

City of Lawrence  
Administrative Policy

<b>SUBJECT</b> Donated Art Guidelines		<b>APPLIES TO</b> Art Donors, City Staff and the Lawrence Arts Commission.	
<b>EFFECTIVE DATE</b> March 6, 2001	<b>REVISED DATE</b>		<b>NEXT REVIEW DATE</b>
<b>APPROVED BY</b> City Commission		<b>TOTAL PAGES</b>	<b>POLICY NUMBER</b> 81

Lawrence Arts Commission / Donated Art Guidelines as amended and Approved Jan 10  
2001

## PURPOSE

The overall intent of the policy is to establish a formal procedure, a Donated Art Program, for the receipt and consideration of proposed donated art by the City of Lawrence.

## POLICY

*Public Art* can be defined as any visual work of art displayed for two weeks or more in an open City-owned area, on the exterior of any City-owned facility, inside any City-owned facility in areas designated as public areas, or on non-City property if the work of art is installed or financed, either wholly or in part, with City funds or grants procured by the City.

*Work of art* includes, but is not limited to sculpture, monument, mural, fresco, relief, painting, fountain, banner, mosaic, ceramic, weaving, carving and stained glass.

*Works of art* shall not normally include:

- 1 Reproductions or unlimited editions of original work.
- 2 "Art Objects" that are mass-produced.
- 3 Architectural rehabilitation or historical preservation, although works may be acquired in connection with such projects.

## GOALS

The principal goals of the Donated Public Art Program are:

- A. To enrich the public environment for both residents and visitors to the community through the visual arts.
- B. To nurture and enhance our art community.

- C. To increase public access to works of art and to promote understanding and awareness of the visual arts in the public environment.
- D. To promote diversity and pluralism in Public Art and to reflect a wide range of expression.
- E. To contribute to the civic pride of our community.

## PROCESS OVERVIEW

1. Donor submits complete proposal (see list below) to Lawrence City Commission. The proposal may be for a completed, existing piece of artwork or be in a 'concept or idea' form for some proposed future piece of artwork yet to be created.
2. Lawrence City Commission forwards proposal for technical and legal review by City Staff, City appointed Boards and Commissions at the discretion of the City Manager, or rejects donation proposal. If the proposal may be located in a park or open space under the management and maintenance of the Parks and Recreation Department, it is to be forwarded to the Parks and Recreation Advisory Board for site selection, site analysis and installation procedures review. If this review approves the proposal, Lawrence City Commission forwards proposal to Lawrence Arts Commission for an arts content review.
3. Lawrence Arts Commission conducts (i) an *artwork* review, (ii) *site selection* review and a *site* review, (iii) an *artist's qualifications* review and (iv) an *installation procedures* review. The Lawrence Arts Commission review allows for public comment on the proposal. The Lawrence Arts Commission may recommend to the donor amendments to the artwork. Donor may make such amendments as part of the review process.
4. Lawrence Arts Commission concludes its review and makes a recommendation to the Lawrence City Commission
5. If the Lawrence City Commission accepts the proposal and Donor-City contract, the Lawrence Arts Commission appoints a Lawrence Arts Commissioner as liaison to monitor the progress and report to the full Lawrence Arts Commission.
6. Unaccepted donated artwork proposals may be modified and re-submitted, repeating the above process.

## ARTWORK REVIEW CRITERIA

The donated artwork piece or its representation in the Information Package (see below) shall be evaluated using the following **artwork** determined criteria,

- A. Effectiveness of the design as a communicative piece of artwork.
- A. Conceptual compatibility of the design with the immediate environment of the site.
- B. Appropriateness of the design to the functions of the site.
- C. Preservation and integration of the environmental natural features for the project.
- D. Appropriateness of the materials and design (texture, color, line, shape and value) to the expression of the artist's concept.
- E. Permanence of structural and surface components.
- F. Achievability based on proposal Budget Plan (including installation and any anticipated future costs)

## **SITE SELECTION PROCEDURES**

- A. Donor's recommended site(s), if included in the Proposal, will be reviewed by Lawrence Arts Commission (using 'Site Review Criteria' below).
- B. If no site is suggested by the Donor or if the Donor's site is deemed inappropriate based on the Site Review Criteria, the Lawrence Arts Commission will discuss other possible site locations, and, if necessary, appoint a subcommittee to review these alternate sites and make a recommendation to the full Lawrence Arts Commission for site approval. The donor may modify proposal to accommodate approved site.

