



ADMINISTRATIVE DIRECTIVE

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I. POLICY

The City of Tucson funds and supports public art in order to create a cityscape that contributes to the image and identity of the City. The City of Tucson's Public Art Program aspires to meet the following goals:

- ◆ Promote civic pride through the high quality of Tucson's public art collection
- ◆ Celebrate Southern Arizona's history, culture, and traditions
- ◆ Provide information and support for artists interested in creating public art
- ◆ Involve neighborhoods, users, and the general public in the public art process
- ◆ Complement and support the City of Tucson's economic development, neighborhood development, and downtown revitalization efforts.

II. DEFINITIONS

- A. Artworks:** Tangible art forms that may include, but not be limited to, drawings, prints, photographs, collages, paintings, mosaics, murals, fiber artworks, stained glass, relief or free-standing sculptures, fountains, arches, mobiles, and environments. Works of art may be temporary as well as permanent.

Artworks shall not include objects that are mass-produced of standard design, such as playground equipment or fountains; reproductions of works of art, unless a numbered addition of a limited series; or landscaping or signage, except when designed by an artist as an integral part of a project.

- B. Conservation and Preservation:** Efforts made to maintain and save artworks from decay and decomposition. Such efforts may involve maintenance, repair, and protection.
- C. Deaccession:** To remove a work of art from the City's public art collection either by sale or demolition.
- D. Department:** A City department having administrative jurisdiction over any site, facility, or building or other space, existing or planned, which may be a potential site for development of an art project.
- E. Maquette:** A model of an intended work, such as a sculpture or piece of architecture
- F. Public Art Collection:** All artworks owned by the City of Tucson.
- G. Public Art Project Panel:** A group of individuals, of not less than seven members, who are selected for each art project and who represents constituencies and/or stakeholders in each art project. Through a consensus or voting process, the Panel selects the artist(s) for each art project and gives approval of the artist(s) design. This panel is fully described in AD 7.01-4 Public Art Program Selection Policy.



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- H. **Public Art Plan** An annual written work plan for public art to be commissioned in the City of Tucson for the following fiscal year.
- I. **Public Art and Community Design (PACD) Committee:** A standing committee of AFTSA composed of 21 voting members that participates in the development and implementation of the Public Art Plan and promotes the Public Art Program. The Public Art and Community Design Committee is composed of seven Mayor and Council appointees, one designee of the City Manager, five Pima County Board of Supervisors appointees, one designee of the County Administrator, and seven appointees of AFTSA.
- J. **Public Art Staff:** Arts Foundation for Tucson and Southern Arizona (AFTSA) staff persons who administer and coordinate the City's Public Art Program
- K. **AFTSA:** Arts Foundation for Tucson and Southern Arizona provides arts and cultural development services through direct funding, technical assistance, and commissions and contracts to artists and arts organizations. Its mission is to foster an environment in which arts and culture are recognized as critical to the quality of life in Tucson and Pima County. It is committed to the artistic expression, educational development and economic growth of Tucson's diverse community through support, promotion and advocacy of arts and culture. The City of Tucson contracts with AFTSA to administer the City's Public Art Program.

III. GENERAL PROVISIONS

- A. The City of Tucson contracts with the AFTSA to administer the City's Public Art Program. The City will also manage or contract with an arts organization to manage the City's public art collection.
- B. All City departments will be encouraged to utilize the talents and vision of artists early in the planning and design phase of eligible Capital Improvement Program (CIP) projects.
- C. Regardless of funding source, the guidelines set forth in the public art policies and procedures shall be followed in the commissioning or acceptance of any donations of public art into the City's public art collection.
- D. Public Art is funded by 1% of the budget of selected City CIP projects as defined in the Public Art Funding Policy. (AD 7.01-2, Public Art Funding Policy)
- E. Artists and artwork will be chosen through a fair, equitable and informed public art selection process involving a broad array of stakeholders and the community at large. (AD 7.01-3, Public Art Public Involvement Policy, and AD 7.01-4, Public Art Selection Policy)



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- F. Because of its value, the City's public art collection will be periodically inventoried and monitored with sufficient funds will set aside for its maintenance AD 7.01-5, Maintenance, Conservation and Preservation Policy and AD 7.01-7, Public Art Relocation and Deaccession Policy)
- G. The City will consider accepting gifts or donations of artwork from other parties as defined. (AD 7.01-6, Public Art Gifts, Acquisition and Donations Policy)

IV. **ROLES AND RESPONSIBILITIES**

- A. The City of Tucson shall administer all designated funds from eligible projects, and execute all agreements with artists and other appropriate contractors in obtaining or commissioning artworks.
- B. **Mayor and Council:**
1. Establishes Public Art Program.
 2. Appropriates annually the allocation of funds to public art as part of the CIP plan.
 3. Reviews and adopts the CIP annual budget, which identifies projects with art components for the upcoming fiscal year.
 4. Consider funding AFTSA to staff the Public Art Program.
 5. Each City Council Member and the Mayor recommends one member to the Public Art and Community Design Committee to be approved by Mayor and Council
- C. **City Manager:**
1. Considers the inclusion of an allocation of funds for public art as part of the CIP annual budget.
 2. Appoints a standing voting member of the PACD Committee.
 3. Reviews public art selection process to affirm that the selection procedures and public art involvement plan in this policy have been properly followed.
 4. Reviews and responds to the PACD Committee's comments regarding gifts and donations and determine if the artwork shall be accepted.
 5. Assures that the resources are made available to have City staff or, through contract, an arts organization or a combination of City and contract staff manage the City's public art collection.



