

Please note, a moratorium on gifts to the Civic Art Collection is currently in place by resolution of the San Francisco Arts Commission (RESOLUTION NO. 0913-04-193). The reason for the moratorium is that SFAC is frequently offered gifts of art for which we do not have the resources for storage or ongoing maintenance and conservation. Very few exceptions have been made by the Commission for donations of significant cultural value. In addition, as these guidelines outline, gifts to the collection must be accompanied by a maintenance endowment to ensure that the artwork can be cared for into the future. The Board of Supervisors must approve gifts that exceed \$10,000 that require additional expense to the City beyond ordinary care and maintenance.

## INTRODUCTION

In accordance with the City Charter Section 5.103, the San Francisco Arts Commission is charged to “encourage artistic awareness, participation and expression...promote the employment of artists and those skilled in the crafts...and enlist the aid of all City and County governmental units in the task of ensuring the fullest expression of artistic potential by and among the residents of San Francisco.”

The following Gift Policy is excerpted from the **Policies and Guidelines for the Civic Art Collection of the City and County of San Francisco Under the Jurisdiction of the San Francisco Arts Commission** (Approved by Resolution #0605-23-092), [which can be read in full here](#).

## ACQUISITION OF ARTWORKS THROUGH GIFTS (SECTION 5)

*\*Including guidelines for gifts of commemorative plaques.*

*Every year many gifts of art are offered to the City and County of San Francisco. The San Francisco Charter empowers the Arts Commission with the role of approving gifts that are considered to be works of art. The Arts Commission's commitment to maintaining the highest possible standards when it comes to accepting artworks into the Civic Art Collection extend to gifts of art. Please read the following carefully if you wish to donate a work of art. All criteria must be met in order for your gift to be considered.*

**5. 1. Enabling Legislature:** Charter Section 5.100 provides that “the governing boards of the arts and culture departments may accept and shall comply with the terms and conditions of loans, gifts, devises, bequests or agreements donating works of art or other assets to their department without action of the Board of Supervisors so long as acceptance of the same entails no expense for the City and County beyond ordinary care and maintenance.”

**5. 2. Eligibility:**

- Gifts works of art that meet the criteria expressed in the Mission and Goals of the Civic Art Collection and any additional criteria outlined under this section.
- Gifts of commemorative plaques that meet the criteria expressed in this section.

**5. 3. Procedure for Making of Gift of Art or Commemorative Plaque to the City:** The following guidelines govern the procedure by which proposed gifts of works of art or commemorative plaques are considered for acceptance by the Arts Commission.

**5. 3. 1 Donor Provides Written Proposal:** The prospective donor of a gift of a work of art or commemorative plaque must submit a written proposal or letter of intent to the Director of Cultural Affairs. The proposal shall include information on the artist, written description of the artwork (size, materials, etc.) and photograph or drawing of the artwork, and proposed site, if any. The proposal shall be evaluated by the criteria for acceptance provided in section 5.6 below.

**5. 3. 2. Consultation with Staff:** The Director of Cultural Affairs shall refer the item to the appropriate Commission staff member to consult with the donor about the proposed gift prior to the proposal being submitted to the Arts Commission for action. After review of the project, staff shall prepare a written report to the Visual Arts Committee of the Arts Commission and provide the committee with a recommendation to either accept or decline the gift.

**5. 3. 3. City Department Approval:** For works of art proposed for installation on sites under the jurisdiction of other City departments, a letter of approval from

the head of the department must accompany the proposal. Donors must comply with any guidelines the department has in regard to the acceptance of gifts of art. For proposed gifts of art to the Airport, the proposal shall be submitted to the Arts Commission for referral to the Airport Art Steering Committee for review and recommendation prior to submittal of the proposal to the Airport and Arts Commissions.

**5. 3. 4. Visual Arts Committee Approval:** The gift proposal shall be submitted to the appropriate Commission committee for review and action. All proposed gifts of works of art shall be reviewed by the Visual Arts Committee. The Committee may recommend to accept or decline the proposed gift. Committee recommendations are forwarded to the full Arts Commission for final action by Resolution.

