

**RECREATION AND PARK COMMISSION  
GIFT POLICY**

**RESOLUTION NO. 15586**

**Adopted January 18, 1990**

**Amended January 16, 1997**

**Resolution No. 9716-230**

**(State Historic and National Landmark Plaques)**

**Amended March 20, 2001**

**Resolution No. 0103-042**

**INTRODUCTION**

Every year hundreds of gifts are donated to the Recreation and Park Department ("Department") from individuals and organizations and nonprofits. Gifts may directly support recreation program objectives, enhance existing and developing horticultural features within San Francisco's many parks and squares, augment approved seismic upgrading, provide equipment, facility improvements or expansion and/or modification of recreational facilities. Other gifts are also offered that serve to commemorate particular individuals, events or organizations, or are of artistic merit.

**TYPES OF GIFTS**

A gift may be monetary, a gift-in-place, an in-kind gift or a commemorative gift. All of these gifts may be defined as a major gift if the value is in excess of \$10,000.00. Gifts may fall into any of the above categories and have been defined below:

- Monetary gifts are cash donations.
- A gift-in-place is any gift that a donor gives the department which is not a cash gift but an actual item such as: capital improvements, artwork, sculpture or park amenities.
- In-kind gifts may be either services or equipment donated to the Department.
- A commemorative gift honors a person or an event and includes memorial gifts. A commemorative gift may include, but is not limited to sculpture, art work, monuments, plaques, fountains, gardens, benches, or park amenities.

# **POLICIES GOVERNING THE ACCEPTANCE OF GIFTS**

## **Compatibility with the Recreation and Park Department Mission**

### **Type of gifts encouraged**

The Department encourages such gifts as trees and benches, an endowment of a staff position, programs or equipment. The Recreation and Park Commission ("Commission") may approve and periodically update a list of specific projects or improvements that are suitable gifts which promote the overall mission of the Department.

### **Type of gifts generally discouraged**

The Department generally discourages gifts whose primary focus is the advertisement of a commercial entity and religious gifts.

## **Compatibility with Proposed Site**

### **Site Selection**

Site selection shall be determined by considering such matters as the quality, character, size and proportions of the gift, the contribution of the gift to park landscape or urban design; the relationship of the gift to priorities already established for the Department.

Several siting options should be considered when gifts are proposed. Donors may be asked to broaden their search for an appropriate location and consider other public or privately owned spaces which may provide a more suitable location.

Gift acceptance and placement should be in accordance with adopted policy; current and/or historic land use; and/or master plans, and should be in keeping with general Department goals. If there is no current or historic master plan, the Department shall prepare a "Statement of Character" which describes how the proposed gift relates to the design and character of the suggested park site. The location and design of the gift should be consistent with the character and design intentions of the park. The quality, scale, and character of the gift should be commensurate to the particular park setting.

The gift should significantly contribute to the park setting, from a functional or design standpoint, and significantly enhance the chosen location in a way that is meaningful to park visitors.

The location of the gift should not interfere with existing and proposed circulation and use patterns of the park.

**Restricted sites**

The Department has parks that are of particular historic or natural value. Gifts for these sites will receive extra scrutiny for suitability and compatibility. These parks include: Bernal Heights Park, Bayview Park, Billy Goat Hill, Brooks Property, Corona Heights Park, Dorothy Erskine Park, Duncan Castro Lots, Edgehill Mountain, Everson Digby Lots, Fairmont Plaza, Glen Canyon, Golden Gate Heights, Golden Gate Park, Grandview Heights, Hawk Hill, Interior Green Belt, Kite Hill, Lake Merced, Lake View Ashton Mini park, Park Presidio Blvd. (median strip), Twin Peaks and Tank Hill.

**Compatibility with Recreation and Park Department Programs, Policies and Guidelines for Gifts-In-Place and In-Kind Gifts**

Commemorative gifts will also be judged on the following criteria to determine appropriateness:

- Significance: If a person or event is being memorialized they/it must be deemed significant enough to merit such an honor.
  - The commemoration or memorial represents the mission of the Department.
  - The commemoration or memorial represents broad community values.
  - The commemoration or memorial has timeless qualities and makes a statement of significance to future generations.
- The location of memorials warrant special consideration. There should be specific geographic justification for the memorial being located at a specific site.

**Compliance with the City and County of San Francisco Policies and Guidelines****Gifts Not to Exceed \$10,000**

Pursuant to Section 10.116 of the Administrative Code, the Board of Supervisors authorizes Department heads to accept any gift of cash in an amount not to exceed \$10,000, or goods of market value not to exceed \$10,000, which may be offered to the City and County of San Francisco through any department, board or commission thereof, for the benefit of the designated department, board or commission and for such purposes within its prescribed legal jurisdiction as may be specified by the donors. The Board of Supervisors authorizes said departments, boards and commissions to receive and administer such gifts in accordance with the wishes of the donors.

