

LEGAL



**MEMORANDUM**

**TO:** Public Arts Advisory Commission  
**THRU:** Stacy Peterson, Strategic Communications Manager  
**FROM:** Mas Perkins, Assistant Attorney  
**DATE:** December 7, 2021  
**RE:** Guidelines for Loaned Artwork in Mayor's Suite

The Public Arts Advisory Commission received a request from Mayor Ali to assist in selecting artwork by Peorians. The artwork that is selected would be loaned by artists and/or local organizations for the Mayor's suite. It was decided at that time of the Mayor's request that it was prudent to develop a policy to address all future requests.

The proposed guidelines included in this memorandum are provided to initiate a discussion within the Commission for development of this policy document. The intent of City staff is to provide a public display of artwork while at the same time limiting the cost and liability to the City. At no time does City staff intend to regulate the aesthetic nature of the artwork.

Legal questions may be directed to Masum Perkins, or her successor, at (309) 494-8595 or mperkins@peoriagov.org.

Encl.

## Guidelines for Loaned Artwork in Mayor's Suite



### 1. Purpose

- a. To ensure the successful display of artwork in the Mayor's suite (suite 207), it is important to maintain collaborative and cooperative partnerships between local artists and local organizations. The purpose of these guidelines is to provide a framework for review and approval artwork and to provide post-approval guidelines for when the loaned artwork is placed in the Mayor's suite. This framework would be available to the public so that they are aware of the requirements from the City to loan artwork for the Mayor's suite. This technical memorandum is limited to artwork to be displayed in the entryway and inside the Mayor's suite. This memorandum emphasizes the intent to provide a pleasing experience for the City's citizens and visitors.
- b. Peorian artwork is defined as an artwork produced by an artist who resides in Peoria and/ or has a studio in Peoria. Peorian artwork may also include any artwork loaned by a profit or not for profit organization which is located in Peoria.

### 2. Review Body

- a. The Public Arts Advisory Commission ("PAAC") shall be the primary point of contact for parties interested in loaning artwork for the Mayor's suite.

### 3. Display Locations

- a. There are multiple wall spaces with varying dimensions available for the display of artwork. There are two areas inside the Mayor's suite, City Hall suite 207, that host these available wall spaces. The first area is the entryway that is open to the public and the other is inside the Mayor's suite that is not accessible to the public.

### 4. Design Requirements

- a. The artwork must be two-dimensional, framed, and have a hanging system on the back.
- b. The artwork's appearance and visual relationships with the surrounding environment shall be considered. Artwork that presents significant concerns regarding public interest or public safety may not be approved.
- c. The following design features may not be approved:
  - i. Flashing disks that simulate lighting
  - ii. Company logos or symbols
  - iii. Flags and banners
  - iv. Text, except on designated informational signage
- d. Artwork should remain maintainable. Artwork and hanging system shall be designed using long- lasting materials and techniques which require minimal care.

## 5. Timeline

- a. PAAC shall circulate the policy and application to potential applicants in the month of December each calendar year.
- b. Artists or local organizations that choose to submit applications should have all materials submitted to the chair of PAAC by 5:00 PM on the third Friday of January.
- c. PAAC will approve or deny all submitted applications during their February meeting.
- d. PAAC will notify applicants about approval or denial of the applications.
- e. Following approval and consultation with the artist or local organization on a date and time for drop off artwork will be installed within 30 days.
- f. Artwork will be on display until the end of January. The City will work with the artist or local organization to set up a scheduled date and time for pickup.

## 6. Application Process

- a. Artwork may be loaned by a local artist or local organization within the City of Peoria as defined in paragraph 1(b).
- b. The application form shall be made available to the public on the City's website.
- c. The application form shall require the following information:
  - i. Name and contact information of the artist or local organization
  - ii. Name of the proposed artwork
  - iii. High-quality photograph(s) of the proposed artwork
  - iv. The desired location to hang artwork (i.e. entryway or inside the Mayor's suite)
  - v. Dimensions of the artwork(s)
  - vi. Date of the proposed delivery(s)
  - vii. Schedule requirements or constraints for delivery(s)
  - viii. Signed commitment to loan artwork to the City for a year
  - ix. Artist statement(s)
  - x. Short biography(s)

## 7. PAAC Selection Process

- a. PAAC, as a whole, will review submitted applications.
- b. PAAC will consider the following when reviewing applications:
  - i. Dimensions of the artwork
  - ii. Subject matter
  - iii. Technique
- c. The desired location(s) as stated on the application will be considered by the PAAC. However, the final placement of the artwork inside the Mayor's suite will be determined by PAAC.

## 8. Additional Details

- a. There is no payment by the City for delivery, pickup, or for the one-year display period of loaned artwork.
- b. The City will provide information for citizens regarding the artwork (i.e. name of the artwork, artist's name and/ or local organization, and contact information for

purchase). In no circumstances will the City or its agents act as an agent or conduit for the artist and/ or local organization.

- c. This is not a public art installation. Artwork will be available for display online through the Mayor's page on [www.peoriagov.org](http://www.peoriagov.org).
- d. The artist or local organization will be required to provide PAAC with a high-quality photograph(s) of the artwork so that it can be used for the online gallery. The artist will also be required to provide an artist statement.
- e. City Public Works staff will be the only people authorized to hang and remove loaned artwork.
- f. Artwork will physically remain in the Mayor's suite for no more than one year. The one-year commitment does not change if the artwork is purchased.
- g. Any artists or local organizations are required to execute a hold harmless agreement prior to the delivery date of the artwork.
- h. The artist or local organization is responsible for packing, transporting, and delivery of the artwork. This includes coordinating the pickup of the artwork after the one-year loan period.
- i. Artwork may be removed or relocated at any time and as needed without any notice by the City.

#### 9. Responsibilities

- a. The City will be responsible for:
  - i. The hanging and removal of loaned artwork
  - ii. Maintaining the wall in which artwork is hung on
- b. The artist or local organization will be responsible for:
  - i. The maintenance and upkeep of their loaned artwork
  - ii. Scheduling drop off and pick up of loaned artwork with City Public Works staff
  - iii. Maintaining already existing insurance coverage for their loaned artwork

#### 10. Liability

- a. The City does not provide insurance coverage for loaned artwork. The artist or local organization may want to maintain property damage insurance on their artwork, listing the City as additional insured.
- b. Every artist or local organization loaning their artwork shall hold harmless and indemnify the City and its agents from any damages, theft, liability, costs, or expenses incurred because of any injury to the loaned artwork. The hold harmless will apply to personal, business, character, reputation, sustained by any person or loaned artwork. A signed form will be required to be submitted to the City's legal department by every artist and/or local organization.