

File No. 201211

Committee Item No. 5

Board Item No. 26

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date November 18, 2020

Board of Supervisors Meeting

Date December 1, 2020

#### Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input type="checkbox"/>	Introduction Form
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Grant Information Form
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Form 126 – Ethics Commission
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input type="checkbox"/>	<input type="checkbox"/>	Public Correspondence

#### OTHER (Use back side if additional space is needed)

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Airport Commission Resolution
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Collection Management Policy
<input type="checkbox"/>	<input type="checkbox"/>	
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Completed by: Linda Wong Date November 13, 2020

Completed by: Linda Wong Date November 23, 2020

1 [Accept and Expend Gift - Zoe Dell Nutter Charitable Remainder Unitrust - SFO Museum  
2 Collection - Not to Exceed \$73,000]

3 **Resolution authorizing the San Francisco International Airport (SFO) Museum to accept**  
4 **and expend a gift of not to exceed \$73,000 from the Zoe Dell Nutter Charitable**  
5 **Remainder Unitrust for the purchase of objects for the SFO Museum collection.**

6  
7 WHEREAS, The San Francisco Airport Commission created and operates the SFO  
8 Museum to provide cultural enrichment through museum exhibitions in public spaces at San  
9 Francisco International Airport; and

10 WHEREAS, SFO Museum manages the San Francisco Airport Commission Aviation  
11 Library and the Louis A. Turpen Aviation Museum which houses a permanent Aviation  
12 Collection of objects for use in public programs and conducts ongoing collection development  
13 through acquisitions by purchase and gift of objects appropriate to the collection focus; and

14 WHEREAS, Zoe Dell Lantis Nutter, through the Zoe Dell Nutter Charitable Remainder  
15 Unitrust, has bequeathed an unrestricted cash gift to SFO Museum in the amount of \$73,000,  
16 before deduction of trustee fees and other expenses; and

17 WHEREAS, The SFO Museum Collection Management Policy provides that  
18 unrestricted gifts of cash shall be used for the purchase of objects for SFO Museum's Aviation  
19 Collection; and

20 WHEREAS, The San Francisco Airport Commission adopted Resolution No. 20-0200,  
21 dated October 20, 2020, approving the acceptance by the SFO Museum of the bequest for  
22 the purposes set forth in the SFO Museum Collection Management Policy, pending  
23 authorization from the Board of Supervisors, which resolution is on file with the Clerk of the  
24 Board of Supervisors in File No. 201211; and

1           WHEREAS, The funding does not require an Annual Salary Ordinance amendment;  
2 now, therefore, be it

3           RESOLVED, That SFO Museum is hereby authorized to accept and expend up to  
4 \$73,000 from the Zoe Dell Nutter Charitable Remainder Unitrust for the purposes set forth in  
5 the SFO Museum Collection Management Policy.

6 .

1 Recommended: Approved:       /s/        
2 Mayor  
3       /s/        
4 Department Head Approved:       /s/        
5 Controller  
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**File Number:** \_\_\_\_\_  
(Provided by Clerk of Board of Supervisors)

**Grant Resolution Information Form**  
(Effective July 2011)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: **Bequest from the Zoe Dell Nutter Charitable Remainder Unitrust**
2. Department: **Airport**
3. Contact Person: **Tina Ko** Telephone: **(650) 821-2826**
4. Grant Approval Status (check one):  
☒ Approved by funding agency ☐ Not yet approved
5. Amount of Grant Funding Approved or Applied for: **not to exceed \$73,000**
6. a. Matching Funds Required: **n/a**  
b. Source(s) of matching funds (if applicable): **n/a**
7. a. Grant Source Agency: **Zoe Dell Nutter Charitable Remainder Unitrust**  
b. Grant Pass-Through Agency (if applicable): **n/a**
8. Proposed Grant Project Summary: **For the purchase of objects for the SFO Museum collection**
9. Grant Project Schedule, as allowed in approval documents, or as proposed:  
Start-Date: **n/a** End-Date: **n/a**
10. a. Amount budgeted for contractual services: **n/a**  
b. Will contractual services be put out to bid? **n/a**  
c. If so, will contract services help to further the goals of the Department's Local Business Enterprise (LBE) requirements? **n/a**  
d. Is this likely to be a one-time or ongoing request for contracting out? **n/a**
11. a. Does the budget include indirect costs?  
☐ Yes ☒ No  
b. 1. If yes, how much? \$  
b. 2. How was the amount calculated?  
c. 1. If no, why are indirect costs not included?  
☐ Not allowed by granting agency ☒ To maximize use of grant funds on direct services  
☐ Other (please explain):  
c. 2. If no indirect costs are included, what would have been the indirect costs? **n/a**
12. Any other significant grant requirements or comments: **n/a**

**\*\*Disability Access Checklist\*\* (Department must forward a copy of all completed Grant Information Forms to the Mayor's Office of Disability)**

13. This Grant is intended for activities at (check all that apply):

<input checked="" type="checkbox"/> Existing Site(s)	<input checked="" type="checkbox"/> Existing Structure(s)	<input checked="" type="checkbox"/> Existing Program(s) or Service(s)
<input type="checkbox"/> Rehabilitated Site(s)	<input type="checkbox"/> Rehabilitated Structure(s)	<input type="checkbox"/> New Program(s) or Service(s)
<input type="checkbox"/> New Site(s)	<input type="checkbox"/> New Structure(s)	

14. The Departmental ADA Coordinator or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:

1. Having staff trained in how to provide reasonable modifications in policies, practices and procedures;
2. Having auxiliary aids and services available in a timely manner in order to ensure communication access;
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor's Office on Disability Compliance Officers.

If such access would be technically infeasible, this is described in the comments section below:

Comments:

Departmental ADA Coordinator or Mayor's Office of Disability Reviewer:

Susan Kim  
(Name)

Diversity, Equity, and Inclusion Manager and Title VI/Sec 504 Coordinator  
(Title)

Date Reviewed: 10/23/2020

/s/  
(Signature Required)

**Department Head or Designee Approval of Grant Information Form:**

Ivar C. Satero  
(Name)

Airport Director  
(Title)

Date Reviewed: 10/23/2020

/s/  
(Signature Required)

AIRPORT COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO  
RESOLUTION NO. 20-0200

**APPROVAL OF THE ACCEPTANCE OF A CASH BEQUEST FROM THE ZOE DELL  
NUTTER CHARITABLE REMAINDER UNITRUST IN AN AMOUNT NOT TO  
EXCEED \$73,000**

WHEREAS, SFO Museum is a beneficiary of the Zoe Dell Nutter Charitable Remainder Unitrust; and

WHEREAS, Zoe Dell Lantis Nutter, through the Zoe Dell Nutter Charitable Remainder Unitrust, has bequeathed an unrestricted cash gift to SFO Museum in the amount of \$73,000, before deduction of trustee fees and other expenses; and

WHEREAS, the Collection Review Committee of SFO Museum has reviewed the terms of the bequest and approved its acceptance for the purchase of objects for the SFO Museum's Aviation Collection; and

WHEREAS, this Commission has reviewed the terms of the bequest and concurs with the Collection Review Committee's recommendation; and

WHEREAS, on the date hereof, the Commission has adopted a resolution approving changes to the SFO Museum Collection Management Policy providing that unrestricted gifts of cash shall be used for the purchase of objects for the Aviation Collection; now, therefore, be it

RESOLVED, that this Commission approves acceptance by the SFO Museum of the bequest from the Zoe Dell Nutter Charitable Remainder Unitrust in an amount not to exceed \$73,000 for the purposes set forth in the SFO Museum Collection Management Policy, as amended; and, be it further

RESOLVED, that the Commission Secretary, for and on behalf of and in the name of the Airport Commission, is authorized and directed to seek the approval of the San Francisco Board of Supervisors to accept and expend such bequest for such purposes.

*I hereby certify that the foregoing resolution was adopted by the Airport Commission  
at its meeting of* \_\_\_\_\_

OCT 20 2020

  
\_\_\_\_\_  
Secretary



San Francisco International Airport

**MEMORANDUM**

October 20, 2020

TO: AIRPORT COMMISSION  
Hon. Larry Mazzola, President  
Hon. Eleanor Johns, Vice President  
Hon. Richard J. Guggenhime  
Hon. Everett A. Hewlett, Jr.  
Hon. Malcolm Yeung

20-0199  
20-0200  
OCT 20 2020

FROM: Airport Director

SUBJECT: Revision of SFO Museum's Collection Management Policy and Acceptance of Cash Bequest

DIRECTOR'S RECOMMENDATION: ADOPT TWO RESOLUTIONS APPROVING: (1) SFO MUSEUM'S REVISED COLLECTION MANAGEMENT POLICY AND (2) THE ACCEPTANCE OF A CASH BEQUEST FROM THE ZOE DELL NUTTER CHARITABLE REMAINDER UNITRUST IN AN AMOUNT NOT TO EXCEED \$73,000, SUBJECT TO APPROVAL BY THE BOARD OF SUPERVISORS.

**Executive Summary**

Zoe Dell Lantis Nutter bequeathed a percentage of her estate to SFO Museum (the Museum) that amounts to \$73,000, before deductions for trustee fees and other costs. The Museum seeks Commission approval of revisions to the Collection Management Policy (the Policy) to define policies regarding monetary bequests and confirm compliance with the San Francisco Controller's Public Integrity Review dated September 24, 2020. Further, San Francisco Administrative Code Section 10.100-305 provides that the acceptance or expenditure of any gift of cash greater than \$10,000 requires approval of the San Francisco Board of Supervisors (the Board), by resolution. The Museum seeks Commission approval to accept the bequest and authorization for the Commission Secretary to request that the Board approve the acceptance and expenditure of the bequest funds.

**Background**

The Museum was notified on August 28, 2020, that it is a beneficiary of the Zoe Dell Nutter Charitable Remainder Unitrust. Zoe Dell Lantis Nutter (1915-2020) was a philanthropist and a figure in the development of commercial aviation. She had ties to San Francisco and previously served on the board of the San Francisco Aeronautical Society, which is an affiliated support group of the Museum.

The bequest is comprised of an object (a framed photograph) and an unrestricted gift of cash. The object will be accepted into the Museum's Aviation Collection in keeping with the

THIS PRINT COVERS CALENDAR ITEM NO. 7

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED MAYOR	LARRY MAZZOLA PRESIDENT	ELEANOR JOHNS VICE PRESIDENT	RICHARD J. GUGGENHIME	EVERETT A. HEWLETT, JR.	MALCOLM YEUNG	IVAR C. SATERO AIRPORT DIRECTOR
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Collection Management Policy approved by this Commission by its Resolution No. 19-0236. Ms. Nutter's cash bequest is the first of its kind offered to the Museum, and the Museum has no formally defined policies on the acceptance of gifts of cash.

In addition, on September 24, 2020, the San Francisco Controller released a Public Integrity Review that contains findings and recommendations relevant to gifts to the City, including the Airport and the Museum. These recommendations include confirmation that each City Department is following local laws governing acceptance of gifts, including obtaining Board approval where required and posting the true source of all gifts worth more than \$100 in the aggregate on its website. The Controller's report also made recommendations regarding Departmental memoranda of understanding with nonprofit "friends of" organizations and similar support groups. I will return to the Commission with proposed amendments to the MOU with San Francisco Aeronautical Society to address these recommendations at a future meeting.

The proposed amendments to the Collection Management Policy include policies and procedures for the acceptance of gifts and bequests of cash; a requirement that unrestricted gifts of cash may only be used for the purpose of adding to the Museum's Aviation Collection; a policy that restricted offers of cash will be considered on a case-by-case basis and may be declined by the Museum under certain circumstances; and other provisions confirming compliance with the recommendations in the Controller's recent Public Integrity Review.

