



# CITY OF NEWPORT BEACH CITY ARTS COMMISSION AGENDA

Civic Center Council Chambers  
100 Civic Center Drive, Newport Beach, CA 92660

Thursday, January 12, 2017 - 5:00 PM

## **City Arts Commission Members:**

Lynn Selich, Chair  
Michael Kerr, Vice Chair  
Jennifer Van Bergh, Secretary  
Michelle Bendetti, Commissioner  
Judy Chang, Commissioner  
Arlene Greer, Commissioner  
Caroline Logan, Commissioner

## **Staff Members:**

Tim Hetheron, Library Services Director  
Francine Jacome, Administrative Support Technician

The City Arts Commission special meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the special meeting City Arts Commission agenda be posted at least seventy-two (72) hours in advance of the meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the City Arts Commission. The Chair may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact Tim Hetheron, Library Services Director, at least forty-eight (48) hours prior of the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 717-3801 or [thetheron@newportbeachca.gov](mailto:thetheron@newportbeachca.gov).

## **NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT**

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the Library Services Department 24 hours prior to the scheduled meeting.

### **I. CALL MEETING TO ORDER**

### **II. ROLL CALL**

### **III. NOTICE TO THE PUBLIC**

*The City provides a yellow sign-in card to assist in the preparation of the minutes. The completion of the card is not required in order to address the City Arts Commission. If the optional sign-in card has been completed, it should be placed in the tray provided at the Staff table.*

*The City Arts Commission of Newport Beach welcomes and encourages community participation. Public comments are generally limited to three (3) minutes per person to allow everyone to speak. Written comments are encouraged as well. The City Arts Commission has the discretion to extend or shorten the time limit on agenda or non-agenda items. As a courtesy, please turn cell phones off or set them in the silent mode.*

### **IV. PUBLIC COMMENTS**

*Public comments are invited on agenda items. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The City Arts Commission has the discretion to extend or shorten the speakers' time limit on agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.*

**V. CONSENT CALENDAR**

*All matters listed under CONSENT CALENDAR are considered to be routine and will all be enacted by one motion in the form listed below. City Arts Commissioners have received detailed staff reports on each of the items recommending an action. There will be no separate discussion of these items prior to the time the City Arts Commission votes on the motion unless members of the City Arts Commission request specific items to be discussed and/or removed from the Consent Calendar for separate action. Members of the public who wish to discuss a Consent Calendar item should come forward to the lectern upon invitation by the Chair.*

**A. Approval of Minutes of the December 8, 2016, City Arts Commission Meeting****1. Draft of 12/08/2016 Minutes**

[01-12-2017 - City Arts Commission - 01 Draft of Minutes.pdf](#)

**B. Consent Calendar Items****2. Financial Report**

Review of financial information

[01-12-2017 - City Arts Commission - 02 Financial Report.pdf](#)

**3. Cultural Arts Activities**

Monthly review of cultural arts activities from the Library Administrative Office for upcoming Library and City arts events and services.

[01-12-2017 - City Arts Commission - 03 Staff Report Cultural Arts Activities.pdf](#)

**VI. CURRENT BUSINESS****A. Items for Review and Possible Action****4. McFadden Square Timeline Update**

Staff requests that the City Arts Commission review the McFadden Square Timeline, add notable City events to the chronology and recommend the timeline to City Council for approval.

[01-12-2017 - City Arts Commission - 04 Staff Report McFadden Square Timeline Update.pdf](#)

**5. Acceptance of Sphere 112**

The Art in Public Places Ad Hoc Subcommittee recommends that the sculpture *Sphere 112* remain sited in its present location, and that the Newport Beach Arts Foundation purchase the piece for donation to the City.

[01-12-2017 - City Arts Commission - 05 Staff Report Placement of Sphere 112.pdf](#)

[01-12-2017 - City Arts Commission - 06 ATTACHMENT Council Policy I-9 - Art in Public Places.pdf](#)

[01-12-2017 - City Arts Commission - 07 ATTACHMENT Council Policy I-11.pdf](#)

**6. Performing Arts Survey**

Staff requests the approval of a revised version of the performing arts survey incorporating the suggestions of the City Arts Commission.

[01-12-2017 - City Arts Commission - 06 Staff Report Performing Arts Community Survey with Revisions.pdf](#)

**B. Monthly Reports**

**7. Art in Public Places Ad Hoc Subcommittee**

Commissioner Arlene Greer, Commissioner Caroline Logan, Commissioner Jennifer Van Bergh

**8. Performing Arts Ad Hoc Subcommittee**

Commissioner Michelle Bendetti, Commissioner Arlene Greer, Commissioner Judy Chang

**9. Marketing & Communications Ad Hoc Subcommittee**

Commissioner Michelle Bendetti, Commissioner Lynn Selich

**10. Government Relations Ad Hoc Subcommittee**

Commissioner Lynn Selich, Commissioner Michael Kerr, Commissioner Jennifer Van Bergh

