

# **GIFTS REVIEW POLICY ESTABLISHED BY THE CHAPEL HILL PUBLIC ARTS COMMISSION**

The Town of Chapel Hill is the owner of a growing collection of art for the benefit of Chapel Hill's residents and visitors. These works are available to the public through permanent and temporary display, exhibition, and installation in public spaces. On behalf of the Town of Chapel Hill, the Chapel Hill Public Arts Commission ("the Commission") is pleased to consider the donation of artworks offered to the Town that will enrich the beauty of and interest in public spaces in Chapel Hill. The Commission will review proposed gifts of artworks offered to the Town according to the procedures and guidelines outlined below.

## **PROCEDURES FOR DONATING WORKS OF ART**

1. For each proposed gift of art, the donor must contact the staff of the Commission and provide a Gift of Art Disclosure Form. This report must be accompanied by photos, slides, video or other representations of the work, documentation of ownership, value, and provenance (past ownership) of the artwork.
2. Following receipt of the Gift of Art Disclosure Form, the chairperson of the Gift Committee will be notified to convene the Committee for its consideration of the artwork. The Gifts Committee will follow the Commission's policy and guidelines for donated works of art in its deliberations.
3. The Gifts Committee, as described in Article VI, Section 1 of the Commission's by-laws, will review the Gift of Art Disclosure form, and may request to see the actual artwork. The Gifts Committee will make a recommendation to the Commission regarding acceptance or rejection of the work.
4. The Commission will review the recommendation of the Committee and vote to accept or reject the donation. The Commission may also request to see the artwork, or ask for additional information or materials about the artwork.
5. The Commission will then make a recommendation to the Town Council for the acceptance or rejection of the artwork. It will provide the Council with visual representations of the work, a proposed site for the artwork, and information regarding its care and maintenance.

## **REVIEW CRITERIA**

The following criteria will be used by the Gifts Committee and Commission when considering proposed works of art.

1. **Artistic Excellence.** The proposed gift's aesthetic merit and benefit to the Town's artwork collection and the community of Chapel Hill.
2. **Appropriateness of chosen site or proposed location.** Scale, materials and themes of artwork is appropriate for a proposed site.
3. **Restrictions from the donor.** Any restrictions must be clearly identified. If accepted, the donor's expectations must be met by the Town.
4. **Originality of artwork.** Artworks must be one-of-a-kind or part of an original series. Reproductions of originals are not considered eligible for acceptance.

5. **Relationship to the collection as a whole.** The Commission is committed to developing a diverse collection of art. The proposed gift must enhance and be compatible with the art collection.
6. **Technical feasibility.** The realistic ability for the proposed project to be sited, fabricated, and installed as proposed. The condition of the artwork will also be carefully considered. Only in rare cases will artwork that requires immediate maintenance or conservation be accepted as gifts.
7. **Technical specifications.** The Commission must review the actual work, if available, or in the case of proposed commissions, scale drawings and/or model(s) consisting of a site plan and elevation describing the following:
  - a. Surrounding site conditions, if applicable;
  - b. Dimensions;
  - c. Materials and finishes;
  - d. Colors;
  - e. Electrical, plumbing, or other utility requirements;
  - f. Fabrication and installation methods; and
  - g. Additional support material -- such as text verbally describing the artwork, specifications, models, or presentation drawings by a licensed engineer -- may be required;
  - h. Pedestrian and vehicular traffic;
  - i. Long-term care and maintenance.
8. **Budget.** Cost to manage the project, frame the artwork, conserve the artwork, prepare the site, deliver and/or install the work, funds for signage/recognition, and any other cost should be disclosed by the donor in a budget. The Commission will determine if the costs are accurate and acceptable, if the donor has clearly delineated responsibility for all costs associated with the project, and if there are financial obligations incumbent upon the Commission.
9. **Timeline.** Expected timeline for donation should be proposed by the donor. The Commission will determine if the proposed timeline is acceptable.
10. **Durability.** Expected lifetime of the artwork, especially if the work will be sited outdoors or in a non-archival exhibition setting.
11. **Warranty.** In cases of commissioned works, the donor agrees to be responsible for a warranty period of one (1) year from the date of final installation of the artwork to ensure the integrity of the materials, fabrication and installation of the artwork are as proposed.
12. **Vandalism and safety.** The artwork will not be prone to vandalism or pose a safety hazard. Precautions against vandalism, specifically against graffiti, will be taken by the Donor.
13. **Maintenance and preservation.** Donor shall agree to provide a technical and maintenance record including a plan for routine care with estimated costs. The donor must indicate if there are any unusual or ongoing costs.
14. **Community-Initiated or Community-Created Artworks.** In the cases of artworks proposed by community groups, artwork proposals must show that their surrounding community has been involved and consulted in the process.

## GUIDELINES

1. **Ownership:** All artwork that is accepted for ownership by the Town of Chapel Hill becomes its property. It is therefore subject to decisions by the Commission and/or other appropriate bodies for its display, storage, and/or future disposition, which also assume responsibility for its long-term care and insurance costs.
2. **Community Participation:** Community comments about the work or its ownership may be solicited and considered by the Commission as appropriate.
3. **Term of Exhibition and Durability:**
  - a. Upon acceptance of the gift by the Commission, the term and exhibition frequency will be discretionary.
  - b. When work is not displayed, the work should remain properly stored.
  - c. Artwork should be suitable for display in non-archival settings.
  - d. Vandalism, conservation, and insurance concerns should be considered.
4. **Safety:** The work must meet all Town safety standards.
5. **Maintenance and Preservation:**
  - a. The work must have reasonable maintenance costs or be accompanied by a maintenance trust by the donor.
  - b. At the time of acceptance, the artwork should not require repair or conservation. However, in certain unusual circumstances, the Commission and the Town Council might deem it appropriate to accept a gift that needs conservation. A qualified conservator should do conservation work, if the need arises.
  - c. An inventory of the gifts of art to the town should be bi-annually updated by the Chapel Hill Public Arts Commission staff. The Town Clerk should receive a copy.
6. **Gifts Committee:** As outlined in the Commission by-laws, the Commission will establish a Gifts Panel to review gifts of art. The Panel will consist of at least five (5) members including:
  - a member of the Commission who will act as chair
  - a community representative
  - a town employee representativeMembers of the gifts review panel will serve three (3) calendar years in staggered terms.
7. **Gifts of Art Disclosure Form:** A Gift of Art Disclosure Form, signed by the donor, the Chair of the Commission, and the Town Manager, will be required. A copy should be given to all interested parties, and the original should be retained by the Town Clerk.