

# Town of Windsor Community Art Policy

## Introduction

The Town of Windsor finalized its first Public Art Master Plan in 2010. This plan laid out initial guidelines, recommendations, and goals for the eventual creation of a public art program in Windsor. In 2020, a new Public Art Master Plan was created with the objective of identifying specific sites for Community Art, informing the creation of necessary policies and governing bodies, and formalizing guiding principles for the selection of artworks. This policy is a direct result of the recommendations made in the 2020 master plan and is the official reference document for the Town of Windsor's Community Art Program.

## Purpose

The Town of Windsor's Community Art Policy creates the roadmap for Windsor to enhance the lived experience of the community, businesses, and visitors. As Windsor continues to grow, the Community Art Policy along with Public Art Master Plans will ensure that artworks, artists, and sites are selected equitably and in a way that supports Windsor's identity as a modern town with historic roots.

The governing body of Windsor's Community Art Program is the Windsor Arts Commission (WAC). The WAC will select artworks in accordance with three guiding principles:

Works will be engaging and inspirational to residents and visitors, and create opportunities to interact with the built environment.

Artworks, artists, and locations will be inclusive to the best of the WAC's ability. Artists will be selected through a variety of means and will feature artists who are both local and from beyond Colorado. The WAC will do its best to select artist that are diverse in background and perspective.

Finally, all artworks will be relevant to Windsor as a modern town with historic roots.

By following these guiding principles, the Town of Windsor, through the WAC, hopes to create a legacy of Community Art in Windsor that will continue into the foreseeable future.

## Scope

This policy applies to all Community Art that is created or constructed within the Town of Windsor. For the purposes of this policy, Community Art is defined as follows.

1. A visual work of art. (See Appendix A: Definitions for further information)
2. Meant to be displayed permanently or semi-permanently, meaning for a period of at least 5 years.
3. Must be displayed in a public setting, meaning one of the following:
  - a. On town-owned property such as a park or open space or town-owned building exterior
  - b. Inside a town-owned building in a public area that is open to all visitors during regular hours
  - c. On privately-owned property that is visible to the public at all times such as a mural on the exterior of a business

- d. Must have either been funded entirely or in part by the Town of Windsor or formally accepted for donation according to the procedure set forth in this policy.
4. Art that is on exhibition in town-owned cultural facilities including, but not limited to, the Art & Heritage Center, Windsor History Museum, and the Community Recreation Center exhibit cases is exempt from this policy.

#### Special Districts

1. Special districts that have received Town Board approval prior to formal adoption of the Windsor Community Art Policy are not subject to the Windsor Community Art Policy without the express consent of the district.
  - a. If an existing special district wishes to create its own public art plan, the Windsor Arts Commission is available for consultation.
2. Any new special district seeking approval of a new service plan or operational plan, or amendment of a prior-approved service or operational plan shall be required to include a public art plan as part of the submittal.

## Art Acquisitions

The Town of Windsor can acquire funding for Community Art works in any of the following ways:

#### Town Board Allocations

1. At the discretion of the Town Board, funds may be allocated into the Community Art Reserve Account each year. Estimates for funding can be made using the yearly Community Art installation plans created by the WAC. These funds, once allocated, are to be used exclusively for the purchase, commission, construction, installation, conservation and repair of Community Art.

#### Percent for the Arts

1. The Town of Windsor does not currently have a percent for the arts program in place, as of May 2021. This section is reserved for procedures associated with that program if it is created. A formal amendment to this policy must be approved by the WAC and the Town Board to approve new formal funding structures.

#### Donations, Gifts, and Endowments

1. Anyone may donate funds to the Community Art Reserve Account. These funds cannot be restricted or conditional and will be made available for all aspects of art acquisition, installation, and maintenance.
2. The WAC may receive proposals for donations of artworks. Artworks that are proposed for donation must adhere to the Community Art Donation Procedure. Individuals or entities interested in donating an artwork must follow these steps:
  - a. Complete the Community Art Donation application and submit to the WAC by either the spring deadline of March 31st or the fall deadline of August 31st.
  - b. Provide a maquette, images, or the actual work for review. Images can be provided electronically or by hard copy and should show all sides and provide the proper scale of the work.
  - c. Submit a cover letter explaining why the artwork is being offered to the Town of Windsor as a gift and why the work should be added to the Town's collection. When

possible, reference should be made to the guiding principles of the Public Art Master Plan.