**11. Finance Ad Hoc Subcommittee**

Commissioner Michael Kerr, Commissioner Jennifer Van Bergh, Commissioner Lynn Selich

**VII. CITY ARTS COMMISSION ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)**

**VIII. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

*Public comments are invited and non-agenda items generally considered to be within the subject matter jurisdiction of the City Arts Commission. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The City Arts Commission has the discretion to extend or shorten the speakers' time limit on agenda or non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.*

**IX. ADJOURNMENT**

**Newport Beach City Arts Commission Regular Meeting Minutes  
Thursday, December 8, 2016  
Regular Meeting – 5:00 PM  
Friends Meeting Room, Central Library  
1000 Avocado Avenue  
Newport Beach, CA 92660**

**I. CALL MEETING TO ORDER – 5:00 PM**

**II. ROLL CALL**

Commissioners Present: Lynn Selich, Chair  
Michael Kerr, Vice Chair  
Jennifer Van Bergh, Secretary  
Michelle Bendetti  
Judy Chang  
Arlene Greer  
Caroline Logan

Commissioners Absent: None

Staff Present: Tim Hetheron, Library Services Director  
Elaine McMillion, Administrative Support Technician

**III. NOTICE TO THE PUBLIC**

**IV. PUBLIC COMMENTS**

None.

**V. CONSENT CALENDAR**

Chair Selich noted City Arts Commission presentations to the City Council were moved from January to March.

**A. Approval of Minutes of the November 10, 2016 City Arts Commission Meeting**

**1. Draft of 11/10/2016 Minutes**

Motion made by Commissioner Greer, seconded by Vice Chair Kerr, and carried (6-0-1-0), to approve the draft Minutes for the meeting of November 10, 2016 as presented.

AYES: Selich, Kerr, Van Bergh, Bendetti, Chang, Greer  
NOES: None  
ABSTENTIONS: Logan  
ABSENT: None

**B. Consent Calendar Items**

**2. Financial Report - *Review of financial information.***

Library Services Director Hetheron reported expenditure for maintenance of the Ben Carlson statue. Sufficient funds should be available for the juried art show.

In reply to Chair Selich's question, Library Services Director Hetheron advised that cleaning of the Ben Carlson statue occurred quarterly.

**3. Cultural Arts Activities - *Monthly review of cultural arts activities from the Library Administrative Office for upcoming Library and City arts events and services.***

Library Services Director Hetheron indicated more than 300 people attended *The Nutcracker* performance. Also, the lecture in conjunction with the aerial photography exhibit was well attended.

Chair Selich stated the Cows4Camp exhibit received positive media coverage and positive community reactions. The underwriting campaign would begin in January.

Motion made by Vice Chair Kerr, seconded by Commissioner Logan, and carried (7-0-0-0) to approve the Consent Calendar.

AYES:	Selich, Kerr, Van Bergh, Bendetti, Chang, Greer, Logan
NOES:	None
ABSTENTIONS:	None
ABSENT:	None

**VI. CURRENT BUSINESS**

**A. Items for Review and Possible Action**

**4. Performing Arts Community Survey – *Staff presents a template for a customer survey regarding the performing arts.***

Library Services Director Hetheron suggested Commissioners review the survey template and provide comments or suggestions. The survey would be placed on the Library and City websites, included in the weekly e-blast, and distributed at branches. A recent Library customer survey received 500 responses and provided good information.

Commissioner Logan suggested the question about the number of times attending a performing arts event include "in Orange County." The factors influencing a decision to attend a Concert on the Green should include food.

Chair Selich suggested two questions about number of events attended, one for events in Orange County and one for events in Newport Beach.

**5. Determine Date for 2017 Newport Beach Art Exhibition – *The Art in Public Places Ad Hoc Subcommittee recommends Saturday, June 17 as the date of the 2017 Newport Beach Art Exhibition.***

In response to Chair Selich's concerns, Library Services Director Hetherton indicated June 17 was early in the season; therefore, other events should not conflict with the Art Exhibition.

Chair Selich noted the Cows4Camp exhibit would end with the Art Exhibition.

Commissioner Greer noted Father's Day was June 18, so the two events could work together.

Motion made by Commissioner Greer, seconded by Commissioner Logan, and carried (7-0-0-0) to approve the proposed exhibition date.

AYES:	Selich, Kerr, Van Bergh, Bendetti, Chang, Greer, Logan
NOES:	None
ABSTENTIONS:	None
ABSENT:	None

Library Services Director Hetherton advised that calls for entries for the sculpture exhibition and the Art Exhibition would be released in January.

In reply to Chair Selich's questions, Library Services Director Hetherton hoped the timeline for the sculpture exhibition would remain the same even though the Request for Proposals was pending. Likely the interview panel would not be held; a determination could be made based on applications. The next phase of sculptures would be installed in August or September of 2017. The full complement of 20 sculptures would be complete in August 2018.

