

Collection Management Policy

Ann and Roy Butler Hike-and-Bike Trail

The Trail Conservancy
Austin Art in Public Places
Austin Parks and Recreation Department

Todd W. Bressi
Stacy Levy / Sere Ltd.
Ellen Ryan
Public City, LLC

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1. Purpose and Applicability of the Collection Management Policy

TTC has prepared this Collection Management Policy (“Policy”) as a component of its Arts and Culture Plan.

This Policy is developed under a provision of the City of Austin Artwork Donation and Loan Policy that allows a City department to borrow or acquire artwork without obtaining Arts Commission approval, if it has an adopted and approved Collection Management Policy in place.¹

This policy pertains to TTC, an independent non-profit organization, because of the Park Operations and Maintenance Agreement (POMA) between TTC and the City of Austin. The POMA establishes the authority of TTC to manage the Butler Trail and approximately 300 acres of parkland adjacent to the Trail. The policy applies when the activities below occur in areas that TTC manages under its POMA.

This Policy directly applies to the following activities undertaken by The Trail Conservancy:

- Temporary Artworks that are commissioned or sponsored by TTC
- Temporary Artworks that are obtained by loan and displayed by TTC

Also, TTC will follow the artist selection and project management protocols in this Policy for the following types of projects:

- Performance-Based Artworks that are commissioned or sponsored by TTC
- Artist Residencies
- Artists in Community Engagement, Planning and Design Projects
- Artist-designed features of permanent Trail enhancements that are not formally commissioned as public art and that are not formally accessioned in to Austin’s Public Art Collection.

In addition:

- City-initiated Permanent Artworks would be managed by existing processes as outlined in the AIPP Guidelines (for AIPP-initiated artworks) and PARD’s art policies (for PARD-initiated artworks). TTC would be a key stakeholder.
- Proposals by other entities for Permanent Artworks would be managed by existing processes as outlined in the City’s Donation and Loan Policy. TTC would be a key stakeholder.
- Temporary Artworks initiated by TTC or artwork loans accepted by TTC would be subject to technical review through PARD’s Community Activated Parks Project (CAPP) process.
- Temporary Artworks or artwork loans proposed by other entities would be referred to TTC, which would undertake initial screening through its proposal process. If a proposal is accepted by TTC, it would be subject to technical review through the Community Activated Park Program.
- Performance-Based Artworks initiated or invited by TTC would be subject to the conditions outlined in the Annual Programming Plan approved in advance by PARD.

¹ Section V-1: Artworks acquired or borrowed as part of any City entity with an adopted Collection Management Policy (see II. Definition of Terms), and managed by a visual arts professional on staff, OR managed through an outside contract with a professional visual arts contractor, do not require review under this policy. Artworks donated to such a facility for its collection shall follow the review process defined under the entity’s adopted Collection Management Policy.

2. TTC Arts and Culture Vision, Mission and Equity Considerations

TTC Arts and Culture Vision

We seek for the Trail to be radically welcoming — to embody the voices, presence and power of many groups, to embrace acts of “place-keeping” in ways that are meaningful to all people.

We are insistent on recognizing histories that have not been fully acknowledged, as well as open to re-imagining the Trail in response to the changes that are occurring around it.

We seek for the Trail to be a place where people’s perceptions about art, environment, culture and history are heightened, challenged, engaged in support of this vision.

We recognize that achieving this vision is essential for creating the diverse constituency that is necessary for the long-term protection and stewardship of the Trail.

TTC Arts and Culture Goals

The Trail Conservancy will organize arts and culture projects that will achieve the following artistic outcomes:

- Cultivate a **body of site-specific work** that challenges artists and offers Trail users fresh experiences— environmental, historical, cultural
- Create a sense of place through **environmental awareness** and the expression of **environmental consciousness**
- Embrace the **connection of the Trail to bigger systems** — community, city, watershed, ecosystem

The Trail Conservancy will organize arts and culture projects whose purpose is to achieve the following community outcomes:

- Acknowledge the **history of disparities** (Asian, Black, Latino, Native and other historically marginalized communities) that have shaped access to and ideas about public space, open space and sustainability in Austin
- Promote **healing relationships** – for communities, individuals and the land
- Create new meanings for users and **expand Austin’s collective memory** about the Trail

TTC Arts and Culture Values

In its work every day, the Trail Conservancy's arts and culture program will:

- Represent all Trail users as well as people in surrounding communities
- Represent the evolving character and diversity of Austin
- Protect the Trail by ensuring it is welcoming and inclusive, vibrant and creative — open to everyone
- Be open to new ideas and evolution — “rethinking” the Trail when appropriate — while respecting the Trail’s essential qualities and ensuring that people have different perspectives on change
- Connect artists to the Trail and its resources; connect the Trail to communities and their resources
- Challenge everyone – artists, participants, viewers – to push the boundaries of their creativity and understanding of the place
- Operate in ways that are *relational* rather than *transactional*: develop long-term, trusting relationships; involve people in shaping processes that affect them; provide clear expectations about what TTF can and cannot offer; be transparent about processes and outcomes.
- Avoid conflicts with existing uses, do not overburden maintenance and operations.

TTC Equity Statement

At The Trail Conservancy, we believe free, equitable and inclusive access to the Trail is vital to the health and wellbeing of our community. Input from our Trail users, donors, volunteers, advocates, and team members is necessary for the Trail to be a welcoming space and to represent the communities we serve. We commit to the following principles and beliefs in our effort to protect, enhance and connect the Butler Trail for the benefit of all.

- We embrace diversity, equity and inclusion at the center of our daily work and nurture a sense of ownership and belonging for the Trail.
- We advance programs and services that create opportunities for all people to flourish and promote a deeper understanding of our differences.
- We foster an experience where everyone feels they can bring their unique perspective – visible and invisible – to the Trail so that they can be their true selves.
- We listen, remain curious, try new things, speak openly and act boldly.
- We believe these ideals are best promoted by leadership of diverse backgrounds, experiences, and identities.