This recommendation includes three attachments: Attachment A is a Summary of Changes table that highlights the proposed changes; Attachment B is the Proposed Amendments in marked text (additions in underline and deletions in ~~striketrough~~) of the Collection Management Policy; and Attachment C is the complete proposed new version of the Collection Management Policy.

Under Administrative Code Section 10.100-305, Board approval is required before the Commission can accept or expend any gift of cash greater than \$10,000. The proposed Resolution approving acceptance of the cash bequest would also authorize the Commission Secretary to request that the Board approve the acceptance and expenditure by the Museum of the cash bequest for the purpose set forth in the revised Collection Management Policy.

### **Recommendation**

I recommend the Commission adopt the attached Resolutions approving the revised Museum Collection Management Policy, accepting the cash bequest, and authorizing the Commission Secretary to request that the Board of Supervisors approve the acceptance and expenditure of the bequest funds.



Ivar C. Satero  
Airport Director

Prepared by: Blake Summers  
Director and Chief Curator  
SFO Museum

Attachments



August 28, 2020

Louis A Turpin Museum Association  
PO Box 8097  
San Francisco CA 941285

## Re: Zoe Dell Nutter Charitable Remainder Unitrust

Dear Louis:

I am writing to inform that your organization has been named as a current beneficiary of the Zoe Dell Nutter Charitable Remainder Unitrust. Park National Bank is the Trustee of the trust, and I am the Trust Officer for the account.

You are being notified pursuant to the Ohio Revised Code, which became effective January 1, 2007. Under the Ohio Trust Code, current beneficiaries must be notified of the existence of a trust, the identity of the settlor, and their right to receive a report. A current beneficiary also may request a copy of the trust document.

Please complete the attached form W-9, which is required by Federal regulations in addition to the beneficiary contact form.

If you have any questions regarding this matter, please do not hesitate to contact me at the phone number or email address below.

Sincerely,

Catherine L. Hill  
Assistant Vice President and Trust Officer  
937-324-6912  
catherine.hill@parknationalbank.com



## Beneficiary Contact Form

We want to ensure we have current information in the event we need to contact you.

Please fill out the information below and return this page to me using the prepaid envelope provided.

<p><b>Name:</b> _____</p> <p><b>DOB:</b> _____</p> <p><b>Address:</b> _____</p> <p>_____</p> <p><b>Home Phone Number:</b> _____</p> <p><b>Cell Phone Number:</b> _____</p> <p><b>Work Phone Number:</b> _____</p> <p><b>E-Mail:</b> _____</p>
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If you have any questions regarding this matter, please do not hesitate to contact me.

Catherine L. Hill  
Assistant Vice President and Trust Officer  
937-324-6912  
catherine.hill@parknationalbank.com



## Distribution Instructions

### Zoe Dell Nutter Charitable Remainder Unitrust

Beneficiary Name: Louis A Turpin Museum Association

Please check choice(s) and fill in the appropriate information.

\_\_\_ 1. Transfer to my Park National Bank Account

- Account Number \_\_\_\_\_
- Account Type (DDA, SAV) \_\_\_\_\_

\_\_\_ 2. Mail check to my address

\_\_\_ 3. Wire (\$25 domestic wire fee charged) to:

- Bank Name: \_\_\_\_\_
- Bank Address: \_\_\_\_\_
- Bank's ABA#: \_\_\_\_\_
- Bank Account Number: \_\_\_\_\_

\_\_\_ 4. Send via ACH (ACH Authorization form required)

\_\_\_ Transfer assets **in kind** /Wire the **cash** to Brokerage Account  
(Please attach **brokerage firm's wire and/or asset delivery instructions**)

\_\_\_\_\_  
Beneficiary's signature

\_\_\_\_\_  
Date

**Zoe Dell Nutter Charitable Remainder Unitrust**  
Gift Budget Summary

Cost Category	Total Cost	Gift Total	Airport Share
SFO Museum Collection	\$ 73,000	\$ 73,001	\$ 73,001
Total	\$ 73,000	\$ 73,001	\$ 73,001

Collection Management Policy  
for  
SFO Museum  
San Francisco International Airport

Last Updated October 20, 2020  
Airport Commission Resolution No. 20-0199

## **Introduction, History and Statement of Purpose**

### **Governing Authority, Advisory, and Affiliated Support**

- San Francisco Board of Supervisors
- San Francisco Airport Commission
- Airport Director
- Collection Review Committee
- Exhibition Committee
- SFO Museum Advisory Board
- The San Francisco Aeronautical Society
- San Francisco Arts Commission

### **Scope of Collection**

- Aviation Collection
- Non-Aviation Collection
- Props
- Curatorial Library

### **Acquisitions and Accessioning of Objects**

- Policy
  - Strategy
- Procedures
  - Collection Review Committee: General
  - Intake Procedures
  - Collection Review Committee Actions
  - Method of Accessioning: Gifts, Bequests, and Donations
  - Method of Accessioning: Purchase
  - Method of Accessioning: Transfer
  - Method of Acceptance: Gifts and Bequests of Cash
  - Documentation
  - Reporting

### **Deaccessioning and Disposal**

- Policy
  - Criteria for Deaccessioning
  - Considerations for Deaccessioning
  - Approval for Deaccessioning
  - Disposal

- Disposal Methods for Donated Objects or Objects Transferred from Another City
  - Department
- Disposal Methods for Purchased Objects or Objects Transferred from Another
  - Airport Division
- Disposal by Destruction
- Records of Deaccessioned Objects
- Proceeds from Sale of Deaccessioned Objects
- Stolen or Lost Objects
- Procedures

### **Incoming Loans**

- Policy
- Procedures

### **Outgoing Loans**

- Policy
- Procedures

### **In-House loans**

- Policy
- Procedures
  - Exhibition Loans
  - Staff Research Loans

### **Unclaimed Loans, Abandoned Property, and Found-on-Premises Objects**

- Unclaimed Loans
- Abandoned Property
- Found-on-Premises Objects

### **Care and Preservation of Objects**

- Policy
  - Staff Responsibility
- Procedures
  - Preservation
  - Conservation
  - Handling of Objects
  - Packing and Shipping
  - IPM



- Inventories
- Records and Cataloging
- Database Management and Backup
- Emergency Plan and Recovery Procedures

### **Access to Collection Objects and Information**

- Policy

### **Risk Management and Insurance**

- Policy
- Procedures
  - Reporting Damage
  - Insurance Claims

### **Code of Ethics**

- Appraisals

### **Policy Review; Modifications to Policy**

## INTRODUCTION, HISTORY, AND STATEMENT OF PURPOSE

The purpose of this Collection Management Policy is to provide written policies and procedures to cover all aspects of the acquisition, care, use, and disposition of objects for which SFO Museum (SFOM) is permanently or temporarily guardian, and to set forth regulations for the creation, maintenance, care, and use of records for such objects. It establishes the policies for accessions to the collection, for incoming and outgoing loans of objects, and for maintaining inventory control. It specifies the circumstances and methods of deaccessioning objects from the collection, and states SFOM's policy concerning access to collection objects and records. It recognizes the dual goals of access and accountability.

San Francisco International Airport initiated the programming of temporary exhibitions using borrowed objects in 1979. Effective July 1, 1980, the San Francisco Airport Commission (the "Airport Commission") established the Bureau of Temporary Exhibitions and Cultural Programs (the "Bureau"). On April 21, 1981, by Resolution No. 81-0092, the Airport Commission found that the Bureau's purpose was "to provide a broad range of attractions for the traveling public, to humanize the Airport and to create an atmosphere that reflects the sophistication and cultural diversity of the City of San Francisco and the entire Bay Area." The Airport Commission approved subsequent changes in the Bureau's name, first to San Francisco Airport Museums and then to SFO Museum. SFOM received accreditation from the American Alliance of Museums in 1999 and was reaccredited in 2005. Today, SFOM features more than twenty galleries throughout the terminals, as well as the San Francisco Airport Commission Aviation Library and the Louis A. Turpen Aviation Museum, which houses the permanent collection dedicated to preserving the history of commercial aviation.

SFOM's current mission statement highlights the importance of its collection and collecting activities: *The mission of SFOM is to delight, engage, and inspire a global audience with programming on a broad range of subjects; to collect, preserve, interpret, and share the history of commercial aviation; and to enrich the public experience at San Francisco International Airport.* To fulfill this mission, SFOM intends to make the study and appreciation of art and aviation accessible to people of all ages and backgrounds, ranging from the diverse audience of airport passengers to specialized scholars and the general public.

SFOM maintains a two-part program: (1) the production of annual exhibitions on broad themes such as history, pop-culture, anthropology, design, and fine art photography and (2) the collection and preservation of artifacts, publications, printed and digital

materials, and archive materials related to the history of commercial aviation and global air transport with an emphasis on the Pacific Rim and the development of San Francisco International Airport. SFOM's collection of over 130,000 objects (in 2018) is available for study and use for long-term installations and temporary exhibitions, ongoing educational programs, digital and printed publications, and research appointments. The average annual intake of approximately 6,000 collection objects, together with the size and scope of the rotating exhibitions program, necessitates that significant staff time and energy is dedicated to the care of objects, whether collection or borrowed objects. Staff of the various SFOM departments collaborate to preserve and present the collection and borrowed objects most effectively and to maintain the physical well-being of the objects, the integrity of their records, and sound fiscal and inventory control over all holdings. This Collection Management Policy sets forth policies and procedures governing both the permanent collection and objects borrowed from outside lenders, both private and public, for temporary exhibition at SFOM.

## **GOVERNING AUTHORITY, ADVISORY, AND AFFILIATED SUPPORT**

SFOM is a division of San Francisco International Airport (the "Airport"), which is a department of the City and County of San Francisco (the "City"), and is subject to the provisions of the City Charter and City codes and ordinances. The Airport also operates under the rules, regulations, and authority of federal agencies including the Federal Aviation Administration (FAA), a branch of the U.S. Department of Transportation, and the Transportation Security Administration, a branch of the U.S. Department of Homeland Security. The fiscal policy and budgetary process for SFOM are controlled by the City, and SFOM staff positions are subject to San Francisco Civil Service Commission rules and classifications.

Overall responsibility for the management of the collection rests with the Director and Chief Curator of SFOM (the "Director and Chief Curator"). The Director and Chief Curator may delegate responsibility to appropriate staff to implement the policies and procedures set forth in this Collection Management Policy. Staff members best suited by training and expertise to make initial judgements concerning acquisition or deaccessioning, use and interpretation, maintenance, and conservation are responsible for making these judgments regarding collection objects. Authorization or recommendation for particular actions based on these judgments is given by or to the following committees, individuals, and/or governing authorities:

### San Francisco Board of Supervisors

The Board of Supervisors is responsible for the acceptance of gifts, devises, and bequests of objects or other articles for the SFOM collection when such acceptance entails extraordinary expenses on the part of the Airport Commission beyond the ordinary care and maintenance of such objects or other articles for exhibition purposes, and for the acceptance and expenditure of any gift of cash as provided in the San Francisco Administrative Code, as it may be amended from time to time. The Board of Supervisors is the legislative branch of the City. The Board consists of 11 members. Each member is elected on a non-partisan basis from a district where the member resides.

