



# Agenda

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## ART IN PUBLIC PLACES

Thursday, February 27, 2020  
City Council Conference Room  
200 Lincoln Ave.  
505-955-6707  
5:30 PM

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
  - a) January 23, 2020
5. Report of the Chair (*Andrea Hanley, Chair, [ahanley@wheelwright.org](mailto:ahanley@wheelwright.org)*)
6. Report of the Director ( *Pauline Kanako Kamiyama, Director, [pkkamiyama@santafenm.gov](mailto:pkkamiyama@santafenm.gov) )*
7. Discussion Items
  - a) Public Art Policy Draft Review
8. Adjourn

Persons with disabilities in need of accommodations, contact the City Clerk's office at  
955-6520 five (5) working days prior to meeting date

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: February 20, 2020

TIME: 4:07 PM

# ART IN PUBLIC PLACES COMMITTEE MEETING – INDEX – FEBRUARY 27, 2020

<b>Cover Page</b>	<b>Action Item</b>	<b>Page 0</b>
Call to Order	Andrea Hanley, Chair called the meeting of the Art in Public Places committee to order at 5:30 pm in the City Councilor's Conference Room, Santa Fe, New Mexico. Quorum is reflected in roll call.	Page 1
Approval of Agenda	<i>Mr. Terran Last Gun moved to approve the agenda as presented, second by Mr. Drew Lenihan, motion carried by unanimous voice vote.</i>	Page 1
Approval of Minutes January 23, 2020	<i>Corrections: Note that Mr. Jorge Bernal is a member of the AIPP not a guest. Alex Hanna was indicated as excused; he is not on the committee anymore.</i>  <i>Mr. Drew Lenihan moved to approve the minutes of January 23, 2020 as amended, second by Mr. Terran Last Gun, motion carried by unanimous voice vote.</i>	Page 1
Report of the Chair	Informational	Page 1
Report of the Director	Informational	Page 2 - 3
Discussion Items a. Public Art Policy Draft Document	Informational, no formal action. Follow up for staff.	Page 3 - 14
Adjourn and signature page	<i>There being no further business to come before the Art in Public Places Committee the Chair called for adjournment at 6:30 pm</i>	Page 14

**ART IN PUBLIC PLACES  
MINUTES**

**February 27, 2020  
5:30 pm - 6:30 pm**

**1. Call to Order**

Andrea Hanley, Chair called the meeting of the Art in Public Places committee to order at 5:30 pm in the City Council Conference Room, Santa Fe, New Mexico. A quorum is reflected in roll call.

**2. Roll Call**

**Present:**

Andrea Hanley, Chair  
Matthew Chase-Daniel  
Drew Lenihan  
Angie Rizzo  
Terran Last Gun

**Excused:**

Adam Rosen, Excused  
Jorge Bernal, Excused

**Others Present:**

Pauline Kamiyama, Director, City of Santa Fe Arts and Culture Department  
Erminia Tapia, Staff  
Rod Lambert, Assistant Director  
Fran Lucero, Stenographer

**3. Approval of Agenda**

*Mr. Terran Last Gun moved to approve the agenda as presented, second by Mr. Drew Lenihan, motion carried by unanimous voice vote.*

**4. Approval of Minutes – January 23, 2020**

*Corrections: Note that Mr. Jorge Bernal is a member of the AIPP not a guest. Alex Hanna was indicated as excused; he is not on the committee anymore.*

*Mr. Drew Lenihan moved to approve the minutes of January 23, 2020 as amended, second by Mr. Terran Last Gun, motion carried by unanimous voice vote.*

**5. Report of the Chair, Andrea Hanley**

The Chair reported that Director Pauline Kamiyama gave a great report on Mural Policy for the city and Historic Preservation. She talked about the murals in parking garages and the report on funding.

**6. Report of the Director, Pauline Kanako Kamiyama**

Discussion was held with the State Cultural Affairs Department regarding the murals with historic preservation. There is a code under Land Use under historic preservation in historic districts so the current situation at Camino Lejos falls under the historic district. She talked of another mural that is in a transition zone but that is state property so it is called the state overlay zone. The city doesn't have jurisdiction over that but the state did come for architectural review to the Historic Preservation Board as courtesy and collaboration so they have been going back and forth. They have changed the design based on some of that feedback from the H-Board.

Mural: We are partnering with the state to do the construction, fencing. Temporary murals, there is a call out right now. The whole process is being managed by the State, NM Arts because they have their own on line system. What the city will do is help get the word out to Arts mailing list and they will also serve on the selection panel at the staff level.

When we transition to the Historic District Zone there is another Mural Issue: It is an architectural code stipulation so it is not about content. There is a signage ordinance, the property owner did get a signage ordinance, and that is fine. The subsequent murals that were put up were in a material that wasn't approved by the Land Use under their Architectural Wall Code, FYI the materials were not acceptable. They had a review on Tuesday with the Historic Review Board, there was an appeal by the owner that was denied by the H-Board and they kept their ruling that it was on material and now it will go to Court. What was mentioned there was there is a new Arts and Cultural Division, and that these requests would come to us, but it is important to know we do not have purview over private property and I want to reiterate I do not want to have purview over private property, I want to have a procedure in place that discourages mural making. When you put in a process for private, whether it is private property or homeowner it becomes onerous for community because we are then going to apply our standards for Art in Public Places. We need to make it clear with the H-Board that if they do want to defer because right now the code says they can come to Arts Commission for advisement. The advisement that we would do is only to look at the quality and some of the materiality but we are never going to look at content, that is First Amendment that would be the limit to that and it is only pertaining to the historic district.

Chair Hanley asked if that would be a department recommendation?

Ms. Kamiyama said no, it would be at the staff level. In addition to that I am working with the Historic Preservation Manager as she begins to look at making amendments to that code and we all agreed it needs to be looked at. We are looking at that as there is language that talked about patterning, bold colors and bold patterning, they need to be looked at and amended. We will continue to work with Land Use and Historic Preservation.

Ms. Kamiyama said they are looking at having a mural convening with NM Arts to jointly convene muralist of all, she wants it to be multi-generational, old school graffiti artists have this conversation. There will be a series of convening and they can be better

informed on best practices and to hear the concerns from the community and we need to continue to talk about it, our story and neighborhood stories. We have RFP will not be released until we have some more information and have this convention, the language will be crafted in a way to have people involved and interested.

Ms. Kamiyama made reference to a memo from back in December that lists Capital Improvement Projects (Exhibit A). The first one we will move on is Fire Station #2, they are getting ready to go out for bid for a general contractor, we are having several conversations to craft an RFP to go out to artists. I anticipate to have an artist selected by the summer, this will give us time for the artist to work with the project team, allow time for approval and reviews and fabrication. They are trying to be done by June 21, 2021.

In the meantime, we are still having conversation, \$1 million dollar received from state legislation for Teen Center, another building later to service seniors and youth. Bills are awaiting Governor's signature, that is guaranteeing \$6 million total for the teen center. They are talking about a later phase to add a multi-generational component to it.

Mr. Norris who was our lead with the Carlos Cervantes project has taken a job with the City Attorney's Office. There is a need to contact Carlos Cervantes, we will follow up with him and let him know he has a new contact and Ms. Kamiyama will update by next meeting.

Congratulations to Rod Lambert in his new position as Assistant Director.

The Chair offered her help as well as the commission members.

Ms. Kamiyama said she would like to do asset maps to see what the existing murals are in the city, we know what was done through AIPP, or through the city mural program, but there are many throughout town, Land Use may possibly help or utilize interns who could inventory. Ms. Kamiyama is researching the use of an AP and she will continue to work on that. The Chair said they have an AP that they use, she will provide information to Ms. Kamiyama for follow up.

Mr. Chase Daniel said there is a mural on the wall of Empire Builders, they have just closed.

## **7. Discussion Items**

### **a. Public Art Policy Draft Review**

The Chair stated that she did not get comments.

Chair changed language from policy to procedures and highlighted language changes that will alert Pauline and Rod that talk about ordinances which is softer language that they discussed coming out and go from there.

Section IV: Loans – The Chair suggested going through these items since she did not receive any feedback.

Loan Statement – (Exhibit B) In keeping with the mission statement the city will seek to obtain incoming loans of objects which complement those in its permanent collection, which are related to the current narrative, well-being, or history of Santa Fe or are exemplary of objects used by past residents of Santa Fe. Objects will be taken on loan only if they can serve a specific purpose, such as a temporary exhibition. Conversely the City will lend objects from its Permanent Collections to appropriate borrowing institutions for a specific use of long term *loan*. The City reserves the right to decline an outgoing loan request if it is deemed inappropriate. Both incoming and outgoing loans will be approved only for specified periods of time.

The Chair asked if anyone had any issues with this statement? No

The Chair stated that the language talks about factors that are considered before they consider any incoming loans. These are things that Rob and Pauline need to look at in terms of storage, security and transportation and insurance for the works of art, objects collection, the ability to withstand shipment, the lenders restrictions, problems that can evolve on copy right. Do we have issues with that language?

Mr. Chase Daniel stated that he felt it was appropriate.

The Chair added in the document, Incoming loans need to be approved by the Arts and Culture Dept. Objects taken on loan from the city will be given the same care as objects in the Permanent Collections unless otherwise specified in the agreements with the lending institution or owner. No alterations, embellishments, modifications, dismantling, or conservation treatment of loaned objects will be undertaken without written consent from an authorized representative of the lending institution or owner.

This looks towards us taking travel exhibitions down the road. This is something that the Arizona Arts Commission did, they actually had a series of exhibitions they loaned out to cities for a nominal fee. This looks at how we would work at projects in the future.

In the document it says, Loans will be accepted for a period of no longer than 1 year. Loans may be renewed annually. This is from incoming loans, any problems with this language?

Rod Lambert stated that they have typically done for a 2 year renewal program. The Chair said staff can review that. Her thoughts on the 1 year loan term was that laws might need to be reviewed annually for possible issues, i.e., contract language being changed.

Director Kamiyama said we should leave it vague as each case will be different. The Chair continued; if an object on loan is offered for donation, it must undergo the formal process of accessioning upon the termination of the loan.

This procedural to assure that we dot our I's and cross our T's on how we accession things in to the city's collection.

The Chair highlighted #6 because this talks specifically about language in the ordinance. If the owner fails to take possession of an object upon the termination of the incoming Loan agreement the disposition of the object shall be governed by New Mexico Revised Statutes, Chapter XX, Unclaimed Property in the City.

The Chair said that means for example, if there was an exhibition where someone loaned an object and never picked it up, what happens to that object? The highlighting was to review to ask if the language is too strong but she did not know if the city had an ordinance on unclaimed property or how does the city go about this?

Mr. Lambert stated that there is a form that is completed related to a deaccessioned piece, abandoned property is what it gets classified.

The Chair will leave the verbiage in so the lawyer can look at in terms of acquiring the title to the loan property, the city's obligation to the lender and lender obligation to the city.

Outgoing Loans, these are if people are interested in people wanting to borrow pieces from the city collection. The Chair detailed from the exhibit what she was relating to.  
#C – Outgoing Loans

The Borrower must be a bonafide art or educational institution or person of verifiable academic or curatorial credentials. In some cases, loans may be granted to other institutions when the good of the City and the education of the general public will be served, this includes members of the community.

*Everyone ok with language of the above.*

4. No alterations, embellishments, modifications, dismantling, or conservation treatment of loaned objects will be undertaken without the written consent of the Arts and Culture Department Executive Director. An Out-going Loan Agreement form must be signed by the Executive Director or the appropriate staff and an authorized representative of the lending institution.