Chair Selich expressed concern that the initial program was to have 20 sculptures in place in 2017, with 10 sculptures rotating annually thereafter. She suggested the RFP call for 20 sculptures rather than 10 sculptures. Library Services Director Hetherton noted the funding would almost double for 20 sculptures in one RFP.

Chair Selich reported artists wanted to rotate their art in temporary exhibitions.

Commissioner Greer advised that the program was successful with ten sculptures. Installing ten rather than twenty in 2017 would be a cost savings. Publicity for the Art Exhibition should be released soon for publications with a six-month lead time.

**6. McFadden Square Timeline Update – *Staff recommends that the City Arts Commission review and recommend an updated McFadden Square timeline for City Council approval.***

Library Services Director Hetherton shared the background of McFadden Square, which had not been updated since its completion ten years previously. He provided a list of events that could be included.

Commissioners suggested including the opening of the Civic Center rotating Sculpture Garden in 2014, the donation of the Ben Carlson statute, donation of *Sphere 112*, the Balboa Island Centennial, the establishment of Concerts on the Green, the Pacific Symphony performance, dedication of parks, and many other events.

Don Webb related the history of McFadden Square. There were no criteria for determining which events to include. Events were engraved on stones and placed around the labyrinth. Sufficient space existed for events over the next 100 years.

Chair Selich recommended events through 2017 be included.

Mr. Webb explained that for a donation people could have their names engraved on tiles.

Chair Selich proposed a celebration of the tenth anniversary of McFadden Square and including additional events at McFadden Square. Vice Chair Kerr suggested inviting the public to propose events to be added. Chair Selich added that events not chosen for inclusion could be content for the Newport Beach Historical Society.

Commissioner Logan noted 2017 was also the 110th anniversary of Newport Beach.

Mr. Webb suggested compiling a guide of events that should be remembered 90 years into the future.

Commissioner Logan felt meeting with the Historical Society yearly would be a good way to keep the project updated.

Chair Selich and Mr. Webb discussed coordinating efforts of the three local historical organizations.

## **B. Monthly Reports**

### **7. Art in Public Places Ad Hoc Subcommittee – Commissioner Arlene Greer, Commissioner Caroline Logan, Commissioner Jennifer Van Bergh**

Commissioner Greer reported an exhibit of Mark Leysen's work opened December 1, and a reception was scheduled for December 15. The subcommittee would review the work of artists who expressed interest in exhibiting their work. Items for future discussion were a February exhibit, *Sphere 112*, and potential art for loan to the City.

### **8. Performing Arts Ad Hoc Subcommittee – Commissioner Michelle Bendetti, Commissioner Arlene Greer, Commissioner Judy Chang**

Commissioner Bendetti advised that the subcommittee decided to present the City Council with a reach plan and a realistic plan for the concert series early in 2017 so that acts could be booked.

Chair Selich suggested the subcommittee contact Pacific Symphony in January to obtain a date. Based on a date for Pacific Symphony, the subcommittee could plan the remaining concerts.

Commissioner Bendetti reported next steps were to determine a budget and the level of talent.

Chair Selich believed a higher level of talent would encourage corporate sponsorship. Vice Chair Kerr reported corporations typically made sponsorship decisions in January and February each year; therefore, Commissioners needed to approach corporations with information in January and February.

**9. Marketing & Communications Ad Hoc Subcommittee - Commissioner Michelle Bendetti, Commissioner Lynn Selich**

Chair Selich wanted to release press information for Cows4Camp in January. The subcommittee would also develop an underwriting package after the beginning of the year.

In response to Commissioner Van Bergh's inquiry, Library Services Director Hetherington indicated the City Arts Commission budget did not contain funds for a consultant to prepare fundraising materials. An alternative was a temporary employee funded through the Arts Foundation.

Commissioner Greer noted grants and marketing needed to be developed so that planning for events could move forward.

**10. Government Relations Ad Hoc Subcommittee - Commissioner Lynn Selich, Commissioner Michael Kerr, Commissioner Jennifer Van Bergh**

Vice Chair Kerr felt Commissioners should reach out to newly elected Council Members. Perhaps the City Arts Commission would have a role in the planning and administration of Museum House.

Chair Selich reported the City Arts Commission would make a presentation to the City Council after the first of the year, and a liaison would be assigned to the City Council.

**11. Finance Ad Hoc Subcommittee - Commissioner Michael Kerr, Commissioner Jennifer Van Bergh, Commissioner Lynn Selich**

Vice Chair Kerr recalled that the subcommittee was to discuss the possibility of planning with the Library Foundation.

**VII. CITY ARTS COMMISSION ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)**

Commissioner Greer requested acceptance of *Sphere 112* be placed on the January agenda.



**VIII. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Jim Mosher understood the City would accept the old library building on the condition that the Irvine Company remove all restrictions from it.

