

COUNCIL ACTION FORM

SUBJECT: PUBLIC ART COMMISSION POLICIES ON ARTWORK ACQUISITION
AND DEACCESSION

BACKGROUND:

The City's Public Art Commission (PAC) periodically creates or updates policies related to its charge from the City Council. The Commission is now seeking Council approval of an updated artwork acquisition policy, as well as approval of a new deaccession policy. To deaccess is to officially remove an item from the listed holdings of a library, museum, or art gallery.

The proposed policies are attached and have been reviewed by staff to ensure compliance with the City's adopted Purchasing Policies and Procedures.

The PAC is particularly anxious to utilize the deaccession policy to bring recommendations to the City Council related to artwork that may need to be retired from the City's collection.

ALTERNATIVES:

1. Approve the attached artwork acquisition and deaccession policies as recommended by the Public Art Commission.
2. Do not approve the attached policies recommended by the Public Art Commission.

MANAGER'S RECOMMENDED ACTION:

The attached policies will enable the Public Art Commission to better fulfill its responsibilities in recommending the acquisition and deaccession of artwork.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.

**City of Ames
Public Art Commission**

POLICY ON ARTWORK ACQUISITION

The City of Ames Public Art Commission is committed to the creation of a visual and aesthetic environment that integrates art into the lives of the citizens of Ames.

In order to accomplish the goals of the Public Art Commission, when art is being acquired for the City Collection it shall be in keeping with the mission of the Commission and the following guidelines will be considered.

1. It is the preference of the Public Art Commission to work on public art projects from their inception.
2. Artwork will be accepted only if given unconditionally with the understanding that the City has complete jurisdiction over its handling, sale, and/or placement.
3. Works of art recommended by the Commission to become part of the City's permanent collection will be accepted or declined on the basis of subject matter, artistic execution, safety, ongoing maintenance and care, and the appropriateness of an approved site. The Commission will not consider works of art advancing devotion of any specific religious faith.
4. Priority will be given, but not limited to, local and regional professional artists.
5. The Public Art Commission will provide any signage recognizing artwork.
6. All artwork acquisitions are subject to the approval of the Ames City Council.
7. All artwork acquisitions are subject to the Artwork Deaccession Policy adopted by the Ames City Council on February 24, 2015.

Approved by the PAC October 1, 2014

Presented to the Ames City Council February 24, 2014

**City of Ames
Public Art Commission**

ARTWORK DEACCESSION POLICY

Guidelines. A work of art that is no longer relevant or useful to the purposes of the City of Ames and its activities, as stated in the City of Ames Purchasing Policies and Procedures regarding disposal of surplus property, should be deaccessioned.

An object should be deaccessioned if the City of Ames is unable to provide proper care and maintenance, or if the object has deteriorated beyond usefulness in terms of the exhibition or study collections.

An object may be deaccessioned if it is no longer useful for exhibition in the foreseeable future, or if the object had been identified incorrectly in regards to date, artist, manufacturer, or other information, which makes it in conflict with the City of Ames' stated purpose for the Commission as stated in City Council Resolution 91-082.

If there are more than two identical or similar objects which are represented in the exhibition collection, the least artistically or historically significant object may be deaccessioned.

City staff supporting the Commission shall determine whether there are any legal or other obstacles to the disposal of objects in the City's possession and advise the Commission on these matters.

Objects that are no longer desirable in the City of Ames' collections may be disposed of in the following order:

1. Exchanged for another object meeting the criterion of the City of Ames Purchasing Policies and Procedures. Exchanges shall be with other reputable organizations (city, museum or private businesses, with preference given to scholarly or cultural organizations rather than commercial entities).
2. Sold at public auction or to a reputable buyer in a public sale. If disposal is by sale, preference may be given to a public auction. It is the Commission's intent that, subject to City Council budgetary approval, if the object is sold, the monies should be used to acquire future objects that meet the purposes and goals of the Commission or for conservation of the City of Ames' existing collections.
3. If an object has seriously deteriorated or been irreparably damaged, it may be deaccessioned from the collections and destroyed beyond recognition.

If feasible, donors or their immediate family or descendants shall be notified as a courtesy by the Commission Chairman when donated objects are deaccessioned.

Procedures. The Commission will review the collections periodically and determine if any objects should be deaccessioned. Reasons for deaccessioning include: damaged objects that are not repairable; objects with incorrectly identified attributes which alter their value to the City; duplicate or reproduction objects; objects determined to be forged; objects that do not fulfill the Commission's mission; objects the City of Ames can no longer care for due to lack of space or funding, and objects that should be repatriated under federal law.

The Commission will recommend any objects to be deaccessioned to the Mayor and City Council for approval. The Commission's recommendation will include a stated rationale for the deaccession.

If the City cannot reliably determine an object's provenance, historical, aesthetic or financial value, then the Commission may contract with a scholar or authority for a written evaluation prior to deaccessioning the object.

Deaccession of Objects through Sale

Deaccessions of objects through sale must follow the City of Ames Purchasing Policies and Procedures.

Objects no longer considered appropriate to the City of Ames collections because of duplication, damage, or forgery may be deaccessioned through City operations. The type of deaccession will be determined by the objects estimated value.

1) \$25,000 or more

These objects have an estimated value of \$25,000 or more and are considered to be unique. These objects will be best sold through a nationally recognized broker/agency. Competitive bids will be solicited from a minimum of three brokers. Because of the diverse nature of the collection, more than one broker may be retained at one time.

2) Less than \$25,000

For objects with an estimated value less than \$25,000, deaccession may be handled in a variety of ways. One option is to retain a recognized broker/agency to handle sales for the City of Ames. A second option includes selling items through the City of Ames Disposal of Surplus Property process. If the latter option is used, the Commission may reject any bid deemed too low.

It is the Commission's intent that, subject to City Council budgetary approval, all monies received from the sale of deaccessioned objects shall be used only to 1) acquire objects which support the City of Ames Public Art Commission's mission, and/or to 2) obtain conservation treatment of permanent collections objects. The City of Ames Finance Department maintains financial records for all financial transactions. It is the Commission's intent that, subject to City Council budgetary approval, any monies acquired by the sale of objects or equipment will be placed in an account allocated to

the Public Arts Commission for these purposes. Withdrawal of funds from the account must be approved by the City Council and the Public Art Commission.

Procedure for Recording Deaccession. All records pertaining to the object shall be marked "deaccessioned" and date and method of deaccession should be recorded in the object's file. The City of Ames' accession number should be removed before the object leaves City property. The Commission will arrange for proper photo documentation for all destroyed objects.

When objects are deaccessioned from the collections, the Chairman of the Commission will notify the original donor, if possible, of the intended exchange or sale of the donated objects. Replacement objects would then be credited to the original donor or designated party.

Destruction and Disposal. Objects considered unsellable, severely damaged, or unusable may be destroyed beyond recognition and disposed. Prior to disposal, all City of Ames or donor identification shall be removed. The destruction of the object must be thoroughly photographed and all records dealing with destruction kept in the object's file.

Additional Responsibilities

In all considerations of deaccessioning of art by sale or exchange, the Commission must first record in writing for the City of Ames, the conditions under which the work had been acquired and whether there were at the time, any legal, moral or ethical restrictions that would affect the deaccession.

The City Manager's office shall assist the Commission in maintaining all records pertaining to the deaccessioned object, including method of deaccession, sales or exchange receipt, correspondence of deaccessioned objects and other relevant records.

Approved by the Public Art Commission September 3, 2014

Presented to the Ames City Council February 24, 2014