### San Francisco Airport Commission

The Airport Commission is responsible for the operation and management of the Airport. The Airport Commission is responsible for the acceptance of gifts, devises, and bequests of objects or other articles for the SFOM collection when such acceptance entails no expense on the part of the Airport Commission beyond the ordinary care and maintenance of such objects or other articles for exhibition purposes, and the Airport Commission has delegated this authority to the Airport Director for an object or grouping of objects from a single source with a value less than \$500,000. The Airport

Commission is also responsible for the approval of purchases of an object or grouping of objects from a single source with a value of over \$110,000. Additionally, the Airport Commission is responsible for the sale, exchange or transfer of objects deaccessioned from the SFOM collection. The Airport Commission consists of five members appointed by the Mayor of the City for four-year overlapping terms.

#### Airport Director

The Airport Director is responsible for the acceptance of gifts, devises, and bequests of objects or other articles for the SFOM collection when such acceptance does not entail extraordinary expenses on the part of the Airport Commission beyond the ordinary care and maintenance of such objects or other articles for exhibition purposes, for an object or grouping of objects from a single source with a value less than \$500,000. The Airport Director is also responsible for the approval of purchases of an object or grouping of objects from a single source with a value less than \$110,000.

#### Collection Review Committee

The Collection Review Committee (CRC) is composed of SFOM staff. The composition of the CRC is at the discretion of the Director and Chief Curator, with whom final authority rests. The CRC determines whether or not an object is accessioned or recommended for deaccession. The CRC also reviews requests for outgoing loans of collection objects.

#### Exhibition Committee

The Exhibition Committee is composed of SFOM staff. The composition of the Exhibition Committee is at the discretion of the Director and Chief Curator, with whom final authority rests. The Exhibition Committee approves the scheduling and organization of exhibitions that use the SFOM's collection or borrowed materials.

#### SFO Museum Advisory Board

The SFO Museum Advisory Board is composed of art and airport professionals who serve to advise and consult with the Director and Chief Curator. The Board holds no governing or operating authority, and there are no term limits for Board members. Members are invited by the Airport Director following consultation with the Director and Chief Curator.

#### The San Francisco Aeronautical Society

The San Francisco Aeronautical Society, a 501(c)(3) nonprofit organization, is an affiliated support group of the San Francisco Airport Commission Aviation Library and Louis A. Turpen Aviation Museum. A memorandum of understanding with the Airport

Commission serves as an article of affiliation and shall be posted on the SFOM website. The Society holds no governing or operating authority.

#### San Francisco Arts Commission

The Arts Commission's approval is required prior to the purchase, acceptance, removal, relocation or alteration in any way of any work of art owned by the City, including SFOM. The term "work of art" shall have the meaning given in Section 2A.150 of the San Francisco Administrative Code: paintings, mural decorations, stained glass, statues, bas reliefs or other sculptures; monuments, fountains, arches or other structures of a permanent or temporary character intended for ornament or commemoration. Policies and procedures regarding objects in the City's public art collection located at the Airport also fall under the auspices of the San Francisco Arts Commission.

## SCOPE OF COLLECTION

The collection at SFOM is a vehicle through which SFOM carries out its mission. The primary rationale for collecting is to develop a body of visual and intellectual material that documents, preserves, and interprets the history of commercial aviation. The collection is divided by purpose and use into four different types: the Aviation Collection (accessioned), the Non-Aviation Collection (accessioned), Props (non-accessioned), and Curatorial Library (non-accessioned). The collection management practices and techniques used for the accessioned collections are similar and consistent.

### Aviation Collection

SFOM's primary permanent collection, the Aviation Collection, is comprised of museum artifacts and a library of books, periodicals, oral histories, and archival materials in analog and digital formats. Focused collecting began in the 1990s. The collection emphasis is on commercial aviation development in North America and the Pacific Rim, particularly as it relates to the Airport and the City and their role in the advancement of air transport, from the late 1920s to the present, as well as the histories of commercial air carriers and the employees that have served the Bay Area. Object types include model airplanes, uniforms and insignia, books, periodicals, ephemera, photographs, and historical documents. SFOM actively acquires objects in the Aviation Collection through purchase, transfer, donation, bequest, or any other method by which title to the object passes to SFOM.

### Non-Aviation Collection

Non-Aviation Collection objects are intended to be used in temporary exhibitions as discrete objects or as pre-assembled exhibitions. SFOM acquired objects in this collection through purchase in the 1980s and 1990s. Categories of objects within this collection include folk art, pre-cinematic viewing devices, musical instruments, packaging design, and puppets. This collection is no longer growing and SFOM plans to deaccession a significant portion of this collection in the future. SFOM will retain a small, limited collection of objects in the Non-Aviation Collection to serve as an auxiliary and supplementary exhibition resource.

### Props

The objects in this category serve as supplementary items for use in exhibitions and are not accessioned into the Collection. Examples of objects include reproduction print material and generic clothing, such as white button-down shirts and business shoes, used to supplement displays of airline uniforms. SFOM generally acquires these objects by purchase on an as-needed basis; if the object is determined to have a usefulness past the initial intended use, it may be kept, stored, and tracked for future uses. Objects in

this category are not considered part of the Aviation Collection or the Non-Aviation Collection, are not of high value, are not insured, and are not otherwise treated as accessioned objects.

#### Curatorial Library

The books and publications in this category serve as supplementary research tools for exhibitions and are not formally accessioned into the collection. SFOM generally adds books to the collection by one of the following methods: 1) a book desired for exhibition research is unavailable through interlibrary loan and is available for purchase at a reasonable price; or 2) a member of SFOM staff receives a book as a gift during the course of duty. Books and publications in this group are kept in SFOM's offices. SFOM does not maintain a cataloguing system of the curatorial library; staff may borrow books on an honor system and there is no log of borrowing activity. Aviation-related material is first offered to the Collection Manager for accessioning consideration. If accepted, the object will follow the appropriate accessioning method as described in the following section; if declined for accessioning, the object may be added to the curatorial library.



## ACQUISITIONS AND ACCESSIONING OF OBJECTS

### Policy

SFOM's collecting philosophy and policy is discussed on an ongoing basis by SFOM staff in conjunction with the Director and Chief Curator. The criteria utilized in reviewing acquisition considerations includes such factors as financial and personnel resources required of new object(s); sufficient funding for the purchase, and, if necessary, for conservation treatment; and the ability to maintain the object(s) in environmentally supportive and secure storage facilities. Potential additions to the Collection must be in compliance with relevant laws and statutes of the United States and with multilateral treaties such as the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transport of Ownership of Cultural Property, preventing the illicit import or export of materials derived from restricted endangered species, and all provisions of the Native American Graves Protection and Repatriation Act. If SFOM cannot accommodate a particular gift offer, SFOM staff may attempt to assist the donor in finding other appropriate institutions.

From time to time, benefactors may elect to support SFOM through a gift or bequest of money. Gifts or bequests of cash that are not subject to any donor restrictions may be used only for the purchase of collection objects. The benefactor shall receive credit on exhibit labels, in publications, and in SFOM's records for objects purchased with such benefactor's funds. Gifts or bequests of cash that are subject to donor restrictions will be considered on a case-by-case basis and may be declined by SFOM if the restrictions are incompatible with this Collection Management Policy or otherwise impose unreasonable, unsustainable, or unmanageable conditions on SFOM operations. Approval procedures for the acceptance and expenditure of gifted or bequeathed cash must be in compliance with applicable laws and codes.

SFOM does not accept anonymous donations.

### Strategy

SFOM may accept objects for acquisition into the collection by means of gift, purchase, exchange, transfer, bequest, or any other transaction that transfers title to SFOM. Per the American Alliance of Museums, the act of accessioning is the formal act of legally accepting an object to the category of material that a museum holds in the public trust. The CRC determines whether or not an object is accessioned. The CRC reviews objects offered for accessioning and decides whether to accept objects based on the criteria below:

1. The object is appropriate to the scope of the collection;

2. The object is of quality, intellectual value, or possesses other significance and would enhance the collection;
3. The object is not excessively duplicated in the collection;
4. If acquired through purchase, the object is compared to like objects recently on the market to justify the reasonableness of the purchase price;
5. The object has the potential for use in exhibition, education, or research programs;
6. The object must be in acceptable condition or economically repairable;
7. The object is of a size that SFOM is able to safely and economically store it;
8. The object can be acquired with free and clear title transfer;
9. The object is accepted without copyright, trademark, or other restrictions;
10. The object is of good provenance;
11. The object is not of a hazardous nature or material;
12. The accession of the object is in compliance with all applicable local, state, and federal laws.

## **Procedures**

### Collection Review Committee: General

Meetings of the CRC are held on a quarterly basis and are called by the Collection Manager. The CRC is composed of the Director and Chief Curator, the Assistant Directors, the Head of Registration, the Collection Manager, the Aviation Curators, and the Conservator. A designated non-voting staff member serves as Secretary, recording actions taken and distributing the minutes of the preceding meeting to Committee members. Other staff may attend if presenting objects for consideration.

### Intake Procedures

Upon acceptance of an object for the purpose of acquisition, SFOM must issue a receipt to the depositor of the object stating the terms of acceptance. This receipt clearly states that SFOM will give the object the same kind of professional care as objects in the collection and will insure the object while in its care. The receipt also specifies the duration of time that SFOM is willing to hold the object and specifies the conditions of the disposition of the object if left in the custody of SFOM beyond the agreed closing date. All objects must be registered by the Collection Management Department and monitored in the same way as loans. Each deposit is assigned a two-part acquisition group number: the first component are the four digits of the year in which the object(s) is received by SFOM and the second component is a three-digit number that shows what sequence the object(s) was received that year. For example: the acquisition group number 2015.045 was the forty-fifth donation received in calendar year 2015.

### Collection Review Committee Actions

Procedures for action by the CRC are as follows:

1. One week prior to the CRC meeting, objects being considered for accessioning are placed on view for CRC members to inspect and review.
2. At the CRC meeting, objects being considered for accessioning are presented in list form, sorted by acquisition group number and with groups valued at more than \$1,000 presented first, followed by objects sorted by method of acquisition and listed numerically by group number. The list is created and distributed by the Collection Manager.
3. Presenting staff explain their responsible groupings, including reference to notable history or provenance, restrictions, associated costs, or other eccentricities related to the object(s). CRC members may not vote to accession objects that they are responsible for presenting.
4. Committee decisions are made through a motion and seconding to accept and accession. The Committee is asked if any member requests that the object(s) be declined. If a Committee member declines the object(s), a reason must be presented. The Committee will consider the reason and put the decision to a full vote. In the event of a tie, the final decision rests with the Director and Chief Curator. If no request to decline the object(s) is made, the object(s) is considered approved for accessioning with the simple motion and seconding.
5. In instances when an exceptional object(s) is presented for donation or purchase and the window of time allowed to act on the offer is limited, it is permissible for the SFOM sponsor to present the object(s) and relevant information to the CRC through an ad hoc action with all CRC members. The CRC actions will be included by the Secretary within the minutes of the next regular meeting.

### Method of Accessioning: Gifts, Bequests, and Donations of Objects

1. SFOM curatorial or library staff make recommendations to CRC. The CRC votes to approve or disapprove objects. SFOM cannot accept anonymous donations.
2. Gifts of objects valued at less than \$110,000 (per collective valuation total of donation group) are approved by the Airport Director. This responsibility may be delegated to the Director and Chief Curator.
3. Gifts of objects valued at more than \$110,000 and less than \$500,000 (per collective valuation total of a donation group) must be approved by the Director and Chief Curator and the Airport Director when such acceptance entails no expense beyond the ordinary care and maintenance of such objects or other articles for exhibition purposes, and the San Francisco Board of Supervisors when such acceptance entails extraordinary expense. After such approvals, the Director and Chief Curator may sign the Deed of Gift.