3. TTC Arts and Culture Program Funding

Operating Budget

Each year, TTC's Arts and Culture Committee will propose an Arts and Culture Annual Work Plan and budget. TTC will consider this proposed workplan and budget for inclusion in the Annual Implementation Plan it submits to the City, and for inclusion in TTC's annual budget.

Capital Projects

TTC will also include funding for artist involvement in the budget for the planning, community engagement and design phases of capital projects, when artist involvement in those projects has been included in an approved Annual Arts and Culture Work Plan.

Grants

When possible, TTC will seek funding for specific arts and culture projects, or general arts and culture programming, from state, federal and philanthropic grants and from private donors. TTC will seek funding on its own, or in collaboration with independent arts organizations or the City, depending on the nature of the grant.

AIPP

Budgets for City capital projects will include funding for public art as required by City ordinance. These projects will be managed by AIPP.

4. TTC Management and Governance of Public Art

PARD and TTC Operating Agreement

This Policy is coordinated with the Park Operations and Maintenance Agreement (POMA) between TTC the City of Austin, which defines TTC's role and responsibility in managing the 300-acre Trail area. It should be updated as appropriate when the terms of the POMA change.

Arts and Culture Manager

The Trail Conservancy's Arts and Culture Program shall be managed by an Arts and Culture Manager who is a member of The Trail Conservancy staff and/or by a contractor retained on an ongoing basis for this purpose.

Qualifications

The Arts and Culture Manager shall have a professional background as an artist, arts educator, arts administrator, curator or design professional, as well as specific and demonstrated experience in public art management.

The Manager shall have the cultural competency necessary to work with the Trail's diverse community stakeholders.

A staff member shall have management of the Arts and Culture Program as a specific job responsibility; a contractor shall have management of the Program as a specific scope of work element.

The Manager, whether staff or contractor, shall have no professional or personal conflicts of interest that could influence program development or management, or artist identification and selection.

Duties

The duties of the Manager shall include:

- Serve as key liaison to and facilitator of TTC's Arts and Culture TAG and Arts and Culture Committee
- Serving as The Trail Conservancy's Person of Contact for public art processes related to AIPP and PARD policies, and the City's donation and loan policy.
- Leading general engagement with arts and community stakeholders, and serve as liaison to artist, community, and arts and culture organizations
- Developing arts and culture programs initiated by TTC independently or in collaboration with other public agencies, arts organizations or community organizations.
- Lead the development of Annual Arts and Culture Plan
- Lead the development of Project Plans
- Managing all aspects of public art commissions (Permanent, Temporary or Performance), including
 - Identifying opportunities and locations for projects
 - Managing artist recruitment and selection processes
 - Selecting and convening Task Forces
 - Artist contracting
 - Coordinating design approval and permitting processes
 - Working with artists to ensure that all City approvals and permits have been acquired

- Coordinating and possibly managing artwork fabrication, installation and de-installation
- Acting as a liaison between artists and other City Departments involved with completion of projects
- Collaborating with TTC communications staff on the documentation and publication of arts and culture activities
- Developing public programming and interpretation of arts and culture projects
- Establishing and maintaining appropriate records and documentation on each project
- Maintaining an inventory of public art owned or maintained by TTC
- Developing and implementing a maintenance and conservation plan for artworks owned or maintained by TTC
- Leading evaluative processes; develop and implement data collection and analysis protocols
- Coordinating the review of external proposals for arts and culture projects
- Identifying and contracting with arts professionals such as curators, project managers, arts educators and conservators as necessary to implement the Arts and Culture Program

Arts and Culture Technical Advisory Group (TAG)

The Trail Conservancy will establish a standing Arts and Culture Technical Advisory Group to provide technical guidance on the Arts and Culture Program.

The core members of the TAG will be The Trail Conservancy's Arts and Culture Manager and representatives from AIPP, PARD and the Watershed Protection Department. Other participants can include, as necessitated by the meeting agenda, the chair of the Arts and Culture Committee; Trail Conservancy executive, operations and communication staff; and specific project managers from AIPP, PARD and Watershed Protection.

The TAG's role will be to:

- Provide ongoing coordination among City agencies
- Advise on implementation of the Arts and Culture Program, including but not limited to:
 - Community engagement
 - Interagency coordination, permissions
 - In-kind support from City agencies
- Advise on Arts and Culture Annual Work Plan, in regard to identification and scheduling of future projects
- Participate in the evaluation of completed projects
 - Advise on evaluation framework
 - Provide insight from agency perspective

Meetings

The TAG shall meet periodically to coordinate, at an administrative level, projects in the TTC's area of responsibility that fall under the jurisdiction of the above policies.

Arts and Culture Committee

The Trail Conservancy shall create a standing Arts and Culture Committee. The key role of the Committee shall be to provide creative direction and oversight of TTC's Arts and Culture Program.

Composition

The Arts and Culture Committee shall consist of at least seven members approved by the TTC Board. A majority of the members shall be arts professionals, from a cross section of arts disciplines. Other members of the Committee will be design professionals, leaders of partnering organizations, and other civic or community leaders. At least one member shall be recommended by AIPP and one by PARD. The chair of the Committee shall be a member of TTC's Board.

Duties

The Committee's role will be to:

- Support the Arts and Culture Manager in the conceptualization and development of arts and culture projects and programs.
- Advise on the development of an Annual Arts and Culture Plan and recommend to the TTC Board.
- Review and recommend proposals made by the Arts and Culture Manager for projects and programs, including Individual Project Plans (goals, project approaches, artist selection approaches, artist selection panels, themes, outreach) and budgets. Recommendations shall be made to the TTC CEO for approval.
- Support TTC outreach to Austin's arts and culture community
- Advise on the appointment of Task Forces
 - Individual Arts and Culture Committee members will be appointed to Task Forces
 - Participate in the evaluation of completed projects
 - Advise on evaluation framework
- Recommend approval of artist selections and artist concepts
 - Recommendation would be made to TTC CEO.

Meetings

The Arts and Culture Committee should meet quarterly, with an extra meeting at the time the Annual Plan is being developed.

Task Forces

When appropriate, the Arts and Culture Manager shall create a Task Force to provide overall guidance for a specific TTC arts and culture project. A Task Force operates as an Artist Selection Panel and also has additional authority.