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D. Each City Department:

1. Includes public art projects in all eligible CIP projects.
2. Provides information to AFTSA regarding CIP projects within the department's jurisdiction.
3. Notifies and coordinates with AFTSA public art staff and appropriate Ward Office staff when an eligible project is being implemented.
4. Administers all designated funds from eligible projects, and implement all agreements with artists and other appropriate contractors in obtaining or commissioning artworks.
5. Participates and assists AFTSA in the preparation and implementation a Public Involvement Plan that shall be prepared in collaboration with Ward Office representative and project consultants, as appropriate to the project.
6. Designates a responsible party for each departmental project regardless of funding source.
7. Facilitates internal City communications and permit processes regarding the departmental art project.
8. Designates a departmental representative for Public Art Project Panels.
9. Informs or includes public art staff and the selected artist in public meetings regarding the CIP project.
10. Consults with AFTSA regarding any conservation or preservation activities involving artworks in the Public Art Collection, including artworks that predate the Public Art Program.
11. Notifies AFTSA of all gifts, donations and potential commissions of artwork.

E. Arts Foundation for Tucson and Southern Arizona (AFTSA):

The Arts Foundation for Tucson and Southern Arizona is responsible for the overall administration of the Public Art Program. AFTSA shall hire public art staff to be paid from the City's annual allocation to AFTSA.

F. AFTSA Board of Directors:

1. Appoints seven (7) of the twenty-one (21) members of PACD Committee.
2. Reviews and approves an annual Public Art Plan.
3. Reviews and approves the PACD Committee's recommendations of artists and/or artworks to be purchased or commissioned.
4. Recommends professionals in the visual arts and design fields to serve on Public Art Project Panels to the PACD Committee.

G. AFTSA Public Art and Community Design (PACD) Committee:

1. Participates in the development of the Public Art Plan, recommend changes to the plan and oversee its implementation.
2. Conducts a program of community education for the Public Art Program in conjunction with public art staff.
3. Recommends professionals in the visual arts and design fields or others for Public Art Project Panels.
4. Participates in the public involvement process for each art project.



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5. Constitutes subcommittees as appropriate to address pertinent public art issues.
6. Recommends policies to ensure the preservation of artworks that are purchased, commissioned, or received as donations.
7. Reviews and comments on gifts and donations in the areas of aesthetic qualities and appropriateness of the artwork; placement of the artwork; and maintenance, preservation and conservation implications.
8. Facilitates annual inventory and periodic conservation assessments of the public art collection.
9. Addresses the relocation and deaccession of artworks in the public art collection.
10. Establishes policies and guidelines appropriate to encourage financial contributions and facilitate the donation of quality artworks to the City.

H. AFTSA Public Art Staff:

1. Consults with departments regarding CIP projects for each upcoming fiscal year.
2. Develops an annual Public Art Plan.
3. Convenes and provides staff support to the PACD Committee and program subcommittees.
4. Maintains a database or file listing artists and potential panelists.
5. Maintains a web site with information on existing, current, and upcoming public art projects.
6. Facilitates a selection process for each art project.
7. Prepares and implements a Public Involvement Plan in collaboration with the appropriate City Department(s), Ward Office representative and project consultants, as appropriate to the project.
8. Prepares scope of services for the Requests for Qualifications (RFQs) or Requests for Proposals (RFPs) in consultation with the City department.
9. Prepares project-related contracts, in consultation with the City's Contract Administrator, appropriate departmental staff, and the selected artist for approval and execution by the City's Procurement Department.
10. Convenes the Project Panel at intervals consistent with artist selection, design concept review, preliminary and final design reviews before the artist enters into production as appropriate to the project.
11. Monitor production to assist artists in producing and installing artworks within established budgets.
12. Inspect the art project to certify progress and authorize payments to the artist as scheduled in the contract.
13. Provide information from the initial risk review to the Project Manager and artist.
14. Track expenses against art project allocations and monitor administrative costs.
15. Facilitate a program of community education for the Public Art Program with the PACD Committee.
16. Prepare estimated and actual costs for elements of the program.
17. Perform other duties as required to effectively coordinate the public art program.



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Appendices None


References AD 7.01-2, Public Art Funding Policy
AD 7.01-3, Public Art Public Involvement Policy
AD 7.01-4, Public Art Program Selection Policy
AD 7.01-5, Maintenance, Conservation and Preservation Policy
AD 7.01-6, Public Art Gifts, Acquisition and Donations Policy
AD 7.01-7, Public Art Relocation and Deaccession Policy

Review Responsibility and Frequency The Deputy City Manager will review this directive annually, based on date of publication. Last review date: September 8, 2016.

Authorized



City Manager's Office
Michael Ortega



Date



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PUBLIC ART PROGRAM FUNDING POLICY	NUMBER	PAGE
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September 16, 2006		

I. POLICY

It is the policy of the City of Tucson, subject to the eligibility requirements described below, for City Capital Improvement Program (CIP) projects with high public contact to have 1% of their total project budget—namely the planning, design and construction—allocated for public art.

II. ELIGIBLE PROJECTS

A. CIP projects that meet the following criteria shall have 1% of their CIP budget funding reserved for public art:

1. The project is within the City limits
2. The project is estimated to cost \$100,000 or more
3. The project is financed by City general obligation bond funds
4. The project, regardless of the funding source, has high public contact.

