Art on Loan Program; 3) Art in Public Places (both state and local programming).

Three options for governance will be presented:

1. Continuation of the Ad Hoc Committee for an extended period – this taken from the present Art on Loan policy.
2. The creation of a Non-Standard City Board to oversee art related matters for the City.
3. Assignment of existing or new staff to continue the program without the guidance of a committee or board.

Staff is making a preliminary inventory of City Art and establishing files on individual items. There are presently no funds set aside to conserve, care, monitor or acquire art pieces for the City.

Direction will be sought to determine which options in the proposed policy the Council wishes to pursue.

Attachments: PowerPoint Presentation, Draft City Art Policy



Effective Date:xx/xx/xxxx
Revised: xx/xx/xxxx

Subject: City Art Policy

The City of Las Cruces (the City) appreciates, fosters, and promotes the civic educational and cultural value of the arts in the lives of its citizens and has a responsibility to the citizens for the development, display, and care of art objects in its custody. The City Art Policy is therefore developed to guide city staff to responsibly acquire, maintain, preserve and share those assets with the community.

History

The town of Las Cruces was established in 1907. Las Cruces was incorporated as a City in 1946 and chartered as a Home Rule City in 1985. From the early days of its existence, generous citizens have donated works of art to the City, to be preserved and shared with the community. Some of the more notable gifts are in the custody of the City Museum System and Thomas Branigan Memorial Library.

The Las Cruces Sister Cities program was established in 1989. As part of the ongoing cultural and educational exchanges between Las Cruces and its two Sister Cities, Lerdo, Durango, Mexico and Nienburg am Weser, Germany, gifts of art have been exchanged that reflect the history, culture and friendship between the three cities.

In addition, over the years the generosity of the General Federation of Women's Clubs, locally known as the GFWC Progress Club, has donated prints and other art works to Thomas Branigan Memorial Library, for circulation to library users – so they might appreciate and have art in their homes and offices.

The Museum System was established in 1981 with the conversion of the original Branigan Library into the Branigan Cultural Center. Since then the system has grown to include four unique museums. Since inception, the staff has worked diligently to professionally manage the items in its collections. Professional staff

manages and curates these items; however, they are separate from the general collection of pieces owned by the City.

Additionally, some public works of art have been produced and installed in the City over its history, and provision for maintenance as well as appropriate procedures needs to be firmly established to monitor, maintain and share these major pieces of art with the public.

Over time, this collection has grown. With the construction of the New City Hall in 2010, the need to collect documentation on the pieces owned by the City, and initiate a policy and procedure to manage them, became evident. This policy is prepared to provide that policy and procedure for the good stewardship of the individual items owned by the City.

1. PERMANENT ART COLLECTION

The permanent collection of art enhances the cultural life of the city. It also enhances the monetary assets of the city and contributes to the educational resources of the city. Objects of art have a value. The policy is designed to promote the display, maintenance and appreciation of these valuable objects.

I. PURPOSE

The purpose of this policy is to establish the rules and procedures governing objects of art that are donated to or purchased by the City.

II. OBJECTIVE

The objective of this policy is to establish and communicate the responsibilities of City employees and departments relative to the acceptance of donated art objects.

III. DEFINITIONS:

A. Work of Art: Any item of visual art and/or any cultural artifact, including but not limited to drawing, painting, mural, fresco, sculpture, mosaic, photography, calligraphy, prints, ceramics, textiles, fiber, wood, metal, plastic, glass, stone, or mixed media, film/digital visual media, lapidary.

B. Deed of Gift: A document transferring ownership of a work from one individual or organization to another individual or organization.

C. Acquisition: the purchase of an object or receipt of a donated item.

- D. Art on Loan Committee: the Ad Hoc Committee appointed by Mayor and Council to oversee and administer the City Art on Loan Program. (Note: This definition may change at council direction)
- E. Certified Appraiser: An individual holding a valid certificate from either the American Society of Appraisers (ASA), The Appraisers Association of America (AAA), or the International Society of Appraisers (ISA).

IV. POLICY

A. GIFT POLICY (Indirect)

The City periodically receives gifts from members of the public of artifacts or art objects.

