



ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

I. PURPOSE

The purpose of this document is to establish policies and procedures to operate a public art program for the City of Aurora, Aurora City Code Chapter 34, Article IV. Division 1 and 2 Art in Public Places.

II. PROGRAM INTENT

The intent of the City's public art program is to expand the opportunities for Aurora residents to experience art in public places, thereby creating more visually pleasing environments. The arts represent an opportunity for Aurora to establish a unique image and character and to contribute to the civic pride of Aurora's community.

The public art program reinforces and expands the City's commitment to improving the aesthetic character of its public places by integrating high quality urban design into its capital projects. It is the expressed desire of the City to promote:

- A. Acquisition of artwork for the City that is of the highest quality, that is culturally diverse, and that represents a wide range of artistic expression;
- B. Enhancement of new and existing public places for public enjoyment;
- C. Distribution of works of art throughout the City;
- D. Integration of the work and thinking among artists, architects, landscape architects, engineers, graphic artists, and other design professionals;
- E. Increased public access to works of art and promotion of understanding and awareness of the visual arts in the public environment; and
- F. Inventory and maintenance of the City's public art collection.

III. COMPOSITION AND RESPONSIBILITIES OF THE ART IN PUBLIC PLACES COMMISSION (AIPPC)

- A. AIPPC Appointments
AIPPC Appointments will be made according to Aurora, Colorado City Code.
- B. AIPP Commissioner Responsibilities
 - 1. At the annual meeting, develop goals for the upcoming year.



ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

2. Talk to friends, neighbors, and the public about the AIPP program detailing upcoming projects, events, goals, challenges, and successes.
3. Communicate regularly to assigned City Council Member to inform them of program updates.
4. Visit community meetings to give presentations about the AIPP program.
5. Advocate for the arts in general and assist in broader cultural support.
6. Participate in a minimum of two events and/or festivals annually to promote the AIPP program, including staffing an AIPP booth to publicize the AIPPC by talking to visitors, handing out literature, etc.
7. Attend City Council meetings when projects are presented to Council for their review and approval.
8. Attend dedication ceremonies.
9. Participate on Art Selection Panels
 - a. Each Commissioner is responsible for serving on Art Selection Panels. The responsibility takes approximately four to five meetings per project spread over six to twelve months.
 - b. While participating on an Art Selection Panel for a particular project, each Commissioner is representing the AIPPC.
 - c. Commissioners serving on an Art Selection Panel may be asked to speak at the dedication ceremony on behalf of the AIPPC.

C. Cultural Affairs Commission Representative

The AIPPC will recommend one member to be appointed as the AIPPC representative on the Cultural Affairs Commission (CAC) according to the bylaws of the Cultural Affairs Commission.

The representative shall be responsible for attending CAC meetings and maintaining communication between the AIPPC and the CAC.

D. Orientation

Public art staff shall hold an orientation for all new AIPPC members.

E. Election of Officers

The Chair and Vice Chair shall be elected at an Annual Meeting for the following calendar year. These two officers constitute the Executive Committee.

Terms shall be for one year and a member may serve no more than two consecutive terms in the same office.



ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

In the event the Chair position is vacated before the end of the term, the Vice Chair shall assume the responsibilities of the Chair. If the Vice Chair vacated his or her position, the commission shall elect a new Vice Chair.

F. Officers' Responsibilities

1. Chair

- a. Call and preside at all meetings of the AIPPC
- b. Review the Agenda for the meetings of the AIPPC
- c. Speak on behalf of the AIPPC
- d. Be an ex-officio member of all subcommittees of the AIPPC
- e. Have the power, in consultation with the Vice Chair, to act on behalf of the AIPPC on urgent matters
- f. Sign all correspondence of the AIPPC
- g. May vote only to break a tie
- h. Attend the boards and commission Chairs meeting held by the Director of Library & Cultural Services department

2. Vice Chair

- a. In the absence of the Chair, perform the duties of that office
- b. Act on behalf of the AIPPC, in consultation with the Chair, on urgent matters

In the absence of public art staff and support from the Boards and Commissions Office for minutes, a Secretary and a Treasurer shall be elected and shall have the following duties:

3. Secretary

Prepare minutes of the AIPPC and work with designated staff on all official correspondence of the AIPPC.

