



## STAFF REPORT

**DATE:** January 12, 2021  
**TO:** Honorable Mayor and City Council  
**FROM:** Rita R. Wright, Museum Director  
**SUBJECT:** CITY COLLECTIONS POLICY FOR ART, HISTORY AND HERITAGE OBJECTS

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### **RECOMMENDATION:**

A Motion to Accept the City Collections Policy

### **BACKGROUND:**

As “Utah’s Art City” Springville is recognized for its heritage of art appreciation and the beauty of other historical monuments. Although the Springville Museum of Art has a collection overseen by its nonprofit organization, the City has received a number of artworks and historical/heritage objects over the years that belong to it as an entity separate from the art museum. As this City Collection continues to grow due to donations and/or purchases, it becomes expedient to have a Collections Policy to guide that growth and the placement of objects in City parks and buildings.

Oftentimes citizens want to donate, have the City purchase, or place objects around the City with good intentions, but without understanding some of the ramifications of collecting, storing and caring for an object and whether it is in the long-term interest of the City to accept those objects. Staff members who are aware of current industry best practice for Collections and their relevant departments can make recommendations of objects that become part of an official Collection.

Besides growing and placing the Collection, there is a need to document the object data and any transactions regarding the acquisition, ownership, tax accountabilities, and long-term maintenance in a database for future reference. City staff will need to comply with professional best practice standards in caring for these objects and documents in a transparent and legal manner. The establishment of a City Collections Policy will enhance these processes and help the City avoid any conflicts or confusion that might arise due to lack of coordination in the acceptance and use of these objects.

## **DISCUSSION:**

The attached City Collections Policy is intended to facilitate interactions between Council, members of the public and staff regarding the objects collected by the City. It encourages oversight by City Staff and a Collections Committee who then will make recommendations to the Council after reviewing the purchase or donation qualifications, coordinating with relevant directors (as outlined in the document), and considering the long-term care and financial resources necessary to maintain and utilize the object for formal acceptance and recording.

## **ALTERNATIVES:**

The alternative is to have these objects brought directly to Council for acceptance during a public meeting; this may induce the Council to make decisions without the opportunity for due diligence in considering the specific object for acquisition, placement and maintenance within the City.

## **FISCAL IMPACT:**

The fiscal impact will generally be determined by the specific acquisition process, data research and recording needs for individual objects. Personnel time for ongoing data updates and maintenance is also a primary consideration.

**Rita R. Wright**  
Museum Director



## Collections Management Policy and Procedures

**Effective:**

**Revised:**

### **PURPOSE OF THIS POLICY:**

This policy establishes an acquisition, placement, long-term maintenance, and management process for Springville City art and historical objects. By implementing these processes, the City seeks to enhance donation and operational efficiencies, best practices, effective decision making, and compliance with laws and regulations across the City.

This policy is to:

- (a) address recurring concerns regarding Springville City's ownership and stewardship of artworks and heritage objects
- (b) identify and delineate which types of artwork and/or heritage objects the City collects and who is responsible for making those decisions
- (c) simplify procedures and eliminate ambiguity to avoid miscommunication between City Departments and outside entities about projects on City grounds
- (d) establish procedures for placement, maintenance and tracking of city owned artwork and heritage objects

### **DEFINITIONS**

- Springville City Collection: Any heritage or artwork objects owned by Springville City are considered part of the Springville City Collection.
- Springville City Collections Committee: The Committee which decides if the city should acquire specific artworks and/or historical objects and recommends their placement location on City property. It consists of the Museum Director, Buildings and Grounds Director, Community Development Director, City Analyst, and others by appointment.
- Relevant Department Director: A director is considered a "relevant department director" when the proposed artwork or heritage object will be displayed on the grounds or facilities of their department or affects any aspect of the General Plan recommendations for the City.