1. Any object or work of art offered to the City will first be reviewed by the Collections Committee of the Museum System for accession into museum collections. Should the work of art not meet the criteria for museum collections, it may be accepted into the general collection of the City. Large collections that must remain in tact or items with particular restrictions may be refused by the City. Costs relative to management, maintenance, storage, and future use may be considered prior to accepting any gift. The City may refuse any gift without stated reason, at its discretion.
2. A Deed of Gift must accompany each object that is offered.
3. Once the property has been accepted, it will be documented, and an acknowledgement of the gift will be sent to the donor.
4. High Value Objects (\$10,000 and over) may be appraised for insurance by a certified appraiser. Risk Management will coordinate adjustments to the insurance policy that covers City art objects.
5. The City reserves the right to refuse, without prejudice, any work of art or object that is offered as a gift. An explanation of the terms of the refusal is not required.
6. Any work of art or object that is given to the City may be de-accessioned from the property listing of the City at any time, and disposed of in accordance with the rules that govern the disposal of government property: §13-6-1 et seq. NMSA 1978 Disposition of Obsolete, Worn-out or Unusable Tangible Personal Property, and §18-10-1 NMSA Abandoned Cultural Properties Act. Monetary proceeds from any disposal will be accounted for separately to exclusively support purchase, display and maintenance of public art.

7. Any monetary gifts for the purchase of works of art or cultural objects will be managed in a separate Gifts and Memorials account and will be used exclusively to support the purchase and display of public art.
8. Maintenance of the works of art/objects shall be the responsibility of the City, not the artists or donors, and the City shall commit to keeping them in well-maintained condition. Whenever possible, maintenance/conservation will be conducted in consultation with the artist.
9. Ownership: The City shall have absolute, unrestricted rights incidental to its full ownership of the work of art or cultural object, to transport, lend, transfer, remove, move or disassemble in whole or in part as the City deems necessary. The artist may retain copyright and other intellectual property rights. For items given by an individual, not the artist, the City will endeavor to obtain a license from the artist to allow the City to graphically depict or display the work for any purpose. This License applies only to works acquired after the ratification of this policy.

B. GIFT POLICY (Direct)

The City of Las Cruces periodically receives gifts from artists of artifacts or art objects.

1. Any object or work of art offered to the City will first be reviewed by the Collections Committee of the Museum System for accession into museum collections. Should the work of art not meet the criteria for museum collections, it may be accepted into the general collection of the City.
2. A Deed of Gift must accompany each object that is offered.
3. Once the property has been transferred, it will be documented, and an acknowledgement of the gift will be sent to the donor.
4. City staff, or a future City art advisory board with oversight of art objects, will determine the most suitable location for the item and will arrange for it to be displayed or stored appropriately – the manner to be determined based on the dimensions, media type, and sensitivity to light, location availability, etc.
5. High Value Objects may be appraised for insurance by a certified appraiser. Risk Management will coordinate adjustments to the insurance policy that covers City art objects.

6. The City reserves the right to refuse, without prejudice, any work of art or object that is offered as a gift. An explanation of the terms of the refusal is not required.
7. Any work of art or object that is given to the City may be de-accessioned from the property listing of the City at any time, and disposed of in accordance with the rules that govern the disposal of government property: §13-6-1 et seq. NMSA 1978 Disposition of Obsolete, Worn-out or Unusable Tangible Personal Property, and §18-10-1 NMSA Abandoned Cultural Properties Act. Monetary proceeds from any disposal will be accounted for separately to exclusively support purchase, display and maintenance of public art.
8. Any monetary gifts of money for the purchase of works of art or cultural objects will be managed in a separate Gifts and Memorials account and will be used exclusively to support the purchase and display of public art.
9. Maintenance of the works of art/objects shall be the responsibility of the City, not the artists or donors, and the City shall commit to keeping them in well-maintained condition. Whenever possible maintenance/conservation may be conducted in consultation with the artist.
10. Ownership: Upon acceptance of the gift from an artist (direct gift) the City shall have absolute, unrestricted rights incidental to its full ownership of the work of art or cultural object, to transport, lend, transfer, remove, move or disassemble in whole or in part as the City deems necessary. The artist may retain copyright and other intellectual property rights and will grant to the City a perpetual, irrevocable license to graphically depict or display the work for any purpose. The artist will be recognized in any such display or depiction. The artist, by virtue of the gift or purchase of their art will indemnify and hold harmless the City for any infringement of rights. This license applies to works acquired after the signature date of this policy.

V. PROCEDURE

- A. An individual member of the public, organization, or group elects to donate a work of art or cultural object to the City for display.
- B. The Museum Collections Committee will review the potential gift to determine if the gift would be an appropriate addition to museum

collections. If the gift does not meet the needs of the Museum System, the item may be placed in the City's general collection of art.