Composition

A Task Force should typically consist of between five and seven members, including:

- arts professionals knowledgeable with regards to the artistic practices being sought in the RFQ, and willing to participate effectively in a panel process without conflict of interest, and
- stakeholders specific to the project, including representatives of community organizations or other public agencies that have relationship to the project.

- The composition, role and duration of each Task Force will be different, depending on the nature of the project. A Task Force shall include people representing arts, community, culture and design perspectives, and its members will be recruited and recommended by TTC staff and approved by the Arts and Culture Committee.

Duties

A Task Force's role shall be to:

- Assist the Manager in developing an Individual Project Plan for a project
- Review artist submissions, conduct interviews if necessary, and recommend selections to the Arts and Culture Committee
- Review artist concepts and make recommendations to the Arts and Culture Committee
- Support community engagement processes
- Provide feedback to the Arts and Culture Committee on artist selection process

Meetings

Task Forces are meant to be project-specific and not ongoing entities; generally, each Task Force will be tasked with a specific number of meetings, over a limited time frame. Task Forces will be managed by the Arts and Culture Program Manager.

Artist Selection Panels

When appropriate, the Arts and Culture Manager shall create an Artist Selection Panel to select artists for TTC arts and culture projects.

Composition

A Selection Panel should typically consist of between five and seven members, including:

- arts professionals knowledgeable with regards to the artistic practices being sought in the RFQ, and willing to participate effectively in a panel process without conflict of interest, and
- stakeholders specific to the project, including representatives of community organizations or other public agencies that have relationship to the project.

Duties

The role of the Artist Selection Panel shall be to:

- Review artist submissions, conduct interviews if necessary, and recommend selections to the Arts and Culture Committee
- Review artist concepts and make recommendations to the Arts and Culture Committee
- Provide feedback to the Arts and Culture Committee on artist selection process

Curators

When appropriate, the Manager shall retain a curator to develop and implement specific arts and culture programs and projects, with a special focus on the artistic direction and outputs of a project. The Curator can be an individual arts professional or an arts organization. The Curator can play any/all of the following roles:

- Developing specific arts and culture projects or programs, produced by TTC independently or in collaboration with other public agencies, arts organizations or community organizations.
- Managing all aspects of public art commissions, as outlined above for the Arts and Culture Manager

- Leading artist recruitment and selection processes
- Developing public programming and interpretation of arts and culture programs and projects

5. Identifying Arts and Culture Projects

Identifying Projects

Permanent Artworks

In the three years immediately following the adoption of its Arts and Culture Plan (2023-2025), TTC will not consider the creation of permanent artworks. Instead it will focus on the following typologies as outlined in its Arts and Culture: “Temporary Artworks,” “Performance-Based Artworks,” “Artist Residencies,” “Artists in Engagement, Planning and Design Projects,” and “Events and Programming.”

After TTC has implemented its Arts and Culture Plan for a minimum of three years (in 2026), TTC will evaluate with its Arts and Culture Committee and with the Arts and Culture TAG the possibility of amending this Collection Management Policy to include policies and procedures for the commissioning permanent public art.

Temporary Artworks, Performance-Based Artworks

TTC will plan for Temporary Artworks through the framework of the Annual Work Plan and Project Plan processes outlined in its Arts and Culture Plan. Criteria for identifying project approaches and potential locations are outlined in the Arts and Culture Plan.

TEMPORARY EXHIBITIONS

From time to time, TTC will support curated Temporary Exhibitions that are organized by TTC’s Arts and Culture Manager, or by independent curators or arts organizations. Generally, TTC will invite and select proposals for exhibitions through a competitive process.

CREATIVE ACTIVATIONS

From time to time, TTC will initiate “Creative Activation” projects that seek innovative, interactive art and design installations for unique locations along the Trail.

Generally, artists and teams for Creative Activations should be identified and selected through the Open Entry / Request for Qualifications (RFQ) process described elsewhere in this Policy. If desired, the selection process could identify a short list of artists who would be invited to produce proposals.

PERFORMANCE-BASED ARTWORKS

From time to time, TTC will seek proposals for Performance-Based Artworks.

Generally, these should be solicited through an application process such as the Open Entry process described elsewhere in this Policy. Proposals should be reviewed early enough in a given year so that the presenters have time to prepare a performance for the subsequent year.

Proposals can be invited for a particular location and/or a particular theme, or through a more general Open Entry process.

POTENTIAL LOCATIONS

Each year, TTC’s Annual Arts and Culture Work Plan will identify specific or general locations for Temporary Artworks and Performance-Based Artworks that TTC would like to consider for the coming year. In some situations, the Work Plan will identify specific locations; in other situations, general locations or criteria will be identified so that curators and/or artists can identify specific sites in the proposals that they make.

Locations will be considered using TTC’s Arts and Culture Plan, which provides two sets of criteria for evaluating sites. One set outlines locational criteria for each project types. The other set describes different types of areas along the Trail, what types of projects and themes would be most appropriate in

those locations. Locations must consider City codes, ordinances and policies, TTC plans, and events planned for the area where artworks are proposed.²

These criteria should be a starting point for consideration, but conditions will change over time and other locations can be considered through further curatorial and technical review.

The Arts and Culture Committee will be consulted for programmatic and curatorial guidance on sites, and the Arts and Culture TAG will be consulted for technical guidance on sites.

Artist Involvement in Engagement and Planning Design Projects

For each community engagement, planning and design project that TTC undertakes, TTC will consider the potential for including an artist on the contracted team. Criteria for determining when it is appropriate to include an artist are outlined in TTC's Arts and Culture Plan.

Artist Involvement in Design Projects

For each design and construction project that TTC undertakes, TTC will consider the potential for including an artist on the contracted team. The artist's work may involve collaborating with the contracted team on the design, or creating design or ornamental details for the project. Criteria for determining when it is appropriate to include an artist are outlined in TTC's Arts and Culture Plan.

Equity Considerations in Project Identification

TTC will ensure that the Arts and Culture program provides a diverse range of project opportunities, considering the following factors. While it may not be possible for TTC to accomplish all of these goals every year, TTC should evaluate its progress towards these goals using the three-year time horizon of its annual plans.