## **SITE REVIEW CRITERIA**

The donated artwork piece or its representation in the Information Package (see below) shall be evaluated under the following **site** determined criteria,

- A. Relationship of artwork to the site, in terms of the physical dimensions, social dynamics, local architectural character and surrounding context of the site, existing or planned.
- B. Visibility of the site by the general public.
- C. Public safety.
- D. Ability to improve the design of an area by emphasizing a particular location through the creation of landmarks, gateways and/or linkages to other parts of the community.
- E. Support of interior and exterior vehicular and pedestrian traffic patterns.
- F. Site planning including landscaping, drainage, grading, lighting and seating considerations.
- G. Relationship of proposed artwork to existing artworks within the site vicinity.
- H. Compatibility of the design and location with the historical character of the site.
- I. Environmental impact such as noise, sound, light and odor.
- J. Public accessibility to the artwork, particularly handicap accessibility.
- K. Impact on adjacent property owners' sight lines and sight views.

- L. Impact on operational functions of the City.
- M. Vulnerability to vandalism.
- N. Cost of site development.

## **ARTIST REVIEW CRITERIA**

The donated artwork piece or its representation in the Information Package (see below) shall be evaluated using the following ***artist's qualification*** criteria,

- A. Artist's Presentation: the artist shall be capable of clearly communicating the proposal's concepts and realization, verbally and through quality written, drawn, modeled and/or video or digital materials. In addition, specific representational drawings and/or renderings of the artwork as placed at the primary site (or LAC approved alternate) shall be required, as described in the Information Package in this document.
- B. Technical Feasibility: the artist shall ensure that the artwork shall demonstrate its technical feasibility and the artist's work record shall be examined for convincing evidence of the artist's ability to successfully complete the work as proposed.
- C. Cooperation: the artist shall demonstrate the ability of the artist to work closely and cooperatively with the Lawrence Arts Commission, Lawrence City staff and the Lawrence community in general.

## **INSTALLATION PROCEDURES**

- 1. After LAC site approval, a detailed installation plan shall be developed by the artist, donor or contractor, as appropriate, for Lawrence Arts Commission review.
- 2. If the LAC recommended and donor accepted site is with the City's parks system, the donation proposal shall be subject to Parks and Recreation (P&R) Department determined standards regarding P&R programming, maintenance, irrigation, plant removal, mow strips, site grade work, bed mulch, site restoration and other P&R related issues.

## **CONTRACTS**

The artist and/or donor shall enter into a written contractual agreement with the City of Lawrence. The City of Lawrence shall determine the nature of this contract. The contract must be drafted and available at the time the proposal returns to the Lawrence City Commission for final acceptance.

## **INSTALLATION BUDGET**

At the time of initial proposal submission, the Budget Plan should itemize anticipated costs of installation which shall also include:

- A. Ancillary display components (such as lighting, seating etc)
- B. Site development costs
- C. A permanent identification plaque

This Budget Plan shall be updated for submission for the final submission for Lawrence City Commission acceptance.

## APPENDIX 1

### ART DONATION REVIEW PROCEDURE

Selection and placement of a work of public art may occur through a donation to the City of Lawrence.

It is recognized that donations are presented to the City in a variety of forms and that each proposal is unique.

A Donor Procedure Checklist is available at City Hall, PO Box 708, Lawrence, KS 66044.

In the first instance, all donations are offered to the City through the Lawrence City Commission.

The Lawrence City Commission will review all donations and may refuse the donation or forward the donation proposal to the City staff for legal and technical review and, if City staff review is affirmative, to the Lawrence Arts Commission for an arts content review and recommendation prior to full acceptance by the Lawrence City Commission. Proposals will only be received at the June and November meetings of the Lawrence Arts Commission.