- C. If accepted by the Museum System for its collections, Museum procedures will apply. Community & Cultural Services staff will coordinate all other items.
- D. Community & Cultural Services staff will provide the potential donor with the deed of gift form.
- E. Once the Deed of Gift form is accepted and a copy returned to the donor, the work of art or cultural object may be deemed property of the City.
- F. A record of the donation will be made, the item assigned a tracking number and an assessment of condition and photograph of the record will be made for the Inventory. The Inventory is a permanent record under NMAC 1.18.505.102.
- G. Acknowledgement of the receipt of the donation will be made in writing and presented to the donor for the donor's records. The Office of the City Manager may officially recognize donors and their gifts. Additionally, a proclamation or other instrument of the City Council may acknowledge gifts.
- H. Community and Cultural Services staff or future boards or committees responsible for public art will determine a location for the display of the item and generate a work order with Building Services to hang/exhibit the item. City staff, or a future City Art Advisory Board with oversight of art objects, will determine the most suitable location for the item and will arrange for it to be displayed or stored appropriately – the manner to be determined based on the dimensions, media type, and sensitivity to light, location availability, etc.
- I. Annually, City staff will review all City owned art/objects and any change in condition noted on the inventory record.
- J. A certified art appraiser will appraise objects of high value. Risk Management will be informed of the value for insurance purposes. Information on the value of individual items will be updated as appropriate.

2. ART ON LOAN PROGRAM

Beginning as a pilot project in 2011, the Art on Loan Program is designed to display the works of local artists in City spaces. This effort provides an aesthetic enhancement of City facilities and simultaneously provides exposure to the public for local artists and their works.

I. PURPOSE

The purpose of the Art on Loan Program is to promote local artists and their work through facilitating the display and potential sale of privately owned local artwork on property owned by the City of Las Cruces (City).

II. POLICY

A. The Art on Loan Program will be the responsibility of the City's Community and Cultural Services Department. Within the policy, an Art on Loan Ad-Hoc Committee oversees and administers various aspects of the program.

B. Definitions as used in this policy document:

1. Local: current living residents of Dona Ana County.
2. Call for Submissions: the notification and details given to the public regarding an opportunity to submit pieces of art for display.
3. Lender: the person(s) loaning the work of art for display.

C. Display Locations

1. Locations and number of locations for the display of art at City facilities will be suggested by the Art on Loan Committee and approved by the Community and Cultural Services Director in coordination with appropriate City staffs.
2. Locations will be determined by feasibility, ease of access, visibility, maintainability, security and other factors as deemed appropriate regarding the display of art in a public building.
3. Only City-owned and managed facilities and grounds will participate in this program. City-owned buildings that have a third-party lease will not be considered for this program.
4. The City Museums are not allowable locations.
5. The Council Chambers is not an allowable location.
6. Department Suites/Areas will not be included as locations for the display of art under this policy unless specifically requested by the Department Director.

D. Exemptions:

1. Exempted from this program are: items related to City business, items of a historical nature, items from our Sister Cities, and City-owned items.
2. The Senior Artist of the Month is not included in this program. The City exhibits art from that program in the location and manner of its choosing.

III. ART ON LOAN COMMITTEE

A. Governance (**option 1**)

An Art on Loan Ad-Hoc Committee was established for a one-year trial period on February 7, 2011 with Resolution 11-166 to oversee and administer various aspects of this program. A review was conducted at the end of the one-year period to determine the need for a formal board or committee. The committee was extended for one year by Resolution 12-069. The action to establish a permanent committee/board will be presented to City Council in the fall of 2012.

B. Committee Membership

The membership of the Art on Loan Ad-Hoc Committee, in accordance with Section 2-186, 2-188 (b)(1) and (7), and 2-1071 of LCMC, 1997, as amended, shall have seven (7) members, and be appointed by each City Council member and the Mayor.

C. Committee Term

The Art on Loan Ad-Hoc Committee members will serve terms in accordance with Section 2-188 (b)(9), (10) and (11) LCMC, 1997, as amended.

D. Committee Role

1. The Art on Loan Ad-Hoc Committee will perform various functions and actions in the accomplishment of the purpose of this program.
2. Recommend the locations and the number of locations for the display of art for each Call for Submissions.
3. Issue a Call for Submissions.

