

REVISED
6:07 pm, Jun 03, 2026

**CITY OF EL PASO, TEXAS
AGENDA SUMMARY FORM**



DEPARTMENT / COUNCIL OFFICE: Museums & Cultural Affairs Department

AGENDA DATE: 6/9/26

PUBLIC HEARING DATE:

CONTACT PERSON NAME: Ben Fyffe

PHONE NUMBER: 915-212-0110

2nd CONTACT PERSON NAME: Edward Hayes

PHONE NUMBER: 915-212-0301

DISTRICT(S) AFFECTED: All

AGENDA ITEM:

A Resolution approving and adopting the El Paso Museum of Art revised Code of Ethics and authorizing its implementation by the City of El Paso Museums and Cultural Affairs Department.

ISSUE STATEMENT:

As part of the reaccreditation process, the El Paso Museum of Art requires formal adoption of the revised Code of Ethics, revising the previous Code of Ethics adopted in 2008. The updates include revisions to EPMA's mission, governance structure, and institutional profile to support the institution's mission and operations.

BACKGROUND:

The Code of Ethics serves as a foundational document for the El Paso Museum of Art (EPMA) and will be evaluated by the American Alliance of Museums as part of the Museum's reaccreditation process. The current policy, adopted in 2008, requires revision to align with updated Museum and City policies, current institutional practices, and evolving ethical standards within the museum field.

The 2026 revision has been tailored to EPMA's mission, governance structure, and institutional profile. New provisions addressing deaccessioning, art dealing, appraisals, collections management, loans, and conflicts of interest ensure that EPMA's ethical framework reflects current museum industry standards and best practices.



COUNCIL OPTIONS:

1. Approve the El Paso Museum of Art Code of Ethics as presented.
2. Decline approval in whole or in part and direct staff to return with options.

COMMITTEE REVIEW AND/OR RECOMMENDATION:

El Paso Museum of Art Code of Ethics was approved by the Museums and Cultural Affairs Advisory Board on May 21, 2026.

COMMUNITY AND STAKEHOLDER OUTREACH (if applicable, as an attachment) – please include:

N/A

RELATED CITY POLICIES:

N/A

PRIOR COUNCIL ACTION:

City Council originally approved the El Paso Museum of Art Code of Ethics in 2008.

LEGAL REVIEW:

- Legal counsel reviewed as a part of Council packet
- Legal counsel reviewed in advance of packet as an individual item

AMOUNT AND SOURCE OF FUNDING:

N/A

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

N/A

NAME	AMOUNT (\$)

ATTACHMENTS:

A. El Paso Museum of Art Code of Ethics

FOR MORE INFORMATION:

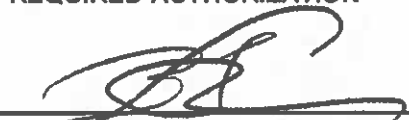
Ben Fyffe

915-212-0110

FyffeBE@elpasotexas.gov

*****REQUIRED AUTHORIZATION*****

SIGNATURE:



(If Agenda Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

A RESOLUTION ADOPTING THE EL PASO MUSEUM OF ART REVISED CODE OF ETHICS AND AUTHORIZING ITS IMPLEMENTATION BY THE CITY OF EL PASO MUSEUMS AND CULTURAL AFFAIRS DEPARTMENT.

WHEREAS, the El Paso Museum of Art (“EPMA”) serves the public through the collection, preservation, interpretation, and exhibition of works of art and cultural resources; and

WHEREAS, the EPMA operates under the stewardship of the City of El Paso and in alignment with professional museum standards established by the American Alliance of Museums and other recognized museum organizations; and

WHEREAS, the EPMA, in order to maintain its own high standards and those of the American Alliance of Museums has revised its Code of Ethics dated May 4, 2026, to provide principles and guidelines governing ethical conduct, stewardship, public accountability, institutional transparency, conflict of interest disclosures, fundraising, professional conduct, and collection management practices for Museum staff, advisory board members, volunteers, contractors, teaching artists, and affiliated parties; and

WHEREAS, the revised Code of Ethics promotes integrity, accountability, transparency, and responsible stewardship consistent with the mission of the EPMA and the policies of the City of El Paso; and

WHEREAS, the Museums and Cultural Affairs Advisory Board has reviewed the proposed revised Code of Ethics and recommends its adoption; and

WHEREAS, the City Council finds that adoption of the revised Code of Ethics is in the best interest of the public and will further the mission and ethical governance of the EPMA.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The Revised Code of Ethics for the El Paso Museum of Art, attached hereto as Exhibit “A,” is hereby approved and adopted.
2. The Museums and Cultural Affairs Department, the El Paso Museum of Art, and all applicable staff, board members, volunteers, contractors, and affiliated parties shall comply with and implement the provisions contained within the Revised Code of Ethics.
3. The City Manager, or designee, is authorized to take all actions necessary to implement and administer the Revised Code of Ethics, including distribution, training, and periodic review consistent with Museum policies and applicable City ordinances.
4. This Resolution shall become effective immediately upon its adoption.