**Cash Gifts**

In accordance with Section 10.116-1 of the Administrative Code, all cash gifts when received shall be deposited with the Treasurer of the City and County of San Francisco in accounts to be designated by the Controller. All disbursements from such accounts shall be made for the respective purposes, if any, specified by the donors, and in accordance with disbursing procedure as prescribed by the Controller.

**Equipment**

In accordance with Section 10.116-2 of the Administrative Code, all gifts of equipment worth, in total, \$10,000 or less, shall be promptly tagged and in writing reported by the department head to the Controller.

**Reports**

In accordance with Section 10.116-3 of the Administrative Code, the Department will furnish to the Board of Supervisors annually, within the first two weeks of July, a report showing gifts received, the nature or amount of said gifts and the disposition thereof.

**Gifts that have a value in excess of \$10,000**

Any gift in excess of \$10,000 must go to the Recreation and Park Commission for their recommendation to the Board of Supervisors to accept and expend such gift.

**Required Information From Donor**

Under the Sunshine Ordinance the Department is required to disclose the amount of the gift, the name of the contributor, and any financial interest the contributor has involving the City before the acceptance of any gift in aggregate of more than \$100.

In addition to the above requirements, staff should note if the donor wishes the gift to be used for a specific purpose. If the donor gives a gift for an unspecified purpose, staff should make a recommendation to its use.

**Religious Gifts**

It is the policy of this Commission not to accept gifts that are religious in nature.

**Recognition, Naming and Sponsorship**

From time to time a donor may request the naming rights to components of an existing facility or new park that the Commission deems appropriate. For recognition, naming and sponsorship where the allocated gift amount is at least 50% of the total project cost, the Commission may approve the opportunity to naming rights.

## **Improvements**

Improvements on land under the jurisdiction of the Commission become the property of the City and County of San Francisco.

## **Funding**

Funding includes costs for fabrication, installation, insurance and maintenance. These costs must be underwritten by the project sponsor.

## **Maintenance and Security**

### **Maintenance**

If a gift of basic park amenities meets park standards for construction and materials, the Department will assume maintenance responsibilities. If the donor requests materials and/or design that is not standard and will cause increased maintenance, the donor will be asked to provide a maintenance endowment at the time the gift is approved, as part of the acceptance agreement.

Any display or placement of artwork, whether temporary or permanent, must be backed by insurance, a bond or endowment fund adequate to ensure its care so that the gift will remain in a condition satisfactory to the donor and the Department. The posted insurance or bond must also cover costs of installation and/or removal. Maintenance includes not only care of the gift itself, but of the park land immediately surrounding the gift.

### **Security Requirement**

Some gifts will require special security or may be subject to vandalism. This is a factor that creates a liability to the Department and must be addressed in a gift proposal.

### **Durability**

Gifts must be designed of durable materials and placed in a manner that will reduce the potential for vandalism.

### **Safety**

Gifts must be safely designed and not present an attractive nuisance or create hazards for children.

### **Engineering Requirements**

Utility connections, site modifications, structural reinforcements or other engineering requirements or site modifications should be described in the gift proposal and developed in construction plans and specifications.

### **Relocation or Removal**

The Department reserves the right to resite or remove a gift if it becomes a hazard or liability or if the approved terms of acceptance are not fulfilled. The Commission, working with the Art Commission, may consider the deaccession of works of art.

**Accessibility**

In determining whether to accept a gift, the staff shall consider what measures may be required to make the gift accessible.

**PROCEDURES FOR THE REVIEW AND ACCEPTANCE OF GIFTS****Cash Gifts/Gifts-In-Place and Gifts-In-Kind less than \$10,000**

The Commission authorizes the General Manager of the Department to accept and expend any gift valued at less than \$10,000.

**Gifts-In-Place/In-Kind Gifts****Review of Gift Policy**

Project sponsor should review the gift policy to assure that proposed gifts are consistent with the approval criteria. Copies of the gift policy as well as the naming policy are available by contacting the Commission Secretary. Once the policy has been reviewed, the project sponsor should consult with staff as staff must prepare a write up on the gift. A project sponsor should call the Commission Secretary or the General Manager's Office to be directed to the appropriate staff.

**Submission of a Written Proposal**

A written proposal must be submitted to the General Manager of the Department. The proposal should include as much detail as possible and address the gift policy. Preliminary sketches, site alternatives, plaque wording and a schedule should be included in the written proposal. Donors should not select specific designs prior to "approval in principle" of the proposal and site. Conditions or restrictions attached to a gift may limit its placement on parklands and should be clearly delineated in any gift proposal.