4. Review the art submitted for consideration.
5. Those who serve on this board/committee will receive, document intake, process exhibit paperwork and releases, and prepare pieces for exhibit.
6. Select the art that will be displayed and determine the specific location where it will be displayed.
7. Prepare a catalog of the art on display and submit an annual report to the City Council.
8. Notify the selected artists and those not selected.
9. Organize the acceptance of the art; obtain appropriate signatures on all forms.
10. Determine display layout and organize the installation of the artwork.
11. Organize the return of art to the Lender at the end of the display period.
12. Make recommendations on display locations for the items listed in 2.4 of the Art on Loan Program policy.

E. Committee Attendance

Committee attendance is governed by Section 2-188(c) LCMC, 1997, as amended.

F. Committee Conduct

Committee conduct is governed by Section 2-190 LCMC, 1997, as amended.

IV. ART SELECTION PROCESS

The main purpose of the Art on Loan Program is to facilitate the display of local art. As such, the following process is used by the Art on Loan Ad-Hoc Committee for the selection of art for display.

A. Display Period

1. Selected art will be displayed for a minimum of 6 months, with 12 months being the usual term of display, with the display period being specified in the Call for Submissions. Selection does not guarantee a specific location.
2. Large pieces requiring special installation may be granted a longer display time at the discretion of the Art on Loan Ad-Hoc Committee and as approved by the Community and Cultural Services Director, subject to review by the Public Works Department/Facilities at their discretion.
3. Display time periods and locations may be modified by the Art On Loan Ad-Hoc Committee to accommodate situations such as special events, remodeling or other factors that would affect the work of art or the City's ability to conduct its business appropriately.

B. Art Mediums

1. Art mediums allowable for display under this program shall include but not be limited to paintings, drawings, textiles, photography, ceramics, sculpture and mixed media works.
2. Works that are deemed too fragile to be displayed in high traffic areas or in areas with exposure to hazardous environmental conditions may not be selected or the Lender may be required to provide adequate protection as determined by the Art on Loan Ad-Hoc Committee.

C. Call for Submissions

1. The Art on Loan Ad-Hoc Committee will determine the number, size, locations, and display period available for display of art for each Call for Submissions.
2. A Call for Submissions will be issued by the Art on Loan Ad-Hoc Committee at least 2 weeks prior to the deadline for submissions in the local newspapers and through local art organizations.
3. The Call for Submissions may detail the specific locations available for display, any size or other restrictions on those locations, the application fee and information regarding submission of art for consideration.
4. Size and medium restrictions may be determined by the Art on Loan Ad-Hoc Committee based on the display locations available.

The restrictions or requirements will be published in the Call for Submissions.

5. The Call for Submissions will be distributed via media/e-mail/website.

D. Submission Process

1. Each submission application will be required to include with the submission, in .jpg format, a photograph of the art piece submitted for display. A maximum of four .jpg images of each work may be submitted for each application. Each applicant will be required to pay a nominal application fee of \$10.00 per submission. Acceptance of this fee shall not obligate the City to display accepted art for any specific time or location. This fee is subject to change by resolution at the discretion of the City Council.
2. Applicants to the Art on Loan call for submissions will be required to supply the necessary display materials such as plinths, vitrines, mounting devices, and installation hardware as determined by the Art on Loan Ad-Hoc Committee.
3. All applications must guarantee that the work is an original piece done by a living artist residing in Dona Ana County, properly owned, and not a reproduction.
4. Up to four pieces of art may be submitted by any one artist during a particular Call for Submissions. Each piece submitted must include a separate application form and fee.
5. Works of art containing multiple parts will be considered as one work of art for the application, fee and selection process provided they are displayed in a single location and conform to the overall size and other requirements specified in the Call for Submissions.

E. Art Selection

1. The Art on Loan Ad-Hoc Committee review of Call for Submissions applications is conducted blindly, in that the name of the artist will be withheld until the selection process is completed.
2. The art selection criteria is based on aesthetic quality, artistic merit, size and medium compatibility with site, ease of care, ease of display, suitability and in good taste, lack of obstruction of City business and public safety concerns. Submitted works that are considered to be of a sensitive nature – including any submissions

that contain depictions of explicit nudity, sexual content, violence and/or racism are subject to additional review and may be rejected.