Mr. Chase Daniel said that in coming and out-going in some places is one word and in others it is hyphenated. Staff will make that correction. The lawyer will also review the document.

#3 – The borrower will furnish a certificate of insurance or a copy of the policy, a completed AAM Registrar's Facility report and reimburse the City for any loss or damage incurred to the loaned object language in the past and we felt it was a little too strong. The Chair highlighted this area, make sure that staff changes the language accordingly but we should have language like the borrower giving a certificate of insurance a facility report so you can find out how the loan is being placed in the loaners facility.

D. Objects left in the custody of the city

1. An object may be left in the temporary custody of the City by the owner for services such as attribution, identification, examination or conservation evaluation.
2. The condition of the artifact must be documented at the time of acceptance. [Possibly change the word artifact to work must be documented at the time of acceptance].
3. Objects Left in the Custody of the City will be given the same care as objects in the Permanent Collections unless otherwise specified in the agreement with the owner. An agreement must be signed by the Arts and Culture Department Director or the appropriate staff person and an authorized representative of the lending institution or the owner.
4. No alterations, embellishments, modifications, dismantling, or conservation treatment of Objects Left in the Custody of the City will be undertaken without written consent to the owner.
5. If the owner fails to take possession of an object upon termination of the agreement, the disposition of the object shall be governed by New Mexico Revised Statutes, Chapter XX, Unclaimed Property in the City. The Chair added: [Acquiring title to loaned property, City Obligation to the lender and Lender obligation to the city.]

E. Art on Loan Program - This is language that was pulled from the Department (Rod).

The Public Art Loan facilitates the temporary display of privately-owned artworks on City-owned property. Artists working in all media suited for outdoor are encouraged to participate.

The goal of the program is to create opportunities for more art to be displayed publicly throughout the community and for more artists to take part in the Art in Public Places Program. Participating artists contribute to the community by helping to enliven the visual landscape of Santa Fe, and by very generously lending their artworks to the City free of charge. In return, artists are able to share their art with a broader audience, which is particularly important to emerging or mid-career artists whose work is not seen as widely as more established artists.

In addition to engaging local artists, the program helps to ensure all areas of the community have public artworks on display. Over the history of the program, works have been installed in a wide variety of places including the Convention Center, Mid-town Campus, the Mayor's office, as well as public parks, including Alto Park, Ragle Park, Patrick Smith Park, Amelia White Park and Pueblos de Sol Park. Artworks have also been placed in high pedestrian and vehicular traffic locations such as City Hall, the South Side Library, the Sandoval Parking Garage, the Genoveva Chavez Community Center, and the intersection of St. Francis Drive and Agua Fria. Artworks have been placed in rotation around the city as part of the Loaned Art Program, with most staying in place for a year or more.



## **Selection Process**

~~Each summer~~ the City of Santa Fe Arts Commission puts out an open call for artists; however, loan proposals are accepted throughout the year. Any three-dimensional artwork in media appropriate for outdoor public display are considered. The Art in Public Places Committee serves as the selection committee. Their recommendations are then forwarded to the Arts Commission.

The Art in Public Places Committee uses the following guidelines when considering an application:

- Artistic quality
- Compatibility with the site
- Appropriateness to the site
- Materials' suitability and safety
- Contribution to the City's public art collection
- Public safety
- Environmental impact

After being juried by the AIPP Committee, artworks are matched with appropriate sites based on availability, the lender's preferences, and feedback from community groups associated with the sites as well as staff.

The Chair asked if everyone was ok with the language.

Mr. Chase Daniel stated that this documents says that the Arts Commission each summer puts out an open call which we don't.

Mr. Lambert said that there was wording on the website that said anytime you want to submit it, do it and then they would be renewed every July when the contracts needed to be renewed. That was the formality of the process.

The Chair suggested that instead of saying each summer you could say "the City of Santa Fe puts out a regular call to artists; [Chair will leave word crafting to staff]. Mr. Chase Daniel stated; "loan proposals are accepted throughout the year" and get rid of the first line.

Loan proposals are accepted throughout the year.  
Add Insurance to the following guidelines.'

List includes Buildings, Maps, etc.

Recommend that we as staff work with our departments.

Mr. Lambert said that Insurance is going to be an area of concern. There is discussion about expanding it to see if the City Insurance will cover it again. We lost

to art piece placements because the city said they were not going to be responsible for the insurance they had to be privately insured by the owner.

### **Sites**

Since a primary purpose of the program is to ensure all areas of the community have public artworks on display, lenders are encouraged to place throughout the city. Examples of sites include:

**Parks**

Municipal Recreation Center (MRC)  
Ragle  
Monica Lucero  
Nava Ade  
Governor Franklin E. Miles  
Salvador Perez  
Ashbaugh  
Calle Lorca  
Entrada  
Amelia E. White  
Monsignor Patrick Smith  
Bicentennial

**Buildings**

La Farge Library  
South Side Library  
Salvador Perez Pool  
Genoveva Chavez Community Center  
Santa Fe Municipal Airport  
Bicentennial Pool  
Mary Esther Gonzales Senior Center  
Main Library  
City Hall  
Monica Roybal Center  
Santa Fe Community Convention Center

**Trails**

Rail trail Trailhead  
Arroyo Chamiso Urban  
Santa Fe River

Rod ABQ

Pauline City of Pasadena

There must be a loophole, there must be a place where there is a fit.

Rod Lambert: Gallery Assistance.

Chair Hanley will send all the changes to staff. Thank you for the research. It is important because it looks at the assets for the city, it is important that we have a set of procedures that will help guide us, culture and who we are.

Community Gallery Position will be posted.

Staff was asked to schedule the public art tour. Rod Lambert to handle.

The Chair asked staff to look at the list and the documents to assure there weren't items that are outdated.

Mr. Lambert said someone approached him saying how nice it would be to have a master map of spaces that were available for public art, a nice GIS map. There are so many overlays between, county, state and federal it is hard to figure out where artist can select from.

Ms. Kamiyama recommended that her staff work with the City departments to determine spaces and from that solicit, calls. That will be more successful than what we have in place.

Ms. Rizzo asked the question related to Insurance, do you think there is any promise of shifting the insurance?

Mr. Lambert said he is skeptical that it will happen?

Ms. Rizzo said she would be hesitant in putting anything about Insurance in the selection process because it is seared in to these procedures, we need to reach for expanded insurance.

The Chair asked if we could look in to other cities and see how they do this process?

Mr. Lambert has Albuquerque's he will review. Ms. Kamiyama has the City of Pasadena and they do temporary. Ms. Kamiyama said maybe they just add this is in to the budget.

The Chair said there has to be a loop hole someplace, possible Parks and Rec. There has to be someplace where there is a fit.

Mr. Lambert said they have a rider for the Gallery which extends to the entire lot, then the interior which is inside the gallery area and the whole block of the convention center, it doesn't extend beyond that and it is the Gallery Insurance. Ms. Kamiyama said she will work with Risk Management.

#### **ACCESS TO PERMANENT COLLECTIONS**

Access to the Permanent Collections will be granted through a research request, subject to the restrictions imposed by the Santa Fe Arts and Culture Department Administrator and/or appropriate staff for the safety and security of the Collections. Approved researchers will have access to approved locations with a representative from our ~~loan~~ long term loans institutions.

#### **B. ACCESS TO OBJECTS FROM INCOMING LOANS**

Researchers will not be granted access to objects which are on loan to the City, unless stipulated in the loan agreement.

## **COLLECTIONS MANAGEMENT STATEMENTS**

### **A. RECORDS**

1. The City shall maintain permanent records of acquisition, inventory, conservation and deaccession, loans and correspondence and other records relating to its Permanent Collections.
2. The City shall maintain records of Auxiliary Materials for a period of three years.

The Chair stated that auxiliary materials are connected to exhibitions like educational types of things that aren't necessarily part of the permanent collection but they are used in an educational way.

### **B. CARE OF COLLECTIONS**

1. The Permanent Collections shall be preserved through a program of maintenance, research, documentation, and conservation in accordance with accepted museum practices such as AAM.
2. The City shall take all possible precautions to ensure the physical safety of objects in the Permanent Collections and to store objects in the Permanent Collections and in an environmental control environment.

**Note:** Ms. Kamiyama said this is challenging as we are not a museum. Mr. Chase Daniel added that they are not going to take all precautions.

The Chair said when you are talking about all permanent collections we are looking at the pieces that use to be at SFUAD so this pieces are on long term loan and we assume that they are being cared for in the best way possible. If we think about that in this respect that still applies. It isn't necessarily talking about what you have in our offices, it is talking about the items you got from SFUAD like the photo collection. Those types of things, in theory.

Mr. Chase Daniel suggested wording; [the city can take reasonable precautions]. I don't know what the humidity controls, etc.

The Chair said we are talking about those pieces we have put in long term loan with other institutions and the theory that they are being taken care of the way we want them to be taken care of, they are museum quality objects and we have

moved them to people who can take care of them. We still need to have this language and maybe this is where Administration makes a specific statement where it talks specifically to the gallery and talks specifically to the pieces were received from SFUAD.

Ms. Kamiyama stated that they are not part of the permanent collection, we have not accessioned them.

The Chair asked if they are going to be accessioned? Ms. Kamiyama could not answer the question at this time, “we are not set up to be a museum, we are in discussion with actual museums”.

The Chair said we should continue the talk about real space and the long term placement in museums.

Ms. Kamiyama said, for example, if there were pieces in our permanence collection from the convention center, we have beautiful ceramics, art works, if those were to go on loan than this is definitely the type of procedure we would follow.

The Chair asked if the pieces above that Ms. Kamiyama is making reference to, have they all been accessioned?

Ms. Kamiyama said yes.

Mr. Chase Daniel: We don’t have a collection other than what is on display so if there is something at the Airport, Convention Center or Mayor’s office, that is our collection, we don’t have a humidity control vault somewhere?

Ms. Kamiyama: No. We have the art works from the University at mid-town Santa Fe, they are on the city assets but they haven’t been accessioned. We are in the process of finding homes for them. Long-term, hopefully permanent.

3. The City shall protect objects in the Permanent Collections from theft, fire or other loss or damage in accordance with accepted museum practices.

## **INSURANCE**

Objects in the Permanent Collections will be insured according to the risk management policy of the City of Santa Fe.

The Chair asked if Risk Management could take over any part of the loan process?

Ms. Kamiyama said she wasn't sure this would be an option.

The Chair asked for confirmation of this language. All were in agreement.

**Art in Public Places Committee:** The Chair said these are all things that have been reviewed. If the staff can look through this and update anything that has changed and update.

The Chair asked that staff continue to review the remaining items, looking closely at outdated language, for example one where the RFP is talking about slide review.

The lawyer will look at the jurying process.

## **STATEMENTS ON STANDARDS OF CONDUCT AND ETHICS CITY OF SANTA FE POLICY -- ARTS COMMISSION**

### **6-1.1 Creation; Duties and Powers.**

The Chair said that this talks about the Arts Commission and the Art in Public Places Committee. This is all language provided to us by the City.

We talked about general city procedures which we touched on earlier in talking about city employees are prohibited from accepting gifts from individuals they do business with in the city.

**Appraisal of Object:** City Employees cannot make appraisals of objects dealing with city materials and objects, more detail in Exhibit B.

Thank you to the Chair for her hard work. She in turn thanked the committee members and Staff.

