

CITY OF CAMBRIDGE ART GIFTS AND DONATIONS POLICY

I. PURPOSE.

On occasion, the City receives unsolicited proposals for the donation or purchase of public art to add to the City's collection. There are limited funds to protect, maintain and conserve these works. There are also a dwindling number of suitable sites on City-owned property for public art.

The procedures described below have been established to evaluate the suitability of a proposed artwork for installation on City property. To ensure that a proposed donation meets established criteria for inclusion in the City's public art collection, the standards applied to the acceptance of donations must be as stringent as those that have been established for the commissioning or purchase of art with public funds.

II. DEFINITIONS.

For the purposes of these guidelines, the following words and descriptions shall have the following meanings:

- 1) "Cambridge Arts Council" means the Council established in 1974 by order of the City Council.
- 2) "Public Art Commission" means a seven-member committee appointed by the City Manager to implement the Public Art Ordinance.
- 3) "Work of Art" ("Artwork") means original artworks in a variety of media by visual artists, including but not limited to:
 - sculptures (which may be in the round, bas-relief, high relief, mobile, fountain, kinetic, electronic, etc., in any material or combination of materials);
 - paintings of all media, including both portable and permanently affixed works, such as murals;
 - other visual media including, but not limited to, prints, photographs, drawings, stained glass, and mosaics.

For the purposes of these guidelines, the following shall be excluded from the definition of "work of art," except where recognized professional artists are employed in the creation:

- decorative, ornamental or functional elements which are designed by an architect or by consultants engaged by an architect;
 - landscape elements designed as part of landscape architectural design;
 - "art objects" which are mass produced of standard design, such as playground sculptures or fountains. Included, however, are limited editions – controlled by the artist – of original prints, cast sculpture, photographs, etc.
 - directional, or other functional elements, such as supergraphics, signage, color coding, and maps
- 4) "Professional artist" means a person who has established a reputation of artistic excellence, as judged by peers, through a record of exhibitions, public commissions, sale of works or educational attainment.
 - 5) "Accessioning" means the steps taken by the Cambridge Arts Council to designate and record an artwork as part of the Cambridge Public Art Collection.

- 6) "Cambridge Public Art Collection" means (a) works of art commissioned by the City through the Cambridge Arts Council, with funds set aside by the Public Art Ordinance or with supplemental funds; (b) donation of artworks accepted by the City through the Cambridge Arts Council.
- 7) "Maintenance Assessment" means a detailed examination of the physical properties of individual artworks carried out by or under supervision of a qualified conservator.

III. PROCEDURES

Donations of works of art and of funds for the acquisition of art to the City of Cambridge are referred to the Cambridge Arts Council's Public Art Commission for review. Due to the dwindling number of suitable sites and the increasing size of the City's public art collection, the City shall not accept any donations which are conditioned upon location at a particular site. The Public Art Commission may establish an independent *jury* of 3-5 qualified art professionals to review the proposed donation with regard to aesthetic criteria. The jurors shall be knowledgeable about visual arts, particularly in public context, and represent varying artistic points of view.

If the work of art is proposed for (as opposed to conditioned upon) a particular site, an ad hoc *community advisory committee* shall be established to ensure that a wide range of community interests and concerns are considered. The committee may include, but is not limited to, representatives of residents, businesses, and relevant City departments.

The Public Art Commission may, when appropriate, request that the city department or commission with responsibility for the site of the proposed artwork approve the installation prior to the Public Art Commission's final recommendation to the Arts Council. The Public Art Commission will determine at what point in the review process site approval is necessary before moving to the final step in the review.

Presentation

The donor shall provide materials for a clear and meaningful presentation of the work of art. Presentation materials may include but are not limited to:

1. Documentation of the artist's professional qualifications.
2. Graphic materials, such as photographs, drawings, and/or models.
3. Written specifications including a list of dimensions, sizes, colors, and textures of the work, and a description of display requirements, site preparation, and installation methods.
4. A detailed budget, including a cost estimate of site preparation, installation, storage, transportation, insurance, artist fee, and fees of consultants as appropriate.
5. Maintenance assessment by an independent professional conservator, addressing the structural and surface integrity of the proposed artwork; protection against theft, vandalism, accidental damage, and environmental deterioration; and maintenance requirements (a plan for routine care, with estimated cost).
6. A signed and sworn statement stating that the work of art is free and clear of any liens and claims, arising from any source whatsoever. For existing works of art, the donor shall provide a provenance of the work and a proof of ownership.

Review

The proposed donation shall be reviewed with regard to the following criteria, in consultation with the appropriate agencies and technical consultants as needed:

1. **Standard of Excellence:** Artistic quality is of highest priority in selection of artworks.
2. **Appropriateness to Proposed Site:** If the work of art is proposed for a particular site, the relationship of artwork to said site shall be considered in terms of the scale, materials, and form of the artwork, as well as in terms of social dynamics, local character, and surrounding urban context of the site.
3. **Availability of Proposed Site:** If the work of art is proposed for a particular site, the donation shall be referred to government agencies that have jurisdiction over said site for formal approval for the siting of the art.
4. **Availability of Funds:** The donation shall be reviewed with regard to availability of resources to meet display requirements, such as funds for site-preparation, installation, framing, or construction of base (if applicable), proper illumination, and maintenance. As a prerequisite for acceptance, donors may be required to provide funds for the above listed costs.
5. **Maintenance:** The work of art shall be reviewed with regard to structural integrity, durability of material, and susceptibility of the artwork to accidental damage, theft, and vandalism.
6. **Public Liability:** In consultation with appropriate governmental agencies, the donation shall be reviewed with regard to ADA requirements and for unsafe conditions or factors that may bear on public liability.
7. **Donor's Conditions:** In case there are restrictions or dedications attached to the potential donation, the donor's conditions shall be referred to the Law Department to insure that they are consistent with City policies.

Recommendations on Acceptance and Rejection

The Public Art Commission will recommend acceptance or rejection of the donation to the Cambridge Arts Council and the Arts Council will make its recommendation to the City Manager and the City Council. The recommendation will consist of a written report of the review process. The report will include the responses and recommendations of other city departments when appropriate.

All of the procedures above apply also to long-term loans of artworks that are offered to the City of Cambridge.