

**City of Golden Public Art Commission**  
**Plan for Collection Review**  
**April 13, 2016**

**Background**

The City of Golden has relied on the generosity of others to build its public art collection. Without the support of these individuals the public art collection would not be rot have been implemented. Golden's citizens and visitors, as well as the Public Art Commission (PAC) are forever grateful for the donors of the public art that contributed to the cultural landscape of the community.

The PAC formed in 2013 to oversee Golden's public art collection. One of the commission's responsibilities is to evaluate the collection and consider the removal of pieces, if warranted, every few years.

In spring of 2015, the PAC commissioned a maintenance and conditions report of the City's Public Art collection (owned and on loan) from Arts Management and Planning Associates (AMPA). The report was commissioned to gather additional information about the status of the artwork, and the public art funds that would need to be allocated to maintain and repair the collection going forward.

After review of the report, it was determined that six artworks in the Golden Public Art Collection were non-original copies. As provided in the PAC's adopted policy handbook, this determination rendered the six pieces as warranting a discussion of potential deaccession.

**Deaccessioning Policy**

Deaccessioning is a procedure for withdrawing a work of art from the City of Golden's public collection. Golden's Public Art Commission (PAC) has a defined process and responsibility for deciding whether any piece(s) should be deaccessioned over time.

**Basis for Deaccessioning**

1. The PAC may deaccession artwork for one or more of the following reasons:
  - a. The artwork endangers public safety;
  - b. The artwork has been determined to be in unsatisfactory condition;
  - c. The artwork lacks a suitable display site;
  - d. The condition or security of the artwork cannot be reasonably guaranteed where located;
  - e. The artwork is attached to a structure slated for destruction, remodeling or repair (so that it is not practical to keep the artwork);
  - f. The artwork is or has become incompatible with the rest of the collection;
  - g. The City wishes to replace the artwork with a piece of more significance;
  - h. The artwork requires excessive maintenance or has faults in design or workmanship.
  - i. The artwork is fraudulent or not authentic;
  - j. The City cannot properly care for or store the artwork; or

- k. For any other significant reason articulated by the PAC, at its discretion.

### **Process for Deaccession and Disposition**

The PAC policy handbook provides that the PAC will review the pieces in the City's Art in Public Places collection - at least once every two years, beginning in the first year of the program - to determine whether any piece(s) should be deaccessioned. In addition, the PAC reserves the right to deaccession any artwork at any time deemed appropriate by the PAC. Deaccessioning may only be considered during a monthly or a special meeting of the PAC. A majority of commissioners in a quorum must approve a consideration of deaccessioning for two consecutive meetings. After the decision is made to consider the deaccession of one or more pieces, a public announcement of the plan to deaccession must be made to permit public input prior to a formal vote at a subsequent meeting. After the formal vote, the artwork may be officially deaccessioned from the City collection, or the PAC may authorize a range of actions, as appropriate.

The PAC may consider the following options for disposition of a deaccessioned artwork; in no particular order:

1. Return to the artist;
2. Return to the donor;
3. Sale or trade;
4. Disposal (which shall be reserved for works deteriorated or damaged beyond reasonably-priced repair or safe disposition);
5. Donation; or
6. Any option deemed appropriate by the PAC.

### **Interpretation of the Deaccessioning Policy**

Because the six artworks in question are considered non-original copies, it is appropriate to consider the need to avoid accepting any future donations or acquisitions with a similar lack of provenance, and the impact of to the collection and community of retaining or deaccessioning these artworks. As part of such considerations, the PAC must consider whether future costs for maintenance and repair of the individual pieces would be a responsible use of funds.

One of the major goals of the PAC is to maintain and display a collection of authentic and limited edition artwork. Continuing to have these public artworks in the Golden Art in Public Places collection is in conflict with these goals. The PAC must weigh the circumstances and intent of the original acceptance of the donation with our overall program goals.