Ms. Kamiyama said thank you and that edits would be provided at a later date, not next meeting.

Ms. Kamiyama said that she is working on the job description for the Art Gallery Director and she will share the document with the AIPP Committee should they have any references.

What is the date of the project happening with the state? Middle of March on fencing, 5' in height and 7' wide. We are partnering to help them get the word out.

Mr. Terran Last Gun would like to see us do something similar to temporary art pieces, next year is the 100<sup>th</sup> SWAIA event, it would be nice to see us do

something. Thinking of how to insert some artist at that time. The Chair said that is a great idea and looks forward to having a conversation in the near future. Ms. Kamiyama said the main obstacle is insurance, we can continue the conversation. The Chair agrees with Terran and would

Mr. LC Shank, looking forward to make a presentation to Ms. Kamiyama and Rod Lambert on a sculpture he would like to donate to the city.

### **Adjourn**

There being no further business to come before the Art in Public Places Committee, the meeting was adjourned at 6:30 pm.

### ***Signature Page:***

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Andrea Hanley, Chair



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Fran Lucero, Stenographer



# City of Santa Fe, New Mexico

## memo

TO: AIPP Committee  
 FROM: Pauline Kanako Kamiyama, Director, Arts Commission  
 SUBJECT: AIPP potential projects

Below is a list of potential and confirmed public art projects through the 2% for Art in Public Places. The scoping, development, allocation, strategy and/or implementation of public art projects is subject to staffing capacity, priorities and funding as determined by the Director of the Arts Commission.

### 2018 GRT Bond AIPP \$400,000

Through preliminary discussion with city departments about capital improvement projects included in the 2018 GRT Bond, the following are potential projects and proposed strategies for public art implementation.

NOTE: this is a draft, pending review/approval of use of funds by Bond Counsel.

Project Name	Department	Proposed Art Budget*	Potential Art Opportunities - pending City Attorney and Department review/approval
Fire Station #2	Fire	\$ 165,000.00	priority: interior 2D and/or 3D, receive visitors especially youth; secondary exterior sculptural opportunities
Soccer Valley Improvements	Parks and Recreation	\$ 55,000.00	engagement with users, street light pole banners
Chavez Center	Parks and Recreation	\$ 27,000.00	Graffiti abatement skate park and graffiti wall
MEG Senior Center	Community Services	\$ 18,000.00	mural for new cafeteria expansion/multiuse space
Urban Trails/Bridges	Parks and Recreation	\$ 63,000.00	6 bridges construction - trail markers, bulletin boards, didactics story telling
Salvador Perez Park	Parks and Recreation	\$ 27,000.00	pathway treatment while play fields changing to synthetic; dog park; natatorium tile art locker rooms
Southside Library	Library	\$ 15,000.00	Dia de los libros mural project
CONTINGENCY		\$ 30,000.00	contingency that Arts Commission holds aside for unforeseen circumstances during fab/install
		<b>\$ 400,000.00</b>	<b>AIPP Allocation</b>

\* all inclusive of artist proposal fees, panelists honorarium, design, fabrication, installation, taxes, insurance, etc.

*Exhibit A*

The following are projects that have already been approved and pending funding confirmation:

<b>Project Name</b>	<b>Department</b>	<b>Proposed Art Budget*</b>	<b>Identified Art Opportunity</b>
Civic Center Garage Mural	Public Works/Parking	\$ 25,000.00	Entry wall into parking garage
Railyard/Market Street Garage	Public Works/Parking	\$ 43,000.00	Stairwell wall facing Violet Crown, pending confirmation of funding from Public Works and permission by new building owners
Louis Montano/Alto Street Mural	Arts Commission	\$ - 0	restoration of mural defaced by graffiti, artist Carlos Cervantes, spring 2020
Tesuque Runners Sculpture and Landscape Project	Arts Commission/Tourism	\$72,000	\$46,000 landscape approved \$26,000 sculpture fab/install

The following are State AIPP projects 1% and will be managed by New Mexico Arts, Public Art in conjunction with the City Arts Commission:

<b>Project Name</b>	<b>Department</b>	<b>Proposed Art</b>	<b>Identified Art Opportunity</b>
Airport Expansion	Public Works/Airport	\$ 90,000.00	suspended and/or wall
Teen Center Southside	CommunityServices/Parks	\$ 11,000.00	TBD- look to supplment
Other projects for art purchases TBD			

- I. Introduction to Collections Policy**
  - A. Statements of Purpose**
    - 1. Vision Statement
    - 2. Mission Statement
    - 3. Strategic Goals
    - 4. Community History Statement
  - B. Purpose of the Collections Policy**
  - C. Scope of Collections**
    - 1. Santa Fe Provenance Artifacts | Artworks | Public Art | Art Installations
    - 2. Evaluation of Artifacts | Artworks | Public Art | Art Installations for Acquisition
  - D. Glossary**
- II. Acquisitions**
  - A. Permanent Collections**
  - B. Objects Found in the Collections**
  - C. Donations Process and Criteria**
  - D. Murals**
- III. Deaccessions**
  - A. Introduction**
  - B. Purpose**
  - C. Evaluation**
  - D. Permanent Collections – Deaccession of an Artwork**
  - E. Deaccession Options**
  - F. Permanent Collections – Disposal of an Artwork**
- IV. Loans**
  - A. Loan Statement**
  - B. Incoming Loans**
  - C. Out-going Loan**
  - D. Objects left in the Custody of the City**
- V. Review Process for Gifts, Loans or Bequests**
  - A. Criteria for Evaluating the Artwork**
  - B. Revisions**
  - C. Agreement of Parties**
- VI. Research Access to the Permanent Collections**
  - A. Access to Permanent Collections**
  - B. Access to Objects from Incoming Loans**

*Exhibit B*

**VII. Collection Management Statements**

- A. Records
- B. Care of Collections
- C. Insurance

**VIII. Policy, Procedures and Accessions Committee**

- A. Responsibilities
- B. Statements on Standards of Conduct and Ethics
  - 1. City of Santa Fe (Personnel Rules and Regulations)
  - 2. General City of Santa Fe Arts and Culture Department Policy
    - a) (City Staff and Commission)
  - 3. Personal Acquisition of Artworks
  - 4. Appraisals of Artworks

C. Dealings in Artworks

**F. Addendum**

- A. Auxiliary Materials
- B. Preservation Originals

**CITY OF SANTA FE NEW MEXICO COLLECTIONS MANAGEMENT POLICY**

**I. INTRODUCTION TO PERMANENT COLLECTIONS POLICY**

**A. STATEMENTS OF PURPOSE**

**1. VISION STATEMENT**

The City of Santa Fe Arts and Culture Department celebrates Santa Fe's past, celebrates the present and consider the future. Our vision is a thriving, collaborative, interdisciplinary cultural community that possesses a variety of resources, spaces and pathways that support the creative economy and educational needs of Santa Fe.

**2. MISSION STATEMENT**

We provide leadership by and for the City to support arts and cultural affairs; we recommend policies and programs and protect and preserve our artistic holdings which develop and promote artistic excellence in our community.

**3. STRATEGIC GOALS**

*Approachability*

We welcome the participation of artists, nonprofits, businesses, educators and the public in our work, serve as a resource to them, and are dedicated to convening and facilitating discussions that consider all viewpoints. To engage the community in activities that foster an understanding and appreciation of Santa Fe's unfolding narrative. To actively involve all segments of the community through collaborative efforts with families, businesses, neighborhoods, organizations and cultural groups.

*Commitment*

We are dedicated to leadership that advances the arts in Santa Fe and to serving as a true community organization, partner and collaborator.

*Creativity*

We embrace forward-thinking policy approaches that result in innovative, imaginative, synergistic programming and create economic sustainability in our community.

*Integrity*

We demonstrate professionalism and fairness in our work, are informed and prepared on issues affecting our community and are diligent and culturally aware in our decision-making.

*Learning*

To provide unique resources to examine Santa Fe's past, better understand its present and consider its future, we are knowledgeable and discerning about arts and creativity

in Santa Fe, remain informed of local and national trends in the arts, and actively develop our understanding of and engagement with all art forms. To reach out to the community by offering enjoyable, educational, stimulating exhibits, public art and activities which celebrate Santa Fe's past and present.

#### **4. COMMUNITY NARRATIVE DEFINITION**

The Arts and Cultural Department is a community-based branch of the City of Santa Fe. The emphasis is on how the City views its mission, its role in the community, and the role of art in its present, future and history. As defined by the City, Community History has two elements: 1. Focus [what], and 2. Method [how].

##### **a. FOCUS**

At its core, the City's Collection is about people. The Department will examine the question of what community is and how it is reflected in Santa Fe. This focus includes all aspects of community including its identity (or identities), its varied connections and communications, its relationship with the environment, the diversity of communities in Santa Fe, the evolving and changing nature and composition of community in Santa Fe, as well as the collective memory of the community of Santa Fe.

The City is concerned with community associations. Santa Fe is defined as 1, the present physical, corporate boundaries of Santa Fe. 2, the area historically known as Santa Fe or that was primarily influenced by or associated with the city of Santa Fe. 3, the area that is linked socially and economically to Santa Fe but is not within the city's corporate boundaries.

##### **b. SPECIFIC FOCUS AREAS**

###### *Youth Arts*

Support a continuum of opportunities for youth to benefit from our community's cultural resources. Ensure all students have access to in-school and/or after school arts education programs; be a resource for such programs. Foster the development of mentoring, internship and apprenticeship programs in the creative sector. Partner with youth organizations and agencies across our community.

###### *Economic Growth*

Develop strategies that advance our community's cultural assets for long-term viability and profitability. Provide stewardship of our cultural resources and responsible promotion of the Santa Fe brand. Coordinate efforts that market our multiple accessible arts activities to increase visitors and attract the creative industry to our community. Offer micro-grants to support the development of new cultural resources and nontraditional/cross-discipline activities. Build infrastructure and capacity to support a thriving creative economy.

*Creative Spaces*

Sustain spaces throughout our entire community that promote creative dialogue and exchange. Identify and activate a network of creative spaces throughout our community, focusing on existing and non-traditional venues. Support the development of authentic places across our city for people to live, work and gather both formally and informally. Prioritize the creative sector in community development; ensure adequate infrastructure for creativity. Cultivate projects and programs that activate public spaces through creativity and the arts.

*Engagement*

Provide all Santa Feans access to and participation in the creative life of our community. Survey and assess the cultural needs of the community. Facilitate discussion and collaboration to encourage participation in the arts by everyone in the community. Galvanize cross-disciplinary programming that builds on existing public events and venues across our city. Enhance infrastructure and outreach that boost participation in arts and cultural activities.

**B. METHOD**

Community narrative is a method of questioning, analysis, and interpretation. It uses a variety of records and resources to tell the stories of Santa Fe from a variety of viewpoints. It recognizes that conflict and challenges are parts of a greater story. The City's approach actively includes members of a community in research and interpretation. It seeks to empower Santa Fe's various communities to investigate and share their history as well as to take an active part in the greater community of Santa Fe. It informs and seeks to create a dialogue between Santa Fe's different parts. The City will record, evaluate and revise as necessary, its development of Community Narrative Methodology.

**B. PURPOSE OF COLLECTIONS POLICY**

1. To establish the policies and guidelines for acquiring and commissioning materials for the collections.
2. To establish the policies and guidelines for the removal of material from the collections.
3. To establish conditions under which materials may be lent from the City's collections and borrowed from other museums, institutions, and private sources.
4. To establish policies and guidelines for access, care and preservation of the collections.
5. To ensure that standards of documentation and collections management for objects meet museum standards.