B. Examples of eligible projects include structures, parks, recreational areas, pedestrian ways, and plazas.

C. Remodeling, renovation and building improvement projects will be considered eligible only if they:

1. Alter the use or appearance of the facility, and
2. Involve one-third (1/3) or more of the facility, or are a significant addition to the facility, such as a new wing or floor.

III. EXCLUDED PROJECTS

The following types of projects do not fall within the City's 1% for art program:

- A.** Water Department projects
- B.** Repair and maintenance projects, such as replacing a roof or plumbing
- C.** Street projects, including new road construction and street widening, may be considered for art on a discretionary basis.



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IV. PROJECTS INCLUDED ON A DISCRETIONARY BASIS

- A. Departments may initiate art for projects that are otherwise not required to have a portion of their funding reserved for public art (e.g., projects funded by an outside funding source).
- B. For these projects, the department shall also follow the procedures set forth in the public arts policies. Arts Foundation for Tucson and Southern Arizona (AFTSA) performs the same functions for projects included on a discretionary basis as it does for mandated art projects, including administering the selection procedure.

V. BOND FUNDING

- A. Bond funds must be used for the purposes approved by the voters as stated on the Bond Election Ballot. Therefore, bond funds authorized for one department cannot be used to develop art projects for another department.
- B. When a new bond issue is prepared, it shall include language allowing pooling of public art dollars within departments.

VI. ADMINISTRATIVE COSTS

Ten percent of the 1% from each project shall be allocated to TPAC to cover the administration of the public art process. Administrative Costs adopted by Mayor and Council on June 19, 2000 during Mayor and Council Study Session. Item: Tucson-Pima Arts Council Proposals for Public Art Program (City-Wide) SS/June 19-00-289.

Appendices None

References Mayor and Council Memorandum (SS/June19-00-289) - Tucson-Pima Arts Council Proposals for Public Art Program (City-Wide)
Mike Hein

Review Responsibility and Frequency The Deputy City Manager will review this directive annually, based on date of publication. Last review date: September 8, 2016.

Authorized



City Manager's Office
Michael Ortega



Date



ADMINISTRATIVE DIRECTIVE

PUBLIC ART PROGRAM PUBLIC INVOLVEMENT POLICY	NUMBER 7.01-3	PAGE 1 of 2
	EFFECTIVE DATE February 16, 2012	

I. PURPOSE

The purpose of this administrative directive is to develop protocol for public art public involvement.

II. POLICY

It is the policy of the City of Tucson to engage stakeholders of a Capital Improvement Project (CIP), including the public art component, and provide opportunities for stakeholders to participate in the public art selection process or be informed about the process. The Public Art Project Panel is the primary point of interface with the public.

III. PUBLIC INVOLVEMENT PROCESS

- A.** When a CIP is being planned, the project manager or department shall notify AFTSA. AFTSA public art staff and the project manager, with other consultants as appropriate, shall determine how the artist will interface with the project's public process.
- B.** The public involvement for the public art component shall be coordinated to correspond to the public involvement for the CIP as appropriate.
- C.** All Calls to Artists and artist contracts shall state that the selected artists may be required to attend one or more public meetings for the project.
 - 1.** The Public Art Project Panel shall be convened as appropriate to review the artist's preliminary designs.
 - 2.** The artist must attend a public meeting to present a drawing and/or maquette of the proposed artwork.
- D.** The Public Art Project Panel shall be reconvened to review the artist's proposed design and consider comments from the public meeting for the purpose of approving the artwork to proceed to the production phase.
- E.** The artist will be approved to proceed to the production phase by the project manager following Public Art Project Panel approval of the design to production phase.

IV. INSTANCE OF CONTROVERSY

In the instance of high level of controversy, the project manager and AFTSA shall consult with the City Manager or designee to determine the appropriate course of action which could include but is not limited to cancellation, redesign, resubmission for additional public input, and/or consultation with Mayor and Council.



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Appendices None

References None

Review Responsibility and Frequency The Deputy City Manager will review this directive annually, based on date of publication. Last review date: September 8, 2016.

Authorized



City Manager's Office



Date

Michael Ortega



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I. PURPOSE OF A PUBLIC ART PROJECT PANEL

- A.** The Public Art Project Panel is responsible for recommending to Arts Foundation for Tucson and Southern Arizona (AFTSA) Public Art & Community Design Committee the artist or artists to provide design services or to create artworks. The Panel must consider appropriateness of the content of the artwork, design and materials of the artwork, potential risk issues, expense of maintaining and operating the artwork, and demonstrated commitment to engage in the public involvement process.
- B.** The Panel will be convened as many times as necessary throughout the project and specifically to:
1. Review the completed design.
 2. Recommend any changes to the design based on their expertise and the response to community input.
 3. Recommend that the artist proceed to production when satisfied that all design issues have been resolved and that the Public Involvement Plan has been implemented.

II. POLICY

- A.** For public commissions, artists shall be selected to provide design services and/or create artworks on the basis of their qualifications to provide services or create artworks appropriate to the project. Artists shall be selected by open competition.
- Where the budget for artwork is more than the competitive bid threshold, an open competitive Call to Artists shall be issued.
- B.** For Capital Improvement Projects (CIP), where the budget for artwork is less than the competitive bid threshold or for temporary exhibits, artist shall be selected from the roster of pre-qualified artists, which have been selected by an open competition. Artists may be selected by an open competition if the sponsoring department and Arts Council determine that this process is preferable to using the roster of pre-qualified artists.
- C.** For grant funded projects such as Transportation Enhancement, Back to Basics, or Community Reinvestment funds where the budget for artwork is less than the competitive bid threshold, artist shall be selected from the roster of pre-qualified artists, which have been selected through open competition, potentially with consideration of additional artist recommendations made by the grant recipient, determined to be the entity stated on the grant application. The grant recipient must provide the artist information as requested in Calls to Artists to the Tucson Pima Arts Council for Panel consideration. Artists may be selected by an open competition if the sponsoring department, Arts Council, and grant recipient determine that this process is preferable.