**Staff Review and Recommendation**

Once approved by the General Manager, staff will prepare a recommendation for consideration by the Commission. If no current master plan exists, or if there is some reason to question the suggested location in light of circulation or use patterns, the proposal will be delayed until an analysis can be done. Where a master plan exists and a proposed gift is at variance to the master plan, the proposal will be processed as an amendment to the master plan. Staff may meet with the donor to request additional information or suggest modifications before a recommendation is conveyed to the Commission. Staff will determine if there is a need for additional public meetings, displays or hearings.

### **Committee Review**

It is the intent of the Commission that either the Parks and Planning Committee or the Finance and Administration Committee of the Commission review each major gift proposal at a public hearing to determine if said gift is consistent with the adopted gift policy and the land use and management objectives of the Commission. The Committee may recommend approval or denial by the full Commission, or request modification or continued consultation with staff.

### **Commission Approval**

Following Committee review and recommendation, a major gift proposal will be referred to the full Commission for consideration of acceptance of the conceptual design or plan. An acceptance agreement which includes a description of the proposed gift, the location selected, site modifications and the maintenance endowment requirements, and other pertinent information relative to the placement of the gift will be prepared and presented to the Commission when a gift is considered for final Commission approval.

### **Design Development**

After a gift has been accepted in conceptual design or plan by the full Commission, specific plans for site design, installation, maintenance and protection may be developed and undertaken in cooperation with the Department.

### **Art Commission**

The Art Commission must approve all public structures, including those given as gifts. In addition, the Art Commission must approve the design and location of all works of art.

### **Additional Approvals Required**

Gifts may require approvals from other agencies and jurisdictions or may be subject to an environmental evaluation. Project sponsors should consult with staff to determine if additional approvals are required.

### **Final Commission Approval**

Should any amendment be made to the original acceptance agreement after plans are developed and financing arranged, and subject to required approvals from other agencies and jurisdictions, the project, including a revised acceptance agreement shall be brought before the Commission for final consideration.

Any gift-in-place or in-kind gift valued in excess of \$10,000 must go to the Commission for their recommendation to the Board of Supervisors to accept and expend such gift before construction may begin or a gift is used.

### **Gifts from Foreign Governments**

Gifts offered by foreign governments for statuary or landscape development present special problems and shall be given special consideration to ensure that the location of a gift enhances San Francisco and does not lessen park values. A

committee shall be established composed of a representative from the Mayor's Office, a member of the Commission, a member of the Art Commission and the General Manager of the Department. As warranted, the Director of the Fine Arts Museums of San Francisco, The Director of the Academy of Sciences, the Director of the Department of Public Works, the Director of the Zoological Gardens or the Director of the Arboretum may be added as committee members. This Committee shall give expeditious consideration to such gifts and report their findings to the Mayor and to the Commission. Gifts presented by foreign governments are subject to the same approval criteria, including the requirement of a maintenance endowment fund as other proposed gifts.



## MATRIX OF GIFTS

GIFT	DESCRIPTION	GIFT-IN-PLACE	IN-KIND GIFT
Commemorative	Honors an event or deceased person. A commemorative gift may include, but is not limited to, any of the following: sculpture, art work, monuments, plaques, fountains, gardens, benches, or park amenities.	May be memorial	
Monuments	Structures, sculptures, or other objects such as a stone marker erected to perpetuate the memory of a person or of an event. Monuments may include inscriptions or plaques.	May be memorial	
Plaques	Plaques are either simple plates, disks, or slab of metal or other material affixed to a statue, ground, wall stone or other material with an inscription or ornamentation. The size should be a maximum of 2' x 2', or 587 square inches, preferably smaller. State historic or national landmark plaques shall also be permitted.	May be memorial	
Fountains	Water features which may be fairly simple or large and complex. Fountains typically require additional infrastructure (plumbing and electrical).	May be memorial	
Basic Park Amenities	Benches, picnic tables, drinking fountains and trash receptacles.	May be memorial	

### MATRIX OF GIFTS

Commemorative Trees	Trees planted in memory or honor of an individual, event or organization in keeping with the memorial tree program administered by the Urban Forestry Division of the Recreation and Park Department.	X	
Tree		X	
Park improvements	Could include building or landscape improvements	X	
Equipment	Could be recreation equipment or maintenance equipment		X
Recreational Programs	Could be recreational or volunteer activities		X
Design Plans	Could include architectural and/or landscape design plans		X
Property		X	