**5. 3. 5. Civic Design Committee Approval:** Commemorative plaques shall be reviewed by the Civic Design Committee. The Committee may recommend to accept or decline the proposed gift. Committee recommendations are forwarded to the full Arts Commission for final action by Resolution

**5. 3. 6. Arts Commission:** Upon recommendation of the appropriate committee, the acceptance by the City of the gift of artwork or commemorative plaque is submitted to the full Arts Commission for approval by Resolution. Per City Charter Section 5.100, the Arts Commission may “accept and shall comply with the terms and conditions of loans, gifts, devises, bequests or agreements donating works of art or other assets to their department without action of the Board of Supervisors so long as acceptance of the same entails no expense for the City and County beyond ordinary care and maintenance.”

#### **5. 4. Additional Requirements for Proposals for Gifts of Large Scale**

**Artworks:** Proposals for large scale artworks or public monuments require careful consideration and may require several meetings and significant public comment before a final decision can be made. Whenever possible the actual

work of art should be presented to the committee. Proposals for large or monumental works should include:

- A maquette or rendering of the three-dimensional work or a complete drawing of the two-dimensional work and photographs that demonstrate the relationship of the artwork to the architecture and/or site.
- A site plan that shows the proposed location of the artwork, a photograph of the proposed installation site and surrounding environment.
- Material samples for the artwork and any relevant construction materials.
- Construction Documents: Utility connections, site modifications, structural reinforcements or other engineering requirements or site modifications should be described in the gift proposal and reflected in the construction plans and specifications. The donor/sponsor is responsible for providing and submitting engineering and architectural plans, as required according to the Unified Building Code or as requested by the Commission. Such plans must be prepared, signed and stamped by the appropriate design professional licensed in the state of California.
- Review of Fabrication and Installation: Works of art that are accepted from maquettes or drawings will be subject to Commission review throughout fabrication and installation. Specific plans for site design, installation, maintenance and protection will be submitted for approvals. The completed artwork may not deviate in any way from the proposal approved by the Commission unless the Commission approves the change by Resolution. Deviation from the approved design may be cause for rejection of the gift.
- For monuments and memorials, donor must also engage community members directly connected to the stories relevant to the monument or memorial.  
Community
- input should be provided on the monument and memorial itself, its placement and its contextualization (signage, programming, and other educational components).
- Donor will provide engagement process to SFAC staff for input and feedback. A summary of results from community outreach and input will be presented as part of a
- written proposal submitted by the donor prior to Visual Arts Committee approval as described in 5.3.4.

**5. 5. Costs Associated with the Gift:** All costs associated with the gift must be borne by the donor. Costs may include, but are not limited to, the costs associated with design, engineering, building permits, fabrication, installation, general insurance and maintenance. The donor/sponsor will also be responsible for the design and cost of a pedestal, identification plaque, base, structural support and landscaping of site and must provide a maintenance endowment for the artwork. The Commission may also require an administrative fee to cover costs associated with staff coordination and oversight of the project.

**5. 5. 1. Maintenance Endowment:** An endowment fund adequate to ensure the continued care of gifts of art shall be required for all outdoor artworks and may be required for indoor artworks to maintain the gift in a condition satisfactory to the donor and the Commission. The amount of the maintenance endowment shall be negotiated with the donor on a project to project basis. Scale, material, location, value of the work and potential for vandalism will be considered in determining the maintenance endowment.

**5. 6. Criteria for Acceptance:** Gift acceptance and placement should be in accordance with adopted policy and current or historic use or master plans and should be consistent with general Arts Commission collection goals. The location and design of the gift should be appropriate for the user and context of the proposed site.