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- D. In instances where the artist commission is less than the small dollar threshold, an artist may be invited and thereby selected for the project. Artists may be selected from the roster of prequalified artists or by a recommendation of members of the Public Art Selection Panel. All artists recommended by the Panel must provide the artist information requested in Calls to Artists for Panel consideration.

III. NEW SELECTION PANEL FOR EACH ART PROJECT

AFTSA shall convene a new Public Art Project Panel for each art project based on the prescribed composition in the Public Art Selection Policy.

IV. COMPOSITION OF THE PUBLIC ART PROJECT PANEL

- A. AFTSA will seek and accept throughout the community recommendations for potential Public Art Project Panel members. The number and composition of the Public Art Project Panel shall be part of the Public Involvement Plan and shall include stakeholders and/or stakeholder representatives determined in consultation with the appropriate Mayor & Council Office.
- B. The Panel will be comprised of an *odd* number of participants, contain a *minimum* of seven members, and shall have, as a minimum, representatives from the following:
1. One (1) visual art professional who is knowledgeable about the discipline or project scope of the project. Such person may be an art critic, collector, educator, etc.
 2. One (1) person representing the City Department sponsoring the art project.
 3. Two (2) persons who are working artists not interested in applying for the art project.
 4. Three (3) representing involved stakeholders of the art project. Stakeholders may include neighborhood representatives, facility user groups, project designer(s) & architect (s), and departmental support groups.
- C. Also added to the Panel shall be representatives, selected by neighborhood associations or recommended by the ward office of the neighborhoods adjacent to the proposed artwork. The addition of these representatives or other appropriate neighborhood representatives may expand the Panel beyond seven members.



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V. **ADVISORS**

Individuals whose knowledge and experience could enhance the Panel's ability to select an outstanding artist and/or artwork may advise Public Art Project Panels. If not selected as a member of the Public Art Project Panel, the project manager, architect or engineer may act as an advisor to the Public Art Project Panel.

VI. **CONFLICT OF INTEREST**

The provisions of A.R.S. Title 38, Article 8, "Conflict of Interest of Officers and Employees," apply to all decisions and transactions made by selection panels. City of Tucson Administrative Directive 2.02-5 Rules of Conduct provides additional guidance in this area.

VII. **CALL TO ARTISTS**

A. **Call to Artists** – Depending on the nature of the art project, a Call to Artists may be either:

- Request for Proposal (RFP) – artist is retained to propose artwork, or
- Request for Qualifications (RFQ) – artist is retained to work on a design team.

B. **Notification** – The appropriate Ward Office and the City Manager's Office shall be notified by the project manager when funding for a CIP project with an art component has been identified and the project is being implemented.

C. **Initiation of the Call to Artists** – To initiate the Call to Artists, the public art staff and the project manager shall meet with the stakeholders and/or stakeholder representatives and/or additional project consultants as appropriate to the project. At this meeting, AFTSA's public art staff will solicit input for the scope of work of the Call to Artists, which may include input concerning community culture, pertinent history, interests and aesthetic preferences of the stakeholders.

D. **Development of the Scope of Work in the Call to Artists** – The information and input gathered in this or these meetings should be incorporated into the scope of work for the Call to Artists as well as the role and responsibility of the selected artist in the Public Involvement Plan. The Call to Artists may suggest possible themes, concepts, and/or materials to be used in the public art project as well as define the nature and context of the improvement.

VIII. **SELECTING THE ARTIST PROCEDURE**

A. **Public Art Project Panel's Responsibility** – The Public Art Project Panel is responsible for selecting an artist to be recommended to provide design services and/or create artwork. The process of selecting artists and artwork for both eligible CIP projects and discretionary projects must adhere to the guidelines detailed below.



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- B. Public Art Staff** – AFTSA’s public art staff shall assemble and facilitate Panel sessions, which shall be open to the public. The staff shall provide instructions to the Panel describing its duties and review the scope of work as described in the Call to Artists.
- C. Review Process** – The Panel shall review the artists’ submissions and select the finalists. The Panel shall select finalists based on prior artwork, written statements, and/or ideas or approaches for the project that are consistent with the scope of work in the Call to Artists.
- D. On Site Meeting with Finalists** – In certain circumstances, it may be desirable for the public art staff to call a meeting of the finalists at the site of the artwork prior to finalists developing their presentations. This meeting may include some or all involved stakeholders and have as its purpose the further clarification of site requirements and stakeholder expectations.
- E. Presentation by Finalists**
1. The finalists may prepare artwork proposals for presentation to the Panel during a meeting that is open to the public. Under some circumstances, the Panel may interview artists without requiring specific artwork proposals. Finalists’ proposals may be displayed at public venues such as libraries, neighborhood centers, or council offices with comment cards made available.
 2. As part of his or her proposal, each finalist shall prepare a budget. Project costs may include:
 - a. The artist’s fee
 - b. Labor of assistants, materials, and contracted services required for the production and installation of the artwork
 - c. Permit fees, as required
 - d. Business, insurance, and legal costs directly related to the project
 - e. Costs for community outreach
 - f. Transportation and travel expenses, if any
 - g. Possible costs associated with site preparation and installation
 - h. Any applicable taxes.
- F. Public Input** – All Panel meetings shall be open to the public and public input will be solicited.