- There are opportunities available to artists of diverse backgrounds and expressive practices, as well as to people who may not ordinarily consider themselves to be professional artists or designers
- There are opportunities available to artists at a variety of experience levels
- There are opportunities in a variety of locations along the Trail
- There are opportunities that speak to the priorities and needs of a variety of trail users and adjacent communities

To accomplish this, TTC will:

- Provide opportunities that allow for those who work in diverse forms of expression, at variety of budget levels and a variety of experience levels.
- Ensure geographic distribution of resources to all areas of the Trail, for projects appropriate to those areas.
- Seek collaborations with culturally-diverse curators and organizations.

² Considerations shall include: flood plain designations, critical environmental designations, TTC's Urban Forestry Guidelines and TTC's Safety and Mobility Study.

6. Artist Recruitment and Selection

The following guidelines apply to artist selection for Temporary Artworks, Performance-Based Artworks, Artist Residencies and Artists in Engagement, Planning and Design Projects.

Because TTC intends to work with artists in a variety of ways, it should develop strategies for reaching out to artists as broadly as possible, including to artists who would not normally apply for public art projects, and to people who may not ordinarily consider themselves to be professional artists.

Equity Considerations in Artist Recruitment and Selection

This policy recognizes that the TTC Arts and Culture Program must approach artist and artwork selection with an equity lens. The Manager should organize selection processes that encourage artists from diverse backgrounds to participate by expanding access to information about projects and by reducing barriers to entry, while remaining rigorous, consistent and transparent.

The Manager, curators, project managers and other working with TTC's Arts and Culture Program, shall follow the following practices as closely as possible:

- Publish full calls in English and Spanish and publish announcements in English, Spanish, Mandarin and Vietnamese; all written material shall be professionally translated. Provide on-request translation services into languages other than English or Spanish, using professional translators.
- Allow artists who are already in TTC's Artist Database (described below) and whose materials are already on file to request that those materials be considered for subsequent RFQs, as long as any specific requirements for a new RFQ (such as a new letter of interest) are met.
- Avoid language and requirements that could unintentionally discourage or present barriers to artists. For example, instead of asking for professional references, request contact information from people who can speak to an artist's creative abilities and ability to complete projects.
- Allow for submissions to be made in formats that are accessible to artists. For example, allow artists to submit audio or video files in lieu of written statements of interest. Provide channels for submissions to be made in both digital and hard copy.
- Provide contact information for a person who can answer questions about an RFQ. Periodically post questions and answers on the TTC web site.
- In all ways possible, provide information to artists in a transparent and timely manner.

The Manager shall consider the following practices, when appropriate to the nature and goals of the project:

- Schedule an on-line open house where basic information about the project is presented, and artists can ask questions. Post the on-line open house on the TTC web page.
- Provide direct assistance to artists who require support in preparing their materials.

Open-Entry Competition Process (RFQ)

An Open-Entry Competition Process (sometimes called an “Open Call” process) is one in which an art opportunity is advertised publicly and any artist who meets the eligibility criteria can submit their qualifications for consideration.

The Arts and Culture Manager shall follow these guidelines regarding the “Open Call” process.

1. Generally, the Manager shall use an Open Entry Competition process as the preferred process for recruiting artists for Permanent, Temporary or Performance projects where TTC would like to commission an original artwork, or for Residencies and Community Engagement / Planning / Design projects.
2. The process should begin with the issuance of an RFQ. The RFQ, at a minimum, should convey the goals for the project, the artist’s scope of responsibilities, the artist’s fee and/or the project budget, the schedule, eligibility requirements, preferred qualifications, criteria upon which an artist will be evaluated, and whether an interview or proposal step will be part of the process. When appropriate, the RFQ shall communicate expectations for the lifespan of the artwork and responsibility for maintenance.
3. The RFQ may establish eligibility requirements, such as geographic criteria (where an artist lives or works). The RFQ may establish preferences, such as lived experience in a specific area or topic, demonstrated capability or skills in a certain media, or experience with particular types of projects, especially for situations where TTC is searching for artists to work in engagement, planning or design projects.
4. The Manager will assertively advertise the opportunity and scope in an appropriate manner to target diverse potential applicants for commissions.

RFQs should be distributed through TTCs web site, TTCs Artist Database and AIPP’s prequalified artist list, as well as through other channels that are likely to help TTC reach artists eligible for consideration. This can include posting in newsletters and on other organizational websites, and distribution through curators and artists. TTC should make use of all available media, such as internet postings, newsletters, email lists and social media.

RFQs should be posted with ample time for word to reach artists, and with ample time before the project is to begin. Generally, an RFQ should be circulated for a minimum of six weeks.

5. Artists may be asked to submit images of their past work, resumes, and letters of interest related to the opportunity. Artists can be asked to submit names of people who can speak to their creative abilities and/or abilities and to their ability to successfully complete projects. Artists should not be asked to provide concepts unless they are compensated.
6. Artists who are already in the TTC Artist Database because they have applied for a project before can have their previously submitted materials considered, along with any new materials specific to this process.
7. The Arts and Culture Committee shall appoint and the Manager shall convene a Task Force to review applications for the opportunity. A Task Force shall include people representing arts, community, culture and design perspectives.
8. In reviewing the artist submissions, the Task Force shall use the evaluation criteria that were published in the RFQ. The Manager shall facilitate artist selection meetings, striving to find consensus. The Selection Panel or Task Force may recommend the selection of artists, selection with a follow-up interview, or no selection.

9. For interview processes, a short list of artists will be selected for interviews. The Manager and the Selection Panel or Task Force shall develop a standard set of questions that will be asked of each artist, which will be transmitted to the artist in advance of the interview. The Selection Panel or Task Force may ask other questions of artists as well. Interviews can be conducted in person or by video-conference. Translation services shall be provided when requested.
1. For processes that require concept proposals, a short list of artists will be selected to prepare concepts. The Manager shall provide the artists with an RFP that outlines the goals and context of the project, the challenge the artist is being asked to address, and the scope of the deliverables. A minimum of one month should be allocated for the development of proposals, or longer depending on the complexity of the project. The concept should be presented in person or by video-conference. Artists should be compensated for preparing concepts.
2. Selection Panel or Task Force recommendations shall be forwarded to the Arts and Culture Committee for approval.