From a policy perspective, the PAC should also consider the impact to the artist. The display of the inauthentic artwork degrades the reputation of the original artist, and limits the ability for the artist to earn a profit from the sale of these artworks. The PAC has a role in the overall effort to protect the intellectual property of artists.

The commission is concerned with the quality of the materials used to create the sculptures in question. Based on the recent conditions report of the public art collection, these pieces being considered for deaccession could contain lead. City staff is investigating this issue further as it might be a safety hazard, especially for the children that climb on them.

Staff and the commission understand the value these artworks provide to the community, and this perspective will be taken into account prior to any formal actions.

#### **Maintenance Cost Summary of the Artwork in Question**

The following table illustrates the value of the artwork in comparison to the upcoming maintenance costs and the ongoing maintenance costs. The costs listed below are estimates and do not include emergency repairs. More details about the artwork can be found in the attached document.

<b>Artwork Title</b>	<b>Original Artist</b>	<b>Donor</b>	<b>Value</b>	<b>Upcoming Maintenance Costs</b>	<b>Ongoing Maintenance Costs (Biannual)</b>
<i>Bear and Two Cubs</i>	Steven Bennett	Tebo	\$2,500	\$270	\$420
<i>Brother and Sister at the Rodeo</i>	Mario Pahua	Charles Baroch	\$6,000	\$600	\$300
<i>Eddie at Bat</i>	A. Moreau	Bob Lowry	\$7,500	\$300	\$300
<i>Kids Sledding</i>	Jim Davidson	Tebo	\$18,000	\$1,150	\$300
<i>Two Deer</i>	Steven Bennett	Foss	\$3,000	\$270	\$420
<i>Victorian Dress-Up</i>	Steven Bennett	Foss	\$3,000	\$420	\$300
<b>TOTAL</b>			<b>\$40,000</b>	<b>\$3,010</b>	<b>\$1,740</b>

**Artwork #1**

<b>Artwork Title</b>	<b>Original Artist</b>	<b>Donor</b>	<b>Value</b>	<b>Upcoming Maintenance Costs</b>	<b>Ongoing Maintenance Costs (Biannual)</b>
<i>Bear and Two Cubs</i>	Steven Bennett	Tebo	\$2,500	\$270	\$420

This piece is located along the Clear Creek Trail across from the history park.

The Tebo family would like the pieces to be returned if the PAC no longer wants the piece in the public art collection. This particular piece is on loan



## Artwork #2

Artwork Title	Original Artist	Donor	Value	Upcoming Maintenance Costs	Ongoing Maintenance Costs (Biannual)
<i>Brother and Sister at the Rodeo</i>	Mario Pahuia	Charles Baroch	\$6,000	\$600	\$300

This piece is located on the west side of the Washington Avenue Bridge over Clear Creek.

The donor is concerned about the removal of this piece, and would like it to remain in the collection.



### Artwork #3

Artwork Title	Original Artist	Donor	Value	Upcoming Maintenance Costs	Ongoing Maintenance Costs (Biannual)
<i>Eddie at Bat</i>	A. Moreau	Bob Lowry	\$7,500	\$300	\$300

This piece can be found near the ball fields at Lions Park.

Mr. Lowry would like Eddie at Bat to be returned to him if the PAC decides to remove the piece from the collection.





#### Artwork #4

Artwork Title	Original Artist	Donor	Value	Upcoming Maintenance Costs	Ongoing Maintenance Costs (Biannual)
<i>Kids Sledding</i>	Jim Davidson	Tebo	\$18,000	\$1,150	\$300

Kids Sledding is near the Billy Drew Foot Bridge

The Tebo family would like the pieces to be returned if the PAC no longer wants the piece in the public art collection. This particular piece is on loan.



#### Artwork #5

Artwork Title	Original Artist	Donor	Value	Upcoming Maintenance Costs	Ongoing Maintenance Costs (Biannual)
<i>Two Deer</i>	Steven Bennett	Foss	\$3,000	\$270	\$420

This public art piece is located along Clear Creek behind City Hall.