4. Treasurer

Work with designated City staff to acquire appropriate and necessary budget information.

G. Subcommittees

Ad hoc subcommittees may be created by the AIPPC as necessary. The composition and responsibilities of any special committee shall be determined at the time of creation of the committee.

H. Attendance Policy



ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

Commissioners may not miss more than three of the scheduled meetings per calendar year. Failure to attend the required number of scheduled meetings may result in removal from the Commission. Missing a scheduled meeting beyond the three meetings requires approval from the Chair.

Commissioners shall give prior notice to the public art staff if they cannot attend a scheduled meeting. Except in extenuating circumstances, notice shall be given at least 48 hours prior to the meeting.

Commissioners shall attend and participate in City of Aurora events and festivals and in Art Selection Panels in accordance with the Art in Public Places Commission Responsibilities

It is the responsibility of the Chair of the Commission to notify a Commissioner that he/she has exceeded the allowable absences and/or is not fulfilling the responsibilities of a member of the Commission relative to participation in special events and Art Selection Panels. The Chair shall also notify the Commission. The Commission shall then meet with the Commissioner to discuss his/her attendance and/or participation to determine steps to correct the situation.

The attendance of a Commissioner and the fulfillment of Commissioner responsibilities shall be considered should a Commissioner seek reappointment to the Commission.

IV. CONFLICT OF INTEREST

Art in Public Places Commissioners are prohibited from submitting public art projects that will require approval of the Commission.

The Commission will not consider for purchase or display any artwork of a sitting Commissioner. Nothing in the conduct of business of the Commission or Art Selection Panels may result in a financial benefit to its members.

It is expected that members of the AIPP Board, AIPP Staff, Selection Juries, City Council and members of subcommittees, panels or any other ad hoc groups working with the AIPP program (members) may be aware of the work of some artists and arts organizations who submit their work for consideration for public art projects. Such awareness alone does not constitute a conflict of interest, nor does owning a piece of work by a submitting artist. A conflict of interest is deemed to exist if a member is related to an artist, either through family, marriage or



ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

domestic partnership, any other relationship of economic interdependence, a business relationship such as representing the work of an artist as a gallery owner, or if a member stands to gain direct benefit, whether financial or otherwise, from the selection of an artist. If a member is related to an artist under consideration in one of the ways mentioned above, they shall state that they have a conflict of interest and shall recuse themselves from voting or further discussion on the project in question.

These provisions are designed to ensure there is neither conflict of interest nor a perception of a conflict of interest.

V. FIVE-YEAR PUBLIC ART PLAN

As per the Aurora Colorado City Code Chapter 34, Section 131 the AIPPC is responsible for the preparation of a five-year plan for arts development and improvement for review and approval by City Council. The process for accomplishing this task shall be a process in which public input is a main element.

The features in the five-year public art plan may include:

1. AIPP program mission and vision
2. Description of AIPP ordinance and funding
3. Description of AIPPC goals
4. Art and site selection criteria and process
5. Map of current artwork sites and proposed locations for new artwork

One of the main tasks in developing a five-year public art plan is to select sites throughout Aurora for artwork. Selecting a site for art is as important as the selection of the art. An appropriate site selection ensures that the artist can create a quality design and that his/her work will be easily accessible and secure. In selecting a site for artwork, assessments are taken of site suitability, existing or planned, including accessibility, visibility, environmental impact, public safety, and the function of a site. The AIPPC may develop new criteria by which it selects sites for art with each new five-year public art plan.

