



City of Cambridge

Comm. & Rpts. Other
Officers #1

IN CITY COUNCIL
May 17, 1999

COUNCILLOR BORN
COUNCILLOR SULLIVAN

- Whereas: By order of the Cambridge City Council dated December 16, 1974 (attached), the City Council charged the Arts Council with developing a permanent program for public acquisition through donations and purchases of works of art for display in public buildings and places; and
- Whereas: By order of the Cambridge City Council dated March 2, 1998, the City Council requested that the City Manager report on the City's policy on siting public monuments and art; and
- Whereas: On July 27, 1998, the City Manager forwarded a response to this order prepared by Charles Sullivan, Executive Director of the Historical Commission and Pallas Lombardi, Director of the Arts Council, which response was referred by the City Council to its Public Service Committee; and
- Whereas: The Public Service held public meetings on December 9, 1998 and March 31, 1999 on this matter; and
- Whereas: The Arts Council staff reviewed and recommended to the Public Service Committee a clarification of its program for public acquisition authorized by the 1974 Council order to address more fully the issue of public donations; and
- Whereas: Following several revisions, the policy was submitted to the City Solicitor for review and is hereby submitted to the City Council for approval; now therefore be it
- Ordered: That the City Council go on record approving the attached proposed "City of Cambridge Art Gifts and Donations Policy."

In City Council May 17, 1999.

Adopted by the affirmative vote of eight members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

XO Margaret Drury

ATTEST:-

D. Margaret Drury, City Clerk

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 a 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 a 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.

KB
MA

City Clerk / DMD Terry / Agenda 5-17-99

Whereas: By order of the Cambridge City Council dated December 16, 1974 (attached), the City Council charged the Arts Council with developing a permanent program for public acquisition through donations and purchases of works of art for display in public buildings and places; and

Whereas: By order of the Cambridge City Council dated March 2, 1998, the City Council requested that the City Manager report on the City's policy on siting public monuments and art; and

Whereas: On July 27, 1998, the City Manager forwarded a response to this order prepared by Charles Sullivan, executive Director of the Historical Commission and Pallas Lombardi, Director of the Arts Council, which response was referred by the City Council to its Public Service Committee; and

Whereas: The Public Service held public meetings on December 9, 1998 and March 31, 1999 on this matter;

a clarification of Whereas: The Arts Council ^{steps} reviewed and recommended to the Public Service Committee ~~changes~~ to its program for public acquisition authorized by the 1974 Council order to address more fully the issue of public donations;

Whereas: ~~As reported to the City Council on April 12, 1999, at the Public Service Committee, it was agreed that minor changes would be made, the proposed policy would be reviewed by the City Solicitor and then submitted to the City Council for approval; and~~ now therefore be it

Ordered: that the City Council go on record approving the attached proposed "City of Cambridge Art Gifts and Donations Policy."

Following several revisions, the policy was submitted to the City ~~for~~ Solicitor for review and is hereby

PROPOSED CITY OF CAMBRIDGE ART GIFTS AND DONATIONS POLICY

I. PURPOSE.

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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:

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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

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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.



City of Cambridge

Comm. & Rpts Other Officers
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Adopted by the affirmative vote of eight members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk



City of Cambridge

4.

IN CITY COUNCIL
December 16, 1974

Councillor Wylie

ORDERED:

That the City Manager is requested to appoint an arts advisory council of not more than nine persons who shall be residents of or employed within the City and experienced in some phase of artistic expression, creation, performance, production, financing or organization. One of said council members shall be appointed by the Manager as chairperson. The Council shall meet at least bi-monthly, at the call of the chairperson, and shall fulfill the following functions:

1. Advise the City Council, Manager and the Department Heads on ways in which the City can help enhance the lives of its citizens through the arts.
2. Stimulate improved public awareness of and support for the arts.
3. Create employment opportunities in the arts.
4. Maintain and perpetuate the diverse cultural heritage of Cambridge through encouragement of ethnic, cultural and folk artistic expression.
5. Help develop a value system oriented more toward lasting, human values than transitory and commercial values.
6. Offer to existing groups, agencies and institutions liaison and coordinating services.
7. Identify areas of Cambridge life in which the arts are lacking and would be desirable.
8. Develop a suggested permanent program for public acquisition, through donations and purchases of works of art for display in public buildings and places.
9. Work with and advise architects of public facilities on the artistic and aesthetic aspects of siting, visual impact and adornment of their buildings.
10. Develop ways to improve the aesthetic experience of living, working, playing and passing through the City.
11. Develop ways to make the retirement years of older citizens more fulfilling through the arts.

City of Cambridge

PAGE TWO

12. Sponsor or support festivals, celebrations, conferences and symposia, including Bicentennial events.
13. Commission works of artistic expression.

The Director of the Planning Department shall assign a member of his staff to provide staff services and liaison to the council, using the resources of the Department.

City Council Dec 16, 1974

Adopted by the City Council

by a vote of 9 members

Paul E. Sealy
City Clerk



City of Cambridge

IN CITY COUNCIL

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To: The Honorable, The City Council

From: C. K. B., Chair
Public Service Committee

~~Attachments~~

~~As~~ 1

The Public Service Committee held

two public meetings to consider a policy on
~~drafting of~~ private drainage of out to the City

~~The~~ At its last meeting, which was
reported to the City Council on April 12, 1999,
the Committee ^{urged} the Assistant staff to make
~~requested~~ a few final revisions to
the proposed policy and submit it to the City

Staff for review. The final version of
the proposed policy is attached, along with a
~~proposed~~ order adopting the policy



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

MEMORANDUM

TO: THE HONORABLE, THE CITY COUNCIL

**FROM: COUNCILLOR KATHLEEN L. BORN
PUBLIC SERVICE COMMITTEE**

DATE: MAY 17, 1999

The Public Service Committee held two public meetings to consider a policy on private donations of art to the City. At its last meeting, which was reported to the City Council on April 12, 1999, the Committee requested that the Arts Council staff make a few final revisions to the proposed policy and submit it to the City Solicitor for review. The final version of the proposed policy is attached, along with a proposed order adopting the policy.

382 S
Comm. & Rpts Other Officers
#1

A communication was received from Councillor Kathleen Born Chair of the Public Service Committee, transmitting a memorandum regarding the private donations of art to the City of Cambridge.

In City Council May 17, 1999

Communication Accepted.

ORDER ADOPTED