The Foss family would like this piece to remain in the collection.





#### Artwork #6

Artwork Title	Original Artist	Donor	Value	Upcoming Maintenance Costs	Ongoing Maintenance Costs (Biannual)
<i>Victorian Dress-Up</i>	Steven Bennett	Foss	\$3,000	\$420	\$300

This public art piece is located near the history park.

The Foss family would like this to remain in the collection.



#### Process

At the December 2015 and the January 2016 PAC meetings a majority of commissioners in attendance agreed to continue the conversation of deaccessioning the aforementioned artwork. The public hearing is scheduled for May 4, 2016 at the Golden City Hall at 9 a.m. and will allow members of the public to comment on the plan for deaccession and offer feedback prior to a final decision.

Because the PAC and Staff understand that many of the artworks are of sentimental value to the community, staff will make every attempt to communicate with the public about deaccession prior to the public hearing, beyond the required posting laws. This will include an article in the *Informer*,

information on the PAC web page and City site, and key details in any relevant newsletter that staff can access. The article will describe why the PAC is considering deaccessioning the artworks, the plan to do so, and encourage the public to participate in the plan. All six of the artworks are along the Clear Creek Corridor.

In preparation for the May public hearing, deaccession will be discussed at the March and April 2016 meetings. At the April meeting an artist will provide a presentation about deaccession from an artist's point of view.

One area of community concern to date has been whether any or all pieces would be replaced in conjunction with de-accessioning, if authorized. This may be a factor in the options discussed by the commission. The PAC has already approved adding 12 2' by 2' diamond shaped medallions along the corridor that will feature imagery of the Golden Community. The medallion project falls in line with goals of the commission.

### **Contact with the Donors**

Most of the public art collection was acquired through the generous support of others. Staff has the responsibility of making every attempt possible to contact the donors of the artworks in questions to get input regarding deaccession. At the time of this writing staff has contacted all the donors via email and have received responses from those individuals.

### **Deaccession Considerations and Process**

The public hearing will occur at the May 4 meeting, and staff suggests that the PAC wait to make a final decision until the June meeting to give the commission ample time to consider all perspectives.

Below is a listing of options that the PAC can utilize. The PAC may determine that a different action is warranted for individual pieces and may choose not to address the entire group as a whole.

- Keep some or all of the pieces in question in the collection
- If the aforementioned pieces are kept in the collection, the PAC should decide if maintenance should be performed on the pieces
- If removed from the collection:
  - The artwork can be returned to the donor
  - The artwork can be donated
  - The public art pieces could be auctioned
- If the commission agrees to remove some or all of the pieces, removal could be phased with the artworks needing the most maintenance be removed first, and perhaps based upon an appropriate acquired or loaned replacement. Phasing should occur every 6 months.

Staff welcomes any additional comments for the PAC and the public prior to finalizing the deaccessioning the artwork.

### **Attachment: Conditions Report for the artworks being considered for deaccession**

**ARTWORK INFORMATION**

**Artist:** Steven Bennett

**Title:** *Bear and Two Cubs*, No edition

**Value:** \$2,500

**Media:** Copper, tin and lead Chinese casting

**Dimensions:** 32"h x 60"w x 18"d

**Artwork Type:** Sculpture

**Date:** December 3, 2004

**Location:** South side of Clear Creek near  
Clear Creek History Park, 11th and Illinois streets

**Plaque:** No

**Base:** Mild steel base plate will eventually rust and need to be replaced with a stainless steel plate.



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**Treatment Priority:** Low

**Artwork Condition:** Fair

Excessive dirt and debris on surface. The sculpture is of low quality, and mass-produced in China with no said artist to contact or documentation to this work. Many times these sculptures from China are illegal reproductions of original artwork. To learn more about artist that have been violated by cheap Chinese copies visit [www.bronzecopyright.com](http://www.bronzecopyright.com).

