

**CITY OF STOCKTON, CALIFORNIA
CITY MANAGER ADMINISTRATIVE DIRECTIVE**

Subject: PUBLIC ART – GIFTS, LOANS, MEMORIALS, COMMEMORATIONS	Directive No. MAN-41	Page No. 1 of 5
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I PURPOSE

This directive establishes criteria and procedures for the acceptance of gifts of art works to be added to the City's public art collection. It is the purpose of this directive to ensure that uniform standards be applied to all art works proposed for City of Stockton acceptance, according to the Public Art Master Plan and the selection process criteria for commissioned art works.

II. POLICY

A. Responsibility

1. The Gift Committee will be responsible for reviewing potential gifts of art according to established criteria and for making recommendations to the Stockton City Council on the acceptance of art gifts offered to the City.
 - The Public Art Advisory Committee will be responsible for establishing a standing jury (the Gift Committee) to review gifts, loans, memorials or commemorative offerings.
 - The members of the Gift Committee will consist of representatives (at least one, but not more than two each) from the Stockton Arts Commission and the Public Art Advisory Committee, who will serve for two years and other (at least three) members who will serve on a rotating basis depending on the proposals under consideration.
 - The Gift Committee should be comprised of seven to nine members representing the Public Art Advisory Committee, the Stockton Arts Commission, City of Stockton budget and/or engineering staff, COS Departmental staff involved in siting the artwork (if appropriate), as well as a local expert in the field of art under consideration and a stakeholder from the community. A member of the Cultural Heritage Board may also be invited to participate where historical projects are involved.
 - The committee representatives for the Arts Commission and the Public Art Advisory Committee will be responsible for reporting the findings and recommendations of the Gift Committee to their respective bodies on the proposals, prior to the recommendation of the Gift Committee being submitted to the City Council.

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2. The Gift Committee will also review potential loans of artwork as well as suggestions of art works given to the City as memorials or commemorations (using the procedures outlined above).
3. Proposals will be reviewed within 90 days of submittal of a formal application to the Gift Committee.
4. The Public Art Manager of the City of Stockton will be responsible for overseeing and coordinating the review process for any proposed gift of art to the City.

B. Criteria

1. Quality of the art work.
2. History, reputation, demonstrated ability of the artist.
3. Whether the work of art would enhance and expand the existing City collection, add to the collection's diversity, or contribute to enriching the City's cultural environment.
4. Whether an appropriate site can be identified and recommended for the work of art, including the following considerations:
 - Architectural and natural features of the site.
 - Existence of other public art.
 - Visibility and public access.
 - Traffic patterns.
 - Future development plans for the area.
 - Public use patterns of the site.
 - It is to be understood that acceptance and siting are at the discretion of the City of Stockton.
5. Environmental considerations based on physical appropriateness to the site and scale, content and material of the artwork.
6. Physical condition of the work of art.
7. Durability of the piece as public art.
8. Cultural or historical value of the artwork to the City.
9. Technical and financial ability of the City to maintain the work of art to acceptable professional standards as received from the donor.
10. Security of the location for the work of art and costs related to the need for any special security systems for the work.

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11. Ability of the City to cover the costs of acceptance of the artwork, including that of installation, ongoing maintenance, archiving, and repair/replacement if damaged.
12. Capacity of the City to store, display and maintain the gift.

III. PROCEDURES

- A. Proposals shall be submitted for any artwork proposed to become a part of the City's public art collection.
- B. Proposals for artwork donated to the City as a gift shall include the following:
 1. A written proposal, including reasons the gift is being offered to the City
 2. A complete description of the gift, including:
 - dimensions;
 - materials from which the piece has been or will be made;
 - maquette of three-dimensional piece; rendering of two-dimensional piece; photograph of piece, if already existing;
 - material samples for the artwork and any relevant construction materials or detailed descriptions thereof;
 - description of the proposed siting of the work and installation details, including lighting if proposed;
 - age of the piece, if already in existence;
 - provenance of the piece: letter of authentication for the piece, ownership since creation and exhibit history for existing pieces;
 - artist's resume and documentation of the artist's professional qualifications, if available;
 - artist contact information in case of conservation or restoration issues or in case of deaccessioning from the City's collection, wherever possible;
 - professional appraisal of the piece which should include information on the market value, insurance value, replacement value, and antique value (if any) of the artwork; and
 - description of routine maintenance and estimate of maintenance and repair costs over the life of the artwork as well as an outline of any special skills that are needed to maintain the piece, if appropriate.
 3. Costs for fabrication, permits, engineering, insurance or other consultation, installation (including structural support meeting all building

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codes, any pedestal, lighting and landscaping of site, maintenance costs (five years) will be met by the donor.

4. All public art installed projects, including accepted gifts, must be annotated in the City of Stockton Inventory list, maintained by the Public Art Manager, and filed with the Parks and Recreation Administrative Analyst, the Risk Management office, the City Clerk's office, and the Asset Management Accountant in the Accounting office of the City of Stockton.
5. Proposals for loans of artworks to be in the City's care for more than 60 days shall include all the information noted above and will include a proposal for the duration of time that the artwork will be on City property and arrangements for installation and de-installation of the loaned works as well as which parties will cover related costs.
6. Memorials and Commendations
 - Proposals for memorials and commendatory artwork will follow the procedures outlined for gifts.
 - Proposals should emphasize why the proposed memorial is appropriate for the City of Stockton.
 - The proposals should recommend a specific site for the memorial and include a justification for the memorial being located at a given site. It should be understood that acceptance of such recommendations is at the discretion of the City of Stockton.
 - The proposal should include a proposed budget for the memorial and indicate how the project will be funded: in terms of fabrication (if appropriate), installation, maintenance and lighting.
7. Sister City Proposals for Gifts

It is highly recommended that Sister City Programs wishing to forward proposals of art gifts to the City of Stockton, submit their proposals to the same procedures as for all other proposed gifts of art, so that the highest and best outcome can be achieved for the gifting city and the City of Stockton.

Legal Agreements Relating to Gifts of Art

- A. A formal agreement (a deed of gift for example) between the City of Stockton and the donor will be signed before the gift, loan, memorial or commendation is accepted.

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B. The agreement will outline the responsibilities of both parties.

Exceptions to the Review Process

- A. Gifts of State (Nation to Nation)
- B. Artwork loaned for display on City property for less than 60 days
- C. Temporary public art displays, whether locally generated or on loan from another community.

Specific provisions for the deaccessioning of art works already held by the City of Stockton, should follow the guidelines: for review as herein set down

- A. A condition report and proposal will be reviewed by the Gift Committee and the City Purchasing Department representative.
- B. Any and all sales of City owned art works must be made in accordance with the rules for sale of city property, on a case by case basis, in consultation with the City's purchasing agent and with the consent of City Council

This document may be amended to include policy and directives for City Art Loan Programs or other Art Collection programs which may be appropriate to the City of Stockton's Cultural objectives.

APPROVED:



**J. GORDON PALMER, JR.
CITY MANAGER**