3. The art selected for display may be designated “for sale” or “not for sale” by the Lender in compliance with the procedures outlined in Section 2.VI.F of this policy (below).
4. The art selected through this policy will be displayed in public facilities serving audiences of all ages.
5. The specific location where a piece of art will be displayed will be designated by the Art on Loan Ad-Hoc Committee based on best fit in the available locations. The decision of the Art on Loan Ad-Hoc Committee regarding display location shall be final.
6. If submitted piece(s) are not selected, artists will be notified in writing within one week from the date selections are finalized.
7. Submissions will be selected for display contingent upon the Lender complying with all forms, contracts, procedures, requirements and timelines set forth by the Art on Loan Ad-Hoc Committee.

F. Display Procedures

1. All artwork will be labeled in a consistent manner including the name of the artwork, the name of the artist and designation regarding whether or not the piece is for sale.
2. Art labeled for sale shall communicate the sales price via an information sheet at the main desk of the location in which it is displayed. The information sheet may also contain additional promotional information regarding the artist.
3. Lenders will pay the City on behalf of the Art on Loan program a thirty percent (30%) commission of the total sale price of any work(s) sold while on display in a public facility. Sales price should reflect the 30% commission and include applicable New Mexico Gross Receipts Tax. Lender is responsible for the payment of all applicable taxes.
4. Artwork sold while on loan will be removed as soon as reasonably possible by Public Works/Building Services staff once a replacement piece has been selected. The Lender will be given the first option to provide the Art on Loan Ad-Hoc Committee with a replacement piece of similar art for approval. If the Lender does

not provide a suitable replacement, the Art on Loan Ad-Hoc Committee will then select another work of art from the most current Call for Submissions for display. The replacement submission is not subject to the \$10.00 submission fee.

5. Shipment of any sold works of art, if necessary, will be paid at the Lender or purchaser's expense.
6. The City will exercise due care to the works of art while on display. However, the Lender understands that the art will be located in a public area and assumes all risk of physical loss or damage associated with its display in a public area to the extent that such physical loss or damage is not covered by a Fine Art Rider or comparable property insurance coverage that the City may have in effect.
7. The City has and intends to maintain a Fine Art Rider or comparable property insurance coverage for all City facilities where Lender artwork may be displayed; however, the City does not guarantee that the Fine Art Rider or comparable property insurance will cover any or all physical loss or damage to the Lender's artwork while on display.
8. To best serve the Art on Loan program, organizational and administrative processes for receipt of art will be developed by the Art on Loan Ad-Hoc Committee. The developed processes will be submitted to the Community and Cultural Services Director for review and approval.

G. Art Return Procedures

1. To best serve the Art on Loan program, organizational and administrative processes for return of art will be developed by the Art on Loan Ad-Hoc Committee. The developed processes will be submitted to the Community and Cultural Services Director for review and approval.
2. Lenders will be notified prior to the expiration of the display period and reminded of the procedures for return of loaned art.
3. Artwork not picked up within 30 days of the de-installation of the work becomes the property of the City of Las Cruces and will be disposed of in accordance with City policy.

V. PROGRAM FUNDING

A. Allowable Revenue

1. The Art on Loan Ad-Hoc Committee may accept monetary donations and/or conduct fundraising efforts for the sole support of this program.
2. A 30% Commission will be collected on all art sales for the sole support of this program. These funds will be collected by the Community and Cultural Services Department administration upon the sale of the work and deposited into a distinct account designated for this program. Checks are to be made out to the City of Las Cruces. Community and Cultural Services will then process payment to the artist who is responsible for any associated gross receipts taxes.
3. Call for Submissions application fees will be used for the sole support of this program. The Community & Cultural Services Department staff will receive all submissions and accompanying fees, which will be deposited into a distinct revenue account designated for this program.
4. Funds for this project may (or may not) be allocated through the City budget at the discretion of the City Council via the budget process.
5. All generated revenue will be handled in accordance with City policy. (Interoffice memo: CLC Treasury- Procedures for All Departments Receipting Money April 10, 2012)

B. Allowable Expenses

1. Monies collected for this program including but not limited to application fees, donations, fundraising, sales commission, or budget allocation may only be spent in support of this program.
2. Allowable expenses include, but are not limited to, material and hardware used for the installation and de-installation of artwork, preparation and repair of display surfaces, printing costs, media design, costs associated with the selection process and advertising, Calls for Submissions, and receptions to honor selected artists for their participation.
3. Monies shall not be spent for items such as the purchase of art, repair of artwork, or any fees charged by an artist to display their works.

