

Attachment E: Policy for the Deaccession and/or Removal of Permanent Public Art

II. POLICY ON DEACCESSION AND/OR REMOVAL OF ARTWORKS

The Public Art Committee shall review any proposal for deaccession (the permanent removal from the City's public art collection) or relocation of an artwork. Consideration of deaccession or removal shall involve the same degree of careful review as a decision to commission a work of art; informed by professional judgment and the interests of the public.

Procedure

1. No City department shall remove any work of art from the site for which it was selected, nor remove it from display, without prior review of the Arts Commission. The Public Art Committee may recommend to the Arts Commission deaccession or removal of a work of art for any of the following conditions:
 - The condition or security of the artwork cannot be reasonably guaranteed;
 - The artwork requires excessive maintenance or has defaults of design or workmanship and repair or remedy is impractical or unfeasible, or the artwork endangers public safety;
 - The artwork has been damaged and repair is impractical or unfeasible;
 - Significant changes in the use, character, or design of the site have occurred which affect the integrity of the work;
 - Significant adverse public reaction has continued unabated over an extended period of time;
 - The artist requests removal.
2. The Public Art Committee shall review the circumstances, surrounding the proposed deaccessioned artwork.
3. No artworks shall be removed within 10 years of acquisition unless there are extenuating circumstances.
4. During the review process, unless there is imminent danger to the public, the artwork shall remain accessible to the public in its original location.
5. In all circumstances, the Public Art Program should seek to insure the ongoing presence and integrity of the work at the site for which it was created, in accordance with the artist's intention. Criteria for reviewing public art should address the quality of the work itself as representative of its style or genre, and its relation to the public context.
6. In the event that the Public Art Committee chooses to replace, remove, or sell an artwork, living artists shall have the right of first buy-back, as specified in their contract.
7. A recommendation to deaccession or relocate a work of art will require a written report by the Public Art Committee to the Arts Commission with the reasons, a legal opinion, condition report, current appraised value, and public feedback. Public feedback shall include a review panel composed of Public Art Committee members, City host department representatives, and community representatives.

The Arts Commission shall recommend to City Council the removal of works of art from the City's Collection from a particular site, especially if they are at risk or if alternative, more appropriate sites become available.