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G. Artist Selection

1. Each Panel member shall have one vote, and no member shall have the right to veto. In the absence of unanimity, a majority shall carry the decision.
2. The Panel shall have the option of making no selection. If the Panel decides that the proposals presented by the finalists are not acceptable, the Panel may ask the finalists to submit new proposals. If the Panel does not recommend asking artists to submit new proposals, AFTSA will initiate a new selection process.

H. Risk Assessment – During the selection process, the public art staff will submit the Panel’s recommendation to the City’s Risk Manager. The Risk Manager shall review the proposed artwork from a public safety standpoint and shall submit his report, in writing, to the public art staff.

I. Formal Vote – The Panel’s recommendation shall be submitted to AFTSA’s Public Art & Community Design Committee, and, if approved, shall be recommended to AFTSA’s Board of Directors for review and approval.

J. Memorandum to the Ward Office and the City Manager

1. Once approved by AFTSA’s Board of Directors, the public art staff shall assemble the chronology of the selection process to date, the selected artist’s resume, artwork concept proposal or approach, and the written statement from the City’s Risk Manager.
2. These materials shall be transmitted to the appropriate Council Member who, following his or her review shall provide AFTSA with a written concurrence of the process and selected artist or a written list of objections to the process and the selected artist.
3. After concurrence has been obtained from the Council Member, the same packet of information including the concurrence from the Council Office shall be transmitted to the City Manager. The City Manager shall review these documents and, if he or she finds all in order, shall concur that the public art policies and procedures, including the Public Involvement Plan, have been followed.
4. If the City Manager does not concur, he or she may provide AFTSA with a written list of objections or may prepare a Mayor and Council Memorandum detailing his or her objections and a recommended course of action for the Mayor and Council to consider.



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- K. **Notice to Contract** – After the final approval, AFTSA’s public art staff will work with the Procurement Department to prepare a contract with the artist.

IX. **DEVELOPING THE CONTRACT WITH THE ARTIST**

- A. **City Contract Development** – After an artist has been selected and approved, the contract with the artist can be developed. The City contract is prepared in collaboration with the AFTSA’s public art staff, the project manager, the artist and the City’s Procurement contract officer assigned to public art contracts.

B. **Terms**

1. The city contract may include the following items:
 - a. Description of the art elements
 - b. Schedule for the design and production of the artwork
 - c. Payment arrangements based on the artist’s budget, which has been reviewed by AFTSA’s public art staff and project manager
 - d. Responsibilities for site preparation and installation of the artwork
 - e. Terms and conditions of ownership of the artwork and any associated models insurance coverage required by the City.
2. The City contract shall specify the artist’s roles and responsibilities in meeting the stakeholder involvement goals outlined in the Public Involvement Plan.
3. The City Contract shall specify the payment milestones.

C. **Execution of the Contract**

1. Following the City Manager’s concurrence (see Section VII, Selecting the Artist), the City’s Procurement Department shall execute the contract and issue a purchase order. The Procurement Department shall send copies of the executed contract and the purchase order to the project manager and to AFTSA.
2. Following the execution of the contract, the project manager shall be responsible for issuing all Notice to Proceed letters to the artist with a copy to AFTSA.

X. **PRODUCING THE ARTWORK PROCEDURE**

- A. **Contract Oversight** – The funding department shall be responsible for implementing the contract. When executing the City contract and producing the artwork, the requirements described below must be met.



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- B. **Certification** – AFTSA public art staff shall be responsible for inspecting the art project at required intervals to certify progress and authorize payments to the artist as scheduled in the contract. The project manager shall certify that all requirements established by the City’s Risk Manager are met.
- C. **Installation** – The project manager shall coordinate on-site activity in conjunction with the artwork installation. AFTSA’s public art staff shall serve as a resource to the project manager and to the artist in all matters relating to installation of the artwork.
- D. **Dedication** – At the completion of the artwork installation and when appropriate, a public celebration or dedication will be planned and coordinated by the project manager, AFTSA, and stakeholders. At any dedication or celebration event, AFTSA shall make the presentation of the public art component.
- E. **City Acceptance**
 - 1. The artist must submit to AFTSA a maintenance protocol before the City accepts the artwork. AFTSA shall forward the completed protocol to the project manager who shall prepare a letter of acceptance to the artist. A copy of that letter shall be attached to the final payment request that releases the retainage to the artist(s) and another copy sent to the City Accounting Division.
 - 2. By using Public Art Fixed Asset Form (Attachment 1), the City Accounting Division shall request the necessary information from AFTSA’s public art staff and the department’s project manager to place the artwork on the City asset register. Once on the City’s asset register, the artwork becomes part of the City’s Public Art Collection and subject to all the inventory procedures and maintenance guidelines.

Appendices Attachment 1 – Public Art Fixed Asset Form
Attachment 2 – Instruction for Completing “Public Art Fixed Asset Form”

References None

Review Responsibility and Frequency The Deputy City Manager will review this directive annually, based on date of publication. Last review date: September 8, 2016.

