



**CITY OF LANGLEY  
VISUAL ARTS COLLECTION MANAGEMENT PLAN  
POLICIES AND PROCEDURES**

**Approved by Langley City Council 12/15/14**

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## **A. POLICY ON ACQUIRING PUBLIC ART**

### **I. OBJECTIVES**

The objective of these guidelines is to establish policies and guidelines for acquiring works of art of the highest qualities for Langley public spaces. Acceptance of donated works of art, long term loans and commissions shall be subject to specific acceptance criteria and procedures.

- a. To establish policies and guidelines for adding works of art to the City of Langley's permanent collection of public art.
- b. To establish procedures for the acquisition of works of art and to establish procedures for acceptance of loaned works of art.

### **II. DEFINITIONS**

- a. Acquisition – Procurement of works of art for the City of Langley's permanent collection. This includes commission through open competition, invitation, donation, direct purchase, or any other means.
- b. Deaccessioning – The removal of art work from permanent display, whether it is disposed or not.
- c. Display – The temporary showing of work.
- d. Gift – An existing or proposed work of art offered as a donation to the City for placement at a public site under the City's jurisdiction.
- e. LAC – Langley Arts Commission.
- f. Preservation – Actions taken to retard or prevent deterioration or damage to works of art and to maintain them in as unchanging state as possible.
- g. Restoration - The treatment of a deteriorated or damaged work of art to approximate as nearly as possible it's original form, design, color and function with minimal further sacrifice of aesthetic integrity.
- h. Siting – The permanent installation of a work of art.
- i. Works of Art - All forms of original visual and tactile art.

### **III. POLICIES**

- a. The City shall acquire and display public artwork for the benefit and enjoyment of its citizens.

- b. Public art differs from art intended for private enjoyment, in that it must speak, in a significant way, to a large portion of the population. Public art is a gesture to the public and as such, should provide generous benefit. Public art should bring meaning to public spaces and make them more enjoyable.
- c. Whenever appropriate, selection procedures shall encourage collaboration between artists and design professionals, including architects, landscape architects, project managers and engineers.
- d. Selection procedures shall establish specific criterion for acceptance of gifts or the long-term loan of art to the City. Generally, gifts shall be accepted without restrictions as to use and or disposition. Acquisitions of an artwork imply that it will become a permanent part of the City collection, that it will be thoughtfully sited or displayed, and that it will be properly maintained.
- e. The City shall establish and maintain records that include documents transferring title, artists' contracts, reports, invoices, and other pertinent material.
- f. Works of art shall be acquired without legal restrictions about use and disposition, except with respect to copyrights, or other specifically defined rights as part of the contract negotiated with the artist.
- g. The liability associated with ownership of public works of art shall be covered under the City's personal injury coverage and other applicable insurance programs.
- h. The City's purpose in implementing this policy is to regulate its own acquisition of artworks (either by purchase or loan) to display in its buildings and on its property and not to create public fora.
- i. The artwork must not be lewd or obscene as defined in RCW 7.48A.010(2)
- j. The City Attorney shall review all contracts.
- k. The City Council shall have final approval authority of all acquisitions and siting of permanent or temporary pieces.

#### **IV. SELECTION PROCESS OPTIONS**

- a. Works of art shall be subject to specific selection procedures. Project budgets include:
  - 1. The cost of the work, including installation.
  - 2. Identifying plaques.

3. Maintenance if necessary.
  4. Removal costs
- b. Acceptance of donated works of art or long-term loans shall be subject to specific acceptance criteria and procedures.
1. Project funding may be applied from the City's general budget as available.
  2. The 1% rule on new City public construction projects may provide a limited opportunity for the Langley Arts Commission (LAC) to acquire new works of art.
  3. Absent specific arts funding, project funding should be sought through, but not limited to grants donations and endowments. To this end, the LAC shall establish a standing committee for funding acquisition and providing training in grant application writing and other funding seeking processes as needed.
  4. Gifts and money donations shall be considered for acceptance by the City Council

## **V. WORKS OF ART**

- a. Works of art shall be selected through open competition, limited competition, invitation and direct purchase.
1. Open competition – The projects are widely publicized and proposals are accepted from all artists. Proposal fees to artist are not paid.
  2. Limited competition – A small number of artists are invited to submit proposals. Generally, proposal development fees are paid to the artist.
  3. Invitation – One artist is invited and paid to develop a proposal for a project.
  4. Direct Purchase – an existing work is purchased.
- b. The LAC shall meet as often as necessary to reach recommendations. All meetings shall be open to the public and shall otherwise comply with the Open Public Meetings Act. There will be at least one opportunity for public comment during the selection process.
- c. If the LAC cannot reach a consensus recommendation, then a vote shall be taken with a majority of those present deciding the recommendation to the City Council.