## **POLICIES and PROCEDURES:**

### **SCOPE OF SPRINGVILLE CITY COLLECTION:**

All objects offered for acquisition must be approved through the Springville City Collections Committee. Springville City collects the following artworks and objects:

- a. Fine Art (typically sculptures, paintings or works on paper): Original works approved by City Collections Committee and intended for placement on City property, including inside City buildings. These works are distinct from the Springville Museum Art Association Permanent Collection which is owned by a 501 (c) 3 nonprofit organization.
- b. Historical monuments, markers, and plaques: Objects deemed relevant to Springville or its history by the Collections Committee.
- c. Public Art: Original public art-scaled pieces offered through donation or purchase and consistent with the City General Plan and Collections Committee guidelines.
- d. Statues to Live By: A closed, historic collection (The Delora Bertelsen "Statues to Live By" Collection).

Springville City does not collect the following in its formal Collection:

- a. Any art selected as a requirement through the City Development proposal process will not be part of the City Collection, nor will it be maintained by the City unless the exception is designated by the original agreement.
- b. World Folkfest objects presented to the Mayor and/or other City officials will not be stored, maintained, insured or tracked as part of the formal City Collection.

### **ACQUISITIONS:**

Objects for the Springville City Collection can be acquired through donation, purchase, bequest, or transfer.

Artwork or heritage objects acquired by Springville City or displayed permanently on Springville City grounds or in Springville City facilities must be approved by the Springville City Collections Committee (the Committee).

The Committee and any relevant department directors are responsible for determining what works are appropriate to the City's mission. The Committee will meet at least twice a year, with interim meetings as needed for specific purchase or donation consideration. The Acquisition Process requires approval by a simple majority of Committee members.

Acquisitions are proposed to the Committee with the object's authenticity, provenance, attribution, and condition. The Committee considers the relevance and/or significance of the piece to the City's collection and mission; it also considers the cost of storage, conservation, and ongoing care. The Committee may invite artists or consultants to participate as needed in the acquisition process.

Not all objects offered for donation will be accepted. Gifts with restrictions will not be accepted. No work shall be accepted with a guarantee of display, publication, perpetual ownership, attribution, or valuation. The committee may consider special conditions or restrictions in

exceptional cases. Any restrictions or conditions must be clearly stated in the Deed of Gift or other instrument of conveyance. These conditions shall be strictly observed. The Committee will be respectful of all offers for donation or purchase, but final decisions will be made by Springville City Collections Committee.

Springville City will acquire an object only when it has been determined, to the degree possible, that the work has not been derived from illicit trade or wrongful seizure and that its acquisition does not contribute to the continuation of illicit trade or otherwise questionable practice in the obtaining of works of art. Springville City will not acquire any object that was obtained illegally or that does not have the proper documentation including permits. The City will not acquire Native American Graves and Repatriation Act of 1990 (NAGPRA) eligible materials.

Acquisitions by Springville City will be documented, including digitization, as part of the Springville City Collection by Museum Staff. Copies of acquisition paperwork and agreements will be provided to the City Recorder when relevant.

On acceptance of the object a Deed of Gift (or other legal, written transfer of property) must be signed and placed in the object's permanent record at the Museum. A written letter of acknowledgment will be sent to the donor and a copy will be kept on file at the Museum.

For purchases, bequests, and other means of accession all related paperwork and documentation will be kept in the object's file. This includes but is not limited to: receipts, proof of payments, wills, and trust bylaws.

## **REMOVAL**

In considering removal of objects, Springville City will weigh carefully the interests of the public for which it holds the Collection in trust, the donor's intent in the broadest sense, the interests of the Springville community, and the City's resources.

The Collections Committee may recommend works for deaccessioning to the Mayor and Council. Works considered for removal must be fully and legally owned by Springville City and have complete documentation of ownership or ownership of objects by outside party must be clear and documented. Objects must also be free of terms and restrictions that would prohibit deaccession and must have been accessioned more than three years prior to deaccession.

Removal shall be conducted in such a way as to maximize improvement of the City's Collection and facilities, while preserving its integrity and reputation. This may be accomplished through repatriation, sale at public auction, sale to or exchange with another museum/organization, or sale/exchange through accredited art or antique dealers. The committee will decide the proper avenue for removal.

A written report of removal will be maintained in the City's Collection records.

