STATE OF GEORGIA
COUNTY OF FULTON

RESOLUTION TO APPROVE AND ADOPT PUBLIC ART POLICY AND ACCEPTANCE OF GIFTS IN PARKS AND OPEN SPACES AND DONOR RECOGNITION POLICY

WHEREAS, City Council finds that artwork enhances public spaces, giving character to the community, and providing numerous opportunities for people to experience visual art; and

WHEREAS, the City of Sandy Springs ("City") has the responsibility to regulate the aesthetic conditions of its community; and

WHEREAS, City Council finds that the incorporation of public artwork into the City promotes the public interest and general welfare, and improves the quality of life for persons living, working and visiting the City; and

WHEREAS, City Council finds that the exposure to public artwork increases the understanding, enjoyment and experience of the City for persons living, working and visiting the City; and

WHEREAS, City Council finds that the placement of artwork in public places creates a unique sense of place; and

WHEREAS, it is important that policies and procedures be established and implemented for the process to acquire and select public artwork in the City; and

WHEREAS, staff has prepared a City art donation policy in the form of two (2) separate policies (together, the "Policy"): (1) Public Art Policy, attached hereto as Exhibit A; and (2) Acceptance of Gifts in Parks and Open Spaces and Donor Recognition Policy, attached hereto as Exhibit B; and

WHEREAS, the Policy provides guidelines for public artwork, including procedures to review requests for donations and maintenance and criteria for artwork selection; and

WHEREAS, the City desires to adopt the Policy to provide guidelines for public artwork.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, AND IT IS RESOLVED BY THE AUTHORITY OF SAID COUNCIL THAT:

1. The Public Art Policy, a copy of which is attached hereto as Exhibit A, is hereby adopted; and

2. The Acceptance of Gifts in Parks and Open Spaces and Donor Recognition Policy, a copy of which is attached hereto as Exhibit B, is hereby adopted; and

3. The City Manager and the City Attorney are hereby authorized to make such minor changes and to take such actions deemed necessary or prudent to effectuate the intent of this resolution.

RESOLVED this the 21st day of March, 2017.

Approved:

Russell K. Paul, Mayor

Attest:

Michael D. Casey, City Clerk

(Seal)

EXHIBIT A

PUBLIC ART POLICY

EXHIBIT B

ACCEPTANCE OF GIFTS IN PARKS AND OPEN SPACES AND DONOR RECOGNITION POLICY

SANDY SPRINGS™
GEORGIA

PUBLIC ART POLICY

I. PURPOSE

The purpose of this policy is to establish a program for the acceptance of gifts of public art in the City of Sandy Springs ("City"). This policy establishes guidelines to ensure a consistent decision-making process related to the acceptance, placement, display and long-term maintenance of public art in City-owned facilities.

The following elements have been considered in developing a public art policy for the City:

A. Establish a diverse collection of public artworks for the City and its residents
B. Involve artists of diverse backgrounds
C. Provide opportunities for artists to advance their art forms with temporary and permanent public artworks
D. Consider economic development and cultural tourism as factors
E. Foster an understanding of public art and encourage public dialogue
F. Incorporate art and projects of the highest quality

II. DEFINITIONS

"Public art" is defined as: artwork selected, commissioned, crafted or donated for location in the public domain. Artwork may be permanent or transitory, functional, integrated or discrete to the site. Public art is an essential building block to create engaging, imaginative spaces that foster shared interactions, celebrate unique stories, enliven public spaces and inspire us to look at the world from different perspectives.

"Donation" or *"gift"* shall mean any of the following: monetary (cash) contribution; endowment; personal property; real property; financial securities; equipment; in-kind goods or services; or any other asset the City accepts and for which the donor has received no goods or services in return, other than private acknowledgement of the donation or gift, if desired by the donor, notation of the gift on a City maintained record, which shall not be publicized but which is a public record, and the placement of a small plaque on the donated item, if desired by the donor. The terms "donations" and "gift" shall be synonymous in the context of this policy.

"Donor" shall mean an individual, group, organization or legal entity that or other legal entity that proposes or provides a donation or gift to the City.

III. GENERAL PRINCIPLES FOR ACCEPTANCE

A. The City has no obligation to accept any donation proposed by a donor. Donations do not become the property of the City until accepted by the City consistent with this policy.