- **Project Costs:** Acceptance is contingent on receipt of payment from the owner for all costs associated with the gift, including transportation, installation, and maintenance endowment and staff time.
- **Quality:** The consideration of highest priority is the inherent quality of the artwork itself.
- **Compatibility with Site Context:** Proposed works of art must be compatible in scale, material, form, and content with their surroundings.
- **Community Impact:** The social context of the work shall be considered, including the impact on adjacent communities and communities that have been historically marginalized due to white supremacy, colonization, patriarchy, genocide, and slavery.
- **Media:** All forms of visual art executed in permanent materials may be considered. Works may be either portable or permanently attached.
- **Permanence:** Due consideration shall be given to the structural and surface soundness, and to inherent resistance to theft, vandalism, weathering, and excessive maintenance or repair costs.
- **Adherence to Collection Policy of Special Collections:** Proposed gifts to facilities that already have significant collections of artwork, such as San Francisco International Airport and Moscone Convention Center, shall be rigorously evaluated in terms of their context within the existing collection. Gifts shall also be evaluated for their adherence to any special criteria for inclusion in these collections.
- **Public Liability:** Each work shall be examined for unsafe conditions or factors that may bear upon public liability.
- **Duplication:** It shall be the policy of this Commission to accept unique, one of a kind works of art with the noted exception of prints, photographs or a desirable high quality limited edition work of art by a renowned artist.

**5. 6. 1. Commemorative Gifts:** Monument and Memorial gifts will also be judged to the following additional criteria:

- The person or event being memorialized is determined to be significant enough to merit such an honor. The person so honored shall have been deceased for a minimum of five years. Events shall have taken place at least five years prior to consideration of a proposed memorial gift. Entity proposing the monument or
- memorial must include justification of merit as a part of their proposal.
- The monument or memorial represents people and stories that have been historically marginalized and underrepresented, due to white supremacy, colonization, patriarchy, genocide, and slavery.
- The artist creating the monument or memorial has a meaningful connection to the person, community, or the event being memorialized.
- Represents broad community values.
- The monument or memorial possesses aesthetic and storytelling qualities that will be meaningful to future generations.
- The location under consideration is an appropriate setting for the monument or memorial; in general, there should be some specific geographic justification for the
- monument or memorial being located in a specific site and to the City and County of San Francisco.

**5. 6. 2. Placement/Site:** The following criteria shall be used in evaluating the proposed site:

- Enhancement of the proposed site
- Public Safety
- Impact on mental health and wellbeing of adjacent community members and those most affected by the artwork's historical and cultural context.
- Relationship to existing planned architectural, natural and landscape features
- Future development plans for the area (if known)
- Relationship to existing artwork within the proposed site vicinity
- Environmental impact
- Public accessibility to the work.

**5. 6. 3. Additional Criteria for Acceptance of Gifts of Artwork to be Sited at San Francisco International Airport:** The following policies are in addition to the Arts Commissions general policies regarding proposed gifts of art to the City. All the requirements of the Arts Commissions general policies are incorporated herein by reference. In considering proposed gifts for permanent installation at the Airport, the following special criteria shall also apply:

- The proposed artwork fall within the defined focus of the Airport's collection, which is contemporary fine art by recognized artists. Emphasis is on the representation of Bay Area artists.
- Priorities for acquisition, as defined in the Assessment and Recommendations Report (1995) prepared by Katherine Holland and Karen Tsujimoto, shall apply when considering the acceptance of gifts for the collection at the Airport.
- Special care shall be given to determining whether or not there is an appropriate site to install the artwork and maintenance and conservation needs of the artwork within the Airport environment.