Pat Jorgensen, Newport Beach Art Foundation, was excited by the City Arts Commission's plans. Rex Brandt and the Marine Memorial should be included in McFadden Square. The Art Foundation was ready, willing and able to support the City Arts Commission. Many artists returned to Arts in the Park each year. Attendance at concerts had increased greatly. She was glad the City Arts Commission was planning to update McFadden Square.

**IX. ADJOURNMENT – 6:15 PM**

Chair Selich adjourned the meeting at 6:15 p.m.

Cultural Arts Division			2016-2017				
As of December 28, 2016							
ACCT #	ACCT NAME	BUDGET	DATE	VENDOR	EXPENSES	BALANCE	NOTES
	<b>Programming</b>	<b>95,000</b>					
	<i>including Pacific</i>		07/06	Alliant Insurance	1,358	93,642	Concert Series
	<i>Symphony funding</i>		07/06	Triskelion Event	2,559	91,083	July Concert
			07/06	Rettich David	3,250	87,833	July Concert
			07/27	Rumors	3,250	84,583	August Concert
			07/27	Triskelion Event	2,559	82,024	August Concert
			08/10	Triskelion Event	2,559	79,465	September Concert
			08/10	Joshua Schreiber	3,250	76,215	September Concert
			08/16	Billy Mitchell	250	75,965	Symphony Concert
			08/16	Alliant Insurance	489	75,476	Symphony Concert
			08/16	ABM Janitorial	240	75,236	July Concert
			08/12	Staff Overtime	345	74,891	July Concert
			08/26	Staff Overtime	580	74,311	Symphony Concert
			08/31	Suzannes Catering	2,402	71,909	Symphony Concert
			08/31	Signature Party Rental	20	71,889	Symphony Concert
			08/31	Signature Party Rental	864	71,025	Symphony Concert
			08/31	ABM Janitorial	480	70,545	Symphony & Aug. Concert
			09/06	Office Depot	34	70,511	Symphony Concert
			09/06	Pacific Symphomy	50,000	20,511	Symphony Concert
			09/14	Firebrand Media	160	20,351	July Concert
			09/26	Firebrand Media	160	20,191	August Concert
			09/26	Firebrand Media	160	20,031	September Concert
			09/26	Smart Levels Media	886	19,145	Concert Series
			09/26	4Imprint	241	18,904	Symphony Concert
			09/09	Staff Overtime	464	18,440	August Concert
			09/23	Staff Overtime	464	17,976	September Concert
			10/04	ABM Janitorial	240	17,736	September Concert
			10/10	CNB - Police	598	17,138	Concert Series
			10/10	CNB - Police	523	16,615	Concert Series
			10/04	Balboa Island Assc	200	16,415	Centennial Concert
			10/25	Petty Cash	28	16,387	Concert Series
			10/27	Alliant Insurance	1,213	15,174	Event Insurance
			11/15	Los Angeles Times	342	14,832	Advertisement
				Misc. Credit Card	363	14,469	
			12/09	Petty Cash	11	14,458	
	<b>TOTAL</b>					<b>14,458</b>	
	<b>Professional Services</b>	<b>40,000</b>					
			07/14	Alan Scott	288	39,712	Real Heroes Installation
			07/14	AnnChatillon	410	39,302	Photo Service Symphony Concert
			08/08	Dinnwiddie Events	600	38,702	Symphony Concert
			08/15	Executive Events	525	38,177	Symphony Concert
			08/16	TAVD Visual	297	37,880	Transcription Service
			09/09	Sterling OC Enterprise	410	37,470	Symphony Concert - Light
			09/06	TAVD Visual	605	36,865	
			09/06	Dinnwiddie Events	610	36,255	Symphony Concert
			09/14	Sound Fusion	1,000	35,255	Concerts
			09/06	Loren Lillestrand	4,647	30,608	Consulting Service
			10/06	Crown Building Serv	1,968	28,640	Statue Cleaning (Ben Carlson)
			10/10	Pacific Symphony	1,997	26,643	Symphony Concert
			10/04	TAVD Visual	338	26,305	Transcription Service
			10/12	Arts OC	21,582	4,723	Sculpture De-Installation
			11/15	TAVD Visual	266	4,457	Transcription Service
			11/17	Crown Building Serv	656	3,801	Statue Cleaning (Ben Carlson)
			12/05	Alan Scott	350	3,451	Mark Leysen Installation
			12/05	TAVD Visual	194	3,257	Transcription Service
	<b>TOTAL</b>					<b>3,257</b>	