B. All donations will be evaluated by ArtSandySprings (ARTSS), which will make a written recommendation to the City regarding whether the donation is appropriate for the City. The City will then determine whether the donation is in the City's best interest and is consistent with the City's goals and applicable City laws, policies, ordinance and resolutions. Donors are encouraged to work with ARTSS in advance of formal submission for input related to the donation.

C. The City shall determine whether an expenditure of City funds, either a direct outlay of City funds or the use of City sources and materials, is associated with or required by acceptance of the donation prior to acceptance.

IV. PUBLIC ART PROGRAMS

The City has identified the following public art programs as official components for the implementation of art within public spaces:

A. Sculpture in the Park

Sculpture in the Park will be implemented through a Memorandum of Understanding with ARTSS.

B. City Gallery

City Gallery provides artist display opportunities within City Springs. Components of this program include:

1. **Management**: The City Gallery Arts Committee, a committee appointed by the City, will oversee implementation of the City Gallery Public Art Program. The Committee will include at least three (3) members of the community and two (2) City staff members.

2. **Program Guidelines**: The initial Program Guidelines will be established by the Committee and approved by Mayor and City Council. The Guidelines will be reviewed annually by the Committee, with recommendations for changes to be submitted to Mayor and City Council for approval. The Guidelines will be posted on the City's website where the public arts programs are highlighted.

V. DONATIONS

Requests to donate artwork to the City may be considered on a case-by-case basis where the City has established in advance, and publicized, a need, project or location in which an art donation may be included. Requests for consideration shall be made through the City's Recreation and Parks Department.

A. Criteria for Evaluation

Criteria for evaluating donations may include, but are not limited to:

1. Project Costs
2. Quality
3. Compatibility with site context in scale, material, form, and content with the surroundings
4. Public liability
5. Duplication
6. Memorial gifts:
    a. Person or event memorialized must be deemed significant enough to merit such an honor. The person so honored shall have been deceased for a minimum of five (5) years, and events shall have taken place at least five (5) years prior to consideration.
    b. Represents broad community values.
    c. Memorial has timeless qualities that will be meaningful to future generations.
    d. Location under consideration is appropriate setting; in general, there should be some specific geographic justification for location of the memorial in a specific site.

B. Procedures

Formal requests to donate artwork to the City of Sandy Springs are made through the Recreation and Parks Department.

The donor shall complete an Art Donation Agreement Application ("Donor Form") in the form attached hereto and submit it to the City's Recreation and Parks Department. Following a positive initial review by the Recreation and Parks Department, the City will contact ARTSS, which will evaluate the donation request to determine the appropriateness of the donation as measured by approval criteria and provide a written recommendation to the City. The City will then determine whether the donation is in the City's best interest and is consistent with the City's goals and applicable City laws, policies, ordinance and resolutions. The City will notify the donor, in writing, identifying any final conditions if approval is granted. The City will create and affix the donation plaque in accordance with City's Gifting Policy.

C. Ownership

Once a gift is accepted by the City, the City shall be the sole owner of the donated item and will have the right, in its sole and absolute discretion, to deaccession of any donated item without providing notice to or obtaining the consent of the donor.

SANDY SPRINGS™
GEORGIA

ART DONATION AGREEMENT APPLICATION

Thank you for your interest in donating to the City of Sandy Springs. Please direct any questions and complete and submit this application to:

City of Sandy Springs Art Donation Program
7840 Roswell Road, Building 500, Sandy Springs, GA 30350
770.730.5600

Please attach additional sheets as needed. The City reserves the right to request additional information in order to process a donation proposal.

Donor Name:_____

Donor Organization (if applicable) _____

Address: _____

Home
Phone: _____ Work Phone: _____ E-mail:_____

Donation Description: _____

_____

Donor Plaque: _____ YES _____ NO
Donor shall receive a plaque of a scale not to detract from the gift or context as determined by the City. The plaque must be connected to an architectural element (wall, pavement, etc.) and details (materials, font, etc.) determined by the City. No company logos or brands shall be incorporated into permanent recognition.

Inscription: 3 lines with 45 characters per line maximum, including spacing and punctuation.