It is the responsibility of the donor to provide a full information package to enable the LAC review. The LAC is responsible for accepting for review only those donated art proposals that allow (i) an *artwork* review, (ii) a *site selection* and *site* review, (iii) an *artist qualifications* review and (iv) an *installation procedures* review. If the donation is in completed and easily manageable form, arrangements should be made to deliver the piece(s) to the City Hall prior to the Lawrence Arts Commission meeting, if feasible, or arrange for Lawrence Arts Commission to view the piece(s) elsewhere. The Lawrence Arts Commission may recommend a site for the donated artwork if none was suggested in the proposal or if the suggested site is unacceptable to LAC in the *site review*.

The LAC will review the donation proposal under the criteria listed in this document. The review will allow for receiving public comment on all review criteria. The Lawrence Arts Commission may recommend to the donor amendments to the artwork. The Donor may make such amendments as part of the review process.

Upon completion of the review, the donation proposal is returned to the Lawrence City Commission with (i) a recommendation from the Lawrence Arts Commission for action and, (ii) if the Lawrence Arts Commission recommendation is to accept the donation, a legal contract between the City and the Donor. A revised Budget Plan, if necessitated, should accompany this contract.

Any fundraising, if necessary, should not begin until after the City Commission has voted to accept the donation.

If the donation proposal, with a LAC recommendation, is accepted by vote of the Lawrence City Commission the LAC will provide liaison with the donor to monitor the progress on behalf of the LAC and work with the donor to help ensure timely and faithful execution of the proposal. To facilitate public communication and participation during the process all LAC agendas will be provided in advance to the media and a copy of the LAC minutes will be sent to the contact person listed on any donated art proposal. The LAC liaison will regularly report to the full Arts Commission who will report, as necessary, to the City Commission.

It is recognized that donation proposals are presented in a variety of ways and this may affect the estimated timetable.

The process will normally end with a dedication and recognition of all whose efforts contributed significantly to the project.

Please note that the City shall have sole discretion whether to display, move, store or deaccession, the artwork. The City shall have sole discretion whether to insure donated artwork from theft, damage or destruction. The City shall have the sole discretion to determine whether artwork which has been damaged or destroyed shall be replaced, rehabilitated, or repaired.

-----

Materials and Information required to be submitted with proposal:

1. **Donation Form**
2. **Information Package** that allows full understanding of the nature of the artwork including :--
  - artwork description,
  - conceptual drawings,
  - artist's renderings,
  - technical construction drawings (as appropriate, to allow evaluation),
  - sample material(s),
  - site plan to scale,
  - Representational illustrations or photographs of the artwork or scale model of the completed work *on its proposed site*.
- 3 **Budget Plan** to include funding plan, anticipated installation costs and long-term maintenance costs.
- 4 **Description of the Installation Procedures.**
- 5 The **artist's curriculum vita and portfolio** that includes slides, photographs and, if available, independent reviews of past work

Any other pertinent materials that will assist the City in the evaluation of the donation.

## APPENDIX 2

### Lawrence Arts Commission DONATION PROCEDURE CHECKLIST FOR ARTWORK

Materials and Information required to be submitted with initial donation proposal to the Lawrence City Commission:

- ❑ **Donation Form**
- ❑ The **Artist's Curriculum Vita and Portfolio** that includes slides, photographs and reviews of past work.
- ❑ **Budget Plan** to include funding plan, anticipated installation costs and long-term maintenance costs.
- ❑ **Description of the Installation Procedures**  
and
- ❑ **Donated Artwork Piece**

or :

- ❑ **Information Package** that allows full understanding of the nature of the proposed artwork including:-
  - ❑ artwork description,
  - ❑ conceptual drawings,
  - ❑ artist's renderings,
  - ❑ technical construction drawings (as appropriate, to allow evaluation),
  - ❑ sample material(s),
  - ❑ site plan to scale,



- Representational illustrations or photographs of the artwork or scale model of the completed work *on its proposed site*.
- Any other pertinent materials that will assist the City in the evaluation of the donation.

### APPENDIX 3 'Letter to Donor' Template

Dear Donor:

Thank you for your interest in helping to build Lawrence's collection of fine art. The main vehicles for increasing public art in the City are through the various public art programs such as the Lawrence Arts Commission's "PerCent for Art Program" and the "Outdoor Sculpture Exhibit". However private donations of artwork for placement on public land have also been able to add to the quality and variety of art in the Lawrence community. Please note that the process for accepting donated artwork into the city's collection can be time consuming.