Authorized



 City Manager’s Office
 Michael Ortega

9/19/16

 Date

PUBLIC ART FIXED ASSET FORM

Type: _____

Title of Artwork: _____

Medium: _____

Artist Name: _____

Edition Number of Signed Work: _____

Size of Artwork: _____

Location: _____

Acquisition Method: _____

Date of Purchase/Receipt: _____

Purchase Order Number: _____

Amount of the Contract: _____

Valuation Amount: _____

Responsible Department: _____

Contact Person: _____

Additional Comments: _____

Fixed Asset Number: (For Accounting Use Only)

Instruction For Completing “*Public Art Fixed Asset Form*”

Type: The art form such as painting, sculpture, prints, photographs, mixed media, etc.

Title of Artwork: The title that the artist has given the artwork.

Medium: The material used to create the artwork such as wood, metal, concrete, oil or acrylic paint, etc.

Artist Name: The name of the artist or artists that created the artwork.

The Edition Number of Signed Artwork: The number assigned by the artist to the edition of the artwork purchased by the city.

Size of Artwork: The dimensions of the artwork and whether the artwork was purchased framed or unframed.

Location: The exact location of the artwork. Example: The Mayor’s office, 10th floor City Hall, Room Number XXX.

Acquisition Method: The method by which the artwork was acquired; i.e. was the work commissioned through the city 1% for Art Program, through departmental discretion, or was the artwork a donation to the city’s collection.

Date of Purchase/Receipt: The date on which the City accepted a piece of commissioned artwork or the date on which the City received the artwork as a donation.

Purchase Order Number: The Purchase Order Number used to purchase the artwork.

Amount of the Contract: The total amount for the purchase, which includes the design, production and installation of the artwork. If applicable, the amount should also include freight for shipping and/or framing the artwork.

Valuation Amount: In the case of donated artwork, the amount shall be the appraised market value of the artwork at the time it is donated to the city.

Responsible Department: The city department that commissioned or received the donation of artwork.

Contact Person: The person to contact in the city department for further information on the artwork.

Additional Comments: This area can be used for additional relevant information about the artwork.

Fixed Asset Number: For Account Department use. The department will assign a Fixed Asset System number by which the artwork will be identified in the annual fixed asset inventory.



ADMINISTRATIVE DIRECTIVE

SUBJECT PUBLIC ART PROGRAM MAINTENANCE, CONSERVATION & PRESERVATION	NUMBER 7.01-5	PAGE 1 of 1
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I. **POLICY**

Since the City of Tucson's public art collection is a valuable and appreciating asset, the City allocates funds to maintain, conserve, and preserve its public art collection. The City shall by its own staff or through contract with an arts organization:

- A. Maintain an inventory of its public art collection in compliance with requirements of the City's Accounting Department
- B. Conduct an annual inventory and periodic conservation assessment of its public art collection through the engagement of qualified personnel
- C. Develop an annual plan to assure a regular schedule of maintenance for its public art collection.

II. **GUIDELINES**

The process for the maintenance, conservation, and preservation of public art shall adhere to the following guidelines:

- A. Any repair and preservation of public art shall comply with any contractual obligations that may have been entered into at the time of acquisition of the artworks.
- B. If artwork is in need of repair, the City shall give the artist the opportunity to do the repair work if practicable.
- C. In making repairs, the artistic integrity of the work shall not be violated. To ensure proper repair, departments shall consult with appropriate art staff or contractor before beginning any conservation, preservation, or maintenance of artwork in the public art collection, including artwork that predates the Public Art Program.
- D. City departments must follow the approved policy for relocation or deaccession of artwork to ensure the integrity of the artwork and the interests of the artists and public are respected. See Administrative Directive 7.01-7, Public Art Relocation and Deaccession

Appendices None

References AD 7.01-7, Public Art Relocation and Deaccession Policy

Review Responsibility and Frequency The Deputy City Manager will review this directive annually, based on date of publication.

Authorized



City Manager

9/16/06
Date

Mike Hein



ADMINISTRATIVE DIRECTIVE

PUBLIC ART PROGRAM DONATIONS AND PRIVATELY FUNDED PROJECTS	NUMBER 7.01-6	PAGE 1 of 3
	EFFECTIVE DATE February 16, 2012	

I. PURPOSE

The purpose of this administrative directive is to develop a protocol for donated and privately funded art projects on public property.

II. POLICY

The City of Tucson will consider accepting donations of artwork into the City's public art collection and will consider sitting privately funded projects on public property. The City will also consider accepting temporary works of art for display in City-owned facilities or on City-owned property.

III. GUIDELINES

A. The process for accepting donations, temporary works of art, and privately funded projects must adhere to the following guidelines:

1. Arts Foundation for Tucson and Southern Arizona (AFTSA) Public Art and Community Design Committee (PACD) shall review and comment on the proposed artwork.
2. Artists or others requesting review of artwork for donation or sitting shall provide the following information:
 - a. Design of the Proposed Artwork – Information Required
 - (1) Site plan or photo of the site.
 - (2) Drawing and/or photo of the artwork with dimensions.
 - (3) Description or indication of proposed location.
 - (4) Description of how the artwork has been, will be produced including materials.
 - (5) Description of how the artwork will be installed including materials and/or hardware.
 - (6) Artwork material sample if applicable.
 - (7) Statement of whether the artwork is being donated with ownership transferred to the City or installed temporarily with ownership not conveyed to the City.
 - (8) Value of the artwork.
 - (9) Maintenance and conservation recommendations (to be formalized through completion of the Artwork Maintenance Protocol).
 - (10) Statement of maintenance responsibilities (privately maintained or requesting that City maintain).
 - (11) Anticipated annual maintenance cost if applicable.