Cultural Arts Division		2016-2017					
As of December 28, 2016							
ACCT #	ACCT NAME	BUDGET	DATE	VENDOR	EXPENSES	BALANCE	NOTES
	<b>City Grants</b>	<b>40,000</b>					
			12/09	Balboa Island Museum	1,500	38,500	
				N.B. Film Festival	8,000	30,500	
				Baroque Music Festival	2,500	28,000	
				S. Coast Rep Theater	3,000	25,000	
				Festival Ballet	5,500	19,500	
				OC Museum of Art	10,000	9,500	
				Balboa Isl Improve Assn	1,000	8,500	
				Pacific Symphony	4,500	4,000	
				Backhausdance	4,000	0	
	<b>TOTAL</b>					<b>0</b>	
	<b>Sculpture Garden</b>	<b>24,661</b>					
			09/06	Matthew Babcock	1,845	22,816	Contract Payment
			09/06	Curt Brill	2,400	20,416	Contract Payment
			09/06	David Buckingham	1,250	19,166	Contract Payment
			09/06	Nadler Arnold	3,113	16,053	Contract Payment
			09/06	Ray Katz	2,855	13,198	Contract Payment
			09/06	Jonathan Prince	3,000	10,198	Contract Payment
			09/06	Jennifer Cecere	3,000	7,198	Contract Payment
			09/06	Gerardo Martinez	3,000	4,198	Contract Payment
			09/06	Rench Christopher	2,948	1,250	Contract Payment
			09/06	Ivan McClean	1,250	0	Contract Payment
	<b>TOTAL</b>					<b>0</b>	

**TO** Newport Beach City Arts Commission

**FROM:** Library Services Department  
Tim Hetherton, Library Services Director  
949-717-3810, [thetherton@newportbeachca.gov](mailto:thetherton@newportbeachca.gov)

**PREPARED BY:** Tim Hetherton

**TITLE:** Cultural Arts Activities for December 2016

---

**Transitions:** Artist Mark Leysen hosted a reception at the Central Library on December 15 at 7 p.m. Mr. Leysen provided an overview of his work. Over 20 of Mr. Leysen's paintings are on display at the Central Library.



Mark Leysen is an Orange County artist whose paintings are rooted in abstract expressionism. His strong sense of color and rhythm shapes the compositions, while the more formal aspects of geometric forms give balance and harmony.

Leysen earned Bachelors and Masters Degrees in painting and drawing from California State University, Fullerton. His art has been exhibited throughout California and Mexico in various group and one-person exhibitions, including; the UCLA Hammer Museum, the San Bernardino Museum, the Laguna Art Museum, Orange County Museum of Art, the Irvine Fine Arts Center, Chapman University, Museo de Arte in Queretaro, Mexico, California State University at Fullerton, the Los Angeles County Museum ARS Gallery, and Grand Central Art Center in Santa Ana.

The art exhibit is titled "Transitions" and will be on display on both levels of the Central Library from December 5 through January 27.

**The Nutcracker:** The City Arts Commission presented two packed performances of the Nutcracker by Festival Ballet Theatre at the Central Library. The Nutcracker for Kids has become a popular tradition for many families, and as the only free performance in Orange County, it is a wonderful introduction to ballet and music for young children. Saturday's performances were no exception. The community turned out to see the shortened version which captured the magic and spirit of live theatre for hundreds of children and their parents.



**TO** Newport Beach City Arts Commission

**FROM:** Library Services Department  
Tim Hetherton, Library Services Director  
949-717-3810, [thetherton@newportbeachca.gov](mailto:thetherton@newportbeachca.gov)

**PREPARED BY:** Tim Hetherton

**TITLE:** McFadden Square Timeline Update

---

**RECOMMENDATION:**

Staff requests that the City Arts Commission review the McFadden Square Timeline, add notable City events to the chronology and recommend the timeline to City Council for approval.

**DISCUSSION:**

McFadden Square is a public art project situated at the Newport Pier.

In 2006, Newport Beach-based landscape architectural design firm Peridian International, in collaboration with the City Arts Commission, centered the design of the project around a labyrinth, including a walking path that traces the 100-year history of Newport Beach with markers of significant events surrounded by benches. The focal point of the project is a bronze sphere sculpture depicting natural scenes of the community, commemorating the heritage of Newport Beach, and recognizing Centennial sponsors and community donors.

The chronology of the City on the path has not been updated since 2006. As the governmental body tasked to maintain the historical aspects of the community, it is appropriate for the City Arts Commission to recommend updates to the timeline to City Council.

Suggested updates include:

- 2007: Newport Coast Community Center opens; Fire Station # 7 opens in Santa Ana Heights
- 2010: Oasis Senior Center Facility dedicated
- 2012: Coastline Community College Campus & Art Gallery established on Monrovia Street
- 2013: City Hall moved to Newport Center as part of 20-acre Civic Center project
- 2014: Sunset Ridge Park opens as West Newport's first sports park
- 2015: Marina Park opens with community room, sailing facility and visitor's marina
- 2016: Local Sailors, Bill Ficker & Dave Ullman, inducted into Sailing Hall of Fame

**NOTICING:**

This agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Arts Commission considers the item).

