

SALT LAKE COUNTY COUNTYWIDE
POLICY & PROCEDURE ON
VISUAL ART ACQUISITION

Purpose –

To establish standards and guidelines for the acquisition and/or gift of a work of visual art including painting, sculpture, etc. (“work”) for the Salt Lake County art collection (“collection”).

1.0 Purpose of Acquisition

- 1.1 Acquisition may be a legitimate part of the formation and care of collections and, if practiced, should be intended to refine and improve the quality and appropriateness of the collections.
- 1.2 Acquisition of a work for permanent display in the County collection shall be in accordance with sound, aesthetic site management criteria.
- 1.3 Acquisition shall not provide expenditure of County funds without due and lawful County approval.
- 1.4 Salt Lake County and the Salt Lake County Arts & Culture Advisory Board shall, from time to time, define the focus of the collection in terms of type of art.

2.0 Subcommittee

- 2.1 The Fine Arts Collection Subcommittee is a committee of the Salt Lake County Arts & Culture Advisory Board, and includes at least one member of the Salt Lake County Arts & Culture Advisory Board, Salt Lake County citizens with advanced knowledge of visual art, and other interested citizens and county staff, as defined in the Salt Lake County Arts & Culture Advisory Board Bylaws.
- 2.2 This subcommittee performs detailed analysis on work for acquisition and makes recommendation for art acquisitions to the Salt Lake County Arts & Culture Advisory Board
- 2.3 Should this subcommittee not be functioning, the tasks they perform would transfer to the Salt Lake County Arts & Culture Advisory Board.
- 2.4 When recommending the purchase of art for specific locations or buildings, a representative(s) from the agency or the board that is responsible for that location or building, is invited to serve on the Fine Arts Collection Subcommittee during the selection process.

3.0 Criteria for Acquisition and Definition of Work

- 3.1 The work is of high quality, either intrinsically or relatively, in comparison with other objects of the same type in the collection.
 - 3.1.1 Of highest priority is the inherent quality of the work itself. The work should be of museum quality.
 - 3.1.2 The work must have high aesthetic or historical value.

- 3.1.3 The work or artist must have some connection to Utah (i.e. be born or have lived in Utah, represent the Utah landscape or portraiture, have worked in Utah, etc.).
- 3.1.4 The artist should be a professional artist, having exhibited his/her work in various major shows, galleries or museums or represented in established collections.
- 3.1.5 The work should enhance or compliment the current collection.
- 3.1.6 The work must be appropriate in scale, material, form and content for the general environment in which it is placed.
- 3.1.7 The work should acknowledge the practical considerations of quality and durability, ease of maintenance and public safety. The work must be able to hold up and be maintained in a non-museum setting.
- 3.1.8 Items determined by the Fine Arts Collection Subcommittee to be of modest quality, however, may have sufficient study value to warrant acquisition.
- 3.1.9 For the purposes of a public art commission, artists may be international, national or regional.
- 3.2 If the object is deemed redundant by the Fines Arts Collection Subcommittee or is a duplicate, it should not be acquired except by gift.
- 3.3 The County shall properly verify ownership and authenticity. The authenticity and genuineness of the object is essential.
- 3.4 Works for display within the County collection shall be of sound construction, with reasonable maintenance costs.
- 3.5 If the physical condition of the work is so poor that restoration is impossible, or will render the object essentially false, it should not be acquired except for exceptional reasons.
- 3.6 Art should not be acquired unless there is a determined need and use for it and means for protecting and caring for it.
- 3.7 Gifts of art should be given, if possible, without restrictions. However, outstanding work should not be declined because of restrictions which are deemed reasonable; i.e. that the object would be held by the County.
- 3.8 Content of the work may be limited by applicable federal or State law.

4.0 Authority and Process

- 4.1 Acquisition must comply with all applicable County and State laws in force at the time of acquisition. The county's legislative body has designated that the acquisition of art may be negotiated by the Salt Lake County Arts & Culture Advisory Board in accordance with the County Purchasing Ordinance. Works are deemed as not being adapted to award by competitive bids. The Advisory Board will coordinate all purchases of art through the Division of Contracts and Procurement.

- 4.2 The process of acquiring is to be initiated by the Fine Arts Collection Subcommittee (if constituted) and recommended by the Salt Lake County Arts & Culture Advisory Board, with full justification in writing to the director of Contracts and Procurement. The acquisition will follow all established county procurement policies and procedures.
 - 4.2.1 The director of Contracts and Procurement shall exercise care to assure that the recommendations (which shall be in writing) are based on authoritative expertise.
 - 4.2.2 Third-party review and appraisal are strongly recommended. Items with a purchase price of \$10,000 or more must have an independent art appraisal
- 4.3 No member of a governing body, staff or those whose association with the County might give them advantage in selling the work, shall be permitted to sell, directly or indirectly, a work to the County, or otherwise to benefit from its sale or trade except as may be permitted under state statute dealing with ethics and conflicts of interest.
- 4.4 Mayor's Finance shall be notified each time there is an acquisition and/or donation of visual art. The necessary paperwork detailing the acquisition of the art shall be completed and forwarded to the Mayor's Finance. Mayor's Finance shall add the art to the County's fixed assets.
- 4.5 The Arts & Culture Division will work with Records Management and Archives to maintain complete and accurate documentation, to comply with record retention schedules, and to maintain permanent historical documentation.