4. Gifts of objects valued at more than \$500,000 (per collective valuation total of a donation group) must be approved by the Director and Chief Curator, the Airport Director, and the Airport Commission when such acceptance entails no expense beyond the ordinary care and maintenance of such objects or other articles for exhibition purposes, and the San Francisco Board of Supervisors when such acceptance entails extraordinary expense. After such approvals, the Director and Chief Curator may sign the Deed of Gift.
5. Upon acceptance by the CRC and other necessary approving bodies, two copies of the Deed of Gift (DoG) and a Statement of Economic Interest (SEI) are delivered to the source of the gift by the Collection Manager. Signed DoGs and the SEI are returned to the Collection Manager and the DoGs are countersigned by the Director and Chief Curator. One original of the DoG is returned to the source and the other, in addition to the SEI, is kept by SFOM. An object is accessioned when the DoG is countersigned by the Director and Chief Curator.
6. In addition, gifts received shall be reported to the Controller and San Francisco Board of Supervisors as required by S.F. Administrative Code section 10.100-305, and the source of any gifts received worth more than \$100 in aggregate shall be disclosed on the SFOM website together with the other information required by S.F. Administrative Code section 67.29-6.

#### Method of Accessioning: Purchase

1. Purchases of under \$150 may be made by curatorial staff in consultation with the Collection Manager and Conservator without advance CRC approval.
2. Purchases greater than \$150 and less than \$110,000 must be approved in advance by the CRC and the Director and Chief Curator. Approval may be granted at a regular quarterly meeting of the CRC or by other documented means of communication, such as email.
3. Purchases over \$110,000 must be approved in advance by the CRC, Director and Chief Curator, the Airport Director, and the Airport Commission.
4. Purchases with an established schedule, such as the purchase of periodicals and serials for the Library collection, are to be executed under the guidelines of vendor compliance established by the City. These purchases do not require advance approval by the CRC but shall be overseen by the Collection Manager and will be reviewed and approved at the CRC's quarterly meetings.
5. Purchase transaction paperwork constitutes a Deed of Gift and the date of purchase is the date the object is accessioned.

#### Method of Accessioning: Transfer

Objects or items received from other divisions at the Airport or departments within the City may be accessioned into the collection if they are deemed to meet the above requirements for collection objects and do not violate any record retention requirements for their removal from their source. Examples of items that may be transferred include promotional items given to Airport staff during the course of work; objects that are a part of the physical legacy of the Airport; and documents with historical importance created or used by Airport departments, such as maps, photographs, and reports.

1. The curator or SFOM staff person contacted by Airport department reviews objects offered for transfer.
2. Objects kept are reviewed and approved by the CRC and the Director and Chief Curator.
3. No Deed of Gift is issued. The transferring department is listed as the items' source and is credited as such. Documentation about the transfer such as initiator and SFOM contact, and method and date of transfer are noted in digital and paper acquisition files. An object is accessioned upon the approval of the CRC.

#### Method of Acceptance: Gifts and Bequests of Cash

1. SFOM curatorial or collections staff make recommendations to CRC, taking into account any donor restrictions on the gift. The CRC votes to approve or disapprove acceptance of the gift or bequest. SFOM cannot accept anonymous donations.
2. The acceptance and expenditure of gifts of cash valued at \$10,000 or less are approved by the Airport Director. This responsibility may be delegated to the Director and Chief Curator. Such gifts shall be reported to the Controller and San Francisco Board of Supervisors as required by S.F. Administrative Code section 10.100-305,
3. The acceptance and expenditure of gifts of cash valued at greater than \$10,000 must be approved by the Director and Chief Curator, the Airport Director, the Airport Commission, and the San Francisco Board of Supervisors.
4. The source of any gifts received worth more than \$100 in aggregate shall be disclosed on the SFOM website together with the other information required by S.F. Administrative Code section 67.29-6.

#### Documentation

The Collection Management Department is responsible for initiating, maintaining, and providing access to up-to-date records that document the identifying characteristics, history, physical condition, location, and incoming and outgoing activities for every object in SFOM's collection, whether these objects have been or are in the process of being formally registered into its permanent holdings.

Each object is supported by paper and electronic records with the following information:

1. Number reflecting sequence of acquisition: Year placed into SFOM custody; sequence of acquisition; count of object within object set.
2. Name, address, and credit line of source
3. Object description
4. Method of proposed acquisition
5. Location in SFOM storage
6. Documents pertaining to all legal transactions, correspondence, condition reports, conservation treatment, and related documents such as accompanying notes, articles, and reproductions.
7. Insurance value
8. Image

### Reporting

The following reports are created and issued electronically by the Collection Manager:

1. A monthly summary report of objects received for intended donation and their value is sent to the Airport's Risk Manager.
2. A monthly summary report of accessioned objects and their insured value is sent to the Airport Director for review.
3. A quarterly summary report of accessioned objects and their insured value is sent to the Airport's Controller and designated Accounting staff.
4. An annual (by fiscal year) summary report of accessioned objects and their insured value is sent to the Airport Commission Secretary.
5. An annual (by fiscal year) summary report of accessioned objects and their insured value is sent to the San Francisco Board of Supervisors.
6. An annual (by fiscal year) summary report of donors of donations valued at over \$100, the estimated or real amount of the donation, and the donor's SEI is published on the SFOM website.

Donations of objects and cash to SFOM are made for a public purpose and are tax-deductible under section 170(c)(1) of the Internal Revenue Code.

## DEACCESSIONING AND DISPOSAL

### Policy

An object previously accessioned by SFOM may be removed from the permanent collection only through a formal process of deaccessioning. SFOM must make sure that the deaccessioning process and disposal of objects adheres to the mission statement and public trust responsibilities of SFOM, and entails careful consideration and determination of professional museum ethical standards.

### Criteria for Deaccessioning

SFOM may consider objects for deaccessioning for the following reasons:

1. If the object does not fall within the scope of the collection, or it is not consistent with the purposes, priorities, and areas of interest of SFOM.
2. If the object is comparable but inferior to another object within the collection.
3. If the condition of the object requires restoration in gross excess of its aesthetic value, or is in such a deteriorated state that restoration would prove either unfeasible, impractical, or misleading.
4. If the object requires excessive or unreasonable maintenance, or SFOM cannot properly care for or store the object.
5. If the object is found not to be authentic and has little value for research or educational purposes.
6. If the object presents a threat to public or staff safety.
7. If the object has the potential to further scholarly study through destructive scientific analysis and where the potential result outweighs the value of the object to the collection.
8. If the object is determined to have been acquired in a manner contrary to SFOM's acquisitions policy or Code of Ethics, or if the object is determined to have been illegally exported from its country of origin.

### Considerations for Deaccessioning

SFOM may deaccession only those objects upon which there are no enforceable donor-imposed restrictions. If, however, SFOM finds that adherence to legal restrictions is impossible or detrimental to SFOM, legal counsel may be asked to evaluate the possibility of either renegotiating with the donor or petitioning the court of appropriate jurisdiction for instructions to modify or remove the restrictions.

### Approval for Deaccessioning

An object may be considered for deaccessioning only if the deaccessioning is recommended by the Director and Chief Curator and approved by a minimum of two-thirds of the CRC. Following approval by the CRC, a description of the object, reason for

deaccessioning, and proposed disposal method must be presented within six months for approval by the Airport Commission. If the object is an artwork as defined in Sec. 2A.150 of the San Francisco Admin Code, approval to deaccession the object must be obtained from the San Francisco Arts Commission.

For an object or grouping of related objects estimated by curatorial staff or the Collection Manager to have a fair market value over \$25,000, a staff member designated by the Director and Chief Curator shall obtain written opinions from two disinterested outside experts evaluating the object's importance to SFOM. These evaluations must be among the documentation presented to the Airport Commission.

### Disposal

When disposing of deaccessioned objects, SFOM must adhere to professional guidelines and be in conformance with the principles of San Francisco Administrative Code Sections 2A.150 (but only as to "works of art" as defined in such Section), 2A.155.4 through 2A.155.10 and 2A.155.12 and the SFOM Code of Ethics. SFOM must also adhere to FAA regulations regarding the disposal of items purchased with Airport funds. For this reason, disposal methods are divided by objects that had been donated to SFOM and those that were purchased or received by transfer from another Airport department.

### Disposal Methods for Donated Objects or Objects Transferred from Another City Department

1. Acquisition By A Public Institution: If another public, collecting institution wishes to acquire an object to be deaccessioned from SFOM's collection, SFOM shall consider making the work available to such an institution. SFOM shall also consider the transfer, gift, or exchange of objects which have significant cultural, social, historical, or scientific value to another public institution.
2. Sale: Disposal of objects by sale shall be by public auction except in those instances where the Airport Commission determines on the basis of reasonable independent information, that:
  - a. it is advantageous to SFOM to dispose of the object by some other method; and
  - b. the amount yielded by that method would be greater than the amount which would be realized through public auction.

### Disposal Methods for Purchased Objects or Objects Transferred from Another Airport Division

Any disposal of Airport property must comply with federal aviation law, and for this purpose, SFOM collection assets are considered Airport property. The Airport must first determine whether the asset has any remaining value. For deaccessioned SFOM



collection assets with more than de minimis market value, the Federal Aviation Administration *Policy and Procedures Concerning the Use of Airport Revenue*, 64 Fed. Reg. 7696, February 16, 1999, which interprets and applies the City's federal grant assurances, requires the Airport to sell the asset at fair market value and treat the sale proceeds as Airport revenues (in this case restricted to SFOM collection capital purposes). For deaccessioned SFOM collection assets with de minimis or negative value, the SFOM may transfer the item to another entity pursuant to local law (SF Administrative Code sections 2A.155.4-2A.155.10 and 2A.155.12) or, if such transfer is not feasible, otherwise dispose of the item as permitted under applicable local law.

#### Disposal by Destruction

In the event that an object has broken or deteriorated to the point where restoration is unfeasible, impractical, or misleading, or has been determined to be composed of hazardous materials that pose a threat to public or staff safety, an object is deaccessioned upon recommendation of the Director and Chief Curator, the Conservator, a minimum of one disinterested outside Conservator, and two-thirds of the CRC. Disposal of such an object must be witnessed by the Collection Manager and Conservator, and photographic records of the destruction must be placed in the object's file.

#### Records of Deaccessioned Objects

In order that the disposal of objects does not inhibit the advancement of scholarly knowledge, the Collection Manager shall retain a full file on the object, which may be made available to the public upon request.

A copy of all catalog and exhibition information, conservation analyses, and study reports shall accompany any object exchanged, sold, or transferred, provided that confidentiality is not required.

#### Proceeds from the Sale of Deaccessioned Objects

Pursuant to San Francisco Administrative Code Section 2A.155.12, proceeds from the sale of works of art or other articles owned by SFOM shall be placed in SFOM's trust fund within the Airport Revenue Fund and shall be under the jurisdiction of the Airport Commission. Proceeds from the sale of objects in SFOM's collections may only be used for the purchase of new collection acquisitions. If a deaccessioned and sold object was originally donated to SFOM, the original donor shall receive credit on exhibit labels, in publications, and in SFOM's records for objects purchased with the proceeds from the sale of the deaccessioned object.

#### Stolen or Lost Objects

In the case of theft from the collection, affirmative steps will be taken by the Collection Manager to report the stolen objects, reasonable efforts will be made to recover the stolen property, and the location record is marked "Stolen", with the date noted. In the case of a lost object, the location record is marked "UNK", with the date noted. In neither instance is an object deaccessioned.

### **Procedures**

Although there is no legal obligation to notify a donor about the deaccession of an object, SFOM, as a matter of courtesy, should consult the donor, near relatives, or locatable heirs prior to the deaccessioning of an object.