4. If funds are collected in excess of allowable expenses, as reviewed annually at the end of the fiscal year, then those excess funds will be rolled over to the next fiscal year for continued use in the Art on Loan Program.
5. If funds are collected for this program in excess of \$10,000, the Art on Loan Ad-Hoc Committee may seek City Council approval to expend those funds on the purchase of local artwork or other items to further the Art on Loan Program.
6. All expenditures will be handled in accordance with existing City of Las Cruces procurement policy.

VI. CITY RESPONSIBILITY

The City will make an effort to minimize damage to works of art during installation, display, and de-installation; however at no time is the City responsible or liable for any artwork while in its care.

VII. LENDER RESPONSIBILITY

- A. The Lender assumes all risk, responsibility, and liability associated with loaning their artwork for display in a public facility.
- B. During the course of the exhibit, should the Lender notice any damage, the Lender has the option to remove the piece from display and propose a substitute item. The Lender may also remove an item if they are permanently relocating to another area – outside of New Mexico, or they may opt to pay crating and shipping to have their item returned to them at the end of the exhibit.
- C. It is the responsibility of the Lender to notify the City promptly in writing if there is a change in ownership of the artwork or if there is a change in the identity or address of the Lender. The City assumes no responsibility to search for a Lender who cannot be reached at the address of record.

3. ART IN PUBLIC PLACES PROGRAM

The Art in Public Places (AIPP) program enriches New Mexico's public spaces through an innovative and diverse public art collection.

I. State of New Mexico Program

- A. The State of New Mexico, through New Mexico Arts conducts a program called Art in Public Places (AIPP) to enrich public spaces through an

innovative and diverse public art collection. Committees of local and regional representatives work with New Mexico Arts staff to select artwork for their communities. Funding for this program is generated by a portion of capital expenditures that are set aside for the acquisition or commissioning of art to be used in, upon or around public buildings (Section 13-4A-2 through 13-4A-11 NMSA 1978 as amended). This is often referred to as the 1% for public art program.

- B. Upon substantial completion of a capital project that qualifies under the 1% legislation, the Grants Administration Office of the City of Las Cruces will coordinate with CLC user department staff and New Mexico Arts staff to proceed with the formation of a local committee to select an appropriate piece of art from the works available from the State.

If the amount of funding is in excess of \$40,000, a process to commission a specific piece of work will be pursued by a Local Selection Committee comprised of representative from the City, the project architect, arts professionals, artists and members of the local community. The Community & Cultural Services Department and the Project Management Section of the Public Works Department will jointly manage the process for commissioned pieces.

- C. Pieces of art provided through the AIPP program are considered permanent, and must be maintained within the guidelines and policies of the AIPP program. Pieces may not be removed, de-accessioned, or otherwise disposed of without following the procedures specified by New Mexico Arts. Staff will maintain an inventory of all artworks in the possession of the City of Las Cruces that have been acquired through the AIPP program.

II. Local Art in Public Places Program

- A. In a fashion similar to the state program for Art in Public Places (AIPP), the City of Las Cruces will develop an ordinance to set aside 1% of local capital projects, not otherwise eligible for AIPP funds from either state or local levels to support the acquisition and maintenance/oversight of art works to be placed in public view.
- B. Council will apply the set aside to all City of Las Cruces capital projects not eligible for other AIPP program funds beginning on July 1, 2013, or at the beginning of the fiscal year most closely following the enacting of the Ordinance. Set aside funds will be managed and maintained in separate accounts. Rules governing the specific procedures for the acquisition and maintenance needs of public art in the City of Las Cruces will be developed, and an operations manual/guideline will be written once funds are available. The ordinance process will establish the local program and

operations will be incorporated into this policy document by the governing Board/Committee, once approved. The public art program shall expend no less than 15% but no more than 20% of the total amount allocated to the public art program for the administrative costs of the program and to restore and conserve public works of art to protect public investment. Personnel costs associated shall be covered separately in the general fund.

- C. The Board/Committee will recommend purchase of public art funded by this program. They will recommend low maintenance pieces whenever possible. Board/Committee members may not submit pieces for local Art in Public Places selection.
- D. Artists resident in the State of New Mexico are eligible to submit pieces for the program. Where funding of \$40,000 or more is available for a project, the City will commission a specific work, following best practices as outlined in the operations manual/guidelines for the local program.
- E. A designated Project Manager will coordinate all aspects of each local AIPP project
- F. Maintenance: The City will maintain an appropriate insurance policy to cover works of art in its custody. Maintenance and conservation will be accomplished in consultation with the artist if possible. City of Las Cruces staffs will provide appropriate security measures. Sufficient funding from the 1% set aside will be allocated for management of the Art in Public Places local program.

