

CITY OF LOVELAND VISUAL ARTS COMMISSION ACQUISITION POLICY

The following acquisition policy provides a framework for decisions relating to the duties and responsibilities of the Visual Arts Commission (VAC) under the Loveland Municipal Code (LMC):

Our collection should represent our significance and aspirations of Loveland as an artistic community.

I. BACKGROUND

In November, 1985, ordinances 3214 and 3227 were passed to provide a means to fund the acquisition of works of art by the City, which shall become the City's collection, to provide a means to select works of art for the collection, to provide for the display of the collection and to provide for the maintenance and repair of the works of art in the collection.

Under the ordinances, 1% of the construction cost of each City project, with costs of \$50,000 or more, is placed in a reserve account for Art in Public Places (AIPP). A commission consisting of seven members, appointed by the City Council, administers the AIPP Program.

Definitions (See R.60.020., LMC):

- A. *Art in Public Places* means any visual work of art displayed for two weeks or more in an open City-owned area, on the exterior of any City-owned facility, inside any City-owned facility in areas designated as public areas, or on non-City property if the work of art is installed or financed, either wholly or in part, with City funds or grants procured by the City.
- B. *Work of art or artwork* includes, but is not limited to, a sculpture, monument, mural, fresco, relief, painting, fountain, banner, mosaic, ceramic, weaving, carving and stained glass. Work of art would normally not include landscaping, architectural ornamentation or signs.

II. GOALS

The principal goals of the AIPP Program are:

- A. To enrich the public environment for both residents and visitors to the area through the incorporation of the visual arts
- B. To nurture and enhance the attractiveness of our community
- C. To enable Loveland to attain recognition on a state and national level as a leader in the visual arts
- D. To increase public access to works of art and to promote understanding and awareness of the visual arts in the public environment
- E. To promote diversity and pluralism in art in public places and to reflect as wide a range of multi-cultural expression as possible
- F. To contribute to the civic pride of our community
- G. To continue to support the efforts to develop Benson Park as a sculpture park of national significance

The VAC recognizes that works of art often significantly alter public places, becoming a major new presence in the environment. In recent decades, visual art has rapidly evolved and diversified, creating at times a gap between visual art and its appreciation by the general public. The program shall endeavor to bridge this gap, by broadening community awareness of the issues involved in visual art and its historical context, and encouraging informed debate among all segments of the community.

III. PROCESS OVERVIEW

Selection and placement of a work of art may be through a donation, direct selection or competition. A budget is established for the project and final decisions are made on a site, method of selection, funding, installation and maintenance.

For direct selection or a competition, two majority votes will be required for approval of a site or work of art, unless the second reading is waived as part of the motion on first reading. For donations, two majority votes will be required for acceptance of the work and for the site.

All VAC agendas will be provided to the Reporter-Herald to facilitate public input during the process and a copy of the minutes will be sent to everyone who presents a proposal. The process will normally end with a dedication and recognition of all whose efforts contributed significantly to the project.

IV. ARTWORK SELECTION CRITERIA

- A. Conceptual compatibility of the design with the immediate environment of the site
- B. Appropriateness of the design to the function of the site
- C. Preservation and integration of natural features for the project
- D. Appropriateness of the materials and design (texture, color, line, shape and value) to the expression of the artist's concept
- E. Representation of a broad variety of tastes within the community and the provision of a balanced inventory of Art in Public Places to insure a variety of style, design and media throughout the community
- F. Permanence of structural and surface components
- G. Art as a communicative function
- H. The AIPP fund shall not be used for:
 - 1. Reproductions or unlimited editions of original work
 - 2. "Art Objects" that are mass-produced
 - 3. Works that are decorative, ornamental or functional elements of the architecture landscape design, except when commissioned from an artist or as an integral aspect of a structure or site
 - 4. Architectural rehabilitation or historical preservation, although works may be acquired in connection with such projects

V. SITE SELECTION CRITERIA

When considering a possible site for an artwork, it is the role of the VAC to determine the relative importance of each of the considerations listed below for a given proposal. The VAC shall compare a project to these considerations to assure that a proposal contributes positively to the community. The generating project site, where applicable, shall receive first consideration.

- A. Relationship of art work and site shall be considered in terms of the physical dimensions, social dynamics, local character and surrounding context of the site, existing or planned
- B. The visibility of the site by the general public
- C. Public safety
- D. Helps to improve the design of an area by emphasizing a particular location through landmarks, gateways and/or linkages to other parts of the community
- E. Interior and exterior vehicular and pedestrian traffic patterns
- F. Site design including landscaping, drainage, grading, lighting and seating considerations
- G. Relationship of proposed artwork to existing artworks within the site vicinity
- H. Environmental impact such as noise, sound, light and odor

- I. Public accessibility to the art work, particularly handicap access
- J. Impact on adjacent property owners' views
- K. Impact on operational functions (snowplowing, etc.,) of the City
- L. The possibility of vandalism
- M. The cost of development
- N. Compatibility of the design and location with the historical character of the site

VI. SITE SELECTION PROCESS

If a piece is donated to or purchased by the VAC without a designated site, the process shall be as follows:

- A. The VAC will discuss possible site locations, and, if necessary, appoint a subcommittee to view the suggested sites. Donor's recommended site(s), if applicable, will be reviewed by the VAC.
- B. Subcommittee will report back to the VAC for site approval. If not approved, subcommittee begins again, possibly with more VAC members.
- C. If the recommended site(s) is within the City's park system:

The Loveland Parks and Recreation Commission and Parks (LPRC) and Recreation Director will be notified, in writing, of site(s) recommended. The VAC representative(s) will meet with LPRC/P&R representatives at the site(s) to address any concerns, e.g., interference in Parks and Recreation programming, maintenance, irrigation, plant removal, mow strips, etc. If agreed upon by both parties, installation will proceed.