- d. The LAC shall have the option of making no recommendation if, in the LAC members opinion, there is insufficient merit or information to make a final decision.
- e. The LAC shall send a written recommendation, by way of an agenda bill prepared by staff, to the City Council for final approval. If the City Council does not approve the project, the selection shall be voided, and the LAC shall begin a new selection process. The City Council selection is considered final, provided that:
  - 1. The selection process is consistent with acquisition policies, procedures and selection criteria.
  - 2. The selection is reviewed by the appropriate City staff to determine that installation is technically feasible.
- f. The selected artist shall:
  - 1. Enter into a contract, which is reviewed by the City Attorney prior to contract ratification, with the city to execute and complete the work in a timely and professional manner or transfer title of an existing work.
  - 2. Maintain a close working relationship with LAC through installation unless borrowed and through the art's return, and if appropriate, with the project architect and the City Planning Department.
  - 3. Deliver and install the work, unless specified otherwise in the contract.
  - 4. Be available for at least one public presentation, if so requested by the City.
  - 5. Address all conditions listed in the procedures on documentation of works, Section IV. A-D (page 8)
- g. Should the artist propose any significant change to the scope of work, including the design, materials, or siting of the work, the artist will submit a request in writing to the LAC for review and approval.

## **VI. ACCEPTANCE OF DONATED WORK**

- a. The LAC shall review all proposed donations of art to the City'
- b. The proposed gift shall be evaluated based on the following
  - 1. The quality of work.
  - 2. Condition of work.

3. Maintenance requirements.
  4. Installation issues.
  5. Availability of an appropriate site.
  6. Donor conditions, if any.
  7. Advice of City staff
- c. If further discussion with the donor is necessary, City staff and LAC will meet with the donor to discuss appropriate sites, and conditions associated with the installation.
  - d. Generally gifts shall not be accepted unless sufficient funds are provided by the donor or funds have been made available through other sources to pay for installation, framing or base, (if applicable), display needs and identification plaque.
  - e. The LAC shall send a recommendation to the City Council for final action.
  - f. If the work is accepted by the City Council:
    1. The City staff shall prepare the instrument of transfer and prepare a written implementation plan.
    2. The City shall oversee the actual installation of the work according to the specifications in the implementation plan.
  - g. If the donation is to commission a work of art, the LAC shall initiate a selection process as out- lined above.
  - h. Works of art proposed for long-term loan (1-year or more) to the City shall go through a similar review process.

## **B. POLICY ON DISPLAY AND SITING OF PUBLIC ART**

### **I. OBJECTIVES**

- a. To establish a plan for the thoughtful display and siting of public works of art.
- b. To establish procedures for display and siting of public works of art.

### **II. DEFINITIONS**

- a. Display – display of temporary works of art.
- b. Siting – The permanent installation of a work of art.

### **III. POLICIES**

- a. The LAC shall establish and recommend an Artwork Site Plan that identifies and prioritizes locations within the City for placement of public art. Pubic art shall contribute to the specific site, and the overall design and character of the community.
- b. The plan shall address permanent locations, as well as the movement of appropriate works of art to various locations in the City.

### **VI. PROCEDURES**

- a. The LAC shall establish and annually update an Artwork Site Plan that identifies existing and proposed locations for siting public art throughout the City.
- b. The plan shall be annually reviewed by the City Council. Site or location priorities shall be based on specific criteria that includes:
  - 1. Maximum visibility and public benefit.
  - 2. Public safety.
  - 3. Integration with other City planning documents.
  - 4. Permanence.
  - 5. Appropriateness to type, scale and scope of potential projects.
  - 6. Security and ease of maintenance.
  - 7. Integration and coordination with proposed or potential private sector projects.
- c. Works of art should not be located in areas that are visually inaccessible to the general public.

## **C. POLICY ON DOCUMENTATION AND CONSERVATION OF WORKS OF ART**

### **I. OBJECTIVES**

- a. To ensure the care of public works of art through systematic record keeping.

- b. To ensure regular examination, preservation and restoration of public records.