**Current Treatment Needs:** Clean with non-ionic detergent (neutral) and cold wax with Johnson's Paste Wax. Cut back grass and remove dirt.

**Current Treatment Estimate:** Clean and cold wax: \$270

**Environmental Issues:** Grass is overgrown and nearby dirt covers sculpture.

**Maintenance and Conservation Plan:** Bi-annual cleaning and cold wax. Inspection: \$150, Clean and cold wax: \$270

**Next Recommended Inspection/Treatment:** 2016

**ARTWORK INFORMATION**

**Artist:** Mario Pahua

**Title:** *Brother and Sister at the Rodeo*, No edition

**Value:** \$6,000

**Media:** Bronze

**Dimensions:** 39"h x 19"w x 16"d

**Artwork Type:** Sculpture

**Date:** May 17, 2005

**Location:** West side of Washington Ave., south of bridge

**Plaque:** No

**Base:** Good



**Treatment Priority:** Low

**Artwork Condition:** Poor

Rope missing in girl's right hand. Small nick on boys hat brim. The sculpture is of low quality, and mass-produced in China with no said artist to contact or documentation to this work. Many times these sculptures from China are illegal reproductions of original artwork. To learn more about artist that have been violated by cheap Chinese copies visit [www.bronzecopyright.com](http://www.bronzecopyright.com).

**Current Treatment Needs:** Clean with non-ionic detergent (neutral) and cold wax with Johnson's Paste Wax. Replace rope and repair. Repair may be cost prohibitive due to low value.



**Current Treatment Estimate:** Clean and hot wax: \$150, Repair: \$450. Total: \$600

**Environmental Issues:** Sculpture does not appear to be affected by landscaping.

**Maintenance and Conservation Plan:** Bi-annual cleaning and cold wax. Inspection: \$150, Clean and cold wax: \$150

**Next Recommended Inspection/Treatment:** 2016





**ARTWORK INFORMATION**

**Artist:** A. Moreau (?)

**Title:** *Eddie at Bat*, No edition

**Value:** \$7,500

**Media:** Copper, tin and lead Chinese casting

**Dimensions:** 42"h x 24"w x 24"d

**Artwork Type:** Sculpture

**Date:** June 25, 2004

**Location:** On north side of Clear Creek Trail, south of  
Lion's Park, 10th and Maple streets

**Plaque:** Yes

**Base:** Good



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**Treatment Priority:** High

**Artwork Condition:** Poor

Sculpture has been vandalized. Graffiti on baseball helmet. Gum stuck to bronze base and end of baseball bat. This sculpture is of low quality, and mass-produced in China with no said artist to contact or document to this work. Many times these sculptures from China are illegal reproductions of original artwork. To learn more about artist that have been violated by cheap Chinese copies visit [www.bronzecopyright.com](http://www.bronzecopyright.com).



**Current Treatment Needs:** Remove marker vandalism. Repair base. Clean with non-ionic detergent (neutral) and cold wax with Johnson's Paste Wax.

**Current Treatment Estimate:** Clean and cold wax: \$300

**Environmental Issues:** Sculpture does not appear to be affected by landscaping.

**Maintenance and Conservation Plan:** Bi-annual cleaning and cold wax. Inspection: \$150, Clean and cold wax: \$150

**Next Recommended Inspection/Treatment:** 2015

**ARTWORK INFORMATION**

**Artist:** Jim Davidson

**Title:** *Kids Sledding*, No edition

**Value:** \$18,000

**Media:** Copper, tin and lead Chinese casting

**Dimensions:** 48"h x 60"w x 36"d

**Artwork Type:** Sculpture

**Date:** December 3, 2004

**Location:** Between the Golden Library parking lot, 1019 10th St., and Clear Creek

**Plaque:** No

**Base:** Good



**Treatment Priority:** Low

**Artwork Condition:** Poor

Reins are missing from boy's hands. Minor dirt and debris on surface of sculpture. This sculpture is of low quality, and mass-produced in China. The artist name "Jim Davidson" is documented as a factious artist. This sculpture is a knockoff of artist Blair Muhlestein's "Flyin". To learn more about artist that have been violated by cheap Chinese copies visit [www.bronzecopyright.com](http://www.bronzecopyright.com).