(Signatures on the following page)

APPROVED this _____ day of _____, 2026.

THE CITY OF EL PASO

Renard U. Johnson
Mayor

ATTEST:

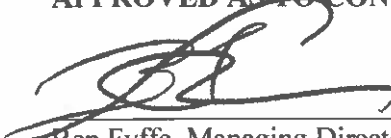
Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Roberto Aguinaga

Robert Aguinaga
Assistant City Attorney

APPROVED AS TO CONTENT:



Ben Fyffe, Managing Director
Quality of Life

(Exhibit "A" on the following page)

Exhibit “A”
2026 EPMA Revised Code of Ethics

EL PASO MUSEUM OF ART
REVISED CODE OF ETHICS
5.04.2026

Introduction

The purpose of this Code of Ethics is to have principles and guidelines in order to provide El Paso Museum of Art and City of El Paso staff, Members of the Museums and Cultural Affairs Advisory Board (MCAAB), El Paso Museum of Art Foundation Board, teaching artists, researchers, contracted security and janitorial staff, and all affiliated parties with tools to maintain an ethical framework for all Museum work.

Among the City of El Paso's numerous policies, the institution manages practices in accordance with the Museum profession and adheres to highest industry standards established by the American Alliance of Museums (AAM). The Code of Ethics is to be used to guard against untruthful, deceitful, and dishonest behavior in carrying out the institution's mission.

Mission

The mission of the El Paso Museum of Art is to collect, preserve, interpret, and exhibit works of art that support and illuminate the Museum's permanent collection of American, European, and Mexican art. The Museum celebrates the region's diverse cultures through exhibitions, acquisitions, and educational programs and is dedicated to scholarship while providing a stimulating and inspiring environment for all audiences.

Governance

The El Paso Museum of Art is part of a municipality, and is not a private foundation or a non-profit 501 (c)(3) charitable organization. It receives a substantial part of its income directly from the City of El Paso, and indirectly, as gifts from the general public, and through the El Paso Museum of Art Foundation, competitive grants from private foundations and from the federal government. As a municipal organization that solicits contributions and memberships from the public, it must make its information available to the public by factually disclosing information and filing documents with the City of El Paso that prove the Museum to be operating with municipal purpose.

A Collecting Institution

In character with accredited AAM institutions, EPMA collection and cultural assets represent the world's natural and cultural common wealth. As stewards of that wealth, AAM believes museums are compelled to advance an understanding of all natural forms and of the human experience, and that it is incumbent on museums to be resources for humankind and in all their activities to foster an informed appreciation of the rich and diverse world we have inherited; it is also incumbent upon museums to preserve that inheritance for posterity.

In accordance with AAM collecting guidelines, stewardship of EPMA collections entails the highest public trust and carries with it the presumption of rightful ownership, permanence, care, documentation, accessibility and responsible disposal. EPMA staff has a responsibility to carry out these activities, and bears an ethical obligation to the art, donors, and other Museum

constituents involved in acquisitions and deaccessions. These obligations can supersede the goal of seeking new knowledge or artwork, and can lead to decisions not to undertake or to discontinue a project when the primary obligation conflicts with other responsibilities, such as those owed to sponsors or donors of funds and artwork. These ethical obligations include:

To avoid harm or wrong, understanding that receipt of funds and objects for collecting art can lead to change which may be positive or negative for the institution, all involved or interested people, or the artwork itself (some forms of art are toxic and can be degenerative to other works of art; collection storage limitations may lead to overcrowding and the jeopardizing of other stored objects; some donors of funds expect personal and professional services in return for charitable contributions, etc.).

To work for the long-term conservation and care of the art and historical records.

To disclose all potential conflicts of interest affected by the collecting, whether the work is ideally suited to enhance existing collections or help to reshape the collection's focus.

To make known to all individuals who are responsible to enforce governing policy the way in which collecting has and will impact the institution's Mission and Collection Care and Management policies.

To make known to all potential donors the Collection Care and Management policies of the institution and be forthcoming of all pertinent information regarding the institution's obligation to its Mission and to community for which it collects.

