



Albuquerque Public Art Program
Cultural Services Department

ALBUQUERQUE ARTS BOARD MINUTES
Saturday, October 31, 2021 | 10:00am – 1:30 pm
Via Zoom Video Conference

Members Present:

Dorothy Stermer, Board Chair, Dist. 9
Emilie De Angelis, Vice Chair, Dist. 7
Jonathan Sanchez, Dist. 1
Juli Hendren, Dist. 2
Jessica Montoya Cage, Dist. 3
Woody Duncan, Dist. 4
Christopher MacQueen, Dist. 6
Charlotte Schoenmann, Dist. 8
Peg Cronin, Member-at-Large

Absent:

Pamela Chavez, Dist. 5

Vacant

Member-at-Large

Staff Present:

Sherri Brueggemann, Division Manager
Matt Carter, Project Manager
Karen Mazur, Assoc. Project Coord.
Isabelle Zamora, UETF Program Manager
Augustine Romero, Satellite Galleries
Curator
Madrone Matishak, Senior Admin Assistant

Guests Present:

Hakim Bellamy, Deputy Dir., Cultural
Services
Alicia Manzano, Office of the Mayor

Members of the Public:

Approximately 21 members of the public
were signed onto the webinar

I. Meeting Called to Order: 10:03 S. Brueggemann announced that the meeting would be recorded including all comments, chats, questions and answers. The recording began at 10:05. D. Stermer called the meeting to order and introduced herself as the chair, reminding all that it was a special meeting and the purpose of meeting was to review two specific community recommendations regarding the Don Juan de Oñate sculpture for approval, non-approval or neutral. Also, the special meeting was to have a specific understanding of the process that led to the recommendations, to hear from the public, and to make sure board is well-informed.

II. Approval of the Agenda: D. Stermer noted that the agenda posted 72 hrs. prior to meeting implied that the Arts Board would be taking action prior to Public Comments, so the agenda was clarified to have the board take action after public comments. Time notations were also added. It was acknowledged that board members had just received additional material from the RHHP Facilitation Team about the process, so if members needed more time for Question and Answer, it would be taken. D. Stermer stated her intention to honor ending the meeting at 1:30 pm. S. Brueggemann reviewed how the voting works for virtual meetings, (motions then a roll call). C.

Schoenmann moved to approve the updated agenda; C. MacQueen seconded. S. Brueggemann asked for roll call. Motion approved with no dissent.

III. Introductions and Reports.

A. Introduction of Board Members – Arts Board members introduced themselves. H. Bellamy, Deputy Director of Cultural Services and A. Manzano, Mayor’s Liaison for Strategic Partnerships and S. Brueggemann Public Art Urban Enhancement Division Manager also introduced themselves before finally Arts Board Chair D. Stermer introduced herself.

B. Community Recommendations Report for La Jornada Sculpture – H. Bellamy introduced and summarized the work of the Race, History and Healing Project, which has been going on since late June, 2020. A background of the process was offered by A. Manzano, provided additional background information. She noted that we as a city need to dig deeper, not just about the statue, but deeper into our culture. The RHHP was to engage in a public dialogue process, emphasizing that any decision about the sculpture could not be made by elected officials alone. The process was difficult but powerful. Oñate remains a divided issue, but it is important to talk about it, to share experiences, values, and culture. One of the major obstacles for the process was initiating it during a global pandemic, although participation was positively affected because it was virtual. She described the three different outlets for participation (meeting, survey, interviews), and that the organizers didn’t assume all participants would or could do only an on-line survey. Community came together, attempted to arrive at consensus and provide recommendations. H. Bellamy then shared his screen in order to present results. He first read a letter to the Arts Board from the Community Solutions Table regarding the proposed solution. A. Manzano emphasized that today’s meeting is just one step to get to an end point. She added how grateful they were for all participants. The meeting was opened for anyone to ask questions to H. Bellamy. W. Duncan asked why the process only passed on a 5-4 margin. It was important that it passed, but we don’t know why four people voted against the motion.

E. DeAngelis asked about the path the materials take after they leave the Arts Board. S. Brueggemann noted that all arts Board recommendations are reported to the Mayor/ administration and, if required, is sent to City Council as an Executive Communication. This Arts Board review or action, however, is required to be sent per the City Council directive. E. DeAngelis followed up to ask if there could there be more than one recommendation? Answer was yes, and both would go to council, as well as the straight recommendations from the Community Solutions/RHH group AS IS. C. Schoenmann asked a procedural question: We operate under certain guidelines, so how does the RHHP interact with our guidelines? H. Bellamy responded that will be covered in the technical staff report. C. MacQueen asked how long does the Mayor have and when do we expect it to go to council? S. Brueggemann estimated November 16th, 2020. W. Duncan asked about the language “re-interpretation, recontextualizing”, noting it sounded very ambiguous. H. Bellamy remarked that there is no agreement from the Community Solutions Table on what recontextualization means because they followed a consensus model and this is as far as they could agree. It could mean more robust interpretation and educational elements, etc.