_____

_____

_____

Donated gifts to the City of Sandy Springs are considered outright and unrestricted donations. The City of Sandy Springs does not guarantee permanency of the accepted donation and associated signage. Donations may be tax deductible (please consult an accountant). The donor declares to have read the Donation Acceptance and Management Guidelines. The donor understands and agrees with the conditions set forth in this policy.

_____ I have read and understand the donation policy

Signature of Donor _____ Date _____

SANDY SPRINGS™
GEORGIA

Mail or email completed form to :

City of Sandy Springs
Recreation and Parks: Donation Program7840 Roswell Road, Building 500
Sandy Springs, GA 30350

email: MPerry@SandySpringsGA.gov

FOR OFFICE USE ONLY

Request Accepted by _____ Date _____

Location for Donation:_____

Installation Requirements: _____

_____

_____

Value of Donated Item $ _____

Estimated Cost to Install $_____

Date of Installation: _____

Inscription Proof reviewed by donor

Signature _____ Date: _____

EXHIBIT B

ACCEPTANCE OF GIFTS IN PARKS AND OPEN SPACES AND DONOR RECOGNITION POLICY

SANDY SPRINGS™

GEORGIA

ACCEPTANCE OF GIFTS IN PARKS AND OPEN SPACES AND DONOR RECOGNITION POLICY

I. PURPOSE

The purpose of this policy is to establish a program for the acceptance of gifts in parks and open spaces in the City of Sandy Springs ("City") and for recognition of donors. This policy establishes guidelines to ensure a consistent decision-making process related to the acceptance, placement and long-term maintenance of donations in parks and open spaces, such as natural areas and trail systems. Guidelines are also provided for sustainable management of site-appropriate amenities, so as not to detract from the visual aesthetics of the surrounding natural environment or place an undue burden on the City.

II. MANAGEMENT PHILOSOPHY

The protection of the natural environment is a high priority for City leadership. To this end, the City may limit donations in order to promote resource management and sustainability of natural landscapes. The integrity, natural and architectural features of parks and open spaces will be preserved to enhance a user's experience. Design specifications of donated items will be compatible with existing management and operations plans. Final decision on the placement of donated items will be made by the City. Donated gifts shall not have a commercial appearance or corporate label.

III. DEFINITIONS

"Donation" or *"gift"* shall mean any of the following: monetary (cash) contribution; endowment; personal property; real property; financial securities; equipment; in-kind goods or services; or any other asset the City accepts and for which the donor has received no goods or services in return, other than private acknowledgement of the donation or gift, if desired by the donor, notation of the gift on a City maintained record, which shall not be publicized but which is a public record, and the placement of a small plaque on the donated item, if desired by the donor. The terms "donations" and "gift" shall be synonymous in the context of this policy.

"Donor" shall mean an individual, group, organization or legal entity that proposes or provides a donation or gift to the City.

IV. GENERAL PRINCIPLES FOR ACCEPTANCE

A. The City has no obligation to accept any donation proposed by a donor. Donations do not become the property of the City until accepted by the City consistent with this policy.
B. All donations will be evaluated by the City prior to acceptance to determine whether the donation is in the City's best interest and is consistent with applicable City laws, policies, ordinance and resolutions.
C. The City shall determine whether an expenditure of City funds, either a direct outlay of City funds or the use of City sources and materials, is associated with or required by acceptance of the donation prior to acceptance.
D. Any donation requests outside the published list of opportunities shall be approved by City Council.

V. GIFTING IN PARKS AND OPEN SPACES: City Park Network

A. Administration

The program established by this policy shall be administered by the City's Recreation and Parks Department, in coordination with the City Manager. The City has more than thirty (30) parks and public green space areas ("City Park Network") and has identified areas within these public green spaces where individuals, groups, organizations and legal entities can make donations within the City's policy.

B. Items available for gifting within the City Park Network and donor recognition

The City identified items as appropriate for gifting in the City Park Network are listed and available through the Recreation and Parks Department. Available items are subject to the terms and conditions of this policy.