Limited-Entry Competition Process

A Limited-Entry Competition Process (sometimes called an “Invited Call” process) is one in which an art opportunity is circulated directly to a small list of artists who are determined to have the broad qualifications to be considered for a project, and who meet any eligibility criteria. In this process, artists are invited to submit their qualifications for consideration.

1. Generally, the Arts and Culture Manager shall use a Limited-Entry Competition as a process for recruiting and selecting artists only in special circumstances, such as a situation where an artist with very specialized expertise is required. The process can be considered for Permanent, Temporary or Performance projects where TTC would like to commission an original artwork, or for Residencies and Community Engagement / Planning / Design projects.
2. The Manager must document the special circumstances that justify the use of a Limited-Entry Competition process in the Project Plan, which should be confirmed by the Arts and Culture Committee and approved by the TTC CEO. These circumstances might include a project that requires specific skill sets.
3. The list of potential artists should be developed by the Manager or contracted curator. In developing this list, TTC will seek assistance from curators, organizations and networks in identifying potential artists. TTC will also review AIPP’s Pre-Qualified Artist Pool and its Artist Database to identify potential artists.
4. The Arts and Culture Committee shall appoint and the Manager shall convene a Task Force to review the curated list of artists for the opportunity and recommend a short list of artists to be invited to participate. A Task Force shall include people representing arts, community, culture and design perspectives.
5. The Limited Entry Competition can be structured as a Request for Qualifications or a Request for Proposals. The competition should be managed according to the relevant steps outlined for the “Open Entry Competition” process above.
6. For the first three years of the TTC Arts and Culture Program, the use of a “roster” approach is discouraged, in favor of the Artist Database process described below. However, TTC shall use AIPP’s Pre-Qualified Artist Pool when recruiting artists through an Open Entry or Limited Entry competition.

TTC Artist Database

TTC shall maintain a database of all artists who respond to its RFQs and Calls for Proposal. This database shall include all materials that the artists provide for their submission, such as letters of interest, work samples, and references.

TTC shall allow any artist who has applied once to an RFQ to request that the same materials be considered for any subsequent RFQ, as long as any materials unique to a subsequent RFQ (such as a new letter of interest) are also provided.

TTC shall use the database when distributing information about new RFQs. TTC shall not use the database for other internal purposes, such as other Arts and Culture or TTC announcements, unless artists opt in.

TTC shall not use the database for any external purposes.

The database shall not be considered as a pre-qualified list. It is solely a resource for recruiting artists and simplifying the application process for artists.

7. Project Management Processes

Project Implementation

Contracting

1. TTC shall contract with selected artists for services related to the creation, installation, de-installation, and/or presentation of artworks (Temporary or Performance-Based), or for the participation in residencies or engagement, planning and design projects, or for the creation of design features.
2. The contract shall establish an artist's scope, deliverables, schedule and payments; include provisions for installation and de-installation; outline warranties, intellectual property and moral rights arrangements; outline insurance requirements; and provide terms for resolution of disputes and terminating the contract. The contract shall clearly delineate the responsibilities of artists and TTC.

Temporary Projects

1. The artist shall submit a design proposal to the Manager, Selection Panel or Task Force. The proposal should include a narrative about the concept and inspiration, proposed materials, installation/de-installation process, schedule for completing the artwork and how budget will be expended.. The Selection Panel or Task Force will provide feedback and comments to the artist and the Manager. The Manager will also seek feedback from the TAG, if required.
2. The Manager will work with the artist to ensure that all City approvals and permits have been acquired.
3. The Manager is responsible for the approval of the final design.
4. Fabrication, installation and de-installation of the artwork may be handled by the artist, TTC staff and/or an appropriate contractor selected by the Manager in consultation with the artist, as determined by the Manager on a project-by-project basis.
5. The Manager shall function as a liaison between the artist, the TAG and any City departments involved in the review and completion of each artwork project.

Performance-Based Projects

1. The artist shall make a design proposal to the Manager, Selection Panel or Task Force that includes:artist inspiration/narrative, proposed staging requirements, schedule for completing the artwork and how budget will be expended. The Selection Panel or Task Force will provide feedback and comments to the artist and the Manager. The Manager will also seek feedback from the TAG, if required.
2. The Manager will work with the artist to ensure that all City approvals and permits have been acquired.
3. Staging requirements may be handled by the artist, TTC staff and/or an appropriate contractor selected by the Manager in consultation with the artist, as determined by the Manager on a project-by-project basis.
4. The Manager shall function as a liaison between the artist, the TAG and any City departments involved in the review and presentation of each project.

Artists Involved in Design Projects

1. The artist scope in design projects shall be determined by TTC, with input from its Arts and Culture Committee and its Projects Committee. Artists can be scoped in the following ways:

- Collaborating with the contracted team on the design of the project
- Creating design or ornamental features for the project.

Artists–Design Team Collaborations

1. Artists hired as design team collaborators shall be selected through an artist selection process outlined in this Policy and contracted with TTC.
2. Artists shall share ownership of copyright in copyrightable aspects of the design with other members of the design team, and shall be credited as full members of the design team.
3. The structure, hardscape, landscape or other feature that is collaboratively designed shall not be considered an artwork, for the purposes of approvals and of compliance with the Visual Artists Right Act, and shall not be accessioned into the City’s public art collection.

Artists Creating Design or Ornamental Features

1. Artists hired to create design or ornamental features shall be selected through an artist selection process outlined in this Policy, including recommendation by a Task Force and the Arts and Culture Committee, and approval by the TTC CEO.
2. Upon selection, artists shall be contracted with TTC for the creation and installation of the design or ornamental feature.
3. The artist shall make a proposal for the design or ornamental feature, describing their inspiration, proposed materials, installation process, schedule and budget. The proposal shall be made to the Task Force and to the Arts and Culture Committee, which will provide feedback and comments.
4. The Arts and Culture Manager will work with the artist to ensure all technical reviews have been completed and any necessary permits have been obtained.
5. The Manager is responsible for the final design. The Manager may consult with the Task Force, Arts and Culture Committee and others as necessary to determine that approval is appropriate.
6. If, after the design approval, the design changes, the artist must return to the Manager for subsequent review. The Manager may approve the change or refer to the Task Force and Arts and Culture Committee for further comment.
7. Fabrication and installation of the design or ornamental feature may be handled by the artist, TTC staff or a contractor approved by TTC.

