

# City of Pacific Grove, California

## City Council Policy

Policy Governing	Policy No.	Effective Date	Page
Acceptance of Outdoor Art Donations	900-3	August 2, 2017	1 of 2

### **PURPOSE:**

The City receives donations of both art and funding for outdoor civic art from citizens and organizations. Chapter 3.24 of the Municipal Code establishes duties and functions for the Beautification and Natural Resources Commission including standards related to works of art. This policy further establishes guidelines for the evaluation, receipt and use of proposed art and art fund donations.

Public art enhances the appearance of public places, beautifies the City, and stimulates public gathering and public discussion. The City has limited capital funds to expend on outdoor civic art and relies primarily on donation. This policy is intended to provide clarity of expectations for both the City and donors so that donations may best meet the goals of each party.

Policies 100-13 Bequests and Fungible Donation and Appreciated Real Estate, 200-6(E ) Library Acceptance of Art Gifts Policy, and 200-6 (I ) Library Gift Acceptance Policy for Print and Non-Print Materials may also be referred to as appropriate.

### **POLICY & PROCEDURE:**

1. Anyone wishing to donate art or art funding to the City of Pacific Grove must first provide comprehensive information about each piece of art or proposed art work by completing and submitting the Art Acceptance Form (attachment).
2. Art Acceptance Forms may be submitted to the Pacific Grove Beautification and Natural Resources Commission.
3. The Beautification and Natural Resources Commission will use the Art Acceptance Form as a basis for evaluating the art proposed for donation and making a recommendation to Council. In evaluating the art works, the Beautification and Natural Resources Commission will work with the Museum, the Library, and/or other City staff, as appropriate. City staff will consult the advisory board (e.g. Museum Board, Library Board) of the involved City department.
4. Evaluation of art works will consider each piece's intended use and disposition, artistic merit, historical significance, local interest, commercial value, and impact on City government including ongoing maintenance costs.

5. The Beautification and Natural Resources Commission, City staff, and the relevant advisory body will make a recommendation to the City Council whether or not to accept the proposed donation. All accepted donations shall be unconditional, transferring ownership and all rights of ownership to the City. Donations are accepted only with the understanding that the City has the right to determine retention, location or disposal of the donation. The City may sell the item for value and use the proceeds for any purpose appropriate to the City's Charter.
6. The City Council shall make the final determination on whether the City will accept or decline the proposed donation.
7. Issues and legalities involved in donation of art works are numerous, and there will be occasions when the City Attorney's advice may be essential. For example, an artist may be entitled under law to a royalty under certain circumstances of resale; a copyright may be involved; an artist may ask for rights and privileges such as the first chance to purchase, borrowing for an exhibition, reproduction rights, control of alterations, repairs or restoration.
8. A written agreement with the artist shall be executed with the City prior to commencement of any work of art proposed on City property or commissioned by the City.
9. All required City permits for installation and siting of art pieces on City property shall be obtained. The outdoor placement of any artwork shall not interfere with natural resources.

Adopted January 3, 2001 - Minute Motion  
Amended August 3, 2017 – Resolution 17-017



# CITY OF PACIFIC GROVE

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## Art Acceptance Form

### HISTORY OF THE PIECE PROPOSED FOR DONATION

Donor
Name _____
Phone _____
Fax _____
Email _____
Mailing Address _____

Legal Owner
Name _____
Phone _____
Fax _____
Email _____
Mailing Address _____

Applicant
Name _____
Phone _____
Fax _____
Email _____
Mailing Address _____

Previous Owner(s)/History of Ownership

*(Attach additional pages if necessary for any section)*

Date of Application to Donate \_\_\_\_\_

Signature of Applicant \_\_\_\_\_

**DESCRIPTION OF WORK (PHOTO MUST BE ATTACHED)**

Name of Work	
Artist	
Medium	
Date of Work	
Dimensions of Work	
Appraised Value	
Content/Description	
Condition	
Artist Biography (Summary)	
Special Requirements / Conservation Measures	
Maintenance (materials, cost, etc)	

**INTENDED USE**

Selective Display/Exhibit	_____
Research	_____
Circulation/Loan	_____
Sale	_____

**REASONS FOR ACCEPTANCE**

Artistic Merit	_____
Historical Significance	_____
Local Interest	_____
Commercial Value	_____

**CONDITIONS OF ACCEPTANCE**

Specified Recipient	_____
Storage Requirements	_____
Proposed Location	_____
Special Requirements / Conservation	_____

*(Attach additional pages if necessary for any section)*

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**INTENDED USE**

Selective Display/Exhibit	_____
Research	_____
Circulation/Loan	_____
Sale	_____

**REASONS FOR ACCEPTANCE**

Artistic Merit	_____
Historical Significance	_____
Local Interest	_____
Commercial Value	_____

**CONDITIONS OF ACCEPTANCE**

Storage Requirements	_____
Cost Impact and Maintenance	_____
Proposed Location	_____
Proposed Department Responsibility	_____
Special Requirements / Conservation	_____

**RECOMMENDATIONS FOR ACCEPTANCE (ACCEPT / DECLINE, SIGNATURE, DATE)**

Beautification Commission	_____
Museum of Natural History	_____
Public Library	_____
Other Recipient Department (if Applicable)	_____

Approved by City Council Date \_\_\_\_\_

Mayor's Signature \_\_\_\_\_ Date \_\_\_\_\_