

# **CITY OF MORGAN HILL LIBRARY, CULTURE AND ARTS COMMISSION POLICIES AND PROCEDURES**

**LCAC-08-03**

**SUBJECT: TEMPORARY ART EXHIBITS AT CITY FACILITIES**

**APPROVED BY CITY COUNCIL DATE: October 16, 2008**

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*In an effort to promote art by providing opportunities for local artists to display their work, the City encourages the use of City facilities for temporary art exhibits.*

## **A. Definition of Temporary Public Art**

Temporary public art is that which is displayed for two weeks and less than one year in open and freely accessible areas designated as a public area, lobbies and public assembly areas of City property, or on non-City property if the work is installed or financed, either wholly or in part, with City funds or grants procured by the City.

## **B. Art Exhibit Panel**

The Art Exhibit Panel (AEP) shall be made up of a member of the Library, Culture and Arts Commission (LCAC), a member of a community art organization, and a City staff member. The LCAC member and the community art organization member shall be selected by the LCAC and reviewed annually. The City staff member shall be designated by the City Manager.

## **C. Exhibit Scheduling**

An annual art exhibit schedule will be established by the AEP. Exhibits will be scheduled for approximately six (6) to eight (8) weeks. The exhibit schedule, or the duration of a particular exhibit, may be changed at the discretion of the AEP. In the event that there are more requests for exhibit space than can be accommodated in the exhibit calendar, a wait list will be established. Priority will be given to Exhibitors/Artists who have not exhibited before and to Morgan Hill residents.

## **D. Exhibit Selection Criteria**

1. Individual or Group Proposals: individuals may submit a proposal for a one-person exhibit or two or more artists may submit a proposal for a group show. Collaborative exhibits are encouraged.
2. Open Competition: All artists are welcome to propose works that meet the exhibition criteria. Exhibitions by students are encouraged.
3. Exhibit-specific criteria may be established by the AEP for a particular exhibit.

## **E. Art Selection Criteria**

All artists interested in exhibiting must have the artwork approved by the AEP. The decision of the AEP is final. The AEP will jury all proposed artwork using the following criteria:

1. Artist must submit photographs of the art they wish to exhibit.
2. Artistic integrity and a high quality of aesthetic experience will be the primary considerations in the selection of art for exhibits.
4. Artwork exhibited shall be suitable for display to a diverse audience that includes facility customers, employees, and the general public of all ages.

5. Artwork exhibited shall be suitable in scale, materials, and form for its surroundings.
6. Artwork exhibited shall not pose a threat to public safety.

#### **F. Installation and Removal**

1. Installation and removal of art work will be the responsibility of the Exhibitor/Artist.
2. Art exhibit installation guidelines for the specific City facility will be provided to the Exhibitor/Artist prior to the installation of artwork. These guidelines will be followed by the Exhibitor/Artist.
3. Date and time of installation and removal will be determined by the AEP and agreed upon by the Exhibitor/Artist.
4. Exhibitor/Artist must provide printed or typed identifying labels approximately 3x5 that include the name of the artist, the name of the artwork, and the medium. If the art is for sale, the price may also be included on the label.
5. The AEP makes no representation to and assumes no liability for the suitability of the frame for the art work, the method or means of framing, or the appropriateness of the framing for hanging or extended display.

#### **G. Exhibitor/Artist Responsibilities**

1. All exhibitors will sign an Art Exhibition Agreement that includes the exhibition site, term of the exhibit, declared value of all exhibited work, promotional responsibilities, sales commissions, installation and removal requirements, waiver of liability, and indemnification before installation can begin.
2. Exhibiting artists will be asked to submit a written artist biography to the assigned City staff member of the AEP six (6) weeks prior to the exhibit date. This information may be used by the City for publicity purposes.
3. Exhibits are not intended as a means for commercial sales. However, if the artist provides a price list and contact information with the exhibiting facility, staff will attempt to provide that information to interested parties upon request. Should a sale of art result from an exhibit at a City facility, the Exhibitor/Artist will be charged a 10% commission which will be deposited in the Community Culture & Art Fund.
4. Exhibitors/Artists are encouraged to promote their exhibit through the use of printed materials and an artist reception at the hosting facility. Exhibitors/artists assume all responsibility, including financial, for the self-promotion of their exhibit. All advertising must be approved by the City staff member of the AEP.
5. Exhibitors/Artists will have the primary responsibility for the installation and removal of their respective exhibit/artwork.

#### **H. AEP Responsibilities**

In addition to those responsibilities listed above, the AEP will:

1. Promote the art exhibits in general and may promote specific art exhibits in City publications and website when possible.
2. Schedule an artist's reception, if requested, at the hosting facility. The City will provide space at the facility at no cost to the Exhibitor/Artist.
3. Assist with the installation and removal of artwork whenever possible.