4. DURATION OF POLICY

This policy shall remain in effect until the City Manager directs otherwise. Periodic administrative changes and updates may be made as appropriate.

Robert Garza, City Manager

Date



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

DEED OF GIFT

City of Las Cruces
P.O. Box 20000
Las Cruces, NM 88004

Donor Name: _____
Address: _____
Phone: _____
Date: _____

Description of Gift:

I [we] wish that the gift be listed as: Gift of _____

I [we], the Donor, have delivered, and hereby unconditionally and irrevocably give, the object(s) described above or on attached pages, together with all copyright, trademark, title, and associated rights of the Donor therein, to the City of Las Cruces (City). I [we] affirm that I [we] own the object(s) listed above and to the best of my [our] knowledge I [we] have complete rights, title and interests to give. Further, I [we] warrant that the object(s) listed above have been legally obtained in compliance with all local, state, federal and international laws and it [they] has not been imported or exported in violation of any state, federal, or international laws. I [we] warrant that there are no liens placed on the object(s). I [we] acknowledge that upon execution of this Deed of Gift the object(s) irrevocably becomes the property of the City and may be used, displayed, stored, maintained and disposed of as the City sees fit.

Donor: _____ Date: _____

Donor: _____ Date: _____

Accepted on behalf of the City of Las Cruces by:

_____ Date: _____

Object:

Accession #:

Maker/Culture:

Title:

Date Made:

Where Made:

Materials/Medium:

Description:

Dimensions:

Condition Note:

Source:

Credit Line:

- Object Numbered
- Object Photographed
- Computer Entry
- Catalog Card
- Inventory Card

- Accession/Object file
- Copyright Agreement
- Biography Card

- Cross Reference

Cataloged by:

Date:

VIII. CITY ART BOARD

A. Governance (**option 2**)

The City Art Board, a non-standard board is established by ordinance in accordance with Municipal Code Section 2-186 et seq. to oversee and administer various aspects of the City Art Policy.

B. Board Membership

The membership of the City Art Board, in accordance with Section 2-186, 2-188 (b)(1) of the Las Cruces Municipal Code, 1997, as amended, shall have a minimum of seven (7) members, chosen as representatives of each district as much as possible, and additional members up to eleven (11) who have a particular interest or professional credential related to the arts will be appointed by the Mayor with the advice and consent of the City Council.

C. Board Term

The Art on Loan Ad-Hoc Committee members will serve terms in accordance with Section 2-188 (b)(9) and (11) of the Las Cruces Municipal Code, 1997, as amended.

D. Board Role

1. The City Art Board will perform various functions and actions in the accomplishment of the purposes of the City Art policy and the Art on Loan program.
2. Recommend the locations and the number of locations for the display of art for each Call for Submissions.
3. Issue Calls for Submissions.
4. Review the art submitted for consideration.
5. Those who serve on this board will receive, document intake, process exhibit paperwork and releases, and prepare pieces for exhibit.
6. Select the art that will be displayed and determine the specific location where it will be displayed.
7. Prepare a catalog of the art on display and submit an annual report to the City Council.

8. Notify the selected artists and those not selected.
9. Organize the acceptance of the art; obtain appropriate signatures on all forms.
10. Determine display layout and organize the installation of the artwork.
11. Organize the return of art to the Lender at the end of the display period.
12. Make recommendations on display locations for the items listed in 2.4 of the Art on Loan Program policy.

E. Board Attendance

Board attendance is governed by Section 2-188(c) LCMC, 1997, as amended.

F. Board Conduct

Board conduct is governed by Section 2-190 LCMC, 1997, as amended.

City Art Policy



City Council Work Session
Sept 10, 2012

City Art Policy

□ Background



Town established in 1907, incorporated in 1946 and chartered as a Home Rule City in 1985. Citizens have given art since the beginning of the town.