If an object is deaccessioned, SFOM shall comply with applicable IRS regulations which may require reporting the disposition of the object. The Collection Manager shall send to the donor or their representative a copy of any form sent to the IRS.

## **INCOMING LOANS**

### **Policy**

A key component of SFOM's mission is to delight, engage, and inspire a global audience with programming on a broad range of subjects. To meet this goal and to program more than forty exhibitions annually, SFOM borrows extensively from public and private collectors, museums, libraries, and galleries.

If a power of attorney or other similar or related documentation is needed to accept a loan through U.S. customs, the Director and Chief Curator or a designee may sign such documents on behalf of SFOM.

### **Procedures**

Exhibitions are conceptualized and developed by SFOM curators, and are discussed at a high level in monthly meetings of the Exhibitions Committee. The Exhibitions Committee approves the scheduling and organization of exhibitions that use SFOM's collection or borrowed objects for purposes of display. Members of the Exhibition Committee are currently the Director and Chief Curator, the Assistant Directors, the head of Registration, the head of Preparation, all curators, and related exhibitions personnel. Curators are responsible for sourcing the objects, information, and associated material for display.

Requirements and procedures for incoming loans are as follows:

1. A fully executed Loan Agreement Form that specifies the duration of the loan period must be executed before borrowed objects may be shipped or received. Loan Agreement Forms may be signed only by the Head of Registration or by the Director and Chief Curator. The Loan Agreement form states policies regarding reproduction, photography, and publicity must be adhered to.
2. Incoming loans are insured by SFOM (or the lender, if agreed upon) at the lender's valuation, assuming it is in line with fair market value.
3. The exhibition registrar completes all other loan correspondence, Incoming Receipts, packing and shipping arrangements, Outgoing Receipts, and, if necessary, Loan Extension Agreements.
4. The exhibition registrar supervises receiving and outgoing shipments; unpacking and packing of loaned objects; incoming and outgoing condition reporting; communicating object handling requirements; and other related record keeping.
5. Incoming loaned objects are photographed and condition reported prior to exhibition design and preparation work.

6. If conservation work is deemed necessary by the Conservator, a written treatment proposal will be issued to the lender. Treatment may proceed upon verbal assent but the treatment form must be signed and returned to SFOM. A treatment report will be sent to the lender upon treatment completion.
7. Damage to a loaned object must be reported to the exhibition registrar and Director and Chief Curator as soon as it is noticed. The lender must be notified within 48 hours.
8. Loans from SFOM staff will be credited as anonymous loans.
9. SFOM will release loaned materials to the custody of the lender, or the lender's agent, and receipt must be verified in writing by the lender.
10. It is the lender's responsibility to inform SFOM of any changes in address or ownership during the period of the loan.
11. Exhibition and exhibition object information is retained in perpetuity in the SFOM collection/exhibitions database. Digital documents and files are retained in perpetuity on the SFOM server. Paper documents may be stored for up to two years following the completion of a loan after which digital copies will be made for purposes of records retention.

## **OUTGOING LOANS**

### **Policy**

SFOM may lend objects from its collection to other museums and cultural institutions engaged in non-profit, scholarly, or educational pursuits. SFOM may lend, under appropriate circumstances, objects from its collections to institutions such as government agencies for public exhibition purposes. SFOM shall not lend objects from its collections to individuals or to for-profit institutions.

### **Procedures**

Requirements and procedures for outgoing loans are as follows:

1. Upon request to borrow a collection object, staff inform the Collection Manager, who in turn informs the CRC of the request, either at a regularly scheduled meeting or by email.
2. The CRC reviews the request and makes a recommendation to the Director and Chief Curator. If approved by the Director and Chief Curator, recommendation to loan is made to the Airport Director.
  - a. Recommendation is based on assessment of the ability of the borrower to provide appropriate environment, care, and security for the object(s); the stability of the object(s) on loan; SFOM's needs for access to the object(s); and the potential risks of the loan.
3. If approved by the Airport Director, SFOM issues an Outgoing Loan Form to be signed by the authorized representative of the borrower and countersigned by the Head of Registration to contain information regarding: the borrower; purpose of loan; loan duration; itemized object information inclusive of accession number, insurance value, credit line, condition reports, dimensions, climate and light level requirements, and if known, medium, date of creation, and origin; shipping and handling requirements; photography, reproduction, and publicity requirements; and return conditions.
  - a. Loan duration shall be for a period of one year or less. If the borrower requests to extend the loan, the request will be reviewed by the CRC, and approved by the SFOM Director and Chief Curator and the Airport Director. Upon approval, new loan documents will be issued by the Head of Registration.
4. The Head of Registration shall maintain all loan documentation until the loan has been completed. Upon loan completion, documentation is transferred to the Collection Manager for inclusion in the object(s) file.



## **IN-HOUSE LOANS**

### **Policy**

SFOM may make two types of in-house loans: (1) accessioned collection objects "loaned" to an SFOM exhibition, and (2) the temporary transfer of library publications to SFOM staff for research purposes.

### **Procedures**

#### Exhibitions Loans

Objects from the SFOM Aviation and Non-Aviation collections are regularly displayed in SFOM exhibitions. The following procedures are in place for the use of collection objects in SFOM exhibitions:

1. Object is selected by the Curator and removed from its storage location by Collection Registrar.
2. The Exhibition Registrar retrieves the object from its temporary holding area, tags it with a designated loan number, and moves the object into Art Storage. The Collection Registrar updates the object's permanent record location as being "On Exhibit".
3. The Exhibition Registrar creates an exhibition object record in the database and generates a condition report. Standard procedures for loaned objects continue through the duration of the exhibition.
4. Upon the completion of the exhibition, the Exhibition Registrar performs an outgoing condition report; the complete report is transferred to the Collection Registrar to be placed with the object's permanent file. The Exhibition Registrar communicates with the Collection Registrar that the exhibition has ended and a mutually agreed upon time is chosen for the Exhibition Registrar to return the object to collection storage.
5. The Collection Registrar returns the object to its storage location and updates the location record in the database accordingly.

Collection objects utilized in exhibitions are included on the monthly insurance report sent from the Head of Registration to the Airport's Risk Manager.

#### Staff Research Loans

A significant category of objects within the SFOM aviation collection is of library material. In-house loans are the temporary transfer of library books and publications to SFOM staff for research purposes. These are informal transactions limited to registering the item location in the database as a temporary transfer for research purposes to the requesting staff and the date the transfer occurred. Due dates are not assigned.

Requests to utilize items in the library's special collections are reviewed on a case-by-case basis for condition issues and handling requirements.



## **UNCLAIMED LOANS, ABANDONED PROPERTY, AND FOUND-ON-PREMISES OBJECTS**

### **Policy**

#### Unclaimed Loans

Unclaimed loans are objects for which a loan agreement exists, the loan duration has ended, and contact with the lender has lapsed. SFOM will proceed in accordance with applicable law, including Section 1899 et. seq. of the California Civil Code, "Loans to Museums for Indefinite or Long Terms".

#### Abandoned Property

Abandoned property is any object held by SFOM for which there is no formal loan agreement and more than 25 years have passed from the date of the last written contact between the lender and SFOM, as evidenced in SFOM's records.. Pursuant to California Civil Code Section 1899.10(c), the lender shall be deemed to have donated the abandoned property to SFOM.

#### Found-on-Premises Objects

When an object is found on SFOM premises with no attached or documented paperwork, communication with all SFOM staff will be initiated to determine the provenance of said object. If no information is obtained as to the owner, the object shall be treated as if it were abandoned property.

## **CARE AND PRESERVATION OF OBJECTS**

### **Policy**

The preservation and functionality of SFOM's permanent collection is of the utmost importance. Without proper storage, materials, and handling procedures, damage could occur and thereby diminish future collection use.

The practices used to store, preserve, and display objects either on loan to SFOM or within the permanent collection shall be consistent with the best available information on the subject. The practices used to conserve objects either on loan to SFOM or within the permanent collection shall be consistent with the best available information on the subject. Written treatment proposals must be created and agreed to in advance before conservation work may begin on borrowed objects.

### Staff Responsibility

All SFOM staff are required to carry out the ethical, legal, and professional responsibilities necessary to provide care and preservation of all objects acquired, borrowed, or displayed. The Collection Manager is responsible for the overall care and preservation of the collection. The Head of Registration is responsible for the overall care and preservation of borrowed objects.

### Procedures

#### Preservation

Procedures for storage, preservation and display of objects either on loan to SFOM or within the permanent collection are as follows:

1. Preventative conservation techniques shall be used to mitigate or minimize damage from light, relative humidity, pests, air pollution, and temperature.
2. Stabilizing materials such as sandbags or inert foam supports shall be used to protect against potential earthquake or vibration damage while objects are in short-term or long-term storage.
3. Objects not on display will be kept in secure, climate-controlled storage.
4. Exhibition cases shall maintain stable temperature, relative humidity, and light levels according to the particular needs of the objects displayed within.
5. Archival grade storage materials shall be used when storing objects.
6. Good housekeeping is a responsibility shared across SFOM departments:
  - a. Collection staff are responsible for systematic cleaning and maintenance of all collection storage rooms and share responsibilities for Receiving/Crate Storage with Registration staff.

- b. Registration staff are responsible for the systematic cleaning and maintenance of Art Storage and in-terminal storage rooms for borrowed objects, and share responsibilities for Receiving/Crate Storage with Collection staff.
- c. Preparation staff are responsible for the systematic cleaning and maintenance of the various shops and Exhibit Prep.
- d. The Exhibition Designer is responsible for the systematic cleaning and maintenance of the Design Lab.
- e. General cleanliness is expected of all staff. Food and/or beverages are not permitted in any room where borrowed or permanent collections are stored or handled.

### Conservation

Procedures for conservation of objects either on loan to SFOM or within the permanent collection are as follows:

1. For borrowed objects, the object's owner must provide consent to the treatment proposal; verbal consent is acceptable to begin treatment if there is urgency to the work, however a signed copy of the treatment proposal must be returned to SFOM. Treatment reports must be issued to the owner upon completion of work, and a copy will be kept on file within the exhibition folder.
2. For collection objects, treatment proposals are issued verbally and the Collection Manager shall provide consent. If use of an outside specialist is deemed necessary, the Conservator shall notify the Director and Chief Curator with the reason and estimated expense for advance approval. Treatment reports are generated upon completion of work. A digital copy shall be added to the object's record in the database and will also be placed on the SFOM server.

### Handling of Objects

All staff who will handle art must receive proper and standard training in object handling and preservation expectations. As a general rule, the handling of all collection or borrowed objects shall be kept to a minimum to ensure the object's protection and preservation. Professional standards and supplies shall be utilized when handling or moving objects, regardless of work location.

### Packing and Shipping

Packing and shipping of all objects shall follow in consultation with and be approved by the overseeing Registrar. Professional standards and supplies shall be utilized when packing and shipping.

### IPM

The Collection Manager, Head of Registration, and Conservator share responsibilities for SFOM's Integrated Pest Management program and may work in tandem with the Airport's IPM department. SFOM facilities will be continuously monitored for pests and pest control practices in collection areas will be approached with the overall safety and stability of the collection as the highest priority.

#### Inventories

Spot inventories of the permanent collection may be conducted by the Collection Manager. Inventories of specific collection categories are conducted annually through digitization projects, storage maintenance, exhibition preparation, and/or as standalone projects. It is a goal to annually inventory a minimum of 10% of the permanent collection.

#### Records and Cataloging

The Collection Management department is responsible for the creation and maintenance of accurate, up-to-date database records for the objects in the permanent collection, as well as the creation and maintenance of paper files. These files shall be maintained in perpetuity.