**This policy shall remain in effect until modified or revoked by the City Council.**

# **CITY OF MORGAN HILL LIBRARY, CULTURE AND ARTS COMMISSION POLICIES AND PROCEDURES**

**LCAC-08-04**

**SUBJECT: CITY'S PERMANENT ART COLLECTION**

**APPROVED BY CITY COUNCIL DATE: October 16, 2008**

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*The Library, Culture and Arts Commission will review and make recommendations to the City Council regarding all works of art to be acquired by the City, either by purchase, gift or otherwise, and exterior works of art installed in the City on public property.*

**A. Definition of Permanent Public Art**

Permanent public art is that which is installed for one year or more in open and freely accessible areas designated as a public area, lobbies and public assembly areas of City property, or on non-City property if the work is installed or financed, either wholly or in part, with City funds or grants procured by the City..

**B. Acquisition Policy** – It is the policy of the City to encourage art in public places and to act as the conduit for the purpose of administration of a public art policy.

Acquisition Procedures:

1. All acquisitions as recommended by LCAC shall require review and approval by the City Council.
2. All acquisitions, whether purchased by or gifted to the City, shall require a contract addressing the terms of the acquisition; installation, instructions for maintenance; the manner in which work may be deaccessioned; and copyright, reproduction, and resale issues.
3. Funding for the maintenance must be determined prior to the acquisition.
4. The value of the work shall be agreed upon between the artist and the City.
5. Complete records shall be made and maintained by the staff representative to the Library, Culture and Arts Commission (LCAC) or other City staff as assigned by the Recreation and Community Services Director.

**C. Review Policy** – It is the policy of the City that all proposed acquisitions or gifts will be reviewed by a committee and that specific criteria be used in the approval process.

Review Procedures:

1. The review committee shall be made up of a member of the LCAC selected by the LCAC, a member of the community-at-large with expertise in public art selected by the LCAC, and a member of the City Staff selected by the City.

2. All submissions shall include a rendition of the work, a written description of the work including dimensions and material, proposed placement, a maintenance plan, and an estimated value.
3. The review criteria shall include:
  - a. quality of work
  - b. experience and abilities of the artist
  - c. style and nature
  - d. permanence and technical feasibility
  - e. budget
  - f. diversity
  - g. benefit
  - h. placement & public accessibility
  - i. ongoing maintenance requirements
  - j. public safety and liability
  - k. permanence
  - l. aesthetics/enhance surroundings
4. A recommendation will be made by the review committee to the LCAC who will, in turn, make a recommendation to the City Council.

**D. Installation Policy** – It is the policy of the City to install works of public art in areas in which they will provide the greatest benefit to the community.

Installation Procedures:

1. When determining the site of installation, the following criteria will be considered:
  - a. public safety
  - b. visibility
  - c. lighting
  - d. traffic patterns
  - e. function of the facility/site
  - f. relationship of the proposed work to pre-existing works on the site
  - g. future development plans for the area
  - h. landscape design
  - i. environmental assessment
  - j. public accessibility
  - k. appropriateness of the physical characteristics of the site
  - l. relationship to the social and cultural identity of the immediate community
2. Installation costs will be the responsibility of the artist or donating party unless otherwise stipulated in the contract.
3. Each artwork shall be identified by a plaque stating the artist's name, artwork title, and the date the artwork was dedicated. The cost and installation of the plaque shall be the responsibility of the artist or donating party unless otherwise stipulated in the contract.

**E. Maintenance Policy** – It is the policy of the City to keep works of public art in their intended condition through inspection (cursory inspection by City staff and annual inspection by the LCAC) and required maintenance.

**Maintenance Procedures:**

1. Before public art is accepted by the City there shall be a plan for its maintenance requirements and for the funding thereof.
2. Written instructions from the artist or donor for the proper care and maintenance of each work are required.
3. City staff will perform a cursory inspection of installed works as part of the regular and customary maintenance of the site.
4. LCAC will perform an annual inspection and inventory prior to the end of each fiscal year of all works and provide a written report of findings at a regularly scheduled LCAC meeting. LCAC will advise the City Council on any maintenance issues.

**F. Deaccession Policy** – It is the policy of the City to maintain its’ permanent collection of public art in good condition and in keeping with the historical and cultural values of the community and will deaccession the work if the values are no longer met or if it is determined that maintenance costs are not feasible.

**Deaccession Procedures:**

1. An agreement regarding the manner in which the work may be deaccessioned shall accompany all acquisitions.
1. Physical evaluations may take place annually by the LCAC and a written report will be prepared by the LCAC and be submitted to Council for every work in the City’s collection.
2. The following criteria will be used when determining deaccession of a work of art:
  - a. if the City cannot properly care for or store the work
  - b. if the aesthetic or the historical/cultural value of the work is no longer evident
  - c. if the work demonstrates faults in design or workmanship
  - d. if the condition of the artwork requires repair or restoration in excess of the value or in excess of the funds allotted in the acquisition contract or available from the City.
3. The City shall dispose of all deaccessioned works in accordance with the terms specified in the acquisition contract or, if no terms are specified, by sale, trade, transfer or destruction. Ethical standards will apply.
4. Any and all monies raised from deaccession will be added to the Community Culture & Art Fund and in keeping with the California Resale Royalties Act.

**This policy shall remain in effect until modified or revoked by the City Council.**