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A/c Committee
file

ART COMMISSION CITY AND COUNTY OF SAN FRANCISCO

July 30, 1976

Ms. Betty Lim Guimaraes
Program Manager
Office of the Mayor
205 City Hall
San Francisco, California

(received from
Wm Clarke @
3/13/13 SAPE)

Dear Betty,

In response to your letter and the problems you pose - we have no answer.

As you know, we did try to straddle the fence and appease both sides - that is, we were willing to screen artists and make the validity of the Certificates contingent upon the provision of more spaces by the Board of Supervisors. At your request, we commenced screenings and apparently to everyone's dissatisfaction.

The problems you pose will be alleviated to some extent as a result of two projected actions.

1. The present legislation provides that work may be sold that is "handmade." The Art Commission has consistently maintained that the criteria should be as to whether they meet "art" standards - that is, whether the work is an "artistic" creation - and not simply handmade. If these people are street artists, then it must be presumed that they are artists selling on the street. A leather worker who buys a commercial design at a leather shop and then hand tools it is not an artist. Someone who executes a number painting is not an artist - even though both works are handmade, the designing of the piece is the creative element, and not the fact that it is handmade.

Deputy City Attorney Kenealy has stated that the Art Commission can establish standards. At the next regular meeting of the Art Commission, the Commission will be asked to empower the screening Advisory Committee to apply artistic judgment in determining the qualification of an applicant.

This should serve to eliminate a considerable number of vendors who simply buy commercial beads and string them together, etc.

2. The lottery is restricted to those holding valid Certificates. Unfortunately there is no policing of the streets to see

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to it that only certified artists are selling their wares. Recent action by the Board of Supervisors will permit us to hire an Inspector who will review work on the street in order to determine whether the seller is certified and whether the work sold is identical to that which was approved.

Should there be violations, the Inspector will communicate his findings to the Police Department which is the enforcement agency.

This action should also reduce, by a considerable amount, the number of vendors on the street.

Apart from this, our only two choices are to restrict the Certificates issued as done in the case of taxis or bars, or else provide more spaces for sales. Apparently neither choice is desirable or acceptable.

Sans these possibilities, I see no alternative but to absorb the heat. Even should there be action on the above proposals, there will be a considerable time lag before they become effective, and, in the interim, there is bound to be clamor for both - to screen and to restrict.

Sincerely,

Martin Snipper
Martin Snipper
Director