**TO** Newport Beach City Arts Commission

**FROM:** Library Services Department  
Tim Hetherton, Library Services Director  
949-717-3810, [thetherton@newportbeachca.gov](mailto:thetherton@newportbeachca.gov)

**PREPARED BY:** Tim Hetherton

**TITLE:** Placement of *Sphere 112*

---

**ABSTRACT:**

*Sphere 112* is one of the works featured in Phase I of the Inaugural Newport Beach Sculpture Exhibition in Civic Center Park. The Newport Beach Arts Foundation has offered to purchase the piece and donate it to the City. At their April 2016 meeting, the City Arts Commission approved the acceptance of the piece into the City Art inventory. On June 7, 2016, the Parks, Beaches, and Recreation Commission at their Regular Meeting agreed to permanently site the piece in Civic Center Park, per the guidelines in Council Policy I-11, *Acquisition of Art by the City of Newport Beach*. At the June 28, 2016 regular meeting, Council directed the City Arts Commission to evaluate other sites, as well as the present site, for the permanent location of the piece.

**RECOMMENDATION:**

The Art in Public Places Ad Hoc Subcommittee recommends that the sculpture *Sphere 112* remain sited in its present location, and that the Newport Beach Arts Foundation purchase the piece for donation to the City.

**FUNDING REQUIREMENTS:**

*Sphere 112* will be purchased privately by the Newport Beach Arts Foundation at a cost of \$15,000 and donated to the City. Maintenance, estimated at \$250.00 annually, will be expensed from Cultural Arts account # 10160603-811008, Professional and Technical Services.

**DISCUSSION:**

*Sphere 112* by Ivan McLean is one of the works featured in Phase I of the Inaugural Newport Beach Sculpture Exhibition in Civic Center Park. The piece was named for the size of its diameter, 112 inches. Mr. McLean assembled the piece from stainless steel rods of various shapes and sizes selected randomly and welded together. Currently installed adjacent to Avocado Avenue just north of the intersection with San Miguel Drive, *Sphere 112* was voted as the People's Choice for best sculpture at the Grand Opening of the Sculpture Exhibition in Civic Center Park on September 13, 2014. Mr. McLean is an acclaimed sculptor who has many examples of public and private art on display throughout the country.

The Newport Beach Arts Foundation, upon City Arts Commission approval, has expressed interest in purchasing *Sphere 112* and donating it to the City.

An initial concern, however, was the durability of the piece in Newport Beach's coastal environment. cursory inspection in January 2015 revealed that the piece had oxidization present where the stainless steel rods were welded together as well as some oxidation on the rods themselves. Discussions with the sculptor, Ivan McLean, indicate that *Sphere 112* was fabricated from 304 grade stainless steel which is durable in most situations but does not fare well in a corrosive marine environment. In response to this concern, the City Arts Commission in March 2015 agreed to authorize Mr. McLean to create, at his own cost, a replacement piece for *Sphere 112* with a similar piece fabricated from the more durable marine grade 316 stainless steel. The refabricated piece was installed in December 2015.

The City Arts Commission in January 2016 listed the purchase of *Sphere 112* as a potential funding opportunity for the Newport Beach Arts Foundation on the condition that the replacement piece demonstrated that it was resistant to oxidization. Staff has monitored the condition of *Sphere 112* closely, and the replacement piece has fared well through the rainy season, with no signs of oxidization.

The piece meets the criteria as established in Council Policy I-9, *Art in Public Places* and Council Policy I-11, *Acquisition of Art by the City of Newport Beach*). The Art in Public Places Ad Hoc Subcommittee has reviewed the Application for the Review and Consideration of Art submitted by Mrs. Carmen Smith of the Newport Beach Arts Foundation and has approved the acceptance of the donation.

At their June meeting, the Parks, Beaches, and Recreation Commission agreed to allow the placement of the piece in Civic Center Park, per Council Policy I-11, which requires the City Arts Commission to advise the City Council regarding appropriate sites and locations in the City for the display of Art, in conjunction with the City commission, committee, board and/or department which has responsibility for planning or maintaining the proposed location.

At the June 28, 2016 City Council regular meeting, the City Arts Commission recommended that the City accept the donation from the Newport Beach Arts Foundation and permanently site the piece as its present location in Civic Center Park. City Council expressed some concern about using Civic Center Park as a permanent location since the Park was designed to be a site for rotating exhibitions of sculpture. City Council directed the City Arts Commission to provide recommendations on alternative locations for the sculpture, while still considering the current placement of the sculpture as a potential location.

In response to Council direction, the City Arts Commission recommends that the sculpture *Sphere 112* remain sited in its present location. The Art in Public Places Ad Hoc Subcommittee believes that the piece works well in its present location. The piece was originally sited in 2014 by Rebecca Ansert Ehemann of Green Public Art Consulting ([greenpublicart.com/about/](http://greenpublicart.com/about/)), so an element of professional expertise was applied when the piece was installed for exhibition.

