



REGIONAL ARTS & CULTURE COUNCIL

POLICY FOR DEACCESSIONING WORKS OF ART

City Of Portland Multnomah County

Revised September 1995

Background

When the Metropolitan Arts Commission (MAC) was formed in 1973, the art owned by both the City of Portland and Multnomah County, including all historical and memorial statuary, became the responsibility of MAC. Works of art have also been acquired through the CETA program, donations and the Percent for Art Program. In 1995, when MAC became a non-profit agency and renamed the Regional Arts & Culture Council (RACC), this responsibility continued as part of the contracts between RACC and the City of Portland and Multnomah County. Artworks are acquired by the City of Portland/Multnomah County through a thorough review process based on the quality and value of the artwork to the collection as a whole.

Policy

Deaccessioning is a procedure for the withdrawal of an artwork from the public collection. Deaccessioning should be considered only after ten years have elapsed from the date of installation of permanent works and acceptance in the case of portable works or under special circumstances (e.g., the piece has been damaged beyond repair). Deaccessioning will be considered only after a careful and impartial evaluation of the artwork within the context of the collection as a whole. At the beginning of the process, RACC staff will make reasonable effort to notify any living artist whose work is being considered for deaccessioning.

Eligible Artworks

All artworks owned by the City of Portland/County of Multnomah whether acquired through the Percent for Art Program, donation, or any other method. In the case of donated artworks, all legal documents relating to the donation will be consulted prior to beginning the process.

Deaccessioning Procedure

A Deaccessioning Subcommittee of the Public Art Advisory (PAAC) will be appointed. This subcommittee will consist of no more than five arts professionals/experts (including 4 members of the PAAC and an art conservator or curator).

As part of the ongoing evaluation of the collection, the Deaccessioning Subcommittee of the PAAC will review the collection when deemed appropriate. RACC staff will be responsible for recommending artworks for consideration/evaluation for deaccessioning. The Deaccessioning Subcommittee reserves the option of hiring a consultant.

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Criteria for Deaccessioning

The PAAC may consider the deaccessioning of artwork for one or more of the following reasons in the event that it cannot be resited:

1. A work is not, or is only 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, the artwork is destroyed by severely altering its relationship to the site.
6. The artwork has been determined to be significantly incompatible or inferior in the context of the collection.
7. The City/County wishes to replace the artwork with work of more significance by the same artist.
8. The artwork requires excessive maintenance or has faults of design or workmanship.
9. There has been sustained and overwhelming public objection to the artwork.

Sequence of Action

1. A Subcommittee appointed by the PAAC determines that an artwork meets one of the criteria of Section II above.
2. The Regional Arts & Culture Council staff prepares a report that includes:
 - a. The opinion of the City Attorney/County legal staff on any restrictions which may apply to this specific work.
 - b. Approval of appropriate City/County authority
 - c. Completion of deaccessioning worksheet
3. The PAAC reviews report at its regularly scheduled meeting. The Committee may seek additional information regarding the work from the artists, art galleries, curators, appraisers or other professionals prior to making a recommendation to the full Board.
4. A recommendation for action is sent to the RACC Board for approval at a regularly scheduled meeting.

Upon confirmation of its recommendation, the PAAC shall consider the following actions:

1. Sale or Trade
 - a. Artist will be given first option to purchase or trade artwork.
 - b. Sale may be through auction, gallery resale or direct bidding by individuals, in compliance with City/County law and policies governing surplus property.
 - c. Trade may be through artist, gallery, museum or other institutions for one or more artwork(s) of comparable value by the same artist.
- No works of art shall be sold or traded to members or staff of the RACC, consistent with RACC conflict of interest policies.
- e. Proceeds from the sale of a work of art shall be returned to the Public Art Trust Fund departmental account from which the original purchase was made if acquired through the 1% for Art program. Funds from the sale of gifts shall go into the Public Art Trust Fund for future artworks projects. Any pre-existing contractual agreements between the artist and the City regarding resale shall be honored.
2. Destruction of work deteriorated or damaged beyond repair and deemed to be of negligible value.
3. If RACC is unable to dispose of the artwork in a manner outlined above, the work shall be donated to a non-profit organization or otherwise disposed of as RACC sees fit.