The Registration department is responsible for the creation and maintenance of accurate, up-to-date database records for objects borrowed for the purposes of exhibition. The maintenance of digital records ends when the objects are acknowledged by their owner as returned through the receipt of a signed Outgoing Release.

#### Database Management and Backup

The collection and exhibition database shall be well-maintained and receive regular and routine upgrades and enhancements. Registration and Collection Management departments shall maintain and distribute data entry style guides for their respective responsibilities and ensure that staff receive proper training prior to use as well as placement within an appropriate security level. SFOM shall be diligent in ensuring that the data is backed up on a regular basis and that backups are stored in multiple locations

#### Emergency Plan and Recovery Procedures

SFOM maintains an emergency plan and recovery procedures document and a shorter quick-grab guide. Both are updated on a regular basis and serve as a specialized supplement to the Airport's own emergency response plan.

## **ACCESS TO COLLECTION OBJECTS AND INFORMATION**

### **Policy**

In an effort to make the SFOM collection available to scholars and the public, the following rules apply:

1. The SFOM collection shall be available for research and study by responsible investigators, subject to procedures necessary to safeguard the items, and to restrictions imposed by limitations of exhibition requirement, availability of study space and facilities, and the availability of appropriate staff.
  - a. SFOM will not share personal donor or lender information, object location, or any valuation history or amounts.
2. Access to the collection or records can be denied if such access may create a substantial risk of harm, theft, or destruction of objects or of the area or place where the objects are stored or otherwise accessed.
3. Requests to conduct analysis, to publish photographs from SFOM's collection, or for original photography require separate consideration and are subject to other policies.

## **RISK MANAGEMENT AND INSURANCE**

### **Policy**

A major function of SFOM is to secure and protect all objects and records in its care. Loss or damage to an object must be reported to the Collection Manager (for collection objects) or the Head of Registration (for loaned objects), and to the Director and Chief Curator as soon as discovered. In the event of theft or vandalism, the scene must be left intact to preserve evidence.

### **Procedures**

Exhibitions are checked daily by custodial staff and weekly by registration staff. Airport Communication Center security cameras monitor all galleries. Risks to the collection or borrowed objects in storage are identified by continual monitoring by all staff who work with objects through on-site inspection. Risks to handling are assessed before an object is moved. Risks during transit are assessed by the registrar and during loan by standard facility reports. Risks are reduced and/or eliminated through proper handling of objects continual training, the use of appropriate materials in storage and exhibitions, and continual facilities improvements.

SFOM's insurance policy provides wall-to-wall coverage for the permanent collection, incoming loans, and objects placed in temporary custody when agreed to by the depositor and SFOM. Incoming loans and SFOM collection objects are insured on a blanket fine arts insurance policy maintained by the Airport's Risk Management department. Generally, outgoing loans are insured by the borrower. Liability and property insurance are held and maintained by the Airport's Risk Management department. A monthly summary of objects received for intended donation is sent to the Airport's Risk Manager by the Collection Manager. A monthly summary of objects on loan to SFOM is sent to the Airport's Risk Manager by the Head of Registration.

### **Reporting Damage**

Any damage to a collection or borrowed object should be reported immediately to the Collection Manager or the Head of Registration, respectively. The department head will consult with the Conservator and provide condition reports, photographs, and/or any other record that would verify the original condition of the object. The damage and/or location where the incident occurred will be photographed and documented. A damage report form will be completed by the staff member who discovered the damage. If the damage is discovered to be new, the Director and Chief Curator will be notified. If the damage is to a borrowed object, the owner is to be notified within forty-eight hours of the discovery. If appropriate, the Conservator shall create a Treatment proposal for

consideration by SFOM's Collection Manager, if a collection object, or the object's owner, if a loaned object. SFOM is responsible for the cost of the conservation work.

### Insurance Claims

The Head of Registration will gather all information regarding the incident and will coordinate and document any claims for losses in conjunction with the Airport's Risk Management department. Values assigned to objects for loan and insurance purposes must be in line with current fair market values. As stated on the verso of the Incoming Receipt documentation issued to all lenders: *Unless the Depositor expressly elects to maintain insurance on the object(s) listed herein, [SFOM] will insure objects on deposit against risk of physical loss or damage for the value stated on the receipt so long as it is reasonable and does not exceed fair market value.*

## **CODE OF ETHICS**

SFOM operates under a Code of Ethics adopted by the San Francisco Airport Commission on February 5, 2019, that establishes standards of conduct to guide members of the Airport Commission, the Airport Director, SFOM staff, volunteers, and associated personnel in handling SFOM operations, assets, and audits. The Code of Ethics covers conflicts of interest; conduct in the performance of duties; personal collecting; outside activities; gifts, favors, entertainment, discounts and dispensations; exhibitions; appraisal, authentication and identification activities; reproductions; and violations of the Code of Ethics.

Acknowledgement of the Code of Ethics is required of all Covered Persons at the time of their hire or appointment. Periodically, the Director and Chief Curator will require a re-acknowledgement of the Code of Ethics.

The following points within the Code of Ethics are directly relevant to the Collection Management Policy:

1. Policy Statement: Personal/private collecting of objects of the type collected by SFOM is an appropriate activity for persons covered by Article VII of the Code of Ethics ("Covered Persons"), provided that such activity results in neither the fact nor the appearance of a conflict of interest with SFOM and its collecting program.
2. Covered Persons may not participate in SFOM's decision to accept a donation of an object from that person, to purchase an object from that person, or to exhibit an object owned by that person or in which that person has a financial interest.
3. Covered Persons shall not purchase any object from SFOM's collection except at public auction. No Covered Person involved in determining the decision to

deaccession or sell an object from SFOM's collection may purchase such items, whether directly or indirectly.

4. Covered Persons may not use information obtained through their affiliation with SFOM, when the information may not be generally available, to promote their personal collecting activities or the collection activities of an associate, family member, or corporation, partnership, or other business entity controlled by them, either directly or indirectly.
5. No Covered Person may knowingly compete with SFOM for the purchase of objects of interest to SFOM.

### Appraisals

It is the responsibility of the donor to obtain necessary appraisals of donated material. To avoid conflicts of interest, SFOM staff may not formally appraise any object, whether a potential acquisition or an object belonging to a private collection. To avoid the appearance of an official endorsement, SFOM may not assist patrons in locating appraisers.

Statements of monetary value of objects may be prepared by SFOM employees only for internal use by SFOM. Such appraisal information may not be disseminated to sources outside SFOM without the approval of the Director and Chief Curator.



## **POLICY REVIEW; MODIFICATIONS TO POLICY**

The Director and Chief Curator shall review this Collection Management Policy on a periodic basis and recommend any changes to the Airport Commission for consideration. This Collection Management Policy, including any proposed changes or additions to this Collection Management Policy, shall be presented to the Airport Commission at least once every five years for re-approval.

The Director and Chief Curator may modify the following sections (including any subsections) of this Collection Management Policy from time to time, without the need for Airport Commission approval:

- Acquisitions and Accessioning of Objects – Procedures
- Deaccessioning and Disposal – Procedures
- Incoming Loans – Procedures
- Outgoing Loans – Procedures
- In-House Loans – Procedures for Exhibition Loans
- In-House Loans – Procedures for Staff Research Loans
- Care and Preservation of Objects – Procedures
- Risk Management and Insurance – Procedures

The Director and Chief Curator shall file the modified Collection Management Policy with the Airport Commission Secretary.

**Amendment No. 4  
to the Zoe Dell Nutter Charitable Remainder Unitrust**

This Amendment No. 4 entered into this 9<sup>th</sup> day of March, 2010, by and between Zoe Dell Nutter ("Donor") and Security National Bank and Trust Co. of Springfield, Ohio ("Trustee").

A. On December 19, 2001, Donor established an Irrevocable Charitable Remainder Unitrust known as the Zoe Dell Nutter Charitable Remainder Unitrust (the "Trust") with the Trustee.

B. Pursuant to Section 6 of the Trust, Donor retained the right to remove any of the charitable entities named in Section 6 as a distributee from the Trust at the time of the death of the Donor and to name another charity to be a future distributee of the Trust provided that in all cases any such charity named by the Donor shall be a Qualified Charity as defined under said Section 6 of the Trust.

**NOW, THEREFORE,** the Donor and the Trustee agree as follows:

1. The Donor hereby elects pursuant to the authority granted under Section 6 of the Trust to change the provisions of Section 6 in its entirety as set forth in the December 19, 2001 Trust, as well as in Amendment No. 1 dated March 9, 2004, Amendment No. 2 dated April 19, 2004, and Amendment No. 3 dated June 28, 2004.

2. In lieu of the provisions of Section 6, as amended, the Donor hereby amends Section 6 to provide as follows that upon the termination of the Trust, the Trustee shall distribute all of the then principal and income of the Trust (other than any amount due Recipient) as follows:

- (1) Twenty percent (20%) to Dayton Engineers Club to be used for its operating purposes.
- (2) Ten percent (10%) to the Treasure Island Museum Association, in San Francisco, California.
- (3) Twenty percent (20%) to the Louis A. Turpin Museum at the San Francisco, California International Airport.
- (4) Twenty percent (20%) to Cedarville University.
- (5) Fifteen percent (15%) to the Aviation Heritage Foundation, Inc.
- (6) Fifteen percent (15%) to the National Aviation Hall of Fame.

if all of said entities are in existence at said time and provided that all of said entities are charitable organizations within the meaning of Code Section 170(c), Code Section 501(c)(3), Code Section 2055(a) and Code Section 2522(a), or any successor provisions thereto (a "Qualified Charity").

3. In all other respects, including the authority of the Recipient to remove any of the foregoing entities or to change the percentage share of the remainder interest of any of the foregoing entities or any subsequent named entities, the said Trust is ratified and confirmed by the Donor and the Trustee and shall remain in full force and effect in accordance with the Trust Agreement dated December 19, 2001.

4. This Amendment shall be known as Amendment No. 4 of the Zoe Dell Nutter Charitable Remainder Unitrust.

**IN WITNESS WHEREOF**, Zoe Dell Nutter has hereunto set her hand as Donor and Security National Bank and Trust Co. of Springfield, Ohio, as Trustee, has caused this Agreement to be executed by its duly authorized officer effective on the day and year first above written.

  
Zoe Dell Nutter  
"Donor"

Security National Bank & Trust Co.  
of Springfield, Ohio

By:   
Mary L. Goddard  
Vice President & Trust Officer  
"Trustee"

STATE OF OHIO  
COUNTY OF GREENE, ss:

Before me, a notary public in and for said county and state, personally appeared the above-named Zoe Dell Nutter who acknowledged that she did sign the foregoing Amendment No. 4 of the Zoe Dell Nutter Charitable Remainder Unitrust and that the same is her voluntary act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal at Xenia, Ohio, this 9<sup>th</sup> day of March, 2010.

  
Notary Public

WILLIAM A. ROGERS, JR., Attorney at Law  
Notary Public, State of Ohio  
My Commission has no expiration date.  
Section 147.03 O. R. C.

STATE OF OHIO  
COUNTY OF CLARK, ss:

Before me, a notary public in and for said county and state, personally appeared the above-named Mary L. Goddard, Vice President and Trust Officer of Security National Bank and Trust Co. of Springfield, Ohio, who acknowledged that she did sign the foregoing Amendment No. 4 of the Zoe Dell Nutter Charitable Remainder Unitrust and that the same is his voluntary act and deed, individually and on behalf of said Security National Bank and Trust Co. of Springfield, Ohio.

In Testimony Whereof, I have hereunto set my hand and official seal at Springfield, Ohio, this 12<sup>th</sup> day of March, 2010.