- d. Provide a copy of the artist's resume or biography and images showing a sampling of the artist's work.
- e. Provide information about the artwork's provenance, exhibition history, and a letter of authenticity from the artist, if possible. All artworks must have a complete provenance in order to be considered.
- f. If desired, the potential donor may also propose a site for the artwork. There is no guarantee that, if accepted, the artwork will be displayed in the proposed site. The final decision will be made by the WAC in consultation with the Technical Assistance Team (TAT).
- g. Provide a conservation assessment describing the artwork's condition and a maintenance plan, including projected costs for maintenance. The plan should include an explanation of the expected life span of the work while placed in a public environment, and the type of environment (interior/exterior) in which the artwork may be placed. The plan should also discuss whether the artwork may be prone to vandalism and how that may be mitigated; it should be authored by the artist or a qualified conservator. The WAC is unlikely to consider donations that require immediate or extensive maintenance.
- h. Provide an appraisal value for insurance purposes. Appraisal value must be assigned by a professional fine arts appraiser.
- i. Review the Windsor Community Art Program Safety Policy and sign an acknowledgement that the artwork complies with all aspects of the safety policy.
- j. The WAC reviews donation proposals twice per year; in March and August, however, exceptions can be made if deemed appropriate by the Town Manager. After review, the WAC may choose to accept or decline a gift, or to table an offer until more information can be gathered. The WAC may ask potential donors for more information at any time during the application process.
- k. The TAT will be invited to provide insight and recommendations for potential donations. Their input will be considered before making a final decision.
- l. All decisions regarding potential donations must consider the Selection Criteria outlined below.
- m. Any artwork donation that is accepted becomes the permanent property of the Town of Windsor and will be maintained according to the guidelines in the Community Art Policy.

## Windsor Arts Commission (WAC)

The WAC is the governing body of the Town of Windsor's Community Art Program and is responsible for adhering to all aspects of this Policy. This Commission may adopt its own bylaws and rules of procedure, and amend these governing documents from time to time.

1. The establishment of the WAC was authorized by Ordinance No. 2021-1624.
2. The WAC is responsible for creating yearly art installation plans that take into consideration all planned Community Art projects in the budget for each year.
  - a. Yearly art installation plans are submitted to the Town Manager before the end of the first quarter for review.

- b. Art installation plans are presented to Town Board after approval by the Town Manager.

## Technical Assistance Team (TAT)

To ensure that the WAC is making the best-informed decisions regarding new artworks and sites, they will collaborate regularly with the Technical Assistance Team (TAT). This group is comprised of Town of Windsor staff members from various departments that can provide insights and expertise necessary for making decisions about artwork construction and placement. The TAT will be composed of one staff member from each of the following departments.

- Planning
- Engineering
- Public Works
- Parks
- Risk Management

These staff members are appointed to the TAT by department heads and may serve indefinitely. Staff members from other departments not listed above may volunteer to be part of the TAT for a term of one year.

The TAT is responsible for reviewing all proposed artworks and sites, taking into consideration things such as lines of sight for artworks near roadways and walking/bike paths, landscape management, safety of children and other residents who may come into contact with the artwork, and maintenance of artworks and sites. Members of the TAT are considered ad hoc, non-voting members of the WAC and may be asked to attend meetings outside of work hours.

## Artwork Selection Processes

When a site is designated for Community Art, it is the responsibility of the WAC to select the artist and the artwork. Selection of artworks may happen in the following ways.

Direct purchase from the artist or current owner of a work

1. The WAC may use its discretion to purchase an artwork that has already been created if the price presents an economic advantage and if the artwork is a good option for the designated site.
2. The WAC may approach an artist about a known work, or an artist or current owner may submit the work for consideration by the WAC.
3. The WAC will receive submissions of artwork for potential purchase to be considered on a case-by-case basis. Artists or current owners must submit a complete submission packet including the following:
  - a. A proposal sheet with the artist's name, title of the artwork, dimensions, medium, date produced, price, location, number of reproductions, restrictions on reproduction, and other information the artist deems pertinent.
  - b. A resume and references.
  - c. A maquette and/or images or the actual work for review. (Images can be provided electronically or by hard copy and should show all sides and provide the proper scale of the work.)