5.0 Interests of Donors


- 5.1 When a work is acquired by gift, Salt Lake Countywide Policy & Procedure #1006 will be followed. Acknowledgment of the original donor's contribution shall be made in an appropriate and lasting manner.

APPROVED and ADOPTED this 11 day of December, 2018.

SALT LAKE COUNTY COUNCIL

By: 
Chair

ATTEST:


Sherrie Swensen
Salt Lake County Clerk

Approved as to Form

Craig J. Wangsgard Digitally signed by Craig J. Wangsgard
DN: cn=Craig J. Wangsgard, ou=Deputy District Attorney,
email=Craig.J.Wangsgard@slco.org, o=Salt Lake County, ou=Deputy District Attorney,
serial=2018.12.11.02:09:13.4779
Craig Wangsgard
Deputy District Attorney

SALT LAKE COUNTY COUNTYWIDE
POLICY AND PROCEDURE ON
ART DEACCESSIONING

Purpose -

To establish standards and guidelines for the deaccessioning and disposal of a work of visual art (painting, sculpture, etc.) (“work“) from the County art collection (“collection”).

1.0 Purpose of Deaccessioning and Disposal

- 1.1 Deaccessioning and disposal may be a legitimate part of the formation and care of collections and, if practiced, should be intended to refine and improve the quality and appropriateness of the collections.
- 1.2 Deaccessioning shall not serve to provide operating funds, and the proceeds from disposal must be treated as acquisition funds.
- 1.3 Deaccessioning may assist the Fine Arts Collection Subcommittee in acquiring another work of visual art, which would enhance the collection.

2.0 Criteria for Deaccessioning and Disposal

- 2.1 The object is of poor quality, either intrinsically or relatively, in comparison with other objects of the same type in the collection or the art does not conform to the County objectives and focus of the collection.
 - 2.1.1 Items of modest quality, however, may have sufficient study value to warrant retention.
- 2.2 The object is redundant or is a duplicate.
- 2.3 The County's possession of the item is not legitimate, i.e., the work may have been stolen or illegally exported or imported in violation of applicable state and federal laws.
- 2.4 The authenticity, attribution or genuineness of the object is determined to be false or fraudulent and the object lacks sufficient aesthetic merit or art historical importance to warrant retention.
 - 2.4.1 A forgery should be so marked as such and care taken in deaccession of same to avoid misrepresentation and misunderstanding.
- 2.5 The physical condition of the object is so poor that restoration is impossible or will render the object essentially false. Objects damaged beyond reasonable repair that are not of use for study or teaching purposes may be destroyed.

3.0 Authority and Process

- 3.1 Deaccessioning and disposal must comply with all applicable County and State laws in force at the time, and must observe any terms and obligations which pertained to the acquisition of the work by the County.
- 3.2 The authority to deaccession works of art will rest with the Arts & Culture Advisory Board. The deaccessioning will follow the surplus procedures as established by County Purchasing Ordinance and the Division of Contracts and Procurement.
- 3.3 The process of deaccessioning is to be initiated by the Fine Arts Collection Subcommittee (if constituted,) and recommended by the Salt Lake County Arts & Culture Advisory Board, with full justification in writing to the director of Contracts and Procurement who will, after appropriate review of the facts and circumstances, present the request to the County Mayor.
 - 3.3.1 The director of Contracts and Procurement shall exercise care to assure that the recommendations (which shall be in writing) are based on authoritative expertise.
 - 3.3.2 Qualified outside review and appraisal are strongly encouraged and recommended. Works determined to be valued over \$10,000 must have an appraisal.
- 3.4 No member of a governing body, staff or those whose association with the County might give them advantage in acquiring the work shall be permitted to acquire directly or indirectly, a work deaccessioned by the County, or otherwise to benefit from its sale or trade except as may be permitted under state statute dealing with ethics or conflicts of interest.
- 3.5 The Arts & Culture Division will work with Records Management and Archives to maintain complete and accurate documentation, to comply with record retention schedules, and to maintain permanent historical documentation.
- 3.6 The County Auditor's office shall be notified each time there is a deaccessioning of art. The necessary paperwork showing the disposition of the art shall be completed and forwarded to the Auditor subject to County Mayor's approval. The Auditor shall remove the art from the County's fixed asset records.

4.0 Interests of Donors and Artists

- 4.1 It is recognized that, when feasible, it is advisable to notify the donor and artist of a work under consideration for deaccessioning. Care should be taken to maintain good relationships with the donor and artist.

4.2 When a donated object is disposed of, the object newly acquired as a result of the proceeds should be held with acknowledgment of the original donor's contribution; and the proceeds would be used, generally, for acquisition of an object(s) within the donor's area of interest, if that is known or feasible.

APPROVED and ADOPTED this 11 day of December, 2018.

SALT LAKE COUNTY COUNCIL

By:  _____ Chair

ATTEST:



Sherrie Swensen
Salt Lake County Clerk

Approved as to Form

Craig J.
Wangsgard

Craig Wangsgard
Deputy District Attorney

Digitally signed by Craig J. Wangsgard
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