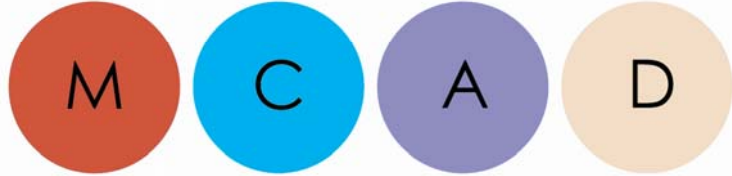


City of El Paso

Museums and Cultural Affairs Department



# Public Art Program

## Procedure for Review of Gifts or Loans of Art

### ***Guidelines for Gifts and Loans of Art***

These guidelines define the process for the review, placement, and maintenance of artworks proposed as gifts or extended loans to the City of El Paso (CITY) for placement of city property.

### **DEFINITIONS**

1. The Public Art Committee (PAC) is a standing committee of the Culture Affairs Advisory Board (CAAB), responsible for making recommendations on public art for the CITY, including matters relating to gifts or loans of art for public places.
2. Works of art. Any public art project that is a work of visual art, including but not limited to, a drawing, painting, mural, fresco, sculpture, mosaic, photograph, work of calligraphy, work of graphic art (including an etching), works in clay, textile, fiber, wood, metal, plastic, glass, stone, concrete, and like materials, or mixed media (including a collage, assemblage, or any combination of the foregoing art media). For projects which involve no structure, a work of art may include a combination of landscaping and landscape design (including some natural and manufactured materials such as rocks, fountains, reflecting pools, sculpture, screen, benches, and other types of streetscapes. A work of art may include an artist participating in master planning, conceptual development, design development, construction drawings, or construction oversight for any municipal project. Except as provided herein, the term “work of art” excludes the performing arts of dance, music, theater, or the literary arts, unless expressed in or combined with a work of visual art or design.
3. Artist is a practitioner in the visual arts, generally recognized by critics and peers as a professional of serious intent and recognized ability that produces works of art.
4. Artist Selection Panel is a review committee appointed by the PAC, upon the recommendation of the Public Art Program Coordinator, for the purpose of reviewing proposals for gifts or loans of art for public places.
5. El Paso Public Art Collection refers to all works on the accession records/inventory of the CITY.
6. Gift of Art is a work of art donated free and clear to the CITY for inclusion in the El Paso Public Art Collection.
7. Loaned Art is a work of art given without charge for use over a period of time, to be returned to the owner at the end of the use period.

## **PAC'S RESPONSIBILITIES**

1. The PAC shall review proposals received by the CITY for gift or loans of artwork for public places, recommending to the CITY for acceptance or rejection of the artwork gifts or loans.
2. PAC shall ensure that any proposed artwork requiring extraordinary operation or maintenance expenses receives consideration by the CITY department responsible for maintaining the public land or facility on which the artwork is sited, or other entity responsible for such operation or maintenance.
3. PAC shall establish and maintain a file of potential panelists to review and make recommendations regarding proposed gifts and loans of artwork, which shall contain information on the credentials and experience which qualify those individuals to serve as panelists.
4. PAC, in coordination with the CITY, shall oversee the documentation, registration, care and installation of all artwork gifts or loans accepted by PAC.

## **PROCEDURE FOR REVIEW OF GIFTS OR LOANS**

Proposals for gifts and loans of artworks shall be submitted to the Public Art Committee (PAC) in a written format established by the PAC for this purpose. At a minimum the proposals should include:

- Title of the artwork, its dimensions, medium, and date of execution.
- Digital images of the artwork or other appropriate presentation materials
- Proposed site location(s).
- Resume of artist
- Warranty of originality (i.e., existing work must be an original creation or limited edition).
- Statement of appraised value of art.
- Maintenance and installation requirements.
- Report of artwork's condition.

If possible, the artist should be consulted regarding siting, maintenance and installation issues.

1. Initial review of proposals shall be by an Artist Selection Panel, named by the Public Art Committee (PAC)
2. ASPs will range in size from three to five voting members, and should include, at minimum, one visual artist, one arts professional (curator, registrar, conservator, etc.) and one member representing the community at large. A member of the PAC, who serves as a non-voting facilitator, shall chair ASPs. Non-voting advisors to the review process may include representatives of the CITY Departments. ASPs shall convene when a gift or loan is offered.

3. ASP's evaluation of proposals will be coordinated and staffed by the Public Art Program Coordinator. Panelists will receive the proposals and written instructions detailing their responsibilities prior to the panel meeting. Panel meetings shall be posted and open to observers who wish to attend. A representative of the individual or organization making a proposal will be invited to make a brief informational presentation to the members of the Panel.
4. The ASP shall evaluate proposals based on the following criteria:
  - The artistic merit of the proposed artwork.
  - Compatibility with the El Paso Public Art Collection.
  - Maintenance and installation requirements.
  - Artwork condition.
  - Liability considerations.
  - Donor conditions.
5. If the ASP cannot reach consensus regarding a particular proposal, a vote shall be taken, with the majority carrying the decision. Panelists shall each have one vote and no panelist shall have the right of veto.
6. The ASP's recommendation to accept or decline the proposal shall be recorded by the Public Art Program Coordinator in the form of a written report to the PAC.
7. The PAC shall not act as an agent for the purpose of selling, exchanging, or promoting the sale of any gifts of art or loaned work.
8. The PAC shall accept gifts of art or loaned art only when accompanied by an appropriate warranty of originality and a legal instrument of conveyance of title in the case of a gift, or documenting the loan, in the case of a loan, enumerating any conditions of the gift or return to the donor for the gift or loan. The PAC shall forward copies of the conveyance of title and the stated insurance value of donated artwork(s) and the artwork(s) will become part of the City's public art collection. The stated value of any loaned artworks shall be provided to the CITY Risk Management division.

## **INSTALLATION OF THE ARTWORK**

1. Siting and location development of gifts of art or loaned artwork in public places will be coordinated by the Public Art Program Coordinator in conjunction with the appropriate officials. If possible, the artist who created the gifted or loaned artwork should be consulted regarding siting and installation issues.
2. On-site activity in connection with the artwork installation will be coordinated between the PAC and the appropriate entity having jurisdiction over the site.

## **MAINTENANCE**

Routine maintenance of artworks shall be the responsibility of the appropriate CITY department having jurisdiction over the site or other entity to be named. If extraordinary maintenance is required, said maintenance shall be performed by the artist or a qualified conservator. All maintenance shall be performed in consultation with and approval by the Public Art Program Coordinator.

## **PROJECT FILES AND RECORDS**

The Public Art Program Coordinator shall maintain records on each project, which shall include, but not be limited to the following:

1. All materials in proposals submitted and other visual or written materials relating to the artist's design or method of execution as submitted or become available.
2. Conveyance of title enumerating any donor conditions.
3. Records of the PAC and CITY action bearing on the project.
4. Any agreements relating to the project.
5. Correspondence and memoranda relation to the project.
6. Records of all billings made in connection with the project.

## **EXCEPTIONS**

These guidelines shall not apply to:

1. Artwork loaned to the CITY for one year or less.
2. Artwork loaned for inclusion in temporary exhibitions in CITY facilities and CITY owned spaces managed by the CITY.
3. Artwork loaned or donated to CITY employees or appointed CITY officials for display in their personal offices.
4. Gifts of State presented to the CITY by other governmental entities (municipal, state, national, foreign).
5. Artwork loaned or donated to the private collections of nonprofit organizations that manage CITY entities, or included in temporary exhibitions at those facilities.