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PUBLIC ART PROGRAM DONATIONS AND PRIVATELY FUNDED PROJECTS	NUMBER 7.01-6	PAGE 2 of 3
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- (12) Letter stating agreement with the project from neighborhood association if in a registered or formalized neighborhood.
 - b.** AFTSA's PACD shall review the proposed artwork using, but not limited to, the following criteria:
 - (1) Relationship of proposed artwork to existing artwork in the vicinity or future artwork proposed as part of an applicable Capital Improvement Project or other publically funded project.
 - (2) Constructability of the proposed artwork.
 - (3) Durability and craftsmanship in fabrication and production quality.
 - (4) The intended length of display of the artwork, whether permanent or temporary.
 - (5) Appropriateness of the artwork location.
 - (6) Appropriateness of the artwork scale to the proposed site.
 - (7) Appropriateness of the artwork to other aspects of its surroundings.
 - (8) Maintenance, preservation and conservation implications.
 - (9) Applicable neighborhood design guidelines.
 - c.** AFTSA shall facilitate the City's Risk Manager evaluation of the public safety, insurance, and liability implications of the donated artwork.
 - d.** AFTSA shall present the comments and recommendation of the PACD to the appropriate city department for their review and comments.
 - e.** The City Manager shall review the PACD's, department's, and the Risk Manager's comments and determine if the artwork shall be accepted.
 - f.** Artists shall retain their exclusive copyrights as expressed in the City's public art contract.
 - g.** The City Manager shall respond to the PACD's recommendation with a letter of approval or denial.
- B.** Any and all public art that is accepted into the City's public art collection or sited on public property outside the Selection Policy described in Section 701-4, regardless of funding source, shall follow this policy.



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PUBLIC ART PROGRAM DONATIONS AND PRIVATELY FUNDED PROJECTS	NUMBER 7.01-6	PAGE 3 of 3
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Appendices None

References None

Review Responsibility and Frequency The Deputy City Manager will review this directive annually, based on date of publication. Last review date: September 8, 2016.

Authorized



City Manager's Office

Michael Ortega



Date



ADMINISTRATIVE DIRECTIVE

PUBLIC ART PROGRAM RELOCATION AND DEACCESSION

NUMBER 7.01-7	PAGE 1 of 5
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I. POLICY

- A. It is the policy of the City of Tucson to ensure the ongoing presence and integrity of its public collection and the sites for which the artwork was created. The intention of the City is to preserve the vision of the artists who created the artwork, to honor civic interests that were involved in the creation and siting of the artwork, and to assure public safety and reasonable access to the artworks in the City's collection. In any conflict with federal copyright law and this policy the federal law will control.
- B. On rare occasions, circumstances warrant relocation or deaccession of a work of art in the City's collection. Arts Foundation for Tucson and Southern Arizona (AFTSA), acting as manager of the City's Public Art Program, shall follow a process for relocation or deaccession to ensure that the integrity of the artwork and the interests of the artists and the public are respected. Relocation and deaccession requests involve careful consideration of public opinion, professional judgement, and legal advice.

II. GUIDELINES

- A. Deaccession will be considered only after a careful and impartial evaluation of the artwork within the context of the City's collection as a whole. Consideration of removal or relocation of artwork must involve the same degree of careful review as the decision to commission the artwork. Therefore, professional judgement and public interest must inform decisions.
- B. At the beginning of the process, a reasonable effort will be made to notify any living artist whose work is being considered for deaccession or relocation.
- C. Deaccession should be considered only after five years have elapsed from the date of installation for permanent works or acceptance of the artwork in the case of portable works (unless otherwise specified in the artist's contract). Deaccession may also be considered under special circumstances such as when artwork has been damaged beyond repair or presents a public safety hazard.

III. ELIGIBLE ARTWORKS

This policy applies to all artworks owned by the City of Tucson whether acquired through the Public Art Program, donation, or any other method. In the case of donated artworks, all legal documents relating to the donation circumstances and donor obligations will be consulted prior to beginning the process. In the case of commissioned artwork, the artist's contract must be reviewed.



ADMINISTRATIVE DIRECTIVE

PUBLIC ART PROGRAM RELOCATION AND DEACCESSION	NUMBER 7.01-7	PAGE 2 of 5
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IV. RELOCATION/DEACCESSION PROCESS

- A.** City staff, elected officials, private citizens, or other interested parties may contact AFTSA with a specific request for deaccession or relocation. AFTSA staff may also recommend artworks for consideration/evaluation for deaccession. Any deaccession request must be submitted in writing to AFTSA and accompanied by photo documentation and/or pertinent graphic materials.
- B.** After reviewing the request, a Relocation/Deaccession Subcommittee of the Public Art and Community Design Committee (PACD) will be appointed. This Relocation/Deaccession Subcommittee will consist of no more than seven members with up to five arts professionals (including members of the PACD, art conservators or curators) and up to two City staff members from the department(s) directly responsible for the artwork. The Relocation/ Deaccession Subcommittee may seek expert advice in this process as appropriate.
- C.** As part of the ongoing evaluation of the collection, the Relocation/Deaccession Subcommittee may review the entire collection when deemed appropriate.

V. CRITERIA FOR RELOCATION/DEACCESSION

- A.** The PACD and the Relocation/Deaccession Subcommittee must consider relocating the artwork or repairing the artwork if damaged.
- B.** Deaccession or relocation of artwork may be considered for one or more of the following reasons:
 - 1.** Artwork is not, or is rarely, on display because of lack of a suitable site.
 - 2.** The condition or security of the artwork cannot be reasonably guaranteed.
 - 3.** The artwork has been damaged, or has deteriorated, and repair is impractical or unfeasible.
 - 4.** The artwork endangers public safety.
 - 5.** In the case of site specific artwork, no suitable site is available, or significant changes in the use, character, or design of the site have occurred which affect the integrity of the artwork.
 - 6.** The artwork has been determined to be significantly incompatible or inferior in the context of the collection.
 - 7.** The City wishes to replace the artwork with a work of more significance by the same artist.