Site grade work, bed mulch and site restoration necessitated by the installation will be the responsibility of the installer, which may be the donor or a VAC sub-contractor. The installer will submit an installation plan for approval by the VAC and the LPRC.

After installation, the designated representatives of the VAC and the LPRC will meet to inspect the site. Any/all deviations from the approved installation plan will be addressed at this time.

- D. A description of the proposed site, an image of the work of art, the proposed date for placement and the date of the next VAC meeting will be published in the Loveland Reporter-Herald. Additionally, this information will be posted on the City of Loveland Art in Public Places webpage. Public comment will be heard at that meeting.
- E. Unless otherwise announced, the second reading will be heard at the next regularly scheduled VAC meeting (held the second Thursday of every month at 5:00 p.m. in the Upstairs Conference Room of the Loveland Museum/Gallery) or at a location to be determined.
- F. After site approval, an installation plan shall be developed by the VAC, the artist, donor, or contractor, as appropriate, for the VAC approval.

VII. ARTIST CRITERIA

- A. Cooperation. Ability of the artist to work closely and cooperatively with the VAC, staff and community.
- B. Artist's Presentation. The artist must have the ability to clearly describe concepts verbally and through quality written materials. In addition, specific drawings of the artwork as placed at the primary site will be required. (The site plan drawing may be waived.)

- C. Technical Feasibility. Each work shall be examined for its feasibility and convincing evidence of the artist's ability to successfully complete the work as proposed.
- D. Aesthetic Standard. The VAC shall have the right to withhold acceptance of a work until it clearly meets standards of artistic achievement agreed upon by a majority of VAC members. The work must be available for viewing in progress by the VAC in order to make this determination.

VIII. ACQUISITION PROCESSES

A jury shall be used to select artist(s) or work(s) of art by competition. Every jury shall include at least one VAC member and may include artist(s) or advisor(s) with expertise in a specific field, representative(s) from appropriate City department(s), project architect, if artwork is part of a new building, or VAC members only. The final selection shall be treated as a commission. Types of acquisition include:

- A. **DIRECT SELECTION:** To acquire existing work on recommendation and approval by the VAC or to provide for unusual purchase circumstances, such as a partial gift or unique economic advantage.

SUBMISSION FOR DIRECT PURCHASE

Artists who have finished work available for direct purchase should submit the following to the VAC:

1. No more than five slides each of four different pieces. Slides must be submitted in a clear plastic slide display page. Each slide should be marked with the artist's name and the title of the artwork.
 2. A proposal sheet with the artist's name including the following information on each piece (Sec.VII,B.): title of artwork, dimensions, medium, date produced, price, location, number of reproductions (if applicable), restrictions on reproduction, and other information the artist deems pertinent.
 3. Resume and references.
- B. **OPEN ENTRY OR INVITATIONAL:** Open entry competitions are open to all artists within the geographic limits set by the VAC. The VAC will strive to maintain a balance between competitions involving local artists only and artists from a larger area. Invitational entry is the process used when the choice of the artist is to be within special limitations of a project or when there is a need to provide a balance of media or styles.

SUBMISSION PROCESS FOR COMPETITIONS

1. The VAC shall provide a project description, budget, time schedule, and a detail of duties and obligations of both the VAC and the artist.
 2. The artist shall provide a maquette and site drawing (if appropriate), design, concept statement, budget, photographs, resume and references.
 3. Proposals shall be considered by the jury and a final choice or choices will be presented to the VAC for acceptance.
 4. Entry materials will be returned to the artist only if appropriate packaging, postage and insurance are included with the entry by the artist, if requested in the prospectus. Non-selected artists will be informed of the final choice(s) when the entry materials are returned.
- C. **DONATIONS - PROCESS OVERVIEW:** It is recognized that donations are a large portion of the city's collection. It is also recognized that donations are presented to the VAC in a variety of forms and that each donation proposal is unique. The VAC is responsible for accepting only those works of art that will further the objectives of the Art in Public Places Program which include all the criteria set forth in Sections IV, V, VII, and X involving artwork selection, site selection, artist criteria and installation. A donor procedure checklist, available at the Loveland Museum/Gallery, gives an overview of the sequence for donation depending upon what stage of completion the proposal is in when presented to the VAC (i.e, conceptual, maquette, or completed artwork form). Donation proposals are submitted at the January and July meetings, and a timetable established if tentative approval is given to proceed to the next step. The donor and VAC shall work together to meet all pertinent deadlines. All VAC agendas and minutes will be provided to the Reporter-Herald to facilitate public input during the process and a copy of the minutes will be sent to everyone who presents a proposal.

The VAC also recognizes the special role of the Loveland High Plains Arts Council as donors of the collection at Benson Park and may waive site criteria for placement of art at Benson Park.

The process will normally end with a dedication and recognition of all whose efforts contributed significantly to the project.

IX. CONTRACTS

Following the final selection of an artist whose work is to be either purchased, commissioned, or donated, that artist or donor shall enter into a written contractual agreement with the VAC. All agreements between the VAC and the artist shall be in writing and shall be approved by a majority of all members of the VAC. All contracts, as to form, shall be subject to approval by the City Attorney. The completed and approved contract shall be filed with the City Clerk.

X. INSTALLATION

At the time of acquisition, whether by donation or purchase, the budget should cover costs of installation which may include:

- A. Plinths or other display components
- B. Site development