6. To affirm that the highest ethical standards continue to be met by the City of Santa Fe's Arts and Culture Department (hereafter referred to as the "City" or "Santa Fe") and its staff in all transactions.

### C. SCOPE OF COLLECTIONS

The Community Narrative Definition of the City provides general guidelines for acquiring objects for the Permanent Collections. The Scope of Collections Statement outlines more specific criteria for determining the types of objects that may be added to the Permanent Collections.

The City collects objects relating to the narrative of the City. The geographic range of Santa Fe is generally defined as the area lying within the current municipal boundaries of Santa Fe but may also include surrounding rural (or formerly rural) areas located up to five miles outside of the present boundaries of the city of Santa Fe, as well as small neighboring communities, such as ....., that have had an impact on the development of Santa Fe. In some cases, significant aspects of Santa Fe narrative are reflected in broader regional and national issues, events, or activities. In dealing with topics such as agriculture, water use, transportation, settlement patterns, or the distribution of ethnic populations, objects associated with places within [regional area?] but outside of Santa Fe, may be representative of the Santa Fe narrative.

#### 1. SANTA FE PROVENANCE ARTIFACTS

The material remains of the Santa Fe narrative includes objects which were actually made or used in Santa Fe and have a clear and specific association (*provenance*) with some significant aspect of Santa Fe history. These types of objects will be classified as Santa Fe Provenance Artifacts and will be given a high priority for addition to the Permanent Collections.

***Santa Fe Provenance Artifacts will have a direct association with Santa Fe history such as:***

- a. municipal development of Santa Fe, including early government, (-----) , ***and Santa Fe municipal government including the incorporation of the town in ---; change to city status in ---, the --- city charter, and the Mayor and City Council; city departments and services, such as the Police Department, Fire Department, Library, parks and other public facilities; public works and utilities, such as water and sewer systems, and transportation systems, including streets, bridges, highways, and public transit.***



- b. public and private facilities and services associated with urban life, such as local private utilities that have provided electricity, gas, and telecommunication services; newspapers, postal service, hospitals, cemeteries, and railroads; and the late-20th century growth of Santa Fe, including the development of neighborhoods and subdivisions, downtown redevelopment, and mid campus development.
- c. social and cultural development of Santa Fe, including churches, civic and fraternal organizations, and unique community organizations; entertainment, recreation, and professional and amateur sports; special events and activities, such as parades, fairs, and celebrations, including, holiday observances.
- d. education in Santa Fe, including the development of elementary and secondary schools, and the Santa Fe School District, and other specialized, private, or parochial schools.
- e. architecturally significant buildings including:
- f. individuals and families that arrived in Santa Fe more than 100 years ago, or to individuals that came to Santa Fe less than 60 years ago who have made a significant personal contribution to the development of Santa Fe.
- g. documentation of particular aspects of Santa Fe history, such as oral history interview tapes and transcripts, architectural drawings, or photographic surveys.
- h. Official documents and publications of the City of Santa Fe.

### **3. EVALUATION OF ARTIFACTS FOR ACQUISITION**

The purpose of classifying an object as a Santa Fe Provenance Artifact is to provide a means by which the object may be evaluated when it is being considered for acquisition for the Permanent Collections. Once an object is accessioned into the Permanent Collections, they shall receive the same levels of treatment, handling, security, use, and documentation.

## D. GLOSSARY

**Accession:** (1) the formal process used to accept and record an object as part of the Permanent Collections. The object may either be donated, purchased, exchanged, or acquired by any other transaction whereby it formally becomes the legal property of the city. (2) [a] An object acquired by a museum as part of its permanent collection; [b] the act of recording/processing an addition to the permanent collection (Nauert 1979); [c] one or more objects acquired at one time from one source constituting a single, or the transaction itself (Burcaw 1997).

**Appraisals:** a valuation of an object by the estimate of a certified appraiser.

**Auxiliary Materials:** a class of objects (i.e., library books, education use-a-facts) which are not accessioned as part of the Permanent Collections, but support research and/or interpretive purposes. Such objects may either be donated, purchased, exchanged, or acquired by any other transaction whereby they formally become the legal property of the city.

**Conservation:** scientific examination and treatment of City Objects and the study of the environment in which they are placed.

**Commissioned works:**

**Deaccession:** the formal process used to remove an object from the Permanent Collections.

**Depositor:** [1] an individual who has deposited objects with the City for consideration as a potential donation to or purchase for the city, or [2] an individual who has left objects in the custody of the city. (See OLCM).

**Disposal:** the process of physically divesting the City of an object in its possession in accordance with the Collections Policy.

**Donor:** an individual who has signed over title of ownership of objects to the City free of charge.

**Donor Agreement:** a contract that transfers title of ownership of an object or objects including requests for copyright from a donor or artist to the City.

**Incoming Loan:** the temporary transfer of collection objects from another museum, institution or individual to the City for stated museum purposes. The transfer does not involve a change of ownership.

**Inter-department Transfer:** the formal process documenting the transfer of the custody of objects, a body of material that is formally used by another department that documents their function, history, and/or activities, from a city department to the Department.

**Objects Left in the Custody of the City [OLCC]:** an object left in the temporary custody of the city by the owner for services such as attribution, identification, examination, or conservation evaluation.

**Objects Found in the Collections [OFIC]:** an object that lacks any significant documentation of accession status.

**Outgoing Loan:** the temporary transfer of collection objects from the City to another museum, institution or individual for stated museum purposes. The transfer does not involve a change of ownership.

**Permanent Collections:** a group of objects which have been selected in accordance with the City's mission and accession policy criteria by means of a formal process, which the museum holds legal title, and thus, is held in public trust as enunciated in the Mission Statement.

**Preservation:** (1) Objects: action taken to retard or prevent deterioration of or damage to cultural properties by control of their environment and/or treatment of their structure in order to maintain them as nearly as possible in an unchanging state; (2) Structures: as the act or process of applying measures to sustain the existing form, integrity, and material of a building or structure, and the existing form and vegetative cover of a site. It may include initial stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.

**Preservation Original:** a designated photographic reproduction of an original historic print or negative. The preservation original is selected in accordance with the Mission Statement and Accession Policy and procedures.

**Provenance:** for works of art and historical objects, the background and history of ownership. The context, or associations of an artifact with people, places, or events are documented.

**Provisional Deposit:** any object deposited with the museum for consideration as a potential donation or purchase for the City's purposes.

**Registration:** The process of developing and maintaining an immediate, brief, and permanent means of identifying an object for which the institution has permanently or temporarily assumed responsibility.

**Tempe Provenance Artifacts:** objects which were actually made or used in Tempe and have a clear and specific association (provenance) with some significant aspect of Santa Fe history.

**Use-a-fact:** an auxiliary material object, either an authentic object or reproduction piece, used for interpretive purposes.

## II. ACQUISITIONS

### A. PERMANENT COLLECTIONS – ACCESSIONING OF AN OBJECT

1. Every effort shall be made to accept only those objects (art, public art, archives) into the Permanent Collections which fit the mission statement of the City, have potential use in the research and interpretation of Santa Fe's current narrative and history, and warrant a long-term commitment toward their preservation. Accessioning is undertaken in order to fulfill the responsibilities of holding objects in public trust. It ensures proper documentation and management of the objects.
2. An object shall be considered for accessioning into the Permanent Collections only if it meets the following criteria:
  - a. An object must contribute to the aesthetic wellbeing of the City. The object must call or interprets and understanding of the current narrative or history and material culture of the City of Santa Fe, New Mexico, and its state, regional, national, and international contexts.
  - b. An object must be in reasonably good physical condition or can be conserved within the City's resources.
  - c. An object must be sufficiently complete.
  - d. An object must have historical or current narrative significance, or it must be sufficiently useful for research or interpretive purposes.
  - e. An object must have a free and clear title and shall be offered without restrictions imposed by the donor.
3. No object shall be knowingly accepted or acquired which has been illegally imported into, or collected in, the United States contrary to any applicable law, regulation, treaty, or convention.
4. The City will not accept an object which contains flammable, unstable, perishable, or toxic materials such as medicines, foodstuffs, household cleaners, toiletries or lubricants. It will be the responsibility of the donor to remove such materials before the object is brought to the City for consideration.
5. An object being considered for the Permanent Collections must be approved by the Santa Fe Arts and Culture Department Director and the Santa Fe Arts Commission or Art in Public Places committee.

6. The Donor must transfer the unconditional title of all objects donated to the City. The donor will understand that the city holds the right to deaccession an object if conditions deemed necessary in the future.
7. The Santa Fe Arts and Culture Department staff and Arts Commission Board (including standing committee members) shall not make verbal or written appraisals for tax purposes of objects donated. City staff may help donors arrange for appropriate appraisals. Donors shall bear the cost of appraisals made for tax purposes.
8. Objects shall not be accessioned into the City's Permanent Collections unless the City can provide for the storage, protection, and preservation of the objects under conditions that ensure their physical integrity and availability, in keeping with the AAM Code of Ethics.
9. The City staff and Arts Commission Board and Arts in Public Places Committee shall abide by the AAM Code of Ethics with regard to personal collecting and shall avoid any apparent conflicts of interest in collecting. All potential conflicts of interest should be declared to the Santa Fe Arts and Culture Director.

#### **B. PERMANENT COLLECTIONS - OBJECTS FOUND IN THE COLLECTIONS (OFIC)**

1. Un-accessioned objects found in the City's Permanent Collection with insufficient documentation to indicate the City's ownership constitute objects found in the Collections. The Santa Fe Arts Commission Director and staff alongside the Santa Fe Arts Commission and Art in Public Places Committee will determine the accession status of the objects found in the collections. Such objects that are considered appropriate for the Permanent Collections shall be accessioned with the notation that the source is "found in collections."
2. Objects that are considered inappropriate for the Permanent Collections will be itemized for the City Attorney and the Santa Fe Arts Commission, or Art in Public Places Committee in a report containing all pertinent information and recommendations for their disposition.
3. The Santa Fe Arts Commission Director, the Santa Fe Arts Commission, or the Art in Public Places Committee and the City Attorney, serving as counsel to the City on legal issues, shall consider outside claims for objects found in collections. Their majority decision constitutes the official position of the city.

C. MURAL GUIDELINES - (in accordance with City of Santa Fe Ordinance)

**INTRODUCTION**

Mural projects are an investment in cultural capital that goes far beyond tourism, improved aesthetics, increased business traffic and building occupancy, and eradication of blight. Murals are an investment in a city's unique identity and its cultural cohesiveness and contribute to its public art. To effectively implement a successful mural program, which will ensure consistency and aesthetic value in the community; it is important that applicants adhere to the following guidelines, which will ensure the best possible results. The application process and guidelines that follow are intended to provide mural applicants with a reasonable process that will safeguard the interests of the community, as well as those of the individual property owner.

Allowance of painted, decorative murals is intended to extend public art into commercial areas of the City of Santa Fe in order to enhance the cultural experience of the public. Applications for mural designs on privately-owned commercial buildings in the City of Santa Fe must be approved by Art in Public Places Committee and application approval process described below.