- d. A cover letter explaining why the work should be added to the Town's Community Art collection, referencing the guiding principles of the Public Art Master Plan when possible.
- e. A conservation assessment describing the artwork's condition, along with a maintenance plan. (The plan should include an explanation of the expected life span of the work while placed in a Community environment, specifying the type of environment in which the artwork may be placed. It should also discuss whether the artwork may be prone to vandalism and how the effects of any vandalism may be mitigated; it should be authored by the artist or a qualified conservator.)
- f. The TAT will be invited to review all submissions to provide insight and make recommendations based on their expertise.
- g. Any current owner of an artwork who is not the artist must also submit full provenance for the work along with the artist's biography and contact info if possible.
- h. The WAC may request additional information at any time.
- i. Once a submission is received, the WAC will vote at the next meeting whether to reject the submission, accept it to purchase for a currently available site, or table the submission as a potential work for a future site. Decisions will be based on the Selection Criteria outlined below.

#### Open call for proposals

1. Open calls welcome submissions from artists within the geographic region and according to other limitations set by the WAC.
2. Open calls will vary among local, regional, and national searches, depending on the scale of the project. The WAC will strive to maintain a balance between local artists, and artists from outside of Colorado.
3. The procedure for open calls for submissions is as follows.
  - a. The WAC will provide a description of the project site and parameters for the desired artwork including medium and scale if known. The WAC will also provide a summary of the budget, timeline, and other duties and obligations of the artist.
  - b. Each artist shall submit a maquette and site drawing (if appropriate), design, concept statement, budget, maintenance plan, resume and references.
  - c. The WAC will serve as the jury for open calls, however, may alternately select a jury to review submissions. In such cases, proposals shall be considered by the jury and a final choice or choices will be presented to the WAC for acceptance.
  - d. The TAT must review all submissions to offer insights and provide recommendations based on their expertise. They will work closely with the WAC as part of the jury during the initial review of submissions, and their recommendations will be taken into consideration for the selection of finalists.
  - e. Entry materials will be returned to the artist only if appropriate packaging, postage and insurance are included with the entry by the artist.
  - f. The WAC may elect to select a group of finalists to provide more complete models and plans. In this instance artists will be paid a design fee.
  - g. The WAC will make all decisions and artworks based on the Selection Criteria outlined below.

#### Artist Invitational

1. For the purposes of saving time, reducing the number of submissions, or other reasons given at the WAC's discretion, a group of artists may be invited to submit proposals for artwork to be installed at a given site.
  - a. An invitational must include at least three (3) but no more than ten (10) artists that are selected by the WAC.
  - b. The WAC will provide a description of the project site and parameters for the desired artwork including medium and scale if known. The WAC will also provide a summary of the budget, timeline, and other duties and obligations of the artist.
  - c. Each invited artist shall submit a maquette and site drawing, design concept statement, budget, and maintenance plan.
  - d. The selection procedure for an artist invitational will be the same as that of an open call (see items a-h under Open Call for Proposals above).

### Selection Criteria

The WAC is responsible for making decisions regarding which artists to work with, what artwork to accept or purchase, and which sites are suitable for Community Art. The following Selection Criteria are the guidelines that the WAC will follow when making these decisions. These Selection Criteria are available to the public including all artists and potential donors, who should therefore take these into consideration when submitting proposals.

#### Artist Selection

When selecting an artist for a commissioned work, whether through an open call or invitational, the WAC will utilize the following criteria.

1. Preference will be given to artists with prior experience creating public art and working with municipalities.
2. Artists must demonstrate the ability to complete the project in the required time frame.
3. Artists must have a knowledge of their materials and the maintenance required for the completed artwork.
4. The WAC will endeavor to select artists from diverse racial, gender and cultural backgrounds.

#### Artwork Selection

When selecting or approving an artwork for a new site, whether through an open call, invitational, direct purchase or commission, or through donation the WAC will utilize the following criteria.

1. *Guiding Principles:* The WAC will consider the guiding principles for Community Art established in the Windsor Public Art Master Plan.
  - a. Works will be engaging and inspirational to all residents and visitors and create opportunities to interact with the built environment.
  - b. Artworks, artists, and locations will be inclusive to the best of the WAC's ability.
  - c. Artworks will be relevant to Windsor as a modern town with historic roots.
2. *Inherent Artistic Quality:* Art is subjective in terms of its relative beauty, but the WAC will consider the inherent artistic quality of an artwork as a qualification for selection. A majority of the selection committee must agree that the work is visually appealing and well-constructed.