## **II. DEFINITIONS**

- a. Conservation- a broad concept encompassing three activities: examination, preservation and restoration.
- b. Preservation- Action taken to retard or prevent deterioration or damage in works of art, and to maintain them in as unchanging state as possible.
- c. Restoration – The treatment of a deteriorated or damaged work of art to approximate as nearly as possible its original form, design, color, and function with minimal further sacrifice of aesthetic value.

## **III. POLICIES**

- a. The City shall systematically document all works of art in the city’s collection.
- b. The City shall examine all works of art on a regular basis.
- c. The City shall preserve all works of art in a planned and orderly manner.
- d. When works of art require restoration, the LAC shall provide a plan for such.

## **IV. PROCEDURES**

- a. Each work of art shall be listed on the City’s Master Inventory and Maintenance Schedule.
- b. Additional documentation shall include the following:
  - 1. Acquisition documents and a unique accession number.
  - 2. Curatorial information to include:
    - i. Artists biography.
    - ii. Title and date completed
    - iii. Purchase price and insurance value.
    - iv. Date regarding when the item was included in the City’s inventory.
- c. Conservation information to include:
  - 1. Materials and sources used in work.



2. Methods of fabrication
  3. Installation specifications.
  4. Method and frequency of maintenance.
- d. Administrative information to include:
1. Legal instrument of conveyance.
  2. Artist contract.
  3. Significant agencies involved and their roles.
  4. Significant dates.
  5. Permits and project costs.
  6. Insurance information.
  7. Photographic documentation.
- e. The City shall establish a contract with the artist that provides the following:
1. Responsibility of the artist for correcting defects in materials and workmanship for a period of one year following installation.
  2. Drawings of the installation, and detailed instructions for routine maintenance of the work.
- f. Regular maintenance shall be the responsibility of the Public Works Department, consistent with procedures written by LAC.
- g. Responsibility for extraordinary maintenance and repairs shall be cooperatively negotiated between the LAC and the department that houses the work.

## **D. POLICY FOR DEACCESSIONING OF WORK OF ART**

### **I. OBJECTIVES**

- a. To establish a regular policy and procedures for reviewing the status of public works of art.
- b. To establish procedures for deaccessioning, disposal, relocation of public works of art.

## II. DEFINITIONS

- a. Deaccessioning – The removal of an art work from permanent display, whether it is disposed or not.
- b. Disposal – Actions that result in the cessation of ownership and possession of an art work.

## III. POLICIES

- a. The City shall seek to ensure the ongoing presence and integrity of all works of art at the sites where they are located.
- b. Consideration for all deaccession or disposal shall be subject to careful review procedures that shall include input from art professionals and the public. Criteria for reviewing public art shall address the quality of the work itself, and how it relates to the City's goals and policies for public art.
- c. A work of art may be considered for deaccessioning or disposal for one or more of the following reasons:
  - 1. The condition and security of the work of art cannot be reasonably assured or maintained.
  - 2. The work endangers public safety, in which case the work shall be removed immediately.
  - 3. The work is damaged and repair is not practical or feasible.
  - 4. The work requires excessive maintenance.
  - 5. A suitable site for display is no longer available. This could include a significant change in the use, character, or design of an existing site, which affects the integrity of the work.
  - 6. The work is not or rarely displayed.
  - 7. The work has received significant adverse public opinion continuously for six months to a year.
  - 8. The quality or the authenticity of the work is called in to question.
  - 9. The department, which displays the work, requests that its status be reviewed.
  - 10. Removal is requested by the artist.

#### **IV. PROCEDURES**

- a. The review process shall be initiated by a majority recommendation of the LAC or specific direction of the City Council.
- b. The LAC shall make an initial recommendation based on the following information, reviewed and discussed at open public meetings.
  1. Review of the artists contract and other pertinent documents.
  2. Discussion of review with the artist, if he/she can be notified by reasonable means.
  3. Opinions of several independent professionals qualified to make recommendations (conservators, architects, engineers, safety experts, art historians etc).
  4. Review of all evidence of public comment and debate.
- c. The LAC's recommendation shall consider, in order of priority, the following:
  1. Relocation
  2. Remove work and place in storage, with the intent of finding a new site for the work. If a new site is not found in a five-year period, the work shall be removed from the City collection.
  3. Removal of the work from the City collection by sale or trade.
  4. Destruction of the work.
  5. If the LAC cannot reach consensus, then a vote shall be taken, with the recommendation being decided by a majority of those present.
- d. The decision of the City Council on the recommendation of the LAC shall be final and binding.