C. Staff Technical Report on Public Art Best Practices and Legal Concerns - S. Brueggemann presented the technical report based on the Public Art Program Guidelines. Per the Public Art

Guidelines and the federal Visual Artist Rights Act (VARA), the city will need to notify the artist(s) about the intentions regarding the work by mid-March, 2021. This is a unique situation in that the artist has the right to ask the City to make alteration through the VARA waiver he signed, and he asked the City to take the central figure out of view in safe storage for up to 12 months. The City has 90 days before those 12 months are up (mid March) to let him know of any changes. After that time, the City has 90 days prior to any further action to provide notice for decisions for the rest of La Jornada. Other technical issues as a result of any modifications made to the site through recontextualization, which could change landscape, the whole configuration, hydrology, infrastructure, analysis, etc., will need to be evaluated. Included in the report was an acknowledgement that there would be significant costs associated to the recontextualization of the entire ¼ acre of land. S. Brueggemann explained the eleven criteria to be met in order to decommission a work of art. Number eleven is met due to artist-initiated alteration. In June 2020, criteria 7 was also met. Considering the evolving ideas about what constitutes harm, criteria 6 may also apply. Content, theme, and subject matter can also be harmful, as in devaluing individuals or groups, etc., similar to the appropriate public art clause. S. Brueggemann noted that those definitions are not in current Public Art Decommission guidelines the way that they stand right now, but this is an ever-evolving national conversation.

S. Brueggemann then explained the decommission process which is part of the Arts Board policy. D. Stermer would like to make sure that the Arts Board is part of this conversation moving forward. E. DeAngelis noticed that she didn't think before about the public safety threat. She also pointed out that words like 'incident' and 'unrest' are not honest language. We saw violence. That is what it was. And we also saw violence against humans and we can't forget that. It IS a public safety threat. J. Montoya Cage asked for clarification regarding the artist's rights: Sonny Rivera signed a temporary removal. What if he doesn't agree to recommendations? S. Brueggemann stated that VARA is a special section of US copyright law, mostly interpreted as to what the actual rights of the artist are once the work is installed. The only real right is that if the artists is not in agreement with changes they can remove their name. There is a lot of case law that has emerged around artists challenging artwork owners with their moral rights as the artist. W. Duncan noted that, as a museum docent, he has had people stop and show them their family name, but that he was one of the few docents that would also show visitors Nora Naranjo Morse's contribution to the La Jornada story. D. Stermer asked if there were more questions about the report and there were none.

IV. Public Comment: – limit 2 minutes per person. D. Stermer suggested a 10-minute break at 11:21am.

At approximately 11:30 am, S. Brueggemann moved to facilitate public comment. B. Bendicksen represented the Albuquerque Museum Board of Trustees as the chair of the board. She read aloud the letter sent to the Arts Board the day before which stated that the Board of Trustees of the Albuquerque Museum unanimously supports the recommendation of the Oñate sculpture being gone and that the land should be re-envisioned. Some of her colleagues recommend that the entire installation be removed. It was installed without the decision-making process of the museum; nobody there had a role in the decision. The placement was contrary to substantial public input at that time. The next speaker was Szu Han Ho, artist, UNM faculty, and activist/organizer. She stated that conversation is so important and that symbols matter and

monuments matter, adding that we must not stop here. The systemic racism must be addressed. She is a member of ABQ Artworkers who started conversation with the city about what can be done structurally to undo racism. She noted that the ABQ Artworkers are frustrated at being ignored and shut out of these processes, noting their website and demands, such as taking an audit of all public artworks and see which ones promote settler colonialism and violence and work to decommission them. In addition, there should be anti-racism training at all levels of city government, including boards. Next public comment was from Diane Layden. She thanked all for the opportunity. She has been studying statues for 20 years and was part of RHHP process. She is interest in preserving the statues and suggest maybe they could be moved to the National Hispanic Cultural Center, but she prefers the rest to remain and be recontextualize. She acknowledged that ½ of our community is Hispanic and that they identify with that history, but condemned Oñate and added that we need to be careful not to create trauma for another community. She hoped that these artworks will be preserved. Next speaker was Ralph Arellanes. He thanked all for the opportunity to speak and added Happy Halloween. He participated in the project and found it to be a beneficial process. Only criticism is that there weren't enough NM Hispanics included and felt they were probably the least represented, like on the Arts Board. There is a lack of understanding about the statues, maybe based on the makeup of the decision-makers in the process. He noted there were many participants, but only 36 people voted and (31 for and 5 against). He noted that he tries to be sensitive to his Native American brothers and sisters and wants a win/win situation. He feels the Hispanic community is going to lose either way; freedom of speech etc., has been impacted here; this whole process violates the human rights of people.