3. *Maintenance Requirements:* Will the Town of Windsor be able to properly maintain the artwork within its maintenance budget?
  - a. The artist must provide detailed instructions on maintenance of the artwork including all of the materials used and how to clean, maintain, and repair them.
  - b. Artworks should require basic cleaning and maintenance no more than twice per year.
  - c. The WAC will also consider an artwork's susceptibility to vandalism and how easily the work could be cleaned or repaired.
4. *Time Horizon of Artwork:* What is the anticipated lifespan of the artwork? Artworks considered to be permanent Community Art should be able to last at least five (5) years in an outdoor setting in normal public circumstances.
  - a. Outdoor artwork is exposed to the elements
  - b. Community Art is always at risk of being touched, climbed on, or otherwise interacted with by the general public. Efforts will be made to keep the public away from art that is not meant to be touched, but the artist should consider the nature of public art.
5. *Appropriateness of Artwork for the Site:* If a site has already been selected, the artwork chosen for that site must fit well into that context.
  - a. The size of the artwork must not overwhelm or get lost in the site
  - b. The artwork should not interrupt any sightlines for vehicular traffic, pedestrians, or block views of naturally scenic vistas
  - c. The material and subject matter should be relevant to the site and work to enhance it. Consideration should be given to the architectural, historical, geographical, and social/cultural context of the site.
6. *Diversity:* One of the core values of the Town of Windsor Department of Parks, Recreation & Culture is an appreciation for diversity, equity and inclusion. This core value will be considered when selecting and artwork.
  - a. The WAC will endeavor to select artworks by artists from diverse racial, gender and cultural backgrounds.
  - b. Diversity also refers to artistic mediums, styles, scale, and narrative. The WAC will work to ensure that the collection of Community Art in Windsor is diverse in these aspects as well.
7. *Uniqueness:* To ensure that an artwork will not be duplicated, the WAC will require the artist to warrant that the artwork is unique and, if applicable, limited to an edition of one (1) unless otherwise discussed.
8. *Community Safety:* The Technical Assistance Team (TAT) will aid in safety assessments for all artworks prior to acceptance. An artwork must be deemed safe according to the following criteria in order to be accepted into Windsor's Community Art Collection.
  - a. No sharp points, corners or edges that could cut or puncture
  - b. Absolutely no protrusions or projections that could entangle clothing, possibly causing strangulation
  - c. The absence of pinch, crush or shearing points that could entrap a body part or clothing
  - d. The artwork design shall not cause hazards that could trap a child's head
    - i. Completely bound openings greater than 3.5 inches and less than 9 inches fall into this hazard.
  - e. Tripping hazards that may cause a fall, or cause injury if fallen upon must be avoided

- f. Suspended hazards that could injure if capable of entangling or striking a member of the public cannot be a part of the artwork
  - g. The art should be securely anchored to avoid toppling
9. *Appropriateness for the Community:* The WAC will consider the wide visibility of Community Art to people of all ages, beliefs, and backgrounds and do their best to ensure that artworks are appropriate for this wide audience.
- a. No explicit nudity or other overtly sexual themes
  - b. No depictions of graphic violence
  - c. Artworks that deal with time-specific events and will not remain relevant throughout the required five-year lifespan of Community Art will not be considered for permanent installation.
  - d. No highly politically-themed artwork will be considered

#### Site Selection

In order for a site to be considered as a location for Community Art, it must meet all of the following criteria. Potential Community Art sites can be identified by the WAC, the Town Planning Department, the Town Board and Town Manager, or community members.