No person associated with Springville City Departments or City Council, including any staff, member of the Committee, or representative or immediate family of such person, may acquire a work removed by Springville City.

## **LOANS**

Springville City will not accept any incoming short- or long-term loans unless approved by the Committee.

No artworks or objects in the Springville City Collection will be eligible for outgoing loans, with the exception of Springville City Departments with specific program needs. These loans will be reviewed by the Committee and Museum staff to determine viability and necessity of the loan.

Loan records will be recorded and documented by Museum staff and provided to City Recorder.

### **OBJECTS IN CUSTODY**

Objects left in the temporary custody of Springville City will be individually identified and treated with the same level of care as an incoming loan.

Occasionally objects are found in collections for which there is no documentation and objects are left unclaimed. The Committee will make every reasonable effort to identify the object and any relevant information about these objects. If they are unable to establish ownership, Springville City may consider the object for acquisition into the Collection.

### **DOCUMENTATION**

Records concerning the acquisition, identification, provenance, condition, location, and insurance value of works in the Springville City Collection are maintained by Museum staff. Each item in the City's Collection must have a unique identification number (accession number) applied to it in a manner that is reversible if required. SMA will maintain records for each object in the City collection including its identification, artist attribution, material and technique, proof of ownership, provenance, exhibition history, condition, and conservation treatment and will provide necessary information to the City Recorder.

A digital collections management system (CMS), at the time of writing, Embark, is and will be the primary repository of new information on Collection objects. Information in the registrar's permanent collection records will be migrated to the digital collections management system on an ongoing basis. The CMS is used to track locations of objects in the Collection.

### **INTELLECTUAL PROPERTY**

The Committee will seek to obtain exclusive or non-exclusive copyright license for acquisitions made through purchase, gift, or exchange.

In the case that the copyright or license is held by another party and the reproduction is not considered fair use, Springville City will require written permission from said party in order to reproduce the work for City purposes.

The fair use doctrine permits the use of images by Springville City, press, and media for the purpose of promoting exhibitions, and also permits the use of images internally for commentary and teaching purposes. This can be done regardless of the copyright status of the objects. However, this doctrine does not permit the reproduction of images for commercial use.

### **COLLECTIONS CARE**

Springville City has a legal, ethical, and fiduciary responsibility for the safekeeping of these assets. It is the City's responsibility to provide a safe and secure environment for all collections in its custody, including loaned objects. This means controlling, as much as possible, light exposure, relative humidity and temperature, and pollutants and contaminants in accordance with current best practices. Maintaining clean and secure storage facilities is the responsibility of Springville Museum and Building & Grounds staff.

All staff, interns, and volunteers who work with collections or loaned objects must be trained in object handling best practices. All art handling should be coordinated and approved by SMA curatorial staff. No staff, interns or volunteers should handle objects without supervision and/or approval by SMA Curatorial staff.

Conservation of the collection will be conducted by professional, experienced conservators.

### **RISK MANAGEMENT AND INSURANCE**

The Springville City Collection may be insured by Springville City and will be managed in line with the City's insurance strategy. When a work is acquired, the Committee will suggest the level of insurance requested to City Risk Management for review.

All works in Springville custody must be handled in a professional manner. In the case of loss or damage, City staff shall be notified immediately. The Museum registrar/collections manager will direct recovery and conservation efforts.

Much of the Springville City Collection will be held in public spaces and is inherently at risk. The City staff will work to protect objects from natural disasters, vandalism, theft, human error, mechanical or operational failure, and deterioration.

### **APPRAISALS AND IDENTIFICATION**

Springville City staff members, including Springville Museum of Art staff, are prohibited from providing appraisals or monetary valuations of works of art. City staff may respond to inquiries about appraisal services by directing patrons to the American Society of Appraisers (ASA), the International Society of Appraisers (ISA), and the Utah Manuscript Association's list of appraisers.

If a donor wishes to have an artwork appraised after it has been deposited on Springville City property, SMA staff will work with the donor and appraiser to facilitate the appraisal at the property. City staff will not hire or coordinate appraisals on behalf of the donor.