Record-Keeping and Documentation

1. The Manager shall establish and maintain appropriate records on each project, which shall include the contract with the artist, records of Task Force actions, records of TAG comments, and interdepartmental agreements. The Manager shall maintain records particular to the project to ensure adequate standards of documentation, registration, care, installation and closeout of the project.
2. The Manager shall develop public documentation of the project, such as project photography or videography, artist statement and artist biography. This documentation will be made public on the TTC web page.

Maintenance and Repair

1. Responsibility for maintenance of temporary artworks shall be determined on a project-by-project basis, but always outlined in the Project Plan, RFQ and Artist Contract. In general, TTC shall be responsible for maintaining sites and surroundings, and artists shall be responsible for routine maintenance of artworks themselves and repairs related to defects in construction or installation.

2. In the case of damage caused by factors such as vandalism or weather, TTC shall be responsible for repairs, unless otherwise stated in the Artist Contract. As much as practical, TTC shall give the artist the opportunity to do the repair work for a reasonable fee.
3. In the case of catastrophic damage, TTC shall consult with the artist on the repair or removal of the artwork, but shall retain the right to remove the artwork for reasons of public safety or if the cost of repairing the artwork is prohibitive.

Intellectual Property: Copyright and Visual Artists Rights Act

Copyright, Licensing, Commercial Use

The copyright for any artwork created through a TTC arts and culture initiative will remain with the artist or with any other individual or entity already in possession of it. TTC will not claim copyright for any artwork created through its arts and culture initiative. TTC will request that artists formally copyright their artworks.

TTC will seek non-exclusive licenses from artists for the reproduction of their work for the purposes of public education and to promote the work of TTC. These licenses shall be at no cost to TTC. TTC shall include a copyright credit each time the artwork is reproduced for these purposes.

TTC will seek non-exclusive licenses from artists for the reproduction of their work for fundraising or other financial purposes.

Neither TTC nor the artist shall copy or reproduce an artwork for commercial purposes without consulting with each other and agreeing on how any commercial income will be shared.

Visual Artists Rights Act

TTC contracts with artists will require consultation with an artist before an artwork is modified, relocated or removed from its intended location.

In the case of a public safety hazard, TTC's course of action shall be to prevent public access to the artwork. However, TTC will reserve the right to modify, relocate or remove an artwork for public safety purposes.

Liability and Insurance

Under the POMA, the parkland through which the Trail passes remains public property and the City maintains general liability for the parkland.

TTC's liability, if any, related to the work described in this Plan shall be as described in the POMA.

TTC will require artists who work on site or whose work is installed or presented on site to obtain commercial general liability insurance, business automobile liability insurance, and workers' compensation and employers' liability insurance. TTC will explore how it might procure such insurance for artists who don't have it, or compensate artists for obtaining such insurance when they require it solely to take on a project with TTC.

8. TTC Involvement in Other Public Art Processes

Permanent Artworks, AIPP

This process is governed by the Art in Public Places Program Ordinance Guidelines (revised March 15, 2021). AIPP projects are managed through the AIPP Project Management Checklist.

If the Art in Public Places Program proposes an artwork for an area under the jurisdiction of the POMA, the following considerations shall apply:

- TTC shall be afforded the same role in the process as the User Department, Sponsor Department or Project Advisor, even if it is not directly involved in the construction of the project.
- TTC's Arts and Culture Manager shall be the liaison to AIPP for this process.
- TTC shall be consulted in the determination of whether a City construction project is an Eligible Project for the purposes of the Percent for Art allocation.
- Should the AIPP determine that an Eligible Project is inappropriate for the inclusion of public art, every effort shall be made to identify a more appropriate site that is accessible to the Ann and Roy Butler Hike Bike Trail within the POMA area, and to the extent possible proximate to the specific area or neighborhood where the Eligible Project is located.
- TTC shall be consulted in the development of the prospectus that outlines the approach and the artist selection process for the AIPP project. In addition, the AIPP Project Manager shall consult TTC's Arts and Culture Plan, Safety and Mobility Study, Urban Forestry Guidelines and upcoming capital projects program and the PARD–TTC Operations and Maintenance Agreement in the consideration of the site and planning context for the project.
- TTC shall serve as a resource in the development of any community outreach plan.
- TTC shall sign off (along with the User Department) on the User Department Artwork Evaluation Form prior to final design approval by the AIPP panel.
- The installation, de-installation and maintenance plan shall be coordinated with TTC as well as the User Department.

PARD-Sponsored Public-Art Commissions or Purchases

These guidelines relate to “a PARD sponsored commission or purchase of outdoor visual public art, monument, memorial, or art related site work” as referenced in the section, “Public Art Commission” of PARD’s policies and procedures for “AIPP Projects, Donations, Commissions and Temporary Exhibitions of Outdoor Visual Art,” effective 9/28/16.

If a PARD-sponsored artwork is proposed for a location within the POMA area, the following considerations shall apply:

- For Step 1 (Point of Contact)
 - The Trail Conservancy's Arts and Culture Manager shall be the liaison to PARD for this process.
- For Step 2 (Public Art Proposal):
 - All Public Art Proposals shall include a statement of how TTC will be involved in the project.
 - The PARD SPOC shall consult with TTC to determine the viability of an application.
- For Step 3 (Notifications):
 - TTC shall be included in the group that is notified about the public art proposal.
 - TTC shall be included in the determination of a desire to move forward with the commission.