1. All Community Art must be placed on Town of Windsor property in a place that will be free and accessible to the public for a majority of the time.
2. Community Art can be placed on private property with the approval of the WAC and if the property owner agrees in writing to the following terms.
  - a. Artwork will be visible and accessible to the public for all or a majority of the time.
  - b. Property owner will take responsibility for maintenance of the artwork according to the Community Art Maintenance Plan.
  - c. Property owner will not move, refinish, remove, or otherwise alter the artwork without express permission from the WAC or the Town Manager.
  - d. The property owner shall indemnify the City and provide adequate property insurance for the artwork.
  - e. The property owner should not aim to benefit financially in any way from the Community Art.
3. The WAC will utilize the Windsor Public Art Master Plan to prioritize sites and districts. More widely utilized public spaces, such as the Downtown area, will be prioritized over local parks and neighborhoods.
4. During the planning phases of all CIP programs, the department in charge of the project should consult with the WAC regarding the creation of sites for Community Art.
5. Community members may suggest potential Community Art sites to the WAC through the following procedure.
  - a. A community representative must be selected to complete all steps for the site recommendation
  - b. The Community Art Site Proposal form must be completed and submitted to the WAC.
  - c. If the community is also proposing an artwork for the site, the representative must also complete the Community Artwork proposal procedures outlined above.

- d. The WAC will deliberate on the site at the next meeting that occurs after the proposal is received. They will decide to either approve the site, reject the site, or table the decision until more information can be gathered.

#### Town Manager Review

1. The WAC makes final decisions on artwork locations, artists, and designs. These decisions are reviewed by the Town Manager, who has the authority to call decisions in for review.
  - a. If the Town Manager identifies an artwork, artist, or location for review, the WAC will prepare a presentation outlining how the proposed artwork meets the selection criteria and why they decided it was appropriate for the site.

## Accession Process

Once an artwork has been selected, approved, and officially adopted into the Town of Windsor's Community Art Collection, the following steps will be taken.

1. The artwork will be assigned a unique accession number composed of the year the work is acquired followed by the artwork donation number for that year, which is determined chronologically e.g. 2021.01 is the unique number of the first artwork (.01) accepted in the 2021 calendar year.
2. All documentation, including contracts, final commission approval documents, photographs, and descriptions associated with the artwork will be compiled in a digital file associated with each artwork. Hard copies of documents must be retained for five (5) years.
3. Donated artworks will have an associated deed of gift document that must be retained in hard copy in perpetuity.
4. Documentary photographs will be taken of the artwork once it is installed to gain a baseline for condition.
5. A detailed condition report will be completed documenting the physical status of the artwork
6. The WAC will input all information into the Town's Community Art Database.

#### Database Content

It will be the responsibility of the WAC to create and maintain an up-to-date database with all existing artwork within the Town's Community Art Collection. Information for each artwork will include, but is not limited to:

1. An accession number that is unique to each specific artwork
2. Type of artwork, i.e. painting, stained-glass, mural, sculpture, etc.
3. Artwork information including title, date of creation/year of commission, date of acquisition, place of origin, location of artist signature on piece and signed name, and previous owners and/or collector (if applicable)
4. Installation date, location, tools used for install, and method, preferably with photographs of installation process
5. Artist name, contact information, copyright information, legal status, and any restrictions associated with the artwork
6. Dimensions of the artwork
7. Installation location

8. Installation details including materials used and source of materials, fabrication methods, techniques used
9. Documentary photographs of artwork construction, installation, condition, and progression of photos through time.
10. Information associated with the artwork commission including a copy of the final contract, commission amount, funding sources, contact information of additional organizations, departments, or persons involved with the commission
11. Artist statement, artist's description of the artwork, and artist's biography
12. Credit statement

## Artwork Deaccessioning Procedures

The WAC may remove artwork for one or more of the following reasons:

1. The artwork endangers public safety as determined by TAT
2. The artwork has been damaged beyond reasonable repair
3. The artwork requires excessive maintenance to the point where the Town cannot properly care for the artwork
4. The artwork has been determined to be in unsatisfactory condition
5. The condition or security of the artwork cannot be reasonably guaranteed where located
6. The artwork is attached to a structure that is slated for destruction, remodeling, or repair
  - a. Artworks in this case can also be relocated to a new site at the discretion of the WAC
7. The artwork is fraudulent or not authentic
8. The artwork was stolen from the location and cannot be retrieved
9. Any other significant reason articulated by the WAC or the Town Manager, at their discretion

### Determination

1. Determination of removal will occur during the biannual condition reporting conducted by the WAC. In addition, the WAC reserves the right to remove any artwork at any time deemed appropriate with approval of the Town Manager.
2. The removed artwork must be documented and preserved in the Community Art inventory in a removal file.