Museum professionals and interested parties must do everything in their power to ensure that their collecting practices and practices of soliciting and receiving donations do not harm the safety, dignity, or privacy of the people with whom they work, conduct research, or perform other professional activities. Any disclosure of information related to acquisitions must not compromise personal, professional or financial information of donors and their family or provenance of the artwork.

Stewardship

Stewardship of EPMA's collection entails the highest public trust and carries with it then presumption of rightful ownership, permanence, care, documentation, and accessibility. EPMA's Collection Management Policy details the proper procedures for acquisition and disposal of objects.

Use of Funds from Deaccession

All proceeds realized from the sale of works from the collection shall be used only for the purchase of other works for the collection, or for direct care of works of art, in accordance with the Policy on Deaccessioning of the Association of Art Museum Directors (AAMD).

Dealing

Some staff members are in a position to influence public opinion concerning art, artists, and the art market. These individuals must take care to ensure that this influence is not used for personal gain of any individual and is directed entirely toward the function of EPMA and toward serving the general public.

No staff member may act as a dealer, engage in the promotion of a dealer, or be employed by a dealer, or retain a financial interest in the business of commercial art sales.

No member of the staff may serve as a paid professional advisor to a collector, dealer, art consultant, artist's agent, auction house, or be compensated in any manner for these services. Staff members must not work, whether paid or unpaid, for dealers or auction houses to endorse or appear to endorse artists, or to promote or appear to promote the sale of particular works, thus enhancing the value of the objects or of collections. Staff members, with the advance written approval of the Director, may participate in scholarly endeavors in the commercial art world, provided that the activities are primarily scholarly, not promotional in nature.

Appraisals

No EPMA staff member may perform appraisals of any type—for donors, or any other individual or entity outside of EPMA, for any purposes whatsoever. EPMA curatorial and collection management staff obtain appraisals on permanent collection works from qualified professionals for insurance purposes only. Staff do not provide opinions on identification, authenticity, and condition to outside parties.

Responsibility to Scholarship

Museum professionals, Advisory Board and Foundation Board members, and volunteers should review reasonable requests for access to their data and other materials for purposes of research. They should also make every effort to insure preservation of their data for posterity of the field and the Museum. As a municipal entity, request to inspect and/or copy records is governed by Texas law. The custodian of the records should confer with the City Attorney's office to determine if the record is confidential and if it is not, the legal requirements for allowing inspection of such record.

Art Collection Programs

It is the responsibility of museum professionals to develop collections, exhibitions, and educational programs in the furtherance of an institutional mission. Intellectual honesty and objectivity in the presentation of objects is the duty of every professional at EPMA.

The attribution of works must reflect the thorough investigation of the curators and must yield promptly to change with the advent of new facts or analysis.

EPMA may address a wide variety of social, political, artistic, and cultural issues. All issues should be approached objectively and without prejudice or censorship. The programs of EPMA should reflect the breadth of current scholarship and maintain intellectual integrity.

Loans of Art Objects

Loans of art objects by EPMA stakeholders, staff members, or volunteers can be of great benefit to EPMA as can loans from donors. However, it should be acknowledged that any exhibition of such loans may enhance the value of the object(s) and great care must be taken to exercise objectivity in keeping with EPMA's mission. EPMA must maintain control over the content of all exhibitions.

Neither a relationship with a lender of works of art nor any consultation with a lender shall compromise the curatorial integrity of any exhibition. The provisions of this Code relating to conflicts of interest shall apply to decisions regarding inclusion of loans in exhibitions.

In general, in order to avoid a conflict of interest or the appearance of a conflict, loans of art objects from stakeholders, staff members, or volunteers shall be credited publicly as such. However, if there are issues of concern to the lender (such as security), then upon disclosure of the circumstances, the Director may craft an appropriate credit line.

EPMA must be transparent about the source of funding for exhibitions. If EPMA receives a request for anonymity, the institution must avoid such anonymity if it would conceal or appear to conceal a conflict of interest.

Instruction and Mentorship

El Paso Museum of Art staff and contracted teaching artists, instructors, and workshop leaders may involve close contact with students at the Museum as well as off-site at community organizations and public and private schools. In addition to City of El Paso Code of Ethics, and other codes adhered to by guest instructors, all individuals at the Museum acting as an instructor or mentor, paid or unpaid, should be mindful of the following boundaries.

Instructors and mentors should conduct their programs in ways that preclude discrimination on the basis of sex, marital status, race, social class, political convictions, disability, religion, ethnic background, national origin, sexual orientation, age, or other criteria irrelevant to academic performance.