VI. ART SELECTION PROCESS

A. Artists and Artwork Selection Methods

The AIPPC shall follow the artist selection procedure as outlined in Aurora Colorado City Code, section 34-131 which may include the following methods:

1. Open competition (Any artist applies, subject to established limitations)



ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

2. Invitation (One or more artists are invited to submit proposals or qualifications)
The AIPPC may choose to maintain a pre-approved artist roster, which will be juried by the AIPPC or an art selection panel. If juried by an art selection panel, the AIPPC will give final approval of the list.
4. Commission (Commission a piece from one artist selected by a two-thirds majority of the AIPPC)
5. Guest curator selection (The curator is chosen by two-thirds majority of the AIPPC to make a selection of an artist or work of art)
6. Direct purchase (An existing work of art is selected)

B. Art Selection Panel Composition

The AIPPC may invite people to participate on an art selection panel through various advertising activities. Depending on the type of project, the Panel may be composed of one or more of the following representatives:

1. Art in Public Places Commission Representative
2. Facility Manager
3. Visual Artist
4. Arts Educator
5. Arts Patron
6. Interested Citizen
7. City Council Member
8. Project Architect or Landscape Architect

Public art staff will facilitate the art selection panel meetings and act in an advisory capacity to the art selection panel. Additional City staff, as applicable, may act in an advisory capacity.

C. REQUEST FOR QUALIFICATIONS

Request for Qualifications (also known as Calls for Artists or Call for Entries) shall include the following information:

1. Project description
2. Site description
3. Budget
4. Eligibility
5. Selection process
6. Deadline
7. Notification procedure
8. Materials to be submitted
9. Information about Aurora and the Art in Public Places Program



ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

D. ARTIST PROPOSALS

Artists shall be paid a stipend for developing design proposals. This stipend may be used to create a public art proposal including, but not limited to, travel expenses, time, and materials. The stipend shall be determined per project and should be comparable to public art industry standards. The AIPPC can recommend a request for proposals with no stipend with a 2/3 vote from the AIPPC.

E. EVALUATION CRITERIA

Artist submissions shall be evaluated based on the following criteria (unless otherwise clearly stated and justified in a proposal from the Art Selection Panel). Selection of art and artist under this method shall be based solely on artist merit and site suitability:

1. Artists shall be selected based on qualifications as demonstrated by past work, appropriateness of the proposal to the particular project, and probability of successful completion of the project as determined by the Art Selection Panel.
2. In selecting artists and works of art, the Art Selection Panel shall select those artists and works of art of the highest aesthetic quality and those that fulfill the purposes of the AIPPC set forth above, subject to other guidelines, as appropriate.
3. In all cases, consideration shall be given to materials, construction, durability (long or short term, depending on the intended life of the piece), maintenance, public access, and safety.
4. The City of Aurora is an Equal Opportunity Employer and is required by state and federal agencies to keep certain statistical records on applicants. This information will not be used in any way to discriminate against an artist because of sex, race, age, sexual orientation, creed, color, religion, age, national origin, ancestry, disability, marital status, childbirth and related conditions, gender identity, or gender expression, or genetic information unless related to a bona fide occupational qualification as defined by the Colorado Civil Rights Commission and the Equal Opportunity Commission. The AIPPC is firmly committed to the City of Aurora's policy of Equal Opportunity. The City shall develop and maintain a plan for diversity. Through its staff, the City shall periodically analyze its employment-related practices and its plan for diversity to ensure compliance with this policy. Every City Council appointee, executive, manager, and supervisor of the City is expected to carry forward this policy of equal employment opportunity within his or her area of responsibility.

- F. Selection shall be made by a two-thirds majority vote of the Art Selection Panel, or the Panel may reserve the option of making no selection. If no selection is made, the Panel



ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

has the right to re-open the competition or to utilize other methods of selection. Public art staff may vote to break ties.

G. PUBLIC ART PROJECT BUDGETS LESS THAN \$50,000

Public art staff and the artist, when available, shall present the Art Selection Panel's recommendation to the AIPPC for review and approval. Upon approval by the AIPPC, the contract can be awarded.

H. PUBLIC ART PROJECT BUDGETS OF \$50,000 OR MORE

Public art staff shall present the AIPPC recommendation for approval by the Cultural Affairs Commission, and when approved, to City Council for final approval before the contract can be awarded.

VII. DEACCESSION

The AIPPC is committed to ensure the on-going presence and integrity of public art and the sites for which public art is created, the preservation of the vision of the artists who create artwork, and the continued public access to the City's public art collection.