1. Other Material Gifts

When identified and publicized in advance by the City as a need, monetary donations may be accepted to fund the addition of equipment, plazas, and playgrounds associated within the City Park Network.

a. If the donation funds multiple items (i.e. series of benches, playground equipment, etc.), recognition will be consolidated into one primary location.
b. Donor shall receive a plaque of a scale not to detract from the gift or context as determined by the City. The plaque must be connected to an architectural element (wall, pavement, etc.) and details (materials, font, etc.) determined by the City. No company logos or brands shall be incorporated into permanent recognition.

C. Procedures

Formal requests to donate gifts to the City within the City Park Network shall made through the Recreation and Parks Department for the City of Sandy Springs.

1. The donor shall complete a ***Donation Agreement Application*** ("Donation Form") in the form attached hereto and submit it to the City's Recreation and Parks Department. Department staff will meet with the prospective donor if necessary to discuss the request made in the Donation Form. Staff will review and determine the appropriateness of the request as measured by approval criteria. Department staff will notify the donor, in writing, within thirty (30) business days of the review and, if approval is recommended, identifying any final conditions of approval.

2. With a positive recommendation, Department staff will finalize the Donation Form and submit it to the City Manager's office for final approval. The City will create and affix the donation plaque in accordance with City Policy.

VI. Other Gifts for the City Park Network

From time to time, the City may identify the need for specific items to be placed within the City Park Network. These items can include, but are not limited to: sculptures, signage and equipment. In these cases, the City will issue a public request for sponsorship or will work through a community partner organization to publicize the identified need. A description of the site and desired elements will be included as part of the need announcement, as well as procedures for individuals, groups or organizations to submit a formal request to donate. The City will evaluate and select a donor based upon an established set of criteria specific to the request. **The City will not accept unsolicited gifts**.

VII. RECOGNITION PLAQUES

The City will establish and follow guidelines for the size, materials, color and location of a plaque or other, name recognition media. Any permanent recognition of donors in public spaces and parks must have minimal visual impact, be tasteful and appropriate to the scale of the plaque and gift. Permanent recognition in a park or city facility can include the name of individuals, organizations and corporations; however, product names and company logos are considered advertising and therefore, are not acceptable.

VIII. OWNERSHIP

Once a gift is accepted by the City, the City shall be the sole owner of the donated item and will have the right, in its sole and absolute discretion, to deaccession of any donated item without providing notice to or obtaining the consent of the donor.

SANDY SPRINGS
GEORGIA

DONATION AGREEMENT APPLICATION

Thank you for your interest in donating to the City of Sandy Springs. Please direct any questions and complete and submit this application to:

City of Sandy Springs
Recreation and Parks Department: Donation Program
7840 Roswell Road, Building 500, Sandy Springs, GA 30350
770.730.5600

Please attach additional sheets as needed. The City reserves the right to request additional information in order to process a donation request.

Donor Name:_____Donor Organization (if applicable) _____

Address: _____

Home Phone: _____ Work Phone: _____ E-mail:_____

Donation Request: _____

_____

Donor Plaque: _____ YES _____ NO

Inscription: 3 lines with 45 characters per line maximum, including spacing and punctuation.*

_____

_____

_____

***Permanent recognition in a park or city facility can include the name of individuals, organizations and corporations; however, product names and company logos are considered advertising and therefore, are not acceptable.**

Donated gifts to the City of Sandy Springs are considered outright and unrestricted donations. The City of Sandy Springs does not guarantee permanency of the accepted donation and associated signage. Donations may be tax deductible (please consult an accountant). The donor declares to have read the Acceptance of Gifts in Parks and Open Spaces and Donor Recognition Policy. The donor understands and agrees with the conditions set forth in the policy.

_____ I have read and understand the Acceptance of Gifts in Parks and Open Spaces and Donor Recognition Policy.

Signature of Donor _____ Date _____

Mail, fax or email completed form to :

City of Sandy Springs
Recreation and Parks: Donation Program
7840 Roswell Road, Building 500
Sandy Springs, GA 30350

fax: 770.206 xxxx email: (need contact name/email)

FOR OFFICE USE ONLY

Request Accepted by _____ Date _____

Park for Donation: _____

Proposed Location: _____

Bench, Table or Tree (description): _____

Other item description: _____

Projected Cost $ _____

Donation $ _____ Date paid _____

Exact Location verified: _____

Inscription Proof reviewed by donor

Signature _____ Date: _____