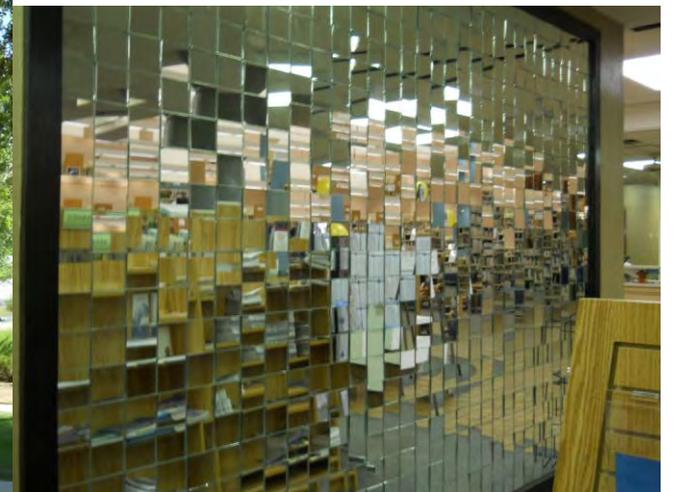
Las Cruces Sister Cities program was established in 1989 – art works have often been given as friendship gifts.

The Museum system was established in 1981.

Art has been given as gifts to the City over time. There has been no formal system to manage the art works outside the museums.

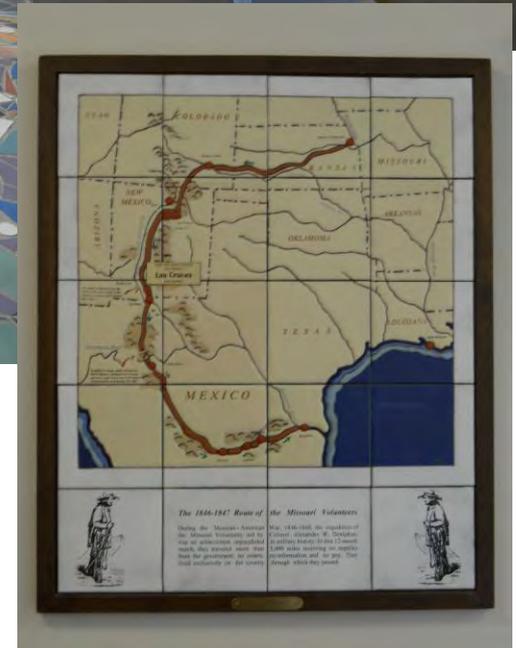
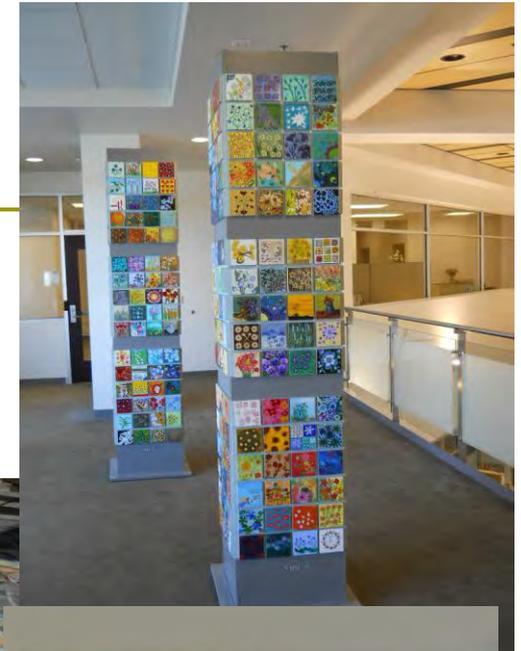
City Art Policy

- Policy Breakout
 - Permanent Art Collection
 - Art on Loan Program
 - Art in Public Places Program



City Art Policy

- Permanent Art Collection
 - Sculpture
 - 2D Art
 - Objects
 - Architecture



City Art Policy

Art on Loan Program



City Art Policy

- Art in Public Places
 - State program
 - Specific program rules
 - Tied to state funding
 - Local program
 - Funding options



City Art Policy



□ Governance

■ Permanent Committee

- Similar to existing Ad-Hoc but for longer duration
- 5, 10, 15 years, etc.

■ Governing Board (standard or non-standard)

- Created by Ordinance

■ Staff only



- Existing or authorization for additional to manage the artwork city-wide.
- Existing staff form a committee with shared duties.

City Art Policy



□ Discussion and Direction

- Proceed with policy as presented.
 - Bring forward the policy and a resolution for a permanent art-committee.
- Adjust policy to require a non-standard board.
 - Bring forward an ordinance to create the board.
- Fund the policy with a 1% for art.
 - Direction on how to best accomplish this funding.
 - Bring forward a resolution to adjust the budget.
 - Include the budget in FY14 planning.
 - Do not include this in the policy.