V. Discussion/Approval: S. Brueggemann shared the document that H. Bellamy had shared earlier with the numbers and recommendations. She reviewed the proposed Arts Board options to either offer their approval in support of the community recommendations, abstain or forward recommendations with no comment, or vote to not recommend. Discussion was opened. W. Duncan stated that he had no objection whatsoever to the recommendations, but hoped that no matter what happens that the Arts Board will be involved in whatever re-contextualizing means in the future. Overall, he felt that this recommendation was a good start. J. Sanchez notes that the demographic information was only volunteered, so it still doesn't tell us too much about who was involved in the process. H. Bellamy agreed that it was challenging to evaluate the data of all participants, however the makeup of the Community Solutions Table was 25% Hispanic, 18% Native American, 6% Black and 50% White. E. De Angelis noted that all majority solutions about removing the statue are very telling, especially how much consensus was built by the deeper conversations. It is important to remember that this is a very prominent sight in front of the main museum, and that it is elevated (technically looks down on Tiguex Park). W. Duncan agreed and reiterated his experiences as an Albuquerque Museum docent for many years. C. Schoenmann expressed that she feels we haven't followed the guidelines and that the board should forward the recommendation with No Comment. D. Stermer asked if they could do that and add context as to why they made the choice. C. Schoenmann suggested the third option (No Comment) because they hadn't had sufficient time to consider as per rules. She felt like any recommendation would be a personal decision and not an informed board decision. S. Brueggemann offered that not returning the piece to the site is tantamount to decommission because it an alteration. Such a change is reason for initiating a decommission process which does not automatically mean destruction. Anything that was commissioned as site-specific, even

if it is moved, we have to go through a decommissioning process, subject to the VARA act. D. Stermer asked what are the ramifications if we vote to move this forward? If we vote yes on the recommendations, are we liable for not following the process? S. Brueggemann noted that the City of Albuquerque is the liable party for VARA. E. DeAngelis said we need a full report from Public Art staff including input from the museum, then asked S. Brueggemann how long that would take? She replied that we can put together more technical and factual info easily, but the more elaborate process is public and agency feedback. E. DeAngelis wondered why Race History and Healing Project data isn't enough to satisfy public feedback. City administration, City Council and others will likely be weighing also.

(Note: At this point there was an internet outage on the host's computer and while the meeting continued uninterrupted, 10 minutes of the meeting were not recorded.)

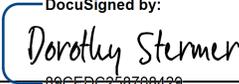
The Arts Board then discussed numerous options and process that were in question regarding the public process that happened prior to staff starting any decommission process. There was interest in taking up the vote for starting the decommission report process at the next meeting in November, while also evaluating the guidelines and especially the criteria for why public art can be removed from the collection. There was confusion about the immediate task at hand and the desire to be thorough and thoughtful with implementing any official procedures. Many members expressed they were prepared to take a vote on the community recommendations while several felt it was not yet time. Many board members expressed their personal struggles with the issue, but felt they were comfortable voting at this step in the process with an expressed desire and understanding that there would be more involvement by the Arts Board going forward.

D. Stermer asked for a motion. W. Duncan moved to support the recommendations of the RHHP Community Solutions Table. J. Sanchez seconded. Comments/discussion were asked for, but all were ready to vote. Motion passed with 7 for and 2 against. It was then recommended that the decommission process and report be put on the next meeting agenda.

S. Brueggemann thanked everyone for taking part in this meeting. There is a lot of work ahead. D. Stermer thanked all and E. DeAngelis moved to adjourn. J. Montoya Cage seconded. Motion passed unanimously and the meeting was adjourned at 1:32pm.

VI. Adjourn / Next Regular Meeting – November 18, 2020

Respectfully Submitted:
Sherri Brueggemann, Public Art Urban Enhancement Division Manager

Approved: 
Dorothy Stermer, Chair

12/21/2020 | 2:28 PM MST
Date