

TOWN OF PORTOLA VALLEY

POLICY GOVERNING ACCEPTANCE OF DONATIONS OF ART

With its rolling hills, heritage oaks, and tranquil open space, Portola Valley is fortunate to enjoy a spectacular setting. The buildings at the Portola Valley Town Center, with their simple yet elegant architecture, have been designed to blend into the natural surroundings. This simplicity of design and preservation of the natural setting reflect essential values of the Town.

The Town Council recognizes that from time to time residents may wish to make donations of artwork for the enjoyment of the community. The desire to protect the simplicity of design of the Town Center and other public places in Town, as well as the limitations of space available to display artwork, necessitate the establishment of guidelines for the acceptance of donated art. The following policy sets forth the process and criteria to be used in considering gifts of artwork to the Town.

A. Process

Offers to donate artwork to the Town shall be considered utilizing the following process:

1. A panel shall be convened whose purpose shall be to evaluate each piece of artwork that is offered for donation to the Town. The panel shall be comprised of:

Town Manager
Chair or designee of the Cultural Arts Committee
Two members of the Cultural Arts Committee appointed by the Chair
Council liaison to the Cultural Arts Committee (or alternate)

For art that has been offered for outdoor display at the Town Center or other Town-owned property, the following representatives shall be added to the panel:

Chair or designee of Parks & Recreation Committee
Chair or designee of ASCC

2. Upon receipt of an offer of artwork by a donor, the offer will be forwarded to the Town Manager.

3. The Town Manager will convene a meeting of the panel to evaluate whether or not the artwork should be accepted.
4. Once convened, the panel shall evaluate the piece of artwork that has been offered to the Town, utilizing the criteria set forth in this policy. The panel may include a meeting with the donor as part of its deliberations.
5. Following the evaluation process, the panel shall vote to either approve or decline the offer of artwork.
6. The Town Manager shall place the panel's recommendation to accept or decline the artwork, together with a recommendation for its placement if accepted, on the next available Town Council agenda for its consideration and final determination.

B. Criteria

The following criteria shall be considered in reviewing an offer to donate artwork to the Town:

1. Artistic merit.
2. Availability of a suitable site for display of the artwork that is compatible with other public uses and functions.
3. The aesthetic or historical significance of the artwork to the Town.
4. The artwork's physical condition and whether the object is of exhibition quality.
5. Whether the Town already has another example or a better example of the type of artwork offered.
6. Whether the Town has the facilities necessary to properly care for and keep the artwork secure. Gifts of high value may create added security concerns and insurance costs for the Town. If there are any special costs or methods associated with maintaining the artwork, such costs and methods must be made known to the Town prior to a decision to accept the artwork.
7. Signage for the artwork to be displayed on public property shall be limited to the artist's name, title and date of work, and where appropriate, a dedication. The name of the donor may be part of the installation.
8. Whether the artwork is appropriate for the general public.
9. Whether or not the artist is or has been a Portola Valley resident.

10. Whether or not the donor has offered the artwork with restrictions (clear and unrestricted gifts are encouraged).

11. Only artwork that has been offered for donation shall be accepted. Offers to loan artwork for display shall be declined.

C. Acceptance Procedures

Upon Town Council determination that a piece of artwork should be accepted by the Town, the Town Attorney shall prepare an agreement to be executed by the donor and the Mayor setting forth the following terms:

1. Any restrictions to which the Town Council has agreed.
2. Any arrangements regarding payment by the donor for costs to maintain the artwork.
3. Any agreement that has been made relative to provision of signage identifying the artist, the work and the donor.
4. That upon acceptance, the artwork will be deemed to belong to the Town of Portola Valley, and the donor and/or his heirs, successors and assigns shall have no rights to the artwork or in dictating its display.
5. That the artwork will be accepted with no guarantee of exhibition in perpetuity.
6. That in the event the Town chooses to discontinue display of the artwork, the Town may dispose of the item in any manner it deems appropriate, including but not limited to making the artwork available for sale in connection with fund raising events that will benefit the Town (i.e. Blues and Barbecue auction to benefit open space acquisition).