Moreover, the piece can be relocated at a later date should a superior site be identified. Council Policy I-9 provides guidance on storage, re-location, and de-accession: "Art accepted into the City collection by the City Council is accepted with the understanding that the City Council reserves the right to place the Art on public display on either a permanent or temporary basis, and to store the Art when not on display. Acceptance of Art by the City Council does not



guarantee that the Art will be displayed in perpetuity. The City Council may sell, donate or otherwise remove any Art in the City collection. Any proceeds received by the City from the transfer of Art shall be expended to acquire, restore or display Art.”

Should the City Arts Commission move to approve the recommendation, the item will go to City Council for approval. After approval, the Newport Beach Arts Foundation can purchase the piece for donation to the City.

**NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

**ATTACHMENTS:**

Council Policy I-9

Council Policy I-11

ART IN PUBLIC PLACES

- A. The City of Newport Beach recognizes the importance and desirability of enhancing and beautifying the public places within the City, by acquiring and displaying publicly accessible works of art for the cultural benefit of the City, its citizens and its visitors.
- B. The City seeks to involve professional artists in City planning and design projects; to integrate artworks in City capital improvement projects; and to commission and/or purchase new artworks for public places.
- C. Public art can include but is not limited to permanent and temporary sculpture, murals, as well as artist-designed fountains, mosaics and tile work, banners, park benches and other street furniture, water features, bus shelters, streetlights and lanterns, kiosks, retaining walls, and/or hardscape treatments.
- D. The responsibility of the Arts Commission is to:
  - 1. Identify and assess potential Art in Public Places projects and sites;
  - 2. Confer with other Boards and Commissions that may be impacted by the recommended list of art projects;
  - 3. Make appropriate recommendations to City Council;
  - 4. Participate in the selection of artists for Art in Public Places projects;
  - 5. Plan and oversee the artistic design process;
  - 6. Work with appropriate City Departments to ensure correct installation at the site and long term maintenance and conservation of the art work.
- E. The Arts Commission shall consider the following criteria in making recommendation for an Art in Public Places project:
  - 1. The aesthetic concept, quality, scale, and form of the work of art, and its appropriateness for the site;
  - 2. A site that is easily visible and/or accessible to the general public;

3. The experience, skill and ability of the artist to produce the work of art;
  4. The proper medium for the work of art, considering durability against vandalism, theft and weather, and the safety of the viewer;
  5. The cost for the City to acquire, install and maintain the work of art;
  6. No art objects will be considered that are mass-produced from a standard design, are reproductions of original art work, and/or are decorative or functional elements that are designed by an architect as opposed to the project artist.
  7. Temporary art may be acquired and placed through the same procedures as permanent works.
- F. From time to time, the Arts Commission may submit to the City Manager's Office a list of projects with estimated costs. Said list is to be considered in the preparation of the next fiscal year budget. Funding for this program shall be determined by the City Council, and may be derived from the City Art in Public Places Reserve Fund, Arts Commission events, the Newport Beach Arts Foundation, private individual, corporate and foundation donations; government grants, other City funds, and/or voluntary participation by private developers.
- G. In addition, to maintain the artistic integrity of designated Art in Public Places sites/works, the Arts Commission shall review any future modifications, relocation, repairs, and/or replacement of parts or works at these sites. The Arts Commission shall consult with the original artist if possible or a recognized expert in the field, and shall then make the appropriate recommendation for modification to the City Council.

**Adopted - September 8, 1986**

**Reaffirmed - January 24, 1994**

**Amended - May 26, 1998**

**Amended & Reassigned - April 8, 2003**

**Formerly I-18**

ACQUISITION OF ART BY THE CITY OF NEWPORT BEACH

- A. The City of Newport Beach ("City") believes that paintings, sculptures, drawings and other art (collectively, "Art") placed on City property and in City buildings increases the aesthetic appeal and beauty of such property and buildings, and of the City in general.
- B. All proposals to donate, exhibit, loan, sell or commission Art to the City (collectively, "Convey(s)," "Conveyed," "Conveying" or "Conveyance") shall be reviewed by the Arts Commission for recommendation to the City Council.
- C. The Arts Commission shall be responsible to:
1. Confer with persons who have offered to Convey Art to the City, informing them of this policy, including criteria for approving Art and the policies, criteria and approval process.
  2. Advise the City Council of the artistic merit and value of Art offered to the City.
  3. Advise the City Council regarding appropriate City property or City buildings for display of Art, in conjunction with the City commission, committee, board and/or department which has responsibility for planning or maintaining the proposed location.
- D. The Arts Commission shall consider the following criteria in making a recommendation for accepting an offer to Convey Art to the City:
1. The Art should be an original creation or a limited edition by the original artist, and be of the highest quality and level of artistic excellence.
  2. The Art should add to the balanced inventory of the City's collection, representing a variety of style, design and media.
  3. The person(s) seeking to Convey Art to the City shall complete all required forms, as provided by the Library Services Department.
  4. The Art should be of satisfactory physical condition, be sufficiently durable as to not be easily damaged or destroyed, should not require restoration or extensive long term conservation, and should be of a physical size and weight that the Art can be managed in storage, transport and public display without difficulty. Art requiring restoration may only

be considered with full disclosure of the restoration costs provided by a licensed art appraiser.

