



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
[www. CityofSacramento.org](http://www.CityofSacramento.org)

Consent
July 21, 2009

**Honorable Mayor and
Members of the City Council**

Title: Crocker Art Museum Authorization to Deaccession Artwork

Location/Council District: Crocker Art Museum, Council District One

Recommendation: Adopt a **Resolution**, authorizing the Director of the Crocker Art Museum to: 1) deaccession five works by artist Martín Ramírez; and 2) reaccession two of the Martín Ramírez works.

Contact: Erin Aitali, Curatorial Assistant, 808-8770

Presenters: Not Applicable

Department: Convention, Culture and Leisure

Division: Crocker Art Museum

Organization No: 17001711

Description/Analysis

Issue:

The Estate of deceased artist Martín Ramírez claims that five artworks by Mr. Ramírez that have been in the possession of the Crocker Art Museum since 1951 belong to the Estate because Mr. Ramírez did not have the capacity to gift the artworks. Mr. Ramírez was institutionalized and declared an incompetent at the time the artworks were given to the Crocker by an employee of DeWitt State Mental Hospital, the hospital where Mr. Ramírez lived. In settlement of the claims by the Estate, Crocker and the Estate have agreed that the Crocker will deaccession the five works and two of the works will be donated by the Estate to the Crocker Art Museum's permanent collection.

Policy Considerations: The recommended action is consistent with the Crocker Art Museum's Collection Management Policy and City's goal of enhancing the collection of the Crocker Art Museum.

California Environmental Quality Act (CEQA): Under the California Environmental Quality Act (CEQA) guidelines, continuing administrative activities do not constitute a project and are therefore exempt from review.

Sustainability Considerations: None

Other: None

Commission/Committee Action: The Co-Trustees of the Crocker Art Museum Association "CAMA" authorized the deaccessioning of five Ramírez artworks, and subsequent gifting of two Ramírez artworks by the Estate to CAMA on June 25, 2009.

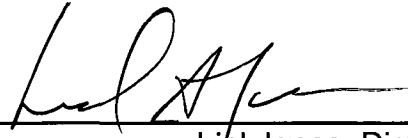
Rationale for Recommendation: Five Ramírez works were acquired by the Crocker Art Museum in 1950 and 1951. The Ramírez Estate made a demand to CAMA for the return of the Ramírez works. Based on the information provided to the Crocker Art Museum by the Estate of Martín Ramírez, Crocker has agreed to deaccession the five Ramírez works and reacquire two of the five works which are curatable. The settlement agreement between CAMA and the Estate also declares the City as a third party beneficiary to the agreement and includes a release of liability of the City.

The deaccessioning of the five works must occur before a transfer of the works between CAMA and the Estate can be made and before the Estate can gift to the Crocker two of the five works.

Financial Considerations: None

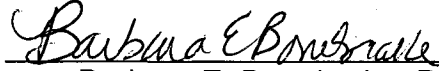
Emerging Small Business Development (ESBD): Not applicable

Respectfully Submitted by:



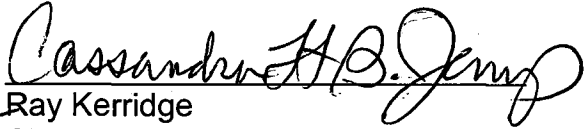
Lial Jones, Director
Crocker Art Museum

Approved by:



Barbara E. Bonebrake, Director
Convention, Culture and Leisure Department

Recommendation Approved:



Ray Kerridge
City Manager

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RESOLUTION NO. 2009-

Adopted by the Sacramento City Council

DEACCESSIONING AND REACCESSIONING OF MARTIN RAMÍREZ ARTWORKS

BACKGROUND

- A. Five Ramírez works were acquired by the Crocker Art Museum in 1950 and 1951.
- B. The Ramírez Estate subsequently made a demand to the Crocker Art Museum Association "CAMA" only for return of the Ramírez works. Based on the information provided to the Crocker Art Museum, by the Estate of Martín Ramírez, the Crocker has decided to give the works back to the Estate in exchange for the gifting of two works, which are curatable, back to the Crocker.
- C. The deaccessioning of the five works must occur before a transfer of the works can be made between CAMA and the Estate and before the Estate can gift to the Crocker two of the five works.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The Director of the Crocker Art Museum is authorized to deaccession five works by Martin Ramírez entitled *Untitled (Madonna)* [1885.623], *Untitled* [1885.694], *Untitled* [1885.695], *Untitled* [1885.696], and *Untitled* [1950.25].
- Section 2. The Director of the Crocker Art Museum is authorized to accession two works by Martin Ramírez entitled *Untitled (Madonna)* [1885.623] and *Untitled* [1950.25].