**1. COMMERCIAL BUILDING MURAL PROGRAM GUIDELINES**

**A. Theme / Design Criteria:**

1. a) Murals on privately-owned buildings must reflect the character, culture, and history of the area/neighborhood. Emphasis should be reflective of the specific area /neighborhood.
2. b) Appropriate thematic and other relationships to the surrounding environment.
3. c) Appropriateness of scale.
4. d) No signage or subject matter that could be construed as advertising, copy, symbols or references directly promoting any product, business, brand, organization, service, cause, or political messages.

**B. Site Selection Criteria:**

5. a) The building owner submits a letter of request with proposed mural details to the Art in Public Places for consideration. The request must include the proposed idea or theme; a photograph of the location of the proposed mural will be created; and photographs of the surrounding area, including structures immediately adjacent to the building. The letter must include proof in writing that the required private funds and/or in-kind contributions are secured, as well as, a 5-year maintenance plan.
6. b) The submittal must include a letter from the property owner (if different from applicant) confirming their approval of the proposed mural to be on their building

and acknowledge they are responsible for upkeep.

**C. Planning / Considerations:**

1. Once a mural is painted in an outdoor location, it becomes public art. There are a number of factors that need to be taken into consideration before a mural is started.
2. The artist and the building owner should agree upon the content of the mural with an estimate of the cost.
3. A written contract should be signed between all parties involved, i.e. artist, building owner or leaser) prior to work beginning.
4. The contract should designate the lifetime of the mural (three, five, seven or other, agreed-upon years) that the mural will be left undisturbed, after which the mural can be painted over without penalty.
5. Consider the location of the wall in which to attach plywood for the mural to be displayed. Reasoning for plywood / maintaining the integrity of a building. For historic buildings and districts, careful consideration of the historic fabric and historic setting should be considered. Murals should not compromise the character-defining features of a historic building or district, as this may compromise its eligibility for the National Register of Historic Places now and/or in the future. In some cases, attaching plywood to the exterior of buildings can help protect historic fabric, but can also cause other preservation issues if not maintained.
6. Investigate the different paints available and strive for the most durable.
7. Determine who will maintain the mural if the work is damaged and / or needs attention.
8. Take into account the surrounding businesses and residents when planning the mural.

**D. Mural Making Process:**

9. When painting a mural, it is important to choose an appropriate wall and location. Protecting the integrity of buildings of Santa Fe is of utmost importance; therefore, plywood\* must be attached to the building for the mural to be painted. Water leaks and cracks in the plywood may have adverse effects on the mural and should also be avoided. Murals, which face direct sunlight during the daytime hours fade and peel much faster than those which do not get direct sunlight or are protected by overhanging architecture. Murals located in heavily trafficked areas will be subject to more smog, dirt, and chemicals which may change the colors of the original paint.
  1. Before painting, it is highly recommended that the surface be cleaned thoroughly. The cleaner the surface is, the longer the mural will last. After the surface has been cleaned, a coating such as gesso should be applied to create a smooth and consistent surface to which the paint can bond. Surface preparation, materials, paint, and anti-graffiti coating should be compatible with each other as well as with the surface. Consult manufacturers of products for specific information. One type of paint that may be used is mineral paint because it bonds extremely well with the wall and should last many years. Paint should be applied thinly and evenly. Thick layers of paint take longer to dry

and tend to peel quickly.

10. c) It is recommended that a protective anti-graffiti coating be applied to murals to protect them from graffiti and vandalism. Several products that employ a sacrificial coat to the mural surface are on the market. Some coatings may crack, bubble, fog, yellow or otherwise alter the colors on the mural. Therefore, a layer of varnish may be applied to the finished mural first to isolate and protect the paint layer.
11. d) Consistent maintenance is extremely important to the durability of outdoor murals. It is recommended that a regular maintenance plan be devised for each mural.

#### **E. Mural Design Approval Process**

1. Mural proposals are initially reviewed by appointment with the Santa Fe Arts and Culture Department Executive Director.
2. The complete mural submission will be reviewed at the next scheduled Art in Public Places Committee meeting for a recommendation to be considered at the next scheduled committee meeting. The applicant and the public are encouraged to attend the meetings.

A complete Mural Design submission must include the following:

- (1) A written description of the proposed design, site, surface preparation, materials and processes to be used (including anti-graffiti treatment), individual/groups involved in the mural design, and/or preparation, and parties responsible for subsequent maintenance. Ideally, a separate maintenance plan should be included.
- (2) Written permission to proceed with the project, including any additional requirements, from the property owner.
- (3) Color scale rendering (no larger than 8-1/2"x14") of the proposed design, including any text.
- (4) Photographs of the proposed site and physical surroundings
- (5) Timeline for completing the project
- (6) Documentation of finished work. Photographic documentation of completed projects is required for our records.

*PLEASE NOTE:* Once the Art in Public Places Committee has approved the proposed mural design, the artist may not make additional changes to the design without returning to the Committee for the recommendation of Board approval of the changes prior to the implementation of the mural. During the review process, the Director may make recommendations to meet the intent of the mural guidelines and better assist the applicant.

#### **6) General Definitions:**

**Gesso** – A traditional mix of glue binder, chalk, and white pigment, used to coat rigid surfaces (e.g. wooden painting panels) as an absorbent primer coat substrate for painting.

**Sign** – An advertisement through graphics or text identifying a specific business, product, or service.



Mural – A singular hand-painted work of art with graphics related to artistic design for public display.

### **III. DEACCESSIONS**

#### **A. PERMANENT COLLECTIONS - DEACCESSION OF AN OBJECT**

##### **I. DEACCESSIONING**

###### **A. Introduction**

As an agent of public trust, the City of Santa Fe Arts and Culture Department and Santa Fe Arts Commission and the Art in Public Places Committee is charged with overseeing the acquisition, proper conservation, and maintenance of the City's Permanent Collection. The City of Santa Fe and the Arts Commission recognize the serious and wide-reaching implications associated with removing a work of art from the Collection. It is the City's intent that the deaccessioning of work of art be a careful and deliberate procedure. The removal of objects from the Permanent Collections shall be undertaken only after careful consideration. The objectives of the deaccessioning process are to ensure that the Collections are representative of the City's mission; to safeguard the Permanent Collections, and the staff and public; to reflect changes in the City's mission or Collection Policy; or to maintain sound collection management practices.

###### **B. Purpose**

Deaccessioning is considered an integral and necessary part of responsible collections management. The City recognizes the importance of protecting the deaccessioning process from being employed merely on the grounds of fluctuations in taste, as the merits of a work of art are often only recognized with the passage of time. Time frequently helps a community to embrace a work of art that may have initially inspired controversy. It is the City of Santa Fe's policy that no work of art in a public place be considered for deaccessioning within ten (10) years of acquisition unless presentation of the work or public safety requires otherwise. Similarly, at least once every ten years, the entire City of Santa Fe Permanent Collection shall be evaluated, and its potential expansion shall be assessed. This evaluation shall be performed under the auspices of the City of Santa Fe Arts and Culture Department, Santa Fe Arts Commission and the Art in Public Places Committee; independent expertise shall be sought as required.

###### **C. Evaluation or Conditions of Deaccessioning:**

In order for the deaccessioning of a work of art to be considered, the City of Santa Fe must undertake a careful evaluation of the work of art. Based on that evaluation, a work of art may be considered for deaccessioning if one or more of the following conditions are found to be applicable:

1. Conditions of acquisition – method, date, and cost.

2. The work of art has deteriorated beyond usefulness or is irreparably damaged to an extent where repair is either unreasonable or impractical.
3. An independent appraisal of the current value of the work of art, if the intent is to sell or trade the work of art.
4. Evaluation of the work of art itself, and its importance and relevance within the context of the overall Permanent Collection.
5. A recommendation as to the appropriateness or need of public opinion and cultural significance and the need for a public hearing related to the deaccession.
6. Public opinion has deemed the work of art to be of substandard quality and/or incompatible with its historical, social or cultural context.
7. The work of art is duplicative of a substantial holding of work of that type or by a particular artist.
8. The work of art has been documented by a licensed conservator or curator as fraudulent or not authentic work.
9. The work of art possesses substantial and irrevocable faults of workmanship which have been documented by a licensed conservator.
10. The work of art requires excessive or unreasonable maintenance on an on-going basis, exceeding the anticipated maintenance requirements.
11. The work of art has been assessed to represent a threat to public safety or is hazardous to other items in the collection or staff.
12. A suitable and appropriate place for the display of the work of art no longer exists.
13. The work of art is not displayed or has not been consistently displayed for a period of ten years.
14. The work of art does not exist due to theft, accident or natural disaster.
15. The work of art has consistently received adverse public reaction for a period of ten years.
16. The City has received a written request for deaccessioning from the artist or one or more artists who co-authored a work of art, citing a specific reason for the request.

#### **D. Deaccessioning Procedure**

All requests for consideration of the deaccessioning of a work of art in the City's

Permanent Art Collection must be filed in writing with the Arts and Culture Department assigned staff person. The City may also initiate a request for consideration of deaccession according to the same procedure. This written request must be initiated by a resident of the City, artist, or Arts and Culture Department staff, and specifically state the grounds on which deaccessioning is being requested, as well as the relationship of the individual(s) making the request to the work of art. If the request is made by the artist, the residency requirement does not apply. Once a deaccessioning request is filed, the City shall prepare a written report within ninety (90) days regarding:

Deaccessioning proceedings by the Arts Commission shall be publicized in advance and open to the public at all times. In addition, all reasonable attempts shall be made to notify the artist and/or donors whose work is being considered for deaccessioning, to invite participation in the process.

The City department responsible for displaying the work of art shall also be notified and invited to attend. General public input at these proceedings shall also be permitted. All notifications and public proceedings shall be conducted in compliance with Federal and State laws.

The Arts Commission may initiate deaccessioning by a majority vote. The findings from the Arts Commission discussion will be forwarded to the City Manager. If a majority of the Arts Commission votes in favor of deaccessioning a work of art, this recommendation or notification shall be forwarded to the City Council with a written explanation outlining the relevant facts. A decision by the Santa Fe Arts and Culture Department to deaccession a work of art must be approved by adoption of a resolution by the Santa Fe Arts Commission; however, the City of Santa Fe Arts and Culture Department Director is authorized to remove artwork from the collection if the value of the art is equal to or less than his /her purchasing authority.

#### **E. Deaccessioning Options**

The Arts Commission, the Art in Public Places Committee shall be assembled to oversee the deaccessioning proceedings and will make a recommendation to the Arts Commission. The following courses of action are listed as possibilities, but are not intended to be comprehensive:

1. Relocate the work of art to another appropriate site.
2. Give the artist the opportunity to buy back the work at its current appraised value, if allowed by agreement. If donated, return the work of art to the donor.
3. Seek bonafide appraisal and advertise the sale of the work, or sell through acceptable, sealed competitive bids.
4. Give the artist the opportunity to recover the work of art at no cost to the City, if allowed by agreement.
5. Dispose of the work through the City of Santa Fe surplus property procedures.
6. The work of art can be used to finance the acquisition of a work of art of greater importance in the context of the City's Collection, either through sale or trade, provided that this is permissible under the contractual agreement associated with the work of art. This must be accompanied by an independent

expert determination of the relative value of both works of art within the context of the Collection.

**F. Deaccessioning a Work of Art**

If the deaccessioning of a work of art is accomplished through the sale of the piece then the proceeds from the sale of the piece shall be deposited in the appropriate Public Art Fund. These funds shall subsequently be placed in the Public Art Fund for the purposes of new project construction, maintenance, repairs, or conservation. Sale of the work at an appreciated value shall be included and negotiated in all contracts related to the acquisition of a work of art.