- For Step 4 (Review Committee):
 - TTC's Arts and Culture Manager, or designee, shall be included in the review committee that is established.
 - The review discussion shall consider whether or not the project is consistent with TTC's Arts and Culture Plan, Safety and Mobility Study, Urban Forestry Guidelines and upcoming capital projects program and the PARD–TTC Operations and Maintenance Agreement.
- For Step 5 (recommendation):
 - TTC may send a recommendation, independent of the review committee, to the Assistant Director for Planning, Construction and Design and/or to the PARD director.
- For Step 7 (public meetings):
 - TTC may vet the proposal with appropriate committees or public meetings.

Donations and Loans

This process is governed by “City of Austin Artwork Donation and Loan Policy” (revised November 15, 2018)

If an artwork donation is proposed for the area under the jurisdiction of the PARD–TTC Operations and Maintenance Agreement, the following considerations shall apply:

- TTC shall be afforded the same role in the process as the User City Department.
- TTC's Arts and Culture Manager shall be the liaison to AIPP for this process.
- For Step 1 (Artwork Donation Application):
 - TTC shall be represented on the Department Review Committee.
- For Step 2 (AIPP Panel Review):
 - TTC shall participate in the AIPP meeting where the proposed donation is discussed.
 - Artwork proposals must receive the prior approval of TTC as well as the User Department. In reviewing proposals, TTC should follow a clear set of criteria.
- For Step 3 (Department Review Committee Review):
 - TTC shall have the discretion to present the application to any of its committees (Arts and Culture, Project, Ecological) prior to Arts Commission action.
 - TTC shall have the ability to conduct additional internal or external reviews or public presentations regarding the application.
 - The area under the jurisdiction of the PARD–TTC operations agreement shall be considered a “Prominent Location” for the purpose of this process.
 - TTC shall have the ability to submit its own, independent recommendations to the City Manager and to the AIPP.
- For Step 4 (Arts Commission Review):
 - If the Arts Commission forms a Working Group,
 - TTC shall be consulted by the Working Group.
 - TTC shall have the ability to recommend members of the Working Group
 - TTC staff can be included in the Working Group.
- For Step 6 (Donation Agreement):
 - Agreements with donors shall include TTC as a party, as necessary in regard to responsibilities TTC has for the maintenance and operation of the artwork location.

Loans

This process is governed by “City of Austin Artwork Donation and Loan Policy” (Second Revision approved by Council, November 15, 2018)

If a third party approach any City agency or official for permission to site artworks temporarily in the area under the jurisdiction of the PARD – TTC Operations and Maintenance Agreement Trail, the following considerations shall apply:

- The agency or official may refer the permission request to TTC, or may manage the request through the City’s existing loans process.
- If the permission request is forwarded to TTC, the request will be managed through any Open Entry or proposal process TTC has established, and through TTC’s Annual Arts and Culture Work Plan process.

If the permission request is managed through the City’s existing loans process, the procedure below shall be followed.

- The Trail Conservancy shall be afforded the same role in the process as the User City Department.
- The Trail Conservancy’s Arts and Culture Manager shall be the liaison to the Cultural Arts Division (CAD) for this process.
- Step 1 (CAD staff assemble a Department Review Committee)
 - TTC shall be represented on the Department Review Committee (DRC).
- Step 2 (Presentation of application to DRC):
 - TTC shall have the discretion to request the Lender to present the application to any of its committees (Arts and Culture, Project, Ecological) prior to Arts Commission action.
 - TTC shall have the ability to conduct additional internal or external reviews or public presentations regarding the application prior to Arts Commission action.
 - TTC shall have the ability to postpone review if the area is currently involved in a project planning process.
 - The area under the jurisdiction of the PARD–TTC operations agreement shall be considered a “Prominent Location” for the purpose of this process.
 - TTC shall have the ability to submit its own, independent recommendations to the City Manager and to the Arts Commission.
- Step 3 (Presentation to the Arts Commission):
 - If the Arts Commission creates a Working Group:
 - TTC shall have the ability to recommend members of the Working Group
 - TTC staff can be included in the Working Group
 - TTC shall be consulted by the Working Group
- Step 4 (Presentation of Working Group recommendation to Arts Commission)
 - TTC shall have the ability to submit its own, independent recommendations to the City Manager and to AIPP
- Step 5:
 - Agreements with donors shall include TTC as a party, as necessary in regard to responsibilities TTC has for the maintenance and operation of the artwork location.

Relocation and De-accessioning Artworks in the AIPP Collection

This process is governed by the Art in Public Places Program Acquisitions and Deaccessioning Policy, adopted in December, 2008.

If a City-owned artwork that is located in an area under the jurisdiction of the PARD–TTC Operations and Maintenance Agreement is being considered for relocation or de-accession, the following considerations shall apply:

- The Trail Conservancy shall be afforded the same role in the process as the User City Department, including:
 - The Trail Conservancy shall be invited to submit a written opinion on the deaccessioning proposal when the AIPP is preparing a background report.
 - The Trail Conservancy shall be notified when a jury is conducting public proceedings to receive input in the process.
- The Trail Conservancy’s Arts and Culture Manager shall be the liaison to AIPP for this process.
- Any physical work performed in the area under the jurisdiction of the POMA shall be coordinated with TTC.

9. Policy Adoption and Revision Procedure

This policy shall be reviewed and recommended by the TTC's Arts and Culture TAG and TTC's Arts and Culture Committee, and approved by TTC's Board. This policy must also be approved by the AIPP Program Manager and the PARD Director.

Should this policy need to be revised, the same process must be followed.

This policy should be reviewed at least once a year by the Committee and the TAG to identify any recommended updates.

Administrative procedures that are used to implement this policy are exclusively the purview of TTC Arts and Culture Manager and other staff, and do not require external approval.

10. Definitions

Arts and Culture Program Project Types

ARTIST RESIDENCY – A program model in which TTC works with artists through an open-ended process to help advance its mission and achieve its goals, while also providing an artist with an opportunity to develop their artistic practices.

ARTS AND CULTURE PROGRAMMING AND EVENTS – An umbrella term for several general types of planned activities, including arts events, arts programming, exhibitions and cultural programs, whose general purpose is to deepen people’s appreciation and engagement with the arts and culture resources along the Trail

CREATIVE ACTIVATION – A type of Temporary Artwork that is commissioned through a competitive process specifically for a unique site along the Trail, with the goal of activating the site.

