



City of La Crosse, Wisconsin

Board of Public Works

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ART DONATION AGREEMENT & GENERAL GUIDELINES

PURPOSE: The City of La Crosse Board of Public Works receives numerous inquiries from individuals and organizations with regards to donations of art to the City. This agreement provides a flexible and responsive means for donors to contribute. The City features a variety of art that bring character to each individual space. This agreement will assist the city to ensure that every art piece is properly evaluated and the accepted donation can be appropriately maintained through their useful life. The intent of this document is to provide general guidelines for the Board of Public Works; and the Arts Board. These entities reserve the right to make modifications to the terms and conditions as needed. The established policies, procedures and guidelines for accepting donations of art for the benefit of the City defined herein.

DEFINITIONS:

- A. City: La Crosse, Wisconsin
- B. Board: The Board of Public Works
- C. Mayor: The Mayor of the City of La Crosse or Staff Designee
- D. Donation: A gift of art, sculpture, statue, mural, mosaic, monument, physical object(s), or structure(s)
- E. Property(s): Any city-owned property, facility/building, public space or green space under the jurisdiction of the Board of Public Works

POLICY:

- A. The Board, in coordination with the City Arts Board, shall be responsible for administering the Art Donation Program; including the review process for approving donations. The Board may coordinate with other City departments or governing boards as needed.
- B. The City and Board encourages donations that support the City and advances the City as a cultural destination. Donations can be accepted from public and private sources for the purpose of enhancing the City.
- C. Donations will be considered for all Properties with the exception of those where human activity is discouraged to protect habitat and sensitive lands. Not all Properties have needs for a particular amenity, and the Board may decline or recommend alternatives with the donor.
- D. Maintenance and installation funds, endowments, and insurance may be necessary on a case by case basis dependent on the nature of the request.

General Criteria:

- 1) Donations must be consistent with the mission, policies and goals of the City and the City Arts Board, and not be limited to any special restrictions, impose budgetary obligations, or increased maintenance responsibilities.
- 2) Donations must be compatible with and meet a specific Property need identified in an approved Property master plan.
- 3) In areas not covered by master plans, compatibility with existing facilities and local conditions shall be considered as long as the Donations meet a specific Property need.
- 4) Age, life expectancy, art material, durability and anticipated general condition of the donation are an integral part of the evaluation process.
- 5) Anticipated maintenance requirements of the Donation over the course of its useful life and who is responsible.

Specific Criteria:

- 1) Monetary Donations or endowment funds may be required for installation and maintenance related costs. Given the responsibility of preserving and maintaining accepted pieces of artwork, the Board cannot in good faith accept works of art which present an unreasonable maintenance burden.
- 2) Insurance requirements may be necessary on a case by case basis. The cost to insure art in public spaces is an unforeseen cost associated with Donations.

Maintenance, Damage & Term of Donation:

- 1) The City can offer no guarantee or obligation, legal or otherwise, to maintain or replace Donations that are vandalized, lost, stolen, or otherwise damaged or destroyed.
- 2) Maintenance of donated items may occur as follows: The City, in conjunction with the Donor, will attempt to repair damaged Donations as outlined in the maintenance plan that accompanies the Donation and was adopted as terms for approving the donation. However, the City is not responsible for replacing items, due to excessive damage or loss. The City will attempt to contact the Donor using the information on file to inform them of such damage or loss. The Donor may replace the item(s) at their own expense.
- 3) Donors shall be aware that the Board may be unable to carry out higher levels of care such as, but not limited to, cleaning, sanding, polishing, oiling, or other treatments that address normal age and use.
- 4) The Board reserves the right to remove or relocate a Donation when reasonably required as a result of necessary operations.

- 5) The term of the Donation may be adjusted by the Board if there are insufficient funds available to maintain or repair the Donation. For example, if a Donation is destroyed or deteriorates then it may be removed.
- 6) If the Donation is deemed a hazard to public health it will be removed promptly.
- 7) The Donor may request that a Donation be removed at the owner's expense if it can no longer be maintained and is approved by the Board of Public Works
- 8) Once the life expectancy of the art has expired the art will be removed unless an amended agreement is created and accepted to reflect the current condition and maintenance needs of the Donation.

IV. PROCEDURE

- A. The Donor shall submit a completed Art Donation Request Form with photos and/or rendering including the proposed location to the Board, see attached form.
- B. After receipt of the Art Donation Request Form, a representative from the Board will contact the Donor, review the Art Donation Request Form and determine the appropriateness of the request as measured in the criteria listed above.
 - a. If a Request does not meet the approval criteria the Donor will be notified.
 - b. If a Request does meet the criteria the Donor shall meet with assigned Board staff. The purpose of the meeting is for open discussion regarding the request including the terms for delivery, installation, maintenance, funding, etc.
- C. Staff will direct the Donor to the Board for final review in consultation with the City Arts Board. Appropriate approval of the Donation must be obtained before installation may begin.

ART DONATION REQUEST FORM

(Attach additional pages as necessary)

Donor Name or Organization: _____ Date: _____

Address: _____ City, State, Zip: _____

Telephone: _____ E-mail: _____

Donation item: (please check appropriate boxes)

☐ Statue ☐ Fountain ☐ Memorial ☐ Sculpture ☐ Mosaic ☐ Monument ☐ Mural

☐ Other, please explain: _____

Artist information: Name: _____

Address: _____ City, State, Zip: _____

Telephone: _____ E-mail: _____

Proposed Location (*include site map*): _____

Does the donation meet the needs of the Properties MAster Plan? ☐ Yes ☐ No

Photos or Renderings Attached: Yes___ No___ Location map attached: Yes___ No___

Additional permits necessary: _____

Have all permits been attained? Yes___ No___

Is the proposed location in the floodplain or floodway: Yes___ No___

If Yes, has the floodplain manager reviewed the plan: Yes___ N/a___

Donation Value: _____ Donation Age: _____ Life Expectancy: _____

Are utilities needed: Yes ___ No___ if Yes, who is financially responsible for utilities ☐ Donor ☐ City

Maintenance Responsibility: ☐ Donor ☐ City Insurance Responsibility: ☐ Donor ☐ City

Description of Request: _____

Description of Donation: _____

Maintenance Plan: *Specifics to include: materials used (specific paint colors, type of metals, epoxies) how often maintenance should be completed, specific procedure to completing maintenance, cost of materials.*

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Date:_____