Instructors and mentors should beware of the exploitation and serious conflicts of interest that may result if they engage in sexual relations with students. They must avoid sexual liaisons or even the appearance of sexual innuendo with students of any age for whose education and professional training they are in any way responsible.

Public Accountability

Maintain high standards of honest and ethical conduct in all dealings with current and past Museum full time City of El Paso staff and employees, supporters/donors, and vendors of the Museum and with other third parties.

Avoid any actual or apparent conflict of interest in the hiring of the Director, in the support of elevating members of MCAAB or EPMA Foundation to positions of committee activity, and between personal and professional relationships as defined in the City of El Paso's Ethics Ordinance.

Report to MCAAB, EPMA Foundation Board or City of El Paso staff any conflict of interest that may arise and any material transaction or relationship that reasonably could be expected to give rise to a conflict.

Take reasonable measures to protect the confidentiality of information about the Museum, the public the Museum services, and its vendors, and prevent the casual disclosure of such information unless required by applicable law or regulation or legal or regulatory process. Ensure their practices do not harm the safety, dignity, or privacy of the people with whom they work or the institution in which they govern.

Confidentiality is governed by state and city law and the City Attorney's office should be consulted before making a determination that a record is or is not confidential. Records include all formats of information including printed, film, audio and computer data. It is important to alert those subject to this code about meeting legal requirements on records inspection and confidentiality of records because the laws governing these subjects include criminal penalties.

Institutional Accountability

All attempts should be made to assure that information fairly and accurately reflects in reasonable detail the Museum's assets, liabilities, revenues and expenses, City of El Paso staff, donors, and audiences, and does not contain any false or intentionally misleading information.

The Museum should endeavor to assure full, fair, accurate, timely, and understandable disclosure in reports and documents that the Museum files with or submits to independent accountants, the state and federal government as well as other agencies that have entrusted the Museum to act on their behalf as a public trust.

Comply and take reasonable action to cause others to understand and comply with applicable non-profit governmental laws, rules, and regulations.

Promptly report suspected violations of the Museum's Code of Ethics by any MCAAB or EPMA Foundation Member or the Director to the appropriate MCAAB and EPMA Foundation Board members or City of El Paso staff, which may be done anonymously. Not reporting unethical behavior may be considered unethical behavior.

Promptly report suspected violations of the Museum's Code of Ethics by any volunteer, City of El Paso staff, or member of the Museum to the Director of the Museum. Not reporting unethical behavior may be considered unethical behavior.

Publication, Implementation, and Enforcement

The Code of Ethics of the El Paso Museum of Art will be available on the City of El Paso Museum of Art website and will inform the public of the 2026 update of the 2007 Code of Ethics. The new Code will be presented once a year at an annual City of El Paso staff meeting dedicated to reviews of the Collection Care and Management Policy as well as the Personnel Policy. The Code will be distributed to and reviewed by members of the Advisory Board and Foundation Board every two years, and new members of the boards and City of El Paso Museum staff will be presented with the Code upon their arrival. Breach of the others of a violation and those who may or may not have violated the Code. Appropriate disciplinary action may follow.

The disciplinary action against a city employee is governed by City Charter and City and Ordinance. If the action is against a Board Member, City Board Member removal is regulated by City ordinance. Disciplinary action may or may not include dismissal from Boards, the City of El Paso staff, or from a volunteer capacity.

Conflict of Interests

Loyalty to the mission of EPMA and to the public it serves is the essence of museum work, whether volunteer or paid. Each Museum representative should fully and conscientiously fulfill the duties of his or her respective position with EPMA. A conflict of interest exists if one is able to exploit an affiliation with EPMA for personal gain and therefore one's decisions about EPMA matters could be influenced by personal interests. If a conflict of interest arises—actual, potential, or perceived—the conflict must be disclosed. (See Duty to Disclose section below). Staff and Museum representatives must seek to avoid conflicts that could create any real, potential, or perceived conflict with the interests of EPMA.

Commercial Art Galleries

EPMA may accept financial support from commercial art galleries if the support does not compromise or appear to compromise the curatorial integrity and artistic control of any program in any way.

Duty to Disclose

Museum staff, stakeholders, collaborators, and other affiliates may be obligated to complete a Conflict-of-Interest Disclosure Statement on an annual basis, and have a continual duty to disclose any conflicts as soon as they arise in the spirit of public accountability and transparency. Disclosures shall be reviewed by the Museum Director and the Managing Director of the Museums and Cultural Affairs Department of the City of El Paso. The people disclosing the conflict must follow the Consequences section below.