PERFORMANCE ARTWORK – An original, site-specific artwork that is created in a performance-based art genre, including music, dance, theatre and spoken word, and which is meant to be presented by an artist or artists on site through a performance.

PERMANENT ARTWORK — An artwork that is intended to be displayed for an open-ended timeframe, or for a duration of more than five years that is established at the time of the commission or acquisition. A Permanent Artwork can be an original, site-specific creation or an acquired artwork that is chosen because of its appropriateness for a site. A Permanent Artwork can be created in a variety of media that are suitable, in terms of durability, for the location and duration of display.

TEMPORARY ARTWORK – An artwork that is intended to be displayed for a short period of time, from several days to five years, which is established at the time of the commission or loan. A Temporary Artwork can be an original, site-specific creation or loaned artwork that is chosen because of its appropriateness for a site. A Temporary Artwork can be created in a variety of media, including sculpture, murals and sound and video presentations.

TEMPORARY EXHIBITION – A presentation of multiple Temporary Artworks following a locational and thematic strategy.

Artist Selection Definitions

ARTIST DATABASE – A record of all artists who respond to RFQs issued by TTC for arts and culture projects, including all materials that the artists provide for their submission, such as letters of interest, work samples, and references.

LIMITED ENTRY COMPETITION – An artist selection process in which artists are pre-identified through a curatorial process and are invited to submit their qualifications to be considered for a project.

OPEN ENTRY – An artist selection process in which any artist may submit their qualifications, subject to the requirements established in a Call to Artists or Request for Qualifications.

PRE-SELECTED ARTIST POOL – A open pool or roster representing artists who are interested in being considered for commissions through various TTC programs. The pool is established and maintained by the Arts and Culture Manager. Applications by artists wishing to be entered into the pre-selected artist pool shall be reviewed and accepted or denied by Task Force or Artist Selection Panel.

REQUEST FOR PROPOSALS (RFP) – A call to artists that asks for the submission of both an artist’s credentials and a conceptual proposal for an artwork, both of which are the basis for selecting an artist.

REQUEST FOR QUALIFICATIONS (RFQ) –A call to artists that asks for the submission of an artist’s credentials, which is the basis of selecting an artist.

TASK FORCE – An-ad hoc panel organized to provide guidance on specific Arts and Culture initiatives, including making recommendations on artist selection and concept approval. The composition, role and duration of each Task Force will be different, depending on the nature of the project, but will generally consist of arts professionals and community stakeholder representatives. Task Force members will be recruited and recommended by TTC staff and the Arts and Culture Committee.

Administrative Definitions

ANN AND ROY BUTLER HIKE-AND-BIKE TRAIL (BUTLER TRAIL, TRAIL) – The ten-mile trail encircling Lady Bird Lake intended for non-motorized traffic. For the purposes of this policy, the Trail shall comprise the approximately 300 acres managed by TTC under its Park Operations and Maintenance Agreement with the City of Austin.

ARTIST – A practitioner in the visual, performing or interdisciplinary arts whose work is recognized to demonstrate serious intent and ability who has made art creation a focus of their practice, and who is not a member of the firm that has employed for design, planning or engineering services.

ARTWORK (or WORK OF ART) – Original art in various mediums, including but not limited to any portable or permanently fixed sculpture, mural, painting, drawing, earthwork, mixed media work, or time-based work (moving images or sound-based art), created by a professional artist, artists, or collaborative team. The artwork or identifying plaque cannot contain advertising or promotional content relating to living persons or to organizations, institutions, or businesses currently operating.

COLLECTION MANAGEMENT POLICY – A policy to establish procedures governing selection, commission, acquisition, design, fabrication, installation/de-installation, accession, maintenance, repair, long-term care and deaccession of the temporary artworks commissioned by TTC.

DEACCESSION – The formal removal of accessioned artwork from Austin’s permanent AIPP collection.

DEPARTMENT REVIEW COMMITTEE (DRC) –A committee of relevant City department staff and/or external stakeholders identified by the Department Director or his/her designee who manages the City property upon which the artwork is proposed to be sited. This committee evaluates proposals of donations and loans based upon stated criteria, including Site, Installation, Maintenance, Financial, Liability, Timeliness, and Special Conditions.

DONATION – An artwork or a series of artworks gifted to the City for long-term public display with intent to transfer title of ownership to the City.

LOAN – An artwork of which ownership is retained by the donor during period of display on City property. The maximum loan period of accepted artwork is five years. The loan agreement for accepted artwork may be extended at the end loan period by mutual agreement between the City and the Lender.

MAINTENANCE – Regular routine inspection and care of an artwork, including the removal of graffiti or tagging.

PARK OPERATIONS AND MANAGEMENT AGREEMENT (POMA) – An agreement between The Trail Conservancy and the City of Austin that assigns TTC certain responsibility for the management, operation and maintenance of the Butler Trail and approximately 300 acres of parkland adjacent to the Trail.

PROGRAM MANAGER – The Trail Conservancy staff member or consultant who is responsible for the day-to-day management of TTC’s Arts and Culture program.

PROMINENT LOCATION – An exterior location that is accessible to the public, enjoys high visibility, and is used or visited by a large number of visitors and/or community members.

USER DEPARTMENT – The department within the City of Austin deemed responsible for long-term care and maintenance of artworks that are sited within its physical boundaries or determined by operations/business use. For projects within the POMA area, The Trail Conservancy shall be considered a User Department.

11. Reference Documents

Art in Public Places Program Acquisitions and Deaccessioning Policy (Adopted December 15, 2008)

Art in Public Places Program Ordinance Guidelines (revised March 15, 2021)

Art in Public Places Program Project Management Checklist (updated December 23, 2019)

AIPP Projects, Donations, Commissions and Temporary Exhibitions of Outdoor Visual Art (PARD, Effective 9/28/16)

City of Austin Artwork Donation and Loan Policy (revised November 15, 2018)

“Community Engagement Plan Outline Tool,” Austin Parks and Recreation Department, n.d.

The Ann and Roy Butler Trail at Town Lake Metropolitan Park Operations and Maintenance Plan (Revised October 1, 2021)