If the deaccessioning of a work of art is because it creates a public safety concern or poses a threat to other items in the Public Art Collection, the City of Santa Fe may implement procedures to ensure the safety of the public and the safety of other works of art during the deaccession process. In the event that the work of art creates an imminent public hazard and it is not possible to contain the hazard without immediately removing the work of art, the work of art may be removed immediately and the decision regarding deaccession may be made subsequently.

- a. An object shall be deaccessioned from the Permanent Collections by approval of the City of Santa Fe Arts and Culture Department, Art Commission and Art in Public Places committee.
- b. A Deaccession form must be filled out for each object or set of objects falling under the same donor. Only the Arts and Culture Director, Mayor and Chair of the Santa Fe Arts Commission may sign the Deaccession form.
- c. City staff and Art commission must not purchase or acquire objects deaccessioned from their own institutions which are not offered at public auction or sale. However, these individuals may participate in public auctions and sales.
- d. A deaccessioned object should not be reclassified as an Auxiliary Materials unless it has a specific use.
- e. Suggested course of action. The deaccession request and background report shall then be presented to the Arts Commission. If, after careful examination, one or more of the conditions for consideration of deaccessioning has been proven to exist, then the work of art may be considered for deaccessioning.

**B. PERMANENT COLLECTIONS - DISPOSAL OF AN OBJECT**

1. The following methods of disposition of deaccessioned objects will be considered:

- a. Use as an auxiliary material within the City.
- b. Transfers or exchanges to cultural, scientific or educational institutions, with priority given to institutions in the Santa Fe area, or in the state of New Mexico, respectively as additions to

their collections.

c. Return to donor, heirs or assigns.

d. Sale to commercial dealers and private individuals, preferably at a city or sanctioned-sponsored public auction or sale, only in the event that no cultural, scientific, or educational institution is willing to accept the object for collections.

e. Disposal, if no other method is feasible.

#### **IV. LOANS**

##### **A. LOAN STATEMENT**

In keeping with its Mission Statement, the City will seek to obtain incoming loans of objects which complement those in its permanent collection, which are related to the current narrative, well-being, or history of Santa Fe or are exemplary of objects used by past residents of Santa Fe. Objects will be taken on loan only if they can serve a specific purpose, such as a temporary exhibition. Conversely, the City will lend objects from its Permanent Collections to appropriate borrowing institutions for a specific use or long-term loan. The City reserves the right to decline an outgoing loan request if it is deemed inappropriate. Both incoming and outgoing loans will be approved only for specified periods of time.

##### **B. INCOMING LOANS**

1. The following factors shall be considered before accepting any in-coming loan: costs of storage, security, transportation, and insurance for the work of art, the object's condition, ability to withstand shipment, the lender's restrictions, and problems of provenance or copyright.
2. In-coming loans must be approved by the Arts and Culture Department.
3. Objects taken on loan by the City will be given the same care as objects in the Permanent Collections unless otherwise specified in the agreement with the lending institution or owner. No alterations, embellishments, modifications, dismantling, or conservation treatment of loaned objects will be undertaken without written consent from an authorized representative of the lending institution or owner.
4. Loans will be accepted for a period of no longer than one year. Loans may be renewed annually.
5. Should an object on loan be offered for donation, it must undergo the formal process of accessioning upon the termination of the loan.
6. If the owner fails to take possession of an object upon the termination of the In-coming Loan agreement the disposition of the object shall be governed by New Mexico Revised

Statutes, Chapter XX, Unclaimed Property in the City:

§XX Acquiring title to loaned property  
§XX City obligation to the lender  
§XX Lender obligation to the city.

### **C. OUTGOING LOANS**

1. The object's condition and the borrower's ability to ensure the proper care, physical stability, and security of the object are to be considered when evaluating an outgoing loan request. Objects which are extremely rare or fragile or are in need of extensive conservation may not be considered available for loan.
2. The borrower must be a bonafide art or educational institution, or a person of verifiable academic or curatorial credentials. In some cases, loans may be granted to other institutions when the good of the City and the edification of the general public will be served, this includes members of the community.
3. The borrower will furnish a certificate of insurance or a copy of the policy, a completed AAM Registrar's Facility report, and reimburse the City for any loss or damage incurred to the loaned object(s).
4. No alterations, embellishments, modifications, dismantling, or conservation treatment of loaned objects will be undertaken without the written consent of the Arts and Culture Department Executive Director. An Out-going Loan Agreement form must be signed by the Executive Director or the appropriate staff and an authorized representative of the lending institution.

### **D. OBJECTS LEFT IN THE CUSTODY OF THE CITY**

1. An object may be left in the temporary custody of the City by the owner for services such as attribution, identification, examination, or conservation evaluation.
2. The condition of the artifact must be documented at the time of acceptance.
3. Objects Left in the Custody of the City will be given the same care as objects in the Permanent Collections unless otherwise specified in the agreement with the owner. An agreement must be signed by the Arts and Culture Department Director or the appropriate staff person and an authorized representative of the lending institution or the owner.
4. No alterations, embellishments, modifications, dismantling, or conservation treatment of Objects Left in the Custody of the City will be undertaken without written consent to the owner.

5. If the owner fails to take possession of an object upon termination of the agreement, the disposition of the object shall be governed by New Mexico Revised Statutes, Chapter XX, Unclaimed Property in the City:

§XX Acquiring title to loaned property  
§XX City obligation to the lender  
§XX Lender obligation to the city

## **E. ART ON LOAN PROGRAM**

The Public Art Loan facilitates the temporary display of privately-owned artworks on City-owned property. Artists working in all media suited for outdoor are encouraged to participate.

The goal of the program is to create opportunities for more art to be displayed publicly throughout the community and for more artists to take part in the Art in Public Places Program. Participating artists contribute to the community by helping to enliven the visual landscape of Santa Fe, and by very generously lending their artworks to the City free of charge. In return, artists are able to share their art with a broader audience, which is particularly important to emerging or mid-career artists whose work is not seen as widely as more established artists.

In addition to engaging local artists, the program helps to ensure all areas of the community have public artworks on display. Over the history of the program, works have been installed in a wide variety of places including the Convention Center, Mid-town Campus, the Mayor's office, as well as public parks, including Alto Park, Ragle Park, Patrick Smith Park, Amelia White Park and Pueblos de Sol Park. Artworks have also been placed in high pedestrian and vehicular traffic locations such as City Hall, the South Side Library, the Sandoval Parking Garage, the Genoveva Chavez Community Center, and the intersection of St. Francis Drive and Agua Fria. Artworks have been placed in rotation around the city as part of the Loaned Art Program, with most staying in place for a year or more.

### **Selection Process**

Each summer the City of Santa Fe Arts Commission puts out an open call for artists; however, loan proposals are accepted throughout the year. Any three-dimensional artwork in media appropriate for outdoor public display are considered. The Art in Public Places Committee serves as the selection committee. Their recommendations are then forwarded to the Arts Commission.

The Art in Public Places Committee uses the following guidelines when considering an application:

- Artistic quality
- Compatibility with the site
- Appropriateness to the site
- Materials' suitability and safety
- Contribution to the City's public art collection
- Public safety
- Environmental impact

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After being juried by the AIPP Committee, artworks are matched with appropriate sites based on availability, the lender's preferences, and feedback from community groups associated with the sites as well as staff.

**Sites**

Since a primary purpose of the program is to ensure all areas of the community have public artworks on display, lenders are encouraged to place throughout the city.

Examples of sites include:

**Parks**

Municipal Recreation Center (MRC)  
Ragle  
Monica Lucero  
Nava Ade  
Governor Franklin E. Miles  
Salvador Perez  
Ashbaugh  
Calle Lorca  
Entrada  
Amelia E. White  
Monsignor Patrick Smith  
Bicentennial

**Buildings**

La Farge Library  
South Side Library  
Salvador Perez Pool  
Genoveva Chavez Community Center  
Santa Fe Municipal Airport  
Bicentennial Pool  
Mary Esther Gonzales Senior Center  
Main Library  
City Hall  
Monica Roybal Center  
Santa Fe Community Convention Center

**Trails**

Rail trail Trailhead  
Arroyo Chamiso Urban  
Santa Fe River



## **V. RESEARCH ACCESS TO THE PERMANENT COLLECTIONS**

### **A. ACCESS TO PERMANENT COLLECTIONS**

Access to the Permanent Collections will be granted through a research request, subject to the restrictions imposed by the Santa Fe Arts and Culture Department Administrator and/or appropriate staff for the safety and security of the Collections. Approved researchers will have access to approved locations with a representative from our loan term loans institutions.

### **B. ACCESS TO OBJECTS FROM INCOMING LOANS**

Researchers will not be granted access to objects which are on loan to the City, unless stipulated in the loan agreement.

## **VI. COLLECTIONS MANAGEMENT STATEMENTS**

### **A. RECORDS**

1. The City shall maintain permanent records of acquisition, inventory, conservation and deaccession, loans and correspondence and other records relating to its Permanent Collections.
2. The City shall maintain records of Auxiliary Materials for a period of three years.

### **B. CARE OF COLLECTIONS**

1. The Permanent Collections shall be preserved through a program of maintenance, research, documentation, and conservation in accordance with accepted museum practices such as AAM.
2. The City shall take all possible precautions to ensure the physical safety of objects in the Permanent Collections and to store objects in the Permanent Collections and in an environmental control environment.
3. The City shall protect objects in the Permanent Collections from theft, fire or other loss or damage in accordance with accepted museum practices.

### **C. INSURANCE**

Objects in the Permanent Collections will be insured according to the risk management policy of the City of Santa Fe.

## **VII. ART IN PUBLIC PLACES COMMITTEE**

### **A. RESPONSIBILITIES**

1. Art and Public Places Committee shall be charged with the establishment and periodic review of collections policies and related procedures as well as procedures for inspection and assessment of actual works of art.
2. The Committee shall evaluate and approve all objects submitted for donation to the Permanent Collections of the City. Its members also may recommend and seek the purchase of objects for the Permanent Collections which are relevant to the City's mission statement. The Committee shall evaluate and approve or disapprove of the deaccessioning of any work of art, public art or archives from the City's Permanent Collections.
3. The Committee shall be made up of the Arts and Culture Department Administrator, a representative of the Santa Fe Arts Commission.
4. The term of the committee representative and the City Arts and Culture Department representative to the Committee will be equivalent to their term of office on their respective Boards.

### **B. Art in Public Places Guidelines**

#### **I. Background**

In 1985 the City of Santa Fe passed the Art in Public Places Ordinance 1985-42, whereby up to one percent of the construction cost of each city capital construction project, whether new construction or renovation, is set aside for the acquisition of art. Implementation of the ordinance is the responsibility of the Santa Fe Arts Commission (SFAC). All purchased or commissioned work becomes a part of the Santa Fe Arts Commission permanent public art collection.

The purpose of the 1% for Art in Public Places is to create sites of community significance in public places, to encourage private and public awareness and interest in the visual arts, to increase employment opportunities in the arts, and to encourage the integration of art as an integral part of the architecture of municipal structures or other

public property. It is a high priority of the Santa Fe Arts Commission that there be cultural diversity in all aspects of the Art in Public Places program. In that area of this unique City that is designated the historic district, the art commissioned under these guidelines that is to be permanently located in the public walkways, as differentiated from those enclosed in buildings and courtyards, shall comply with the provisions of the ordinances establishing the historic district. All meetings in the process described hereafter are open to the public pursuant to the Open Meetings Act. The Art in Public Places Program complies with program and facility accessibility requirements of the Americans with Disabilities Act of 1990 and does not discriminate against persons with disabilities.