#### **5. 6. 4. Additional Criteria for Acceptance of Gifts of Artwork for City Hall**

**5. 6. 4. 1. General:** The San Francisco Arts Commission approved under Resolution #0406-09-096 the following special guidelines for gifts of artwork to City Hall:

- In accordance with City Charter Section 5.103, all gifts of artwork are subject to the review and approval of the Arts Commission and shall be consistent with the Arts Commission's Gift Policy Guidelines.
- The Arts Commission does not accept gifts of artwork with specified conditions.
- The only gifts of artwork that will be considered for placement in City Hall are commemorative busts.
- The subject of the commemorative bust must have been either an elected official and served in office as the Mayor or a member of the Board of Supervisors or an individual whose contributions to the history of the City are well documented and established.
- The Arts Commission reserves the right to relocate or remove any bust or commemorative artwork at any time. The final decision regarding the placement of a commemorative bust will rest with the Arts Commission.
- All new installations, relocations and removal of busts are subject to the approval of the Arts Commission.
- Any gifts of a commemorative bust to the Arts Commission must be accompanied by a maintenance endowment the amount of which shall be determined by the Arts Commission as a condition of its acceptance.
- The Arts Commission shall consult with the Mayor's Office before finalizing any decision regarding the installation, relocation and/or removal of any commemorative busts.
- When possible, if an existing bust is to be relocated, the Arts Commission shall make its best effort to consult with or advise individuals and/or communities that may be associated with the subject of the bust to be relocated.
- An informational presentation of the proposed design and location for the commemorative bust will be made to the City Hall Preservation Advisory Commission.

#### **5. 6. 4. 2. Design**

- All commemorative busts must be of an appropriate scale and quality as determined by the Arts Commission. The scale of all commemorative busts shall be at least life sized to include the head and shoulders of the person. The approximate size of pedestal and bust shall be 75 inches. The proposed site for the commemorative bust should be determined prior to its final design and fabrication.
- All proposed gifts of commemorative busts must be executed by artists with relevant skills and expertise.
- All commemorative busts shall consist of a stone pedestal (granite, limestone or marble) and a bronze bust.
- The pedestal must be clad with stone on all sides. A plywood or felt backing is not acceptable.
- Signage should be incorporated into pedestal base and may not be applied to the adjacent wall surface.
- The artists must be credited on either the pedestal or the bronze bust.
- Installations must be designed to be stable and secure without being bolted to the floor of City Hall.
- The total weight of the proposed commemorative bust and pedestal must be reviewed and approved by the City Hall Building Engineer prior to fabrication.

#### **5. 6. 4. 3. Considerations for Site Selection**

- The Mayor's Rotunda shall be reserved for busts of individuals who have served as Mayor of the City and county of San Francisco.
- The Board of Supervisor's Ceremonial Rotunda shall be reserved for busts of individuals who served as a member of the Board of Supervisors of the City and County of San Francisco.

#### **5. 6. 4. 4. Future sites for commemorative busts shall be evaluated by the following criteria:**

- Public Access
- Visibility of artwork
- Quality of natural and existing light
- Prominence of site within architectural hierarchy of building
- Architectural symmetry and balance
- Use of the site for programs and special events
- Impact on mental health and community wellbeing
- Ability to ensure the safety and protection of the artwork
- Historical and social context
- Office served by individual being commemorated

#### **5. 6. 4. 5. Fees**

- A Maintenance Endowment shall be required for each new commemorative bust to provide funds for routine cleaning and conservation of the work. The Arts



Commission shall consult with a professional conservator to determine annual maintenance costs.

- The Arts Commission shall be paid a fee of \$1,000 for reasonable administrative expenses incurred in facilitating the review, acceptance and placement of the commemorative bust.

#### **5. 6. 4. 6. Other Required Reviews and Approvals**

- City Hall Facilities Management Office
- City Hall Preservation Advisory Commission

**5. 7. Removal, Relocation or Deaccessioning of Gifts of Art.** In accepting a gift of a work of art or commemorative plaque, the Commission shall not be bound by any agreement with the donor that restricts the Commission's ability to act in the best interests of the City and County of San Francisco. Nothing in the acceptance of a gift of artwork shall prevent the Arts Commission from approving subsequent removal, relocation or deaccessioning of such gifts if it serves the City's best interest to do so. The Arts Commission shall deaccession and dispose of works of art in its collection in accordance with both the Commission's Deaccessioning policies and as in accordance with the requirements of the Administrative Code, Section 10.100.30.