On rare occasions, circumstances warrant the removal of a work of art from the City's collection. The AIPPC follows set procedures for deaccessioning to ensure that the integrity of public art, artists, the public, and the program is respected. A request for deaccession involves careful consideration of public opinion, professional judgment, and legal advice.

A. Effects

Any decision to deaccession can affect the AIPPC's ability to commission other works of art. Consideration should be given to the effects on the artist's career, other works in the collection by that artist, and AIPPC's working relationship with the artist. Deaccessioning can affect the ability to raise money, future donations of artwork, and corporate cooperation.

B. Eligible Artworks

All artworks owned by the City of Aurora.

C. Review of the City's Public Art Collection

1. Request for Review



ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

The artist, a host Department, and/or an outside party with an interest in the disposition of a piece of art may submit a request for review to the AIPPC. The AIPPC may also instigate a review of an artwork for deaccession.

2. Requirements for Review to Deaccession

In reviewing a request to deaccession, the following information should be considered:

- a. The reason deaccession is requested
- b. The Fair Market Value of the artwork
- c. The acquisition method and cost
- d. A written evaluation of the artwork from an impartial and qualified professional such as an engineer, conservator, architect, safety expert, or art historian
- e. Photographs which indicate the status of the work
- f. Contract with the artist or any other relevant agreement
- g. Written recommendation of other concerned parties including the Cultural Affairs Commission, the host City of Aurora Department, the artist, and any outside party
- h. Additional support to be provided, when available, includes:
 - a) Any articles regarding the work or evidence of public debate
 - b) Written correspondence concerning the work
- i. Length of time the artwork has been in place

D. Procedure

1. The AIPPC may consider deaccessioning artwork for one or more of the following reasons if it cannot be relocated:
 - a. A work is not, or is only rarely, on display because of lack of a suitable site
 - b. The condition or security of the artwork cannot be reasonably guaranteed
 - c. The artwork has been damaged and repair is impractical or unfeasible
 - d. The artwork endangers public safety
 - e. Significant changes in the use, character, or actual design of the site require a re-evaluation of the relationship of the artwork to the site
 - f. The artwork is significantly inferior in quality, relative to the quality of other works in the collection
 - g. The City wishes to replace the artwork with a work of more significance by the same artist
 - h. The artwork requires excessive maintenance or has faults of design or workmanship
 - i. There has been sustained and overwhelming public objection to the artwork



ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

2. Sequence of action to deaccession:
 - a. The AIPPC determines that an artwork meets one of the criteria in Section VII.D.1. above.
 - b. The public art staff prepares a report that includes:
 - 1) An interpretation from the City Attorney on any restrictions that may apply to this specific work
 - 2) An analysis of the reason(s) to deaccession and its impact on the program and the artist
 - 3) Options for disposition of the work
 - 4) Appraised value of the work by an impartial qualified appraiser, if obtainable
 - c. The AIPPC reviews the report at a regularly scheduled meeting. The AIPPC may seek additional information regarding the work from the artists, art galleries, curators, appraisers, or other professionals before making a recommendation.
3. Review
 - a. A recommendation of reasonable measures addressing the concerns that prompted the request for deaccession shall be formulated by AIPPC and forwarded to the Cultural Affairs Commission. The recommendation shall be made public. Public notice shall be made prior to the implementation of any action recommended by the Cultural Affairs Commission in accordance with policy established by the City Attorney.
 - b. Follow current procedures to forward a resolution to City Council pursuant to Article VI, Section 29-119 of City Code.

VIII. ASSET MANAGEMENT

It is important to maintain the integrity of the city's public art collection, a valuable city asset. This policy ensures that any maintenance and/or repairs to the public artwork are made according to fine art maintenance, conservation, and art handling practices.

A. PHYSICAL INVENTORY

1. A physical inventory of the public art collection will occur every two years at minimum to assess the condition of the artwork, lighting, plaque, and landscaping.
2. The public art staff may conduct the inventory or hire a qualified consultant to conduct the inventory.



ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

3. After the inventory is taken, public art staff shall prepare a maintenance and/or repair report to be reviewed by the AIPPC and department director. The report will include the recommended work plan, timeline, and an estimate of costs.

B. MAINTENANCE AND REPAIRS

1. Public art staff is responsible for the tasks associated with repairing and/or cleaning public artwork. If the public art staff is unable to conduct the repairs and cleaning according to fine art maintenance and conservation practices, staff shall hire professional art handlers and/or conservation professionals.
2. If city staff from other departments discover damage to public artwork, public art staff shall be contacted at the earliest opportunity. If public art staff is not available, the reporting body shall contact the director of library and cultural services.
3. If city staff other than the public art staff handle the artwork and damage occurs, the department whose staff is responsible for damaging the artwork shall cover the costs to repair or replace the artwork, unless it falls under the insurance coverage criteria.

Handling or contact with public artwork which results in damage, other than as a result of an accident, will not be covered by insurance or the city of Aurora's self-insured loss fund.

C. REQUEST FOR TEMPORARY REMOVAL OF PUBLIC ARTWORK

1. In the event that an artwork needs to be removed temporarily and the artwork is able to be moved easily, the AIPPC shall approve all requests for temporary removal of public artwork.
2. If public artwork needs to be temporarily moved or otherwise handled, the request shall be made through the public art staff no later than thirty (30) days prior to the requested removal timeline.
3. The requesting department shall be responsible for the costs incurred to move, provide art appropriate storage, and re-install the artwork.

IX. MEMORIAL AND TRIBUTE PUBLIC ART COMMISSIONS

Requests for memorials or monuments will be handled in accordance with Department of Parks and Recreation "Policy on Memorials on City Property".



ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

X. DONATIONS OF ART

The AIPPC seeks to protect the integrity of the public art collection by requiring the review of any proposed donations of artwork, funds for artwork, or gifts of art to the City of Aurora.

Proposed donations are referred first to the public art staff who shall meet with the potential donor and coordinate a review of the work by the AIPPC. If subsequently acquired, the work then becomes a part of the City of Aurora's collection.

- A. Potential donations are reviewed based on consistency with the AIPPC Five-year Public Art Plan including:
 - 1. Quality of the artwork
 - 2. Availability of an appropriate site for the work as determined by the AIPPC
 - 3. Conformance to structural and fabrication standards and applicable safety codes
 - 4. Availability of resources for current and future maintenance needs
 - 5. Public art staff research and feedback

- B. Other factors for AIPPC consideration include costs and funding for the following as applicable:
 - 1. Illumination
 - 2. Identification Plaque
 - 3. Pedestal/base/framing/mounting
 - 4. Site modification and repair/replacement of landscaping

- C. If the artwork is accepted, the following documentation shall be requested from the donor or artist:
 - 1. A completed Object Maintenance Form provided by public art staff
 - 2. Proof of ownership from the donor
 - 3. Copyright ownership information
 - 4. Resume or background information about the artist

- D. Occasionally, a group or individual may wish to propose an artwork that will eventually be a donation to the City as a permanent piece. In order to ensure the finished artwork is in line with the AIPPC Five-Year Public Art Plan, the Commission shall review the proposal and may request the following information:
 - 1. An artist resume
 - 2. Images of the artist's past work
 - 3. Proposal information, including a sketch or model
 - 4. Information on permanent or temporary location



City of Aurora
Library & Cultural Services
Cultural Services Division
Art in Public Places

ART IN PUBLIC PLACES POLICIES & PROCEDURES Rev. 5.21.2023

5. Presentation of the proposal by a project representative
6. Funding source and budget/value

IX. GIFTS OF STATE

City of Aurora Charter Article X- Legal Department, Section 10-13
Bequests, gifts and donations.

Council, on behalf of the City, may receive bequests, gifts and donations of all kinds of property in fee simple or in trust for public, charitable or other purposes, and do all things and acts necessary to carry out the purposes of such gifts, bequests and donations, with the power to manage, sell, lease, or otherwise dispose of the same in accordance with the terms of the gift, bequest, or trust.