### Physical Removal

The WAC may consider the following options for removal:

1. Sale or trade
2. Destruction (which shall be reserved for artwork that is deteriorated or damaged beyond reasonable repair)
3. Donation
4. Any other option deemed appropriate by the WAC and approved by the Town Manager

## Community Artwork Maintenance and Conservation

The Town of Windsor is committed to maintaining, ensuring the value of, and guaranteeing the safety of its community-owned artwork for the enjoyment of the Windsor community for years to come. The outlined maintenance and conservation guidelines will be applied to each artwork within the Community Art Collection to ensure proper stewardship of the collection as a whole.

### New Acquisitions

1. Artists or donors are required to provide artwork maintenance information at the time the work is acquired by the Town. Maintenance recommendations should include but are not limited to:
  - a. Materials and source of materials used to create the artwork
  - b. Fabrication methods
  - c. Names and contacts of any individuals, other than the artist, involved in the creation or fabrication of the artwork
  - d. Suggested method and frequency of required maintenance (artworks that require maintenance more frequently than twice per year will not be considered)
  - e. Installation specifications
  - f. Required assembly equipment and tools
  - g. Additional pertinent information

#### Long Term Observation and Maintenance

1. The WAC will create and maintain a detailed Community Art Maintenance Program which will include the following information:
  - a. Method and frequency of cleaning including recommended tools and materials
  - b. If professional conservation services are necessary, how frequently and by whom
2. It is the responsibility of Town staff, under the supervision of the WAC, to perform general cleaning of the artwork when applicable. Cleaning tasks may include regular dusting and the use of appropriate cleaning agents.
3. If an artwork is located on private property, the host locations will perform maintenance in accordance with the Community Art Policy, observe the general condition of the artwork and report any damage or other changes in condition to the WAC.

#### Condition Reporting

1. The WAC will coordinate detailed condition reports for each artwork in the collection on a biannual basis. These condition reports should be conducted by qualified Town of Windsor staff who have been trained in the skills necessary to complete the task. The condition report should include:
  - a. Condition rating (Excellent, Good, Fair, Poor)
  - b. Date of condition report
  - c. Detailed condition notes including location of damage on artwork, type of damage and size of affected area. Note any changes in color or texture on the artwork.
  - d. Photographic record of damage or wear to artwork.

#### Conservation

1. Technical maintenance and conservation of artwork will only be performed by trained staff or through professional services with expertise in art conservation. The WAC is responsible for contracting conservation professionals when necessary
2. A record of all conservation efforts will be maintained by the WAC for each artwork and will include:
  - a. Type of conservation measures applied to the artwork, name and contact information of conservator, and date conservation took place.
  - b. A detailed photographic record of damaged area and repairs once complete.
  - c. A written description by the artist or designer that states the desired effects of time on the artwork or memorial.

## Definitions

As used in this Policy, the following terms shall have the meaning set forth below:

**Accession/Accessioning:** The steps taken to officially acquire and designate an artwork as part of an art collection.

**Acquisition:** The inclusion of an artwork in the permanent collection of the Town, whether by commission, purchase, donation or other means.

**Conservation:** Preservation, repair, and preservation of deterioration of Community Artwork and artifacts.

**Deaccession/Deaccessioning:** The act of removing artwork from the Town's Community Art collection through any method (i.e. Sale, return to the artist, donation, auction, demolition, loss). This includes the removal from its Community site, removal from a maintenance cycle, and transferring of all associated records, both hard copy and electronic, into the Town's deaccessioned collection file.

**Maquette:** A small model or study of an artwork done to scale and in three dimensions.

**Medium:** The material or form used by an artist to create a work of art. This includes all materials as well as the means for attaching, connecting, or mounting different parts. Example: Cast copper alloy with turquoise inlay.

**Provenance:** A record of ownership of a work of art. Full provenance can be traced back to the artist who created the piece. Provenance includes the names of buyers, when the work was purchased and from where/whom, and how much was paid by each buyer for the work.

**Public Setting:** Any space that is owned by the Town of Windsor and is free and open to the public. For outdoor areas, the space is accessible in accordance with guidelines set forth in the Americans with Disabilities Act (ADA). For indoor areas, a public setting is one that is open and free to the Community during regular business hours. This means that no special access is necessary to see the artwork and that it is ADA accessible.