**Current Treatment Needs:** Clean with non-ionic detergent (neutral) and cold wax with Johnson's Paste Wax. Replacing the reins may be cost prohibitive due to low quality of sculpture.

**Current Treatment Estimate:** Clean and cold wax: \$150, Replace reins: \$1,000. Total: \$1,150

**Environmental Issues:** Sculpture does not appear to be affected by landscaping.

**Maintenance and Conservation Plan:** Bi-annual cleaning and cold wax. Inspection: \$150, Clean and cold wax: \$150

**Next Recommended Inspection/Treatment:** 2016



**Artist:** Steven Bennett

**Title:** *Two Deer*, No edition

**Value:** \$3,000

**Media:** Copper, tin and lead Chinese casting

**Dimensions:** 72"h x 15'w x 48"d

**Artwork Type:** Sculpture

**Date:** December 3, 2004

**Location:** Clear Creek Trail behind  
Police Department, 911 10th St.

**Plaque:** No

**Base:** Good



**Treatment Priority:** Low

**Artwork Condition:** Fair

Minor dirt and debris on surface. Large areas of patina worn down to metal due to human interaction with sculpture. Grass is over grown between figures' legs. These two sculptures are of low quality and mass-produced in China with no said artist to contact or documentation to this work. Many times these sculptures from China are illegal reproductions of original artwork. To learn more about artist that have been violated by cheap Chinese copies visit [www.bronzecopyright.com](http://www.bronzecopyright.com).

**Current Treatment Needs:** Clean with non-ionic detergent (neutral) and cold wax. Trim grass around sculpture (DO NOT use line trimmer)

**Current Treatment Estimate:** Clean and cold wax: \$270

**Environmental Issues:** Sculpture does not appear to be affected by the landscaping. Wear from human interaction is to be expected on bronze sculptures placed in public areas.

**Maintenance and Conservation Plan:** Bi-annual cleaning and cold wax. Trim grass around sculpture (DO NOT use line trimmer). Inspection: \$150, Clean and cold wax: \$270

**Next Recommended Inspection/Treatment:** 2016

**ARTWORK INFORMATION**

**Artist:** Steven Bennett

**Title:** *Victorian Dress Up*, No edition

**Value:** \$3,000

**Media:** Copper, tin and lead Chinese casting

**Dimensions:** 48"h x 20"w x 17"d

**Artwork Type:** Sculpture

**Date:** December 3, 2004

**Location:** South side of Clear Creek just south of  
Billy Drew Bridge

**Plaque:** No

**Base:** Good



**Treatment Priority:** High

**Artwork Condition:** Poor

Sculpture has been vandalized. The top of the hat is mostly covered in paint. There are also paint splatters here and there on the surface. The sculpture is of low quality and mass-produced in China with no said artist to contact or documentation to this work. Many times these sculptures from China are illegal reproductions of original artwork. To learn more about artist that have been violated by cheap Chinese copies visit [www.bronzecopyright.com](http://www.bronzecopyright.com).

**Current Treatment Needs:** Remove paint vandalism. Clean with non-ionic detergent (neutral) and cold wax.



**Current Treatment Estimate:** Clean and cold wax: \$420

**Environmental Issues:** Sculpture does not appear to be affected by the landscaping.

**Maintenance and Conservation Plan:** Bi-annual cleaning and cold wax. Inspection: \$150, Clean and cold wax: \$150

**Next Recommended Inspection/Treatment:** 2015