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PUBLIC ART PROGRAM RELOCATION AND DEACCESSION

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8. The artwork requires excessive maintenance or has faults of design or workmanship and repair is impractical or unfeasible.
9. There has been sustained and overwhelming public objection to the artwork.
10. Written request from the artist.

VI. APPLICATION OF RELOCATION/DEACCESSION CRITERIA

- A. The process chosen for relocation/deaccession of any given item will be determined by the AFTSA Board of Directors and may include fewer than all of the following steps.
 1. Upon receipt of a relocation/deaccession request, the AFTSA Executive Director will refer the matter to the public art staff.
 2. The public art staff will notify the Chair of the PACD to include the item on the agenda of the next available meeting or as soon as practicable. The PACD will review the concern to determine if one of the circumstances listed above exists and if so will submit it to a Relocation/Deaccession Subcommittee appointed by the PACD.
 3. If possible, the artist will be advised of the circumstances prompting the review. The artist's contract, along with any other agreements or pertinent documents, will be reviewed and sent to the City Attorney's Office.
 4. Opinions of independent professionals qualified to comment on the concern prompting the review (conservators, engineers, architects, art historians, legal counsel, etc.) will be solicited, as appropriate. If the concern is substantiated, reasonable efforts to address the concern, including repair and/or relocation should be considered.
 5. If reasonable efforts to resolve the concern have gone as far as they can go and have failed to resolve the concern, relocation or deaccession should be pursued.
 6. If practicable, a public hearing to discuss relocation/deaccession options will be scheduled with community members.
 7. AFTSA staff should prepare a written report to include:
 - a. Determination that the City holds clear legal title to the artwork considered for deaccession.
 - b. The opinion of the City Attorney on any restrictions which may apply to the specific artwork.
 - c. Approval/recommendation from the appropriate City department(s).
 - d. Documentation of community input.



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PUBLIC ART PROGRAM RELOCATION AND DEACCESSION

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- e. Attachments from independent reviewers.
8. The Relocation/Deaccession Subcommittee will make a recommendation to the PACD.
9. The PACD will review the report at a regularly scheduled meeting. The PACD may seek additional information regarding the work from artists, art gallery managers, curators, appraisers, or other professionals prior to making a recommendation to the full AFTSA Board of Directors.
10. The recommendation will then be forwarded to the AFTSA Board for approval at a regularly scheduled meeting.
11. The recommendation from the AFTSA Board will then be forwarded to the department head with jurisdiction over the artwork considered for relocation or deaccession.
12. If City personnel disagree with the recommendation, the matter will be referred back to the AFTSA Board of Directors for further review and action.
13. AFTSA will forward its final recommendation to the City Manager for decision or the City Manager may choose to refer the matter to the Mayor and Council for consideration.
14. Upon final decision, AFTSA will coordinate the relocation or deaccession activities including notifying the appropriate departments of the decision.

VII. DISPOSITION

- A. The manner of disposition will be in the best interest of the City and its collection. AFTSA shall consider the following actions in order of priority:
 1. *Relocation of the artwork.* If the work was designed for a specific site, relocation must be to a new site consistent with the artist's intention.
 2. *Sale, loan or trade of the artwork.*
 - a. The artist will be given first option to purchase or trade the artwork.
 - b. Sale may be through auction, gallery resale or direct bidding by individuals, in compliance with City law and policies governing advertising and disposition of surplus property. The artwork must bear at least one written appraisal by a qualified independent dealer or appraiser.
 - c. Trade or extended loan may be through artist, gallery, museum, or other institutions for one or more artwork(s) of comparable value by the same artist.



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- 3. *Donation of artwork.* The work may also be donated, relocated or loaned to a non-profit organization.
 - 4. *Destruction of artwork.* If sale, trade, gift, extended loan or relocation is not feasible, the artwork will be destroyed. Destruction is appropriate if the artwork is deteriorated or damaged beyond repair and deemed to be of negligible value.
- B. The disposition of works by living artists will be accomplished in such a manner that it will not impugn the reputation of the artist or his or her body of work.
 - C. Full record of all exchanges and sales will be maintained and records will document the removal of any object from the City's collection and the nature of disposal.

VIII. CONFLICT OF INTEREST

No works of art shall be given, sold, or otherwise transferred, publicly or privately, to officers, directors, or employees or staff of AFTSA, or their immediate families or representatives of AFTSA or the City, consistent with State, City, and AFTSA conflict of interest policies.

IX. PROCEEDS

If acquired through the Public Art Program, proceeds from the sale of artwork shall be retained in a City account as determined by the Finance Department. Funds in this account and from the sale of gifts shall be spent on future artwork purchases or projects. Any pre-existing contractual agreements between the artist and the City regarding resale shall be honored.

Appendices None

References Mayor and Council Memorandum (SS/June19-00-289) - Tucson-Pima Arts Council Proposals for Public Art Program (City-Wide)

Review Responsibility and Frequency The Deputy City Manager will review this directive annually, based on date of publication. Last review date: September 8, 2016.

Authorized



 City Manager' Office
 Michael Ortega



 Date