  
Notary Public



HUGH W. BARNETT  
NOTARY PUBLIC - OHIO  
MY COMMISSION EXPIRES 07-15-2014



## IRREVOCABLE CHARITABLE REMAINDER UNITRUST

On this 19<sup>th</sup> day of December, 2001, ZOE DELL NUTTER ("Donor") desiring to establish a charitable remainder unitrust within the meaning of Section 664(d)(2) and (3) of the Internal Revenue Code of 1986, as amended (the "Code") and the Treasury Regulations thereunder hereby creates the ZOE DELL NUTTER CHARITABLE REMAINDER UNITRUST (the "Trust").

1. **TRUSTEE.** Donor hereby designates **SECURITY NATIONAL BANK & TRUST CO. OF SPRINGFIELD, OHIO**, as a Qualified Trustee (as defined below) of the Trust.

- (a) **Vacancy to be filled by Recipient.** In the event that **SECURITY NATIONAL BANK & TRUST CO. OF SPRINGFIELD, OHIO**, shall for any reason fail or cease to serve as Trustee, a Qualified Trustee (herein defined) shall be appointed by the Recipient (as defined in Section 3 of this trust instrument) within thirty (30) days. During any time that an individual Recipient is incapacitated, the appointment power hereunder shall be exercisable by such Recipient's attorney-in-fact, acting under a general, durable Power of Attorney, if any, and otherwise by the Recipient's legal guardian.
  - (i) **Qualified Trustee.** For purposes hereof, a Qualified Trustee shall be (a) any legally competent adult individual or (b) any bank or corporation having trust powers in the state of Ohio that, at the effective time of appointment, has either (i) a minimum capital and surplus of at least \$5,000,000.00 or (ii) at least \$50,000,000.00 in trust assets under management and administration. Each such Qualified Trustee, whether an individual or a bank or corporation, must be an "independent trustee." An independent trustee means an individual, bank, or corporation that is not a "related or subordinate party" within the meaning of the Code Section 672(c) with respect to the Donor.
  - (ii) **Procedure for Appointment.** Any appointment of a Qualified Trustee must be evidenced by a writing in recordable form, signed by the person exercising the power of appointment and delivered to the Qualified Trustee so appointed. The writing must identify the appointee, state the effective time and date of appointment, and contain an acceptance by the appointee.
- (b) **Removal Power.** At any time or from time to time, the Recipient (acting through the representatives described in paragraph (a) of this Section 1. shall have the power to remove the Trustee then serving by giving written notice of removal to the Trustee. Such removal shall become effective upon the acceptance of the trust by a Qualified Trustee appointed by the Recipient pursuant to the provisions of paragraph (a) of this Section 1.
- (c) **Resignation.** The Trustee shall have the power to resign at any time during the Trust term upon prior written notice to the Donor and the Recipient. In the event a Trustee fails to meet the definition of Qualified Trustee at any time while serving in the capacity of Trustee, such Trustee shall immediately resign and a successor shall be appointed by the Recipient as provided in paragraph (a) of this Section 1.
- (d) **Bond and Compensation.** No Trustee serving hereunder shall be required to post bond, and each Trustee shall be entitled to receive reasonable compensation for services rendered as Trustee and reimbursement of expenses incurred in the performance of those services; provided, however, that no Trustee shall receive

compensation in excess of forty (40) basis points times the value of trust assets on January 3<sup>rd</sup> each year or in excess of that which is reasonable as defined for purposes of Code Section 4941(d)(2)(E) and 4945(d)(5).

2. **FUNDING OF TRUST.** The donor transfers to the Trustee the property described in Schedule A, attached hereto and incorporated herein for all purposes, and the Trustee accepts such property and agrees to hold, manage and distribute such property of the Trust under the terms set forth in this Trust instrument.

3. **PAYMENT OF UNITRUST AMOUNT.** In each taxable year of the Trust, the Trustee shall pay to the donor (herein the "Recipient") a unitrust amount equal to 7.0 percent of the net fair market value of the assets of the Trust valued as of the first day of each taxable year of the Trust (the "Valuation Date").

The unitrust amount shall be paid in quarterly instalments. Any income of the Trust for a taxable year in excess of the unitrust amount shall be added to principal. If for any year the net fair market value of the Trust assets is incorrectly determined, then within a reasonable period of time after the value is finally determined for federal tax purposes, the Trustee shall pay to the Recipient (in the case of an undervaluation) or receive from the Recipient (in the case of an overvaluation) an amount equal to the difference between the unitrust amount properly payable and the unitrust amount actually paid, plus interest to the extent required by the Treasury Regulations.

4. **TERM.** The Trust term shall be a term equal to the life of the Donor.

5. **PRORATION OF THE UNITRUST AMOUNT.** In determining the unitrust amount, the Trustee shall prorate the same on a daily basis for a short taxable year.

6. **DISTRIBUTION TO CHARITY.** Upon termination of the Trust, the Trustee shall distribute all of the then principal and income of the Trust (other than any amount due Recipient) as follows: (1) Thirty-five percent (35%) to The University of Kentucky College of Engineering, (2) Twenty percent (20%) to Wright State University to be used for educational purposes, (3) Twenty percent (20%) to the Ohio State University Veterinary School, (4) Fifteen percent (15%) to The National Aviation Hall of Fame Endowment Fund, and (5) Ten percent (10%) to Cedarville College, if said entities are in existence at the date of distribution and provided that said entities are charitable organizations within the meaning of Code Section 170(c), Code Section 501(c)(3), Code Section 2055(a) and Code Section 2522(a), or any successor provisions thereto (a "Qualified Charity"). At any time during the Trust term and at termination, the Recipient shall have the authority to remove an entity, change the percentage share of the remainder interest of the entity or any subsequent named recipient of the remainder of the Trust property at termination, and/or name another charity or charities, provided, in all cases that the charity or charities named by the Donor is a Qualified Charity. In the event that any charity or charities named by Donor in accordance with this Section 6 is not in existence or fails to qualify as a Qualified Charity on the date of distribution, then the Trustee shall name a replacement Qualified Charity or Charities as the charitable beneficiary that has a charitable purpose or purposes as similar as possible to the purpose or purposes of the charity or charities named in the written directive under the doctrine of *cy pres*.

7. **ADDITIONAL CONTRIBUTIONS.** If any additional contributions are made to the Trust after the initial contributions, the unitrust amount for the year in which the additional contribution is made shall be equal to (1) the sum of 7.0 percent, the net fair market value of the Trust asset as of the Valuation Date (excluding the assets so added and any income from, or appreciation on, such assets) plus (2) that portion of 7.0 percent of the net fair market value of the assets so added that were excluded under (1) that the number of days in the period that begins with date of contribution and ends with earlier of the last date of the taxable year or the day of the end of the Trust term bears to the number of days in the period that begins on the first day of such taxable year and ends with the earlier of the last day of such taxable year or the day of the end of the Trust term. In the case where there is no valuation date after the time of contribution, the assets so added shall be valued as of the time of contribution. No

additional contributions to the Trust shall be permitted unless such contributions are made by the Donor.

8. **PROHIBITED TRANSACTIONS.** The Trustee shall make distributions at such time and in such manner as not to subject the Trust to tax under Code Section 4942. Except for the payment of the unitrust amount to the Recipient, the Trustee shall not engage in any act of self-dealing, as defined in Code Section 4941(d), shall not make any taxable expenditures, as defined in Code Section 4945(d), shall not retain any excess business holdings as defined in Code Section 4943(c) but only if such retention would subject the Trust to tax under Code Section 4943, and shall not make any investments which would jeopardize the charitable purpose under Code Section 4944 but only if such investments would subject the Trust to tax under Code Section 4944.

9. **TAXABLE YEAR.** The taxable year of the Trust shall be the calendar year.

10. **GOVERNING LAW.** The operation of the Trust shall be governed by the laws of the Ohio Principal and Income Act. The Trustee, however, is prohibited from exercising any power or discretion granted under Ohio law that would be inconsistent with the qualification of the Trust under Code Sections 664(d)(2) and (3) and the regulations thereunder.

11. **LIMITED POWER OF AMENDMENT.** The Trust is irrevocable. The Trustee, however, shall have the power, acting alone, to amend the Trust in any manner required for the sole purpose of ensuring that the Trust qualified and continues to qualify as a charitable remainder unitrust within the meaning of Code Sections 664(d)(2) and (3).

12. **INVESTMENT OF TRUST ASSETS.** Nothing in this Trust instrument shall be construed to restrict the Trustee from investing the Trust assets in a manner that could result in the annual realization of a reasonable amount of income or gain from the sale or disposition of Trust assets. In addition, as to each and any corporation, partnership, limited liability company or other entity, public or private, in which the Trust, as such, holds or acquires any interest (each such entity herein referred to as the "Entity"), the Trustee is hereby authorized to retain the interest in the entity for so long as the Trustee, in the Trustee's sole discretion, deems to be in the best interest of the Trust regardless of the fact that such interest in the Entity might produce no income, regardless of any duty to diversity investments, and notwithstanding any other Trustee's obligation which might otherwise require the Trustee to dispose of such interest in the Entity. Likewise the Trustee is authorized, to the extent permitted by applicable law, to exercise its rights and powers as holder of any such interest in the Entity, including, without limitation, the right to sell, redeem or otherwise dispose of the interest in the Entity, at such time and upon such conditions as shall, in the opinion of the Trustee (in its sole discretion), be in the best interests of the Trust.

13. **GENERAL TRUSTEE'S POWERS.** The Trustee shall have all powers conferred on trustees by the trust laws of the State of Ohio, except to the extent that such powers may conflict with any of the provisions of this Trust, in which event the provisions of this Trust shall govern. In addition to those powers now or subsequently conferred upon fiduciaries by law and/or provided for in other sections of this Trust, the Trustee shall have the following powers, all of which may be exercised without the necessity of securing the approval or order of any court: (a) to acquire, by purchase or otherwise, to retain, invest and reinvest, and to manage, temporarily or permanently, any realty, personalty or intangibles, without any requirement of investment diversification and regardless of the risk, unproductive or extra hazardous nature of such investments and to retain any such investments for any period of time without liability therefore; (b) to open and maintain bank accounts and brokerage accounts; (c) to do any and all acts, to exercise any and all rights, to take any and all proceedings and to enter into any and all contracts (including those containing guarantees, warranties, representations and indemnifications of any kind or nature), and other instruments (whether or not specified above and including but not limited to the preparation and filing of any and all registration statements and instruments of whatever kind with the Securities and Exchange Commission and the payments of any and all expenses in that connection) proper in its opinion in the administration of the Trust; (d) to assent to or



participate in any reorganization, readjustment, recapitalization, liquidation, partial liquidation, consolidation, merger, dissolution, sale or purchase of assets, lease, mortgage, contract or other action or proceeding by any corporation, partnership, limited liability company or other entity and, in that connection, to subscribe to new securities or exchange any property for any other property or pay assessments or other expenses related thereto, or to delegate discretionary powers to any reorganization, protective, or similar committee; (e) to improve, repair, replace, abandon and demolish assets; (f) to sell, exchange, encumber, option, lease for any period, or otherwise dispose of any asset of this Trust on such terms, for such consideration and under such circumstances as the Trustee deems advisable; (g) to abandon, compromise, contest and arbitrate claims; (h) to hold title in the name of a nominee; (i) to appoint, engage and employ (and discharge, remove or terminate) such auditors, engineers, attorneys, accountants, custodians (individual and/or corporate), attorneys-in-fact, agents and employees as the fiduciary deems proper, and to delegate to such persons such authorities (including discretionary authorities) as the Trustee deems appropriate; (j) to make distributions in kind, in money, or partly in each; (k) for any fiduciary serving without compensation, to act as fiduciary without liability in the absence of gross negligence, bad faith, fraud, or wilful misconduct; and (l) for any corporate fiduciary, to deposit funds with itself as a permanent investment.