## **II. Definitions**

1. Allowable expenses as in plaques and labels, i.e. identification;
2. frames, mats, mountings, anchorages, containments, pedestals, or materials necessary for installation, location or security of works of art;
3. photographs of completed work;
4. extraordinary maintenance or repairs;
5. expenses for special advisors or consultants;
6. moquette's and final renderings presented for final competition;
7. publicity, dedication, promotional materials; and
8. utility expenses to projects.

B. Ad hoc committees: May be appointed as needed. An example would be a site planning team.

C. Architect: The person or firm designing the project.

D. Art in Public Places (AIPP) Committee: A standing committee appointed by the Santa Fe Arts Commission. It ideally should consist (if possible) of at least one Commissioner (the chair) with additional members which include (1) community representative(s), (2) art historian, (3) visual artist, ( 4) sculptor, ( 5) arts professionals such as curator, critic, appraiser, (6) area historian and (7) architect, landscape architect, or urban planner. Seven members in total. Preference shall be given to qualified persons who demonstrate an understanding of the unique characteristics of Santa Fe.

E. Artist: The person or persons selected by the Santa Fe Arts Commission and contracted by the City of Santa Fe to execute an artwork. The artist must not be a member of the project architectural firm.

F. Community Advisory Committee: Appointed by the AIPP Committee when appropriate. This committee is to be a liaison between the project and the community. The composition of this committee may include area historians, the Historic Design Review Board or persons with pertinent knowledge of a particular project. This committee shall also be a resource to the artist.

G. A conflict of Interest exists between a juror and an applicant artist in the following cases:

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a family relationship exists; joint financial interests exist, employer/employee relationship exists; and/or any other situation in which the juror could benefit from the selection of an artist.

**H. Exclusions**

Works of art do not include:

1. reproductions of original works of art;
2. decorative, ornamental, or functional elements designed by an architect;
3. elements of a landscape design that are not integral to the project as designed by the artist;
4. art objects which are mass-produced of standard design, such as playground sculptures, fountains, rocks, pools, screens, benches and other types of street furniture;
5. a directional or other functional element, such as super graphics, signs, color coding, maps, etc.;
6. architects; fees;
7. structural building modifications; and
8. art exhibitions or curricular education activities.

**Jury:**

A jury or selection panel is appointed for each specific project by the AIPP Committee and approved by the Santa Fe Arts Commission. It ideally should consist (if possible) of at least (1) community representative(s), (2) Arts Commissioner 3) artist, based on medium of project, (4) area or art historian, (5) arts professional, and (6) AIPP Committee member. It may also be composed of the AIPP Committee itself. Generally, the jury may consist of five voting members, one alternate and one chairperson. Preference shall be given to qualified persons who demonstrate an understanding of the unique characteristics of Santa Fe. Prior to the meeting, the individual jurors shall review the list of artists applying in order to reveal any possible conflicts of interest. Jurors sign a conflict of interest statement confirming no conflicts at the first jury meeting. If a conflict arises, that juror is excused, and an alternate is selected by the Department of Arts and Culture Director from a list of potential and previous jurors who have been approved by the AIPP Committee and the SFAC. Project: The creation of a work of art by an artist which is subject to ordinance 1985-42.

**I. Request for Proposal (RFP):** Prepared by staff in accordance with current City procurement procedures and policies. The Art in Public Places Guidelines and Professional Services Agreement between the City of Santa Fe and the selected artist are equal components of the RFP.

**J. Santa Fe Arts Commission:** A nine-member volunteer commission appointed by the Mayor and ratified by City Council to oversee the Art in Public Places Ordinance 1985-42.

**K. User Agency:** The department or agency of the city which is the recipient of the work of art.

L. Work or Art: Any work of original visual art including but not limited to drawings, paintings, murals, frescos, sculptures, mosaics, fine art photography, calligraphy, original graphics, cement, earthworks, clay, fiber, glass, metal, plastic, stucco, textile, wood, and like materials or mixed media including collage, assemblage or any combination of the foregoing art media.

### **III. Project Identification**

A. A proposal for a project may be submitted by any member of the community, city government, the AIPP Committee, or the SF AC, to the SF AC executive director.

B. A preliminary evaluation of the proposed project is conducted to determine validity by the AIPP Committee for recommendation to SF AC in accordance with the public art master plan.

C. The AIPP Committee evaluates the proposed project and makes recommendations to the Santa Fe Arts Commission for concept approval. The proposal shall include project budget, potential site, a concept for the piece and selection method.

D. The public is informed of proposed projects through a public hearing before the Santa Fe Arts Commission. This allows for objections to surface before time and energy are spent on research. Community input and public education also begin at this point.

If concept approval is given by the Santa Fe Arts Commission:

E. The recommendation of the Santa Fe Arts Commission is forwarded by the SFAC executive director to the Capital Improvements Committee, Finance Committee, the Historic Design Review Board (if applicable) and the City Council.

F. After all applicable approvals have been received, The AIPP Committee appoints a jury or a selection panel (and other committees as needed) for each individual project, which is then submitted to the SF AC for ratification.

### **IV. Site Identification**

The AIPP Committee can identify sites individually or collectively or appoint a Site Planning Team when applicable. Priority shall be given to those sites previously identified as included in the Public Art Master Plan. A Site Planning Team shall work with the City User Agency, Historic Design Review Board (if applicable), Community Advisory Committee, neighborhood groups, and architects/landscape architects. A Site demonstrates an understanding of the unique characteristics of Santa Fe.

### **V. Artist selection methods are:**

#### **A. Open Competition**

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Competition is open to entries from all artists within the geographic limits set by the AIPP Committee. Geographic limits may include local, regional, or national boundaries.

**Open Competition Process Request for Proposals include:**

1. advertisement/deadline for entry
2. information on project components/name and number of the project for which the proposal is submitted
3. special conditions
4. proposal review/selection schedule
5. scope of services
6. copy of AIPP Guidelines
7. copy of City of Santa Fe Professional Services Agreements (Copy and reproduction rights, removal and relocation are in these sections.)
8. list of jurors, as well as site planning team and community advisory committee when applicable.
9. a proposal form to be addressed by the artist, which shall include but not be limited to community involvement plans, materials to be used and a brief description of any possible conflict of interest with any of the listed jurors. Jurors should not be used as a reference.
10. Sample score sheet.
11. Initial submission by artists shall include at least ten color slides documenting three to four different works done in the last five years. Jpgs must be labeled with name, title of work, medium, size, date completed, value and in view order.

**B. Evaluation Criteria**

**Initial screening:**

60% Qualifications as demonstrated by the artwork created and completed within the last three (3) to five (5) years. 25% Appropriateness of proposal to site, compatibility in scale, material, form, and content with project surroundings and installation methods, where applicable. 15%

Ability to communicate, involve and work with the community through all facets of the work of art.

**Final screening:**

30% Quality of artwork proposed. 30% Appropriateness of proposal to compatibility in scale, mater, form, and content with project surroundings and installation methods, where applicable. Qualifications of consultant team, if any. 20% Ability to communicate, involve and work with the community through all facets of the work of art. 20% Realistic project budget, safety, and appropriate proposed project timetable. Certain unusual circumstances could alter the above criteria to be compatible with a particular situation or project. Please include budget and costs associated with all aspects of work including creation, installation, shipping, and long-term maintenance, etc.

b. The jury is convened by the Santa Fe Arts Commission Director to review:

i. The RFP

ii. The AIPP Guidelines

iii. The history of the subject or location of the proposed project and a report on community input from the Community Advisory Committee

iv. Conflict of interest definition and sign a conflict of interest statement; and the jurying process itself.

c. The Jury meets to review the submissions.

i. Slide review of all artists is anonymous (by applicant number only).

ii. Round 1 of the slide review is a silent round in which the jurors will see all submissions.

There is no scoring or discussion.

iii. Round 2: Slides are reviewed again. Jurors may ask staff for information from resumes and proposal forms other than the identification of the applicant at this time. Applicants may be eliminated at this time if all jurors agree.

iv. Round 3 and beyond: Slide review continues. Elimination of applicants occurs by majority vote.

v. The jury may choose up to three finalists and one alternate. If the jury chooses to select one artist (winner) then an alternate artist must also be named in case of default.

vi. The jury then invites the three finalists or the one winner to develop a proposal

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(moquette or drawing) using the RFP, Community Advisory Committee, City staff, and the AIPP Committee as resources. An appropriate timeline is given to the artist(s) for delivery to the SF AC Director.

**d. Review of Proposals by the Jury**

i. Within 45 days of receipt of the proposal(s), the jury meets to select the winner. In cases where it is financially feasible, the artist(s) will be invited to make a presentation.

ii. If a winner cannot be selected:

a. The alternate is asked to submit a proposal.

b. If the alternate proposal is not acceptable, the competition can be reopened, or another selection method may be proposed.

c. The jury recommendation AIPP Committee and the AIPP recommendation is then forwarded to the Santa Fe Arts Commission. If approved, the contract is then sent for approval by the Finance Committee and the City Council.

**B. Acquisition:** Purchase of an already existing work of art. (Refer to the city of Santa Fe Procurement Code 1984 as amended.)

**C. Commission:** (1) To invite an artist to work with a special set of circumstances within special limitations of media styles or (2) To provide for a partial gift or unique economic advantage. (Refer to the city of Santa Fe Procurement Code 1984 as amended.)

**VI. PROJECT IMPLEMENTATION**

**A.** Upon designation of an artist, the city and the artist enter into a professional service contract for the purchase and installation or supervision of the installation of the work of art. The contract requires the artist to produce and deliver the work of art at a guaranteed cost. A reasonable completion date shall be established between the artist(s) and the city.

**B.** Contract provisions may include:

1. Artists fee
2. Labor and materials for production of work
3. Artist's operating costs
4. Travel related to the project
5. Site preparation
6. Transportation of work to the site and installation
7. Guarantee of workmanship and material
8. Maintenance instructions
9. Gross receipts taxes



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10. Termination of projects
11. Copy and reproduction rights
12. Repairs and restoration
13. Removal or relocation
14. Ownership of documents and models
15. Liability insurance
16. Completion bond
17. Re-evaluation of completion dates
18. A damage or default clause.

**VII. MAINTENANCE**

A. Only the Santa Fe Arts Commission may recommend the removal and/or relocation of works of art, along with the consent of the user agency, and a reasonable effort must be made to locate the artist involved. Specific language should be included if this artwork is site specific and should be clarified in the contact with the artist.

B. Recipients (user agency) of works of art must notify the Santa Fe Arts Commission immediately if a work of art is damaged, stolen, or not in compliance with the project.

C. Routine maintenance of artworks (i.e., cleaning and repair) shall be the responsibility of the department that houses the artwork, as specified in the acceptance agreement and user agency may consult with the AIPP Committee on other necessary maintenance.

D. The AIPP Committee will be responsible annually to report to the Santa Fe Arts Commission on inventory and condition of all City-owned artworks.