5. The Art should be consistent with and relevant to the civic interests and broad variety of tastes within the Newport Beach community.
- E. Art may only be recommended by the Arts Commission to the City Council for acceptance upon the majority vote of the Arts Commission.
- F. Art accepted into the City collection by the City Council is accepted with the understanding that the City Council reserves the right to place the Art on public display on either a permanent or temporary basis, and to store the Art when not on display. Acceptance of Art by the City Council does not guarantee that the Art will be displayed in perpetuity. The City Council may sell, donate or otherwise remove any Art in the City collection. Any proceeds received by the City from the transfer of Art shall be expended to acquire, restore or display Art.
- G. Art considered for inclusion in the City's collection must conform to City Council Policy I-9 (Art in Public Places).
- H. The City does not provide valuations or appraisals of Art Conveyed to the City. The value of Art should be presented by the person(s) Conveying Art to the City at the time of Conveyance. It is the responsibility of the person(s) Conveying Art to the City to furnish a valuation to the appropriate government tax agency.
- I. The person(s) Conveying Art to the City shall obtain all intellectual and photographic property rights to the Art and transfer such rights to the City. The City reserves the right to photograph Art for any and all purposes, including, but not limited to, publicity and informational literature.
- J. Any person(s) that Conveys Art to the City shall represent and warrant in writing that it owns the Art and that the Art shall be Conveyed to the City free and clear of all liens, restrictions, security interests or agreements by which the City would be bound, but subject to all laws generally applicable to the transfer of title of any work of Art.
- K. Subject to compliance with California Civil Code Section 987, the City shall assume no liability in the event of loss or damage to any Art accepted into the City's collection.

**Adopted- February 24, 1986**  
**Reaffirmed-January 24, 1994**  
**Amended & Reassigned-April 8, 2003**  
**Amended - May 12, 2015**

**Formerly F-23**  
**Formerly I-13**

**TO** Newport Beach City Arts Commission

**FROM:** Library Services Department  
Tim Hetherton, Library Services Director  
949-717-3810, [thetherton@newportbeachca.gov](mailto:thetherton@newportbeachca.gov)

**PREPARED BY:** Tim Hetherton

**TITLE:** Performing Arts Community Survey

---

**RECOMMENDATION:**

Staff requests that the City Arts Commission review the attached survey, make suggested revisions and approve the survey for dissemination.

**DISCUSSION:**

At the November meeting of the City Arts Commission, members of the Commission requested that staff prepare a survey to gauge the public's interest in the Commission's performing arts programming in the annual Concerts on the Green series. A survey also presents the opportunity to query the public about Arts Commission marketing, and art consumption in the City. In response, staff created the following survey:

**The City of Newport Beach's summer concert series, Concerts on the Green may provide an opportunity for residents and guests to attend live performances of music, dance or theatre.**

**Do you attend the annual Concerts on the Green? (Mark one) \***

Yes, every concert       At least one concert       No

**What type of performances are you interested in? (Mark one for each)**

	Very Interested	Somewhat Interested	Not Interested
a. rock concerts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. jazz concerts	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
c. musical theatre performances such as Broadway shows	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. opera performances	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. ballet/dance performances	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
f. classical music concerts	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Approximately, how many times did you attend any of the following performing arts events over the last 3 months? (Enter a number for each statement)

Attend stage plays

Attend jazz concerts

Attend ballet performances

Attend musical theatre performances such as Broadway shows

Attend rock concerts

Attend classical music concerts

Attend opera performances

Other

Approximately, how many times did you attend performing arts events over the last 3 months?  
(Enter a number for each statement)

In Orange County?

In Newport Beach?



**How do you find out about City arts?  
(Mark all that apply)**

Newspaper

Magazine

Radio

Television

Internet

Outdoor Advertisement

Other

**Typically, how far in advance do you plan leisure activities like going out to live performances?  
(Mark one)**

The day of the event

One week beforehand

Two weeks beforehand

A month beforehand

Two months beforehand

Other

**How influential are each of the following factors on your decision to attend the Concerts on the Green? (Mark one for each)**

	Very Influential	Somewhat Influential	Neutral	Not At All Influential
a. Knowing if you can get good seats	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. The day and time of the performance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Transportation arrangements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
d. Convenience of parking	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Safety concerns	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Whether or not your spouse or partner wants to go	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. If it's an activity for the whole family	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h. If a friend invites you to go with him/her	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i. If you can go out for dinner or drinks before or after	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j. Whether or not you have a special occasion to celebrate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
k. The specific works to be performed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
l. The likelihood of a high quality performance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
m. The availability of food and drink	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>

**NOTICING:**

This agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Arts Commission considers the item).