**14. TRUST ACCOUNTING.** Except to the extent, if any, that Section 15 applies, all matters relating to administration of and accounting for the Trust shall be performed in accordance with this Section 14. The following provisions shall apply in determining Trust income and principal: (a) the Trustee, in the exercise of the Trustee's discretion, shall make reasonable allocation between income and principal of the Trustee's compensation and the fees and expenses of accountants, attorneys, investment advisors and other professionals that render services to the Trust and (b) the Trustee, in the exercise of the Trustee's discretion, shall make reasonable allocation of other receipts and expenses between income and principal and shall, if the Trustee deems it necessary or advisable in the exercise of its discretion, create reasonable reserves for depletion and depreciation.

**15. RESTRICTIONS ON TRUSTEE.** Notwithstanding anything to the contrary contained in any other provision of this Trust Agreement:

- (a) No person may purchase, exchange or otherwise dispose of the principal or income of this Trust for less than adequate consideration in money or money's worth;
- (b) No person may reacquire any property held under this Trust by substituting other property of an equivalent value;
- (c) Donor may not borrow the principal or income of this Trust, directly or indirectly, but for this purpose a loan made in the ordinary course of business by a corporation, partnership or other entity in which the Trust is a shareholder, partner or owner shall not be regarded as a loan, whether direct or indirect, of the principal or income of this Trust; and
- (d) Donor directs that this Trust shall be construed and administered by the Trustee and all others so that the Trust is not characterized as a grantor trust, as defined in the Code.

**16. INTENT TO OBTAIN A CHARITABLE DEDUCTION.** It is the intent of the Donor and the Trustee in executing this Trust instrument to create a charitable remainder unitrust within the meaning of Code Section 664(d)(2) and to obtain for Donor the full benefit of any income, gift and estate tax charitable deductions available to creators of charitable remainder unitrusts under the Code, and for the Trust the exemption from income tax provided by Code Section 664(c). Accordingly, the provisions of this Trust instrument shall be construed and this Trust shall be administered in accordance with said intention and in a manner consistent with those Code sections dealing with charitable remainder trusts.



17. **DEATH TAXES.** No estate, inheritance, succession, transfer (including generation-skipping transfer) or other death taxes (including interest and penalties thereon) imposed by any federal, state or other taxing authority (hereunder "Death Taxes") shall be payable from Trust property. Accordingly, no unitrust interest of a successor Recipient shall take effect unless such successor Recipient furnishes the funds for payment of any Death Taxes for which the Trustee may be liable upon the death of the prior Recipient.

18. **INVESTMENT ADVISOR.**

- (a) Donor appoints Lehman Brothers, Dayton, Ohio, as investment advisor for this trust. Lehman Brothers shall give directions to the Trustee concerning the investment of the Trust Estate. The Trustee shall implement and execute such directions within a reasonable time after receipt of such directions as are consistent with the duties and obligations of the Trustee. Upon receipt of such directions from the investment advisor, the Trustee shall perform all acts necessary and advisable to carry out such directions as expeditiously as reasonably possible, and, the Trustee shall have no duty to conduct an independent investigation of the propriety of such directions. The investment advisor shall be entitled to receive reasonable compensation for any year during which the investment advisor actually performs advisory services to the Trust Estate, which payment may be made from income or principal or both.
- (b) The Trustee shall not be liable or responsible in any manner whatsoever to any person interested in the Trust created hereunder for any losses to the Trust Estate by reason of purchases, sales, investments or reinvestments of any assets of the Trust Estate by the Trustee pursuant to the directions given by such investment advisor. In the event litigation is instituted against the Trustee by reason of any of the aforementioned transactions, it shall be reimbursed from the Trust Estate for all expenses to which it may be subjected by any such action.
- (c) Resignation of Investment Advisor. Any Investment Advisor may resign with respect to the trust established hereunder at any time by instrument signed by the Investment Advisor and delivered to the Grantor.
- (d) Removal of Investment Advisor. Donor shall have the right with the approval of the Trustee, exercisable by an instrument signed by her and delivered to the Trustee, to remove the Investment Advisor; provided that, the removal shall not be effective until a successor investment advisor has accepted his/her appointment as successor investment advisor.
- (e) Successor Investment Advisor. Donor by written notice to the Trustee shall designate an investment advisor registered under the Investment Advisors Act of 1940 and acceptable to the Trustee, to direct the Trustee with respect to all of the powers, rights, and investment directions contained in this Article.

19. **CONCLUSION AND ATTESTATION.** The undersigned attests that she executed this Trust instrument, and the terms thereof will bind, each donor and each Donor's successors and assigns, heirs and personal representatives, and any Trustee of the Trust. This instrument is to be effective upon the date first above written.

IN WITNESS WHEREOF, the Donor has hereunto set her hand and Daniel M. O'Keefe, Vice President and Trust Officer of SECURITY NATIONAL BANK & TRUST CO. OF SPRINGFIELD, OHIO, to evidence the Trustee's acceptance of the trusts herein expressed, has set its hand to this Trust at Springfield, Ohio, as of the day and year first above written.

WITNESSES:

[Signature]

Zoe Dell Nutter  
ZOE DELL NUTTER, DONOR

Rebecca K. Harmon

ATTEST:

SECURITY NATIONAL BANK &  
TRUST CO. OF SPRINGFIELD,  
OHIO, TRUSTEE

Mary S. Laddick

By: [Signature]  
Daniel M. O'Keefe, Vice President  
and Trust Officer

STATE OF OHIO,  
COUNTY OF GREENE, SS:

Before me, a Notary Public in and for said County and State, personally appeared the above named ZOE DELL NUTTER who acknowledged that she did sign the foregoing instrument and that the same is her voluntary act and deed. I further attest that ZOE DELL NUTTER appears to be of sound mind and not under duress, fraud, or undue influence.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Xenia, Ohio, this 18<sup>th</sup> day of December, 2001.

ROBT. A. MILLER, Attorney at Law  
Notary Public - State of Ohio  
My Commission has no expiration  
date. Section 147.03 O.R.C.

[Signature]  
NOTARY PUBLIC

STATE OF OHIO,  
COUNTY OF CLARK, SS:

Before me, a Notary Public in and for said County and State, personally appeared the above named Daniel M. O'Keefe, Vice President and Trust Officer of SECURITY NATIONAL BANK & TRUST CO. OF SPRINGFIELD, OHIO, who acknowledged that he did sign the foregoing instrument and that the same is his voluntary act and deed. I further attest that Daniel M. O'Keefe appears to be of sound mind and not under duress, fraud, or undue influence.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Springfield, Ohio, this 20<sup>th</sup> day of December, 2001.

Margaret E. Thornton  
NOTARY PUBLIC



MARGARET E. THORNTON  
Notary Public, State of Ohio  
My Commission Expires Oct. 2, 2006

**ACCEPTANCE BY TRUSTEE**

I acknowledge that I have been appointed as the Trustee of the ZOE DELL NUTTER CHARITABLE REMAINDER UNITRUST and I hereby evidence my acceptance of the office of Trustee and will hold and administer the Trust according to the provisions thereof and as required by law.

DATE: December 19<sup>th</sup>, 2001

**SECURITY NATIONAL BANK &  
TRUST CO. OF SPRINGFIELD,  
OHIO, TRUSTEE**

By: 

Daniel M. O'Keefe, Vice President  
and Trust Officer

SCHEDULE A

33133.787 shares/units TCW Galileo Funds Income & Growth (formerly Cowen Income and Growth Fund Class A) (COIGX)

3300 units Eaton Vance Ohio Muni Income Trust (EVO)

153 shares Key Corp. (KEY)

4000 ABN Amro Capital Preferred FDG Trust 7.5% (ABNPRA)

**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Corina Monzón, Airport Commission Secretary /s/  
**DATE:** October 22, 2020  
**SUBJECT:** Accept and Expend Resolution for gift of the Zoe Dell Nutter Charitable Remainder Unitrust – SFO Museum

**GIFT: From the Zoe Dell Nutter Charitable Remainder Unitrust for the purchase of objects for the SFO Museum collection not to exceed \$73,000**

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Attached please find the original\* and 1 copy of each of the following:

  x   Proposed grant resolution; original\* signed by Department, Mayor, Controller

  x   Grant information form, including disability checklist

  x   Grant budget

 n/a  Grant application

  x   Grant award letter from funding agency

 n/a  Ethics Form 126 (if applicable)

 n/a  Contracts, Leases/Agreements (if applicable)

 n/a  Other (Explain):

**Special Timeline Requirements:**

Anticipate receiving gift before the end of calendar year 2020

**Departmental representative to receive a copy of the adopted resolution:**

Name: Cathy Widener, Government Affairs Director    Phone: (650) 821-5023

Interoffice Mail Address: Airport

Certified copy required Yes ☐

No ☒

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

**From:** [Dyanna Quizon \(AIR\)](#)  
**To:** [BOS Legislation. \(BOS\)](#)  
**Cc:** [Cathy Widener \(AIR\)](#); [Corina Monzon \(AIR\)](#); [Carolyn Jayin \(AIR\)](#)  
**Subject:** BOS E-FILE SUBMITTAL: Airport Accept-and-Expend for \$73K Bequest  
**Date:** Monday, October 26, 2020 9:45:43 AM  
**Attachments:** [image001.png](#)  
[00. Grant Reso Cvr Memo and Chklist MUSEUM.docx](#)  
[01. BOS Reso Approving Bequest to SFO Museum - Draft 2.DOCX](#)  
[02. Grant Reso Info Form SFOM v3.docx](#)  
[03. Grant Budget SFOM.xlsx](#)  
[04. 20-0200 APPROVAL to Accept Cash Bequest Zoe Dell Nutter.pdf](#)  
[05. Gift Award Letter.pdf](#)  
[CRUT document and 4th Amendment\[9\].pdf](#)  
[04\\_CMP\\_201020\\_v.2.pdf](#)  
[RE E-APPROVAL REQUESTED Airport Accept-and-Expend for \\$73K Bequest.msg](#)  
[RE E-APPROVAL REQUESTED Airport Accept-and-Expend for \\$73K Bequest.msg](#)

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CITY AND COUNTY OF SAN  
FRANCISCO

AIRPORT COMMISSION

BOARD OF SUPERVISORS LEGISLATION

To: BOS Legislation  
Date: October 26, 2020

RE: Accept and Expend Gift - Zoe Dell Nutter Charitable  
Remainder Unitrust - SFO Museum Collection - not to  
exceed \$73,000

Attached is proposed legislation concerning approval of a  
charitable gift from the Zoe Dell Nutter Charitable Remainder  
Unitrust to the SFO Museum Collection.

The Airport Commission awarded the Lease by adopting Resolution  
No. 20-0200 on October 20, 2020.

The attachments for the Lease are listed below:

- Gift Cover Memo and Checklist;
- Board of Supervisors Resolution;
- Gift Info Form;
- Gift Budget;
- Approved Airport Commission Resolution No. 20-0200 with  
accompanying Director's Memorandum;
- Gift Award Letter;
- Museum Collection Management Policy; and
- Emails containing signatory e-approvals.

Contacts:

Cathy Widener, Governmental Affairs Administrator  
650-821-5023



**Dyanna Quizon** (*preferred pronouns: she/her/hers*)

Manager | Government Affairs

San Francisco International Airport | P.O. Box 8097 | San Francisco, CA 94128

Tel 650-821-4005 | [flysfo.com](https://www.flysfo.com)