(Approved by AIPP Committee 8/31/92) (Approved by Santa Fe Arts Commission Committee 9/14/92)

**VIII. STATEMENTS ON STANDARDS OF CONDUCT AND ETHICS**

**A. CITY OF SANTA FE POLICY – ARTS COMMISSION**

**6-1.1 Creation; Duties and Powers.**

There is created the "Santa Fe Arts Commission," hereinafter referred to as the "commission." The commission shall be advisory to the governing body and shall initiate, sponsor or conduct, alone or in cooperation with other public or private agencies, public programs to further the development and public awareness of, and interest in the fine and performing arts and cultural properties. The commission shall organize and adopt administrative rules and procedures necessary to accomplish its purposes.

In carrying out its duties and powers, the commission shall: survey and assess the needs of the arts, both visual and performing within the City of Santa Fe; identify existing legislation, policies and programs which affect the arts and evaluate their effectiveness; encourage the use of local resources for the development and support of the arts; accept offers or gifts or grants from the

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United States, the State of New Mexico, their agencies or officers including without limitations the National Endowment of the Arts; and from any person, firm or corporation, of services, equipment, supplies, materials or funds, and may make grants in accordance with the law; advise the city concerning the receipt of or purchase of works of art to be placed on municipal property; advise and assist the city and the occupancy tax advisory board in connection with the administration of those occupancy tax revenues which are designated for the nonprofit performing arts and attractions.

**A. Art in Public Places**

Title. This subsection shall be known as the "Art in Public Places Ordinance."

Purpose. The purpose of this subsection is to promote and encourage private and public programs to further the development and public awareness of, and interest in, the fine arts and the executive director and such other staff as are available to said commission; advise and assist the city in connection with such other artistic activities as may be referred to it by the city. The commission shall formulate and submit, annually, a budget request and a proposal for utilization of its funds. (Ord. #1987-39, §1)

**B. Art in Public Places Committee**

A standing committee appointed by the Santa Fe Arts Commission. It ideally should consist (if possible) of at least one Commissioner (the chair) with additional members which include (1) community representative(s) (2) art historian, (3) visual artist, (4) sculptor, (5) artist professional such as a curator, critic, appraiser, (6) area historian and (7) architect, landscape architect, or urban planner. Seven members total. Preference shall be given to qualified persons who demonstrate understanding of the unique characteristics of Santa Fe.

**C. Art Commission Members**

A. The commission shall consist of nine (9) members. On the first commission, four (4) of the members shall be appointed for one (1) year terms and five (5) shall be appointed for two (2) year terms. Subsequent terms shall be for two (2) years to maintain staggering of terms. Vacancies, other than by expiration of terms, shall be filled for the unexpired term in the same manner as original appointments. The mayor, with the advice and consent of the city council, shall appoint the commission members and the commission chairperson. All terms expire in October.

B. All members of the commission shall reside in the county of Santa Fe and shall be actively involved in the arts. Members of the commission shall be broadly representative of all fields of the fine and performing arts. They shall include knowledgeable laypersons and persons who are widely known for their professional competence and experience in the arts. It is recommended that the following disciplines and activities be represented on the commission: the performing arts, the visual arts, the communication arts, arts education, the literary arts, the occupancy tax advisory board, private sector development, citizen at-large, and persons with fundraising expertise.

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C. After three (3) consecutive unexcused absences a commission member shall be automatically removed thereof by the chairman.  
(Ord. #1987-39, §2)

**D. Staff**

The commission shall have a full-time paid Executive Director who shall be appointed by the city manager. The executive director shall have a paid staff the amount and type of which shall be determined by the city manager. The executive director shall: administer city art programs; seek and apply for grants in the area of the arts and humanities from any source, public or private; do research, conduct educational programs and disseminate information to the public regarding the fine and performing arts; administer grants to benefit the arts and individual artists; coordinate with public and private agencies the development of the arts in the City of Santa Fe; serve as liaison with all other local, State and Federal departments and public and private agencies connected with the arts; coordinate with the arts commission the promotion of new and the restoration of existing public art. (Ord. #1987-39, §3)

**E. Definitions**

For the purpose of this subsection, (1) Administrative costs means program management planning and art/artist selection processes, project coordination, expenses. If approved by the facilitation of public and related operating costs.

1. Arts Commission means the arts commission of the city of Santa Fe as set forth in subsection 6-1.1 SFCC 1987.

2. Capital improvement project means a facility with a life expectancy of ten (10) or more years and is owned and operated by, or on behalf of, the city including, but not limited to:

A. Buildings and related structures;

B. Roadway facilities, including roads, bridges, bike and pedestrian trails, bus bays, rights-of-way, landscaping; or

C. Parks and related areas and facilities, open space and trails.

3. Revenue bond means special limited obligations of the city, whether designated as bonds or loans, that are payable from general gross receipts tax revenues, lodgers' tax or convention center fees, or project revenues. Revenue bond does not include conduit bonds issued by the city or bonds that are payable from utility system revenues, gross receipts tax revenues that are restricted as to use or other specific revenues that may not be legally expended for works of art.

4. Work of art means any work of visual art including, but not limited to, a drawing, painting, mural, fresco, sculpture, mosaic, photography, work of calligraphy, work of graphic art (including an etching), works in clay, textile, fiber, wood, metal, plastic, glass, and like

materials, or mixed media (including a collage, assemblage, or a combination of the foregoing art media). 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, screens, benches, and other types of street furniture. Except as provided herein, work of art does not include environmental landscaping or ephemeral arts such as dance, voice, music or poetry unless expressed in a manner defined above.

**F. Funds for the Acquisition of Works of Art in Public Places**

1. Except as set forth in this paragraph, the governing body shall designate two percent (2%) of the total of each revenue bond net proceeds authorized after February 20, 2006 (effective date of this subsection) for capital improvement projects to be paid by the collection of gross receipts tax or lodgers' tax to a fund for the acquisition of works of art in public places. Provided, however, that if the bond ordinance, other appropriate laws or regulations, or an official interpretation by another governmental entity regarding allowable uses for funds which it is providing for the project precludes works of art as an expenditure of funds, the amount of funds restricted shall be excluded from the total bond in calculating the amount to be committed to works of art. The governing body shall designate one percent (2%) of the total of the revenue bond net proceeds authorized in 2006 for the civic center to be paid by the collection of lodgers' tax to a fund for the acquisition of works of art.
2. All works of art acquired by the funds generated in paragraph (1) shall be located in a public place. All works of art acquired by funds generated by bonds to be paid by the lodgers' tax or convention center fee revenue shall be located within or nearby the capital improvement project funded by the bonds. Otherwise, the nature of the revenue bond providing the funding does not restrict the location of the work of art to be acquired with such funding. The location of any work of art shall be approved by the governing body upon recommendation of the arts commission.
3. At least one-half (1/2) of the funds from bonds payable from gross receipts tax revenues less administrative costs shall be used for projects integrated into new or renovated structures, and in projects that are part of new or renovated infrastructure unless otherwise approved by the governing body upon recommendation of the arts commission.
4. Funds generated as described in paragraph (1) above shall be budgeted as part of the city's annual budget. Additional private or public contributions for works of art may be added to these funds. Such contributions may be earmarked for particular projects.
5. Up to twenty percent (20%) of the total amount designated for works of art may be expended for the administrative costs of the program.
6. Progress payments may be made to the artist for works of art which have been approved by the governing body. Such payments may reimburse the artist for the cost of materials or for services that have already been performed. At least twenty-five percent (25%) of the total amount to be paid to the artist shall not be disbursed to the artist until the work of art is formally accepted by the arts commission.

7. Nothing contained herein shall preclude funding the acquisition of works of art in public places in other ways.

### **G. Selection of Works of Art to be Acquired**

1. The arts commission may establish guidelines and timetables for the selection of works of art and the location of the art as they deem appropriate.

2. The arts commission may recommend the acquisition of completed works of art, commissioning works of art, holding a competition to select works of art, or create some other timely and appropriate mode of selection. The arts commission may consult with the user agency and the project architect, engineer or manager, if any, and involve them in the selection process in the manner that appears most feasible beginning with the planning stage. The governing body may accept or reject the recommendations of the arts commission. If the governing body rejects the recommendations, the arts commission shall make other recommendations in accordance with the guidelines.

3. The arts commission shall make its recommendations in a timely manner in accordance with the project schedule and timetable which may be provided by the governing body. If the arts commission fails to make its recommendations within the timetable, the governing body may extend the timetable or may choose an artist or work of art without a recommendation from the arts commission.

(Ord. #2005-05, §2)

### **A. GENERAL CITY POLICY**

City employees are prohibited from soliciting or accepting gifts from individuals, businesses or their organizations with whom they have or expected to have official business as employees of the Santa Fe Arts and Culture Department. Gifts include objects, financial interests, entertainment, favors, discounts, travel lodging, meals or other arrangements advantageous to the employee. Gifts from such sources to or for the benefit of members of an employee's immediate family or household are also prohibited unless the recipient has a relationship with the donor which is independent of the City employee's official relationship with the outside donor.

### **B. PERSONAL ACQUISITION OF OBJECTS**

1. City employees shall avoid acquiring objects in direct competition with the collecting activities associated with the Permanent Collections. Direct competition would exist when an employee knows or has reason to believe that the city would acquire the objects for the Permanent Collections if aware of the opportunity. In such cases, the employee shall discuss the matter with the Santa Fe Arts Commission and Arts in Public Places Committee.

2. If a conflict of interest, or appearance thereof, exists, clearance shall be obtained for the protection of the employee and the city. In cases where the conflict cannot be resolved in other ways, clearance may require providing the city the opportunity to purchase or otherwise acquire the object, or if already acquired by the employee, a reasonable time for the Arts and Culture Department, Santa Fe Arts Commission and or Arts in Public Places Committee to decide whether to obtain the object from the employee upon payment of his/her costs of acquisition.
3. Employees must not store personal collections on the city property or research or conserve their personal collections on city time without permission of the Arts and Culture Department Director.

#### **D. APPRAISALS OF OBJECTS**

City employees shall not make appraisals of objects and materials collected by the City. Recognized appraisals shall be solely for internal city use, such as insurance estimates for loans.

#### **E. DEALINGS IN CITY OBJECTS AND MATERIALS**

City employees who are directly responsible for acquiring objects for the city's Permanent Collections shall not deal (buy or sell for profit on a regular basis or maintain an interest in any dealership) in objects and material similar to those collected by the city. Any dealing by city employees in objects of the type collected by the city requires prior clearance by the Arts and Culture Department, Santa Fe Arts Commission and the Arts in Public Places Committee.

### **IX. ADDENDUM**

#### **A. AUXILIARY MATERIALS**

1. Auxiliary Materials are objects not accessioned into the Permanent Collections that are used to support the City's education programs, exhibits, and research. Auxiliary Materials are subject to handling and use. Therefore, they are exposed to greater wear and deterioration than objects in the Permanent Collections. Every effort shall be made to convey respect for all objects used as Auxiliary Materials.
2. An object may be classified as an Auxiliary Material if it fulfills one or more of the following criteria:
  - a. An object retained only for its educational,

informational and/or illustrative value.

**b.** An object regarded as disposable.

**c.** An object identified as not being a primary source, e.g., a reproduction.

**d.** An object acquired for a short-term purpose.

**e.** An object which is fragmentary or lacks physical integrity.

**f.** An object which is duplicated in the Permanent Collections or exists at large in multiple copies.

**3.** Objects which serve as a support or resource to the Permanent Collections for research and/or interpretive purposes may include:

**a.** Research materials such as published works, reproductions of primary sources, and products of in-house research.

**b.** Educational materials such as use-a-facts, reproductions and other commonly available objects for hands-on and/or demonstration purposes.

**c.** Exhibit materials such as props and reproductions.