Consequences

A staff member, or community member of a Board committee who has disclosed a conflict of interest (“interested party”) shall refrain from attempting to influence any decision of the Board, a Board committee, or staff on any matter that may involve a potential or actual conflict of interest and shall abstain from voting on any such matter.

An interested party must recuse himself/herself from any portion of a meeting in which the subject of discussion is a contract, transaction, or situation in which there may be a perceived or actual conflict of interest. The meeting should include discussion about whether the terms of the agreement or transaction are no less favorable to EPMA than is available on the open market.

Any minutes of a meeting in which an interested party abstained from voting due to an actual or potential conflict of interest shall reflect that the conflict was disclosed, that the interested party was not present during the discussion and/or vote, that the term of the transaction were discussed in view of terms available, and that the interested party did not participate in the decision or vote.

Fundraising

All fundraising shall be in furtherance of EPMA’s mission. All donor solicitations, development activities, and processes shall be in accordance with this Code, all City of El Paso Guidelines for Gift Acceptance, and any policies for sponsorship and donor support. Trustees, staff members, and volunteers are encouraged to support fundraising efforts but must coordinate all activities with the Development department.

Staff, Museum stakeholders, or volunteers must not receive compensation for fundraising on a commission basis, nor receive a portion of contributed funds. Donor information must be handled with the utmost discretion. Proprietary and confidential information concerning donors can only be communicated to persons affiliated with EPMA to meet legally mandated disclosure requirements.

Security and Facilities

All trustees, staff, and volunteers must abide by all EPMA Security and Facilities procedures and policies.

Staff Professionalism

EPMA recruits and hires each staff member for their unique professional value, knowledge, and ability. Staff members should treat one another with the utmost respect and professionalism in the carrying out their duties, in alignment with City of El Paso Values as defined in the current Employee Handbook.

Volunteer Activities

Staff members are encouraged to participate in voluntary outside activities with community groups or public-service organizations. However, if the staff member could appear to be acting in an official EPMA capacity, they must disclose that to, and seek prior approval from, the Director to avoid possible misrepresentation or conflict of interest.

As in all activities, staff members should conduct themselves so that their actions do not reflect adversely on the reputation or integrity of EPMA, or contradict EPMA's mission, purpose, or goals.

Approval of Outside Employment

Certain types of outside employment—including teaching, lecturing, writing, and consulting—can benefit both the Museum and the staff member by stimulating personal professional development and promoting the Museum within professional circles.

Staff members engaged in outside activities are often perceived as representatives of EPMA, even though the outside work may be wholly independent of the Museum. For that reason, full-time staff must seek prior approval. Per City of El Paso Employee Handbook, outside employment must be disclosed and approved in writing by the Department head.

An employee need not disclose a small business or activity entirely unrelated to the work he or she performs for EPMA. However, full-time staff members should remain mindful that their primary professional responsibility remains with EPMA. Any outside project employment should not interfere with the staff member's regular duties at EPMA, nor should it compromise the professional integrity of the staff member or the reputation of EPMA in any way. Staff members need to avoid any appearance of institutional validation of outside projects.

Ownership of Scholarly Material

All materials or items developed, written, designed, drawn, painted, constructed or installed by staff members while carrying out their responsibilities as EPMA employees are the property of the City of El Paso including research files.

Professional Relationships and Business Transactions

Staff members in all dealings with other organizations, artists, donors, consultants, vendors, or dealers, etc., shall uphold and promote the highest professional standards and ethical principles. Any EPMA staff member authorized to spend funds shall do so with impartiality, honesty, and regard to the best interests of EPMA. Staff must follow established purchasing guidelines set by the City of El Paso.

Gifts to Staff

Reasonable minimal personal entertainment, such as a meal, may be accepted by staff members from a donor, collector, vendor, or dealer, etc. Gifts to staff over \$75 USD are not allowed. Gifts or meals under this amount while on official business may be accepted so long as they do not influence the employee to act in an improper manner. Gift value limit is regulated by City of El Paso Ethics Ordinance.

Referrals

When a staff member is asked in the performance of his or her official duties to suggest sources for objects, materials, or services such as conservation, appraisal or the transportation of art objects, they should name at least two qualified, competent sources (where possible) in order to avoid the appearance of official EPMA endorsement.

Commercial Activities

All commercial activities should be conducted in a manner consistent with EPMA's mission and its service of the public. Thus, all commercial activities and related publicity should be relevant to, and not compromise, EPMA's mission.

Acknowledgments

The Museum gratefully acknowledges the use of language from the codes of ethics of the San Jose Museum of Art and the National Association of Archaeology. Appreciation is also given to the City of El Paso staff of the Museum who thoughtfully reviewed and contributed to this Code of Ethics.