We appreciate your generous offer and every consideration will be given to your proposal. Acceptance of donated art is the prerogative of the Lawrence City Commission. If the Lawrence City Commission initially recommends such action, your donation proposal will be forwarded for a *technical* review by the City staff and an *arts content* review by the Lawrence Arts Commission (LAC). There will be opportunity during these reviews for you to address issues that arise in the reviews. With final reports and recommendations from these two reviews, it will then return to the Lawrence City Commission for a final vote of acceptance.

Members of the Lawrence Arts Commission are volunteers who are appointed by the Mayor for their interest and abilities in advancing the arts within the community. The Lawrence Arts Commission is charged with maintaining the excellence of the city's works of art. In reviewing an art donation proposal, the LAC will use evaluation criteria equivalent to those used to evaluate a "PerCent for Art" proposal. These criteria used by the LAC in reviewing an art donation are enclosed. All donations will be reviewed on artistic merits alone.

If the proposal receives the final acceptance approval of the Lawrence City Commission, the LAC will work with you throughout the process to help ensure that your art donation is successfully realized and to keep you informed of decisions as they pertain to your donation proposal.

Please note that the City shall have sole discretion whether to display, move, store or deaccession, the artwork and that the City shall have the sole discretion whether to insure donated artwork from theft, damage or destruction and have the sole discretion to determine whether artwork which has been damaged or destroyed shall be replaced, rehabilitated, or repaired.

If you have questions or wish to discuss this further, please contact us through the LAC's city liaison, Michael Tubbs at City Hall, 832-3404.

Sincerely,

Chair, Lawrence Arts Commission

APPENDIX 4

**Lawrence Arts Commission**  
**DONATED ART IN PUBLIC PLACES – DONATION FORM**

*Please type or print*

Date \_\_\_\_\_

Donor:

Name/Organization \_\_\_\_\_  
\_\_\_\_\_

Contact Person \_\_\_\_\_ Title of

Artwork \_\_\_\_\_

Address \_\_\_\_\_

Media \_\_\_\_\_

City, State, Zip \_\_\_\_\_ Size

dimensions \_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_ Date  
available \_\_\_\_\_

Artist's Name \_\_\_\_\_ Purchase

Price \_\_\_\_\_

Artist's Address \_\_\_\_\_ Edition # (1 of  
?) \_\_\_\_\_

City, State, Zip \_\_\_\_\_ Appraised

Value \_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_ Appraised by  
/ date \_\_\_\_\_

Suggested Site Description (i.e., indoors, outdoors, landscape backdrop, by a lake, etc.) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Suggested Site

Location \_\_\_\_\_  
\_\_\_\_\_

Purpose of art donation -

\_\_\_\_\_

\_\_\_\_\_

Additional costs are associated with the acceptance of a donation of a work of art. Does your donation include any such moneys for the following, and if so, how much?

Site preparation            ☐no    ☐yes    \$ \_\_\_\_\_  
Identification plaque      ☐no    ☐yes    \$ \_\_\_\_\_

(If your donation includes monies for an identification plaque, please note that the LAC will order and install it.)

The undersigned hereby offers to make a gift to the City of Lawrence as described above. The City shall have sole discretion whether to display, move, store or deaccession, the artwork. The City shall have the sole discretion whether to insure donated artwork from theft, damage or destruction. The City shall have the sole discretion to determine whether artwork which has been damaged or destroyed shall be replaced, rehabilitated, or repaired. Please note that the Lawrence City Commission reserves the right to the final determination of the location for donated art. The undersigned is the owner of the artwork, free of all liens and encumbrances and has the right to make this gift.

_____	_____	
	Date	Donor
_____	_____	
	Date	Accepted

**Submit the original of this form and all supporting materials to: Lawrence Arts Commission, c/o City Liaison, City Hall, PO Box 708, Lawrence, Kansas 66044. Questions: call City Liaison Personnel at 832.3400**

---

**FOR CITY USE ONLY**

Comments/Concerns/Restrictions \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ LAC accepts donation as requested.  
☐ LAC accepts donation with the following  
provision(s): \_\_\_\_\_  
☐ LAC rejects donation for the following  
reason(s): \_\_\_\_\_  
(or see additional sheet)

Comments:

