

TO: CITY ARTS COMMISSION

FROM: Cultural Arts Division, Library Services Department
Tim Hetherton, Library Services Director
949-717-3810, thetherton@newportbeachca.gov

PREPARED BY: Tim Hetherton

TITLE: Sculpture Exhibition in Civic Center Park – selection of an alternate and response to Council direction.

RECOMMENDATION:

Staff recommends that the City Arts Commission:

1. Select an alternate piece to recommend to City Council to replace *Loomings*;
2. Place *La Cage Aux Folles* away from the driveway and foot path;
3. Place *Re-cycled* in a site in which glare will not affect the homes or motorists across MacArthur Blvd.

DISCUSSION:

At the June 23 regular Meeting, City Council approved the pieces recommended by the City Arts Commission but also directed City staff to review the selections from a liability perspective and determine if a selection should be replaced with an alternate.

The City Attorney's office and Risk Management have reviewed each of the proposed pieces for Phase 2 of the Sculpture Exhibition in Civic Center Park. They advise that each sculpture, like the pieces in Phase 1, should have signage instructing viewers not to climb or hang on the artwork.

In addition, they advise that William Bennett's *Loomings* should not be included in the exhibition because of safety issues. The main concerns about the piece are the features that have sharp edges or points. In addition, City staff feels that situating the piece in close proximity to a steep slope is a safety concern. The piece also invites interaction and it may prove difficult to dissuade viewers, particularly juveniles, from sitting or climbing on the piece despite signage prohibiting this behavior.

In place of *Loomings*, the Sculpture Exhibition in Civic Center Park Ad Hoc Subcommittee recommends Kenneth Capps' *Act/Equator z360* for City Arts Commission approval.

City staff asserts that Warren Techentin's *La Cage Aux Folles* is an acceptable piece to include in the exhibition, with two caveats:

1. The piece should be moved further away from both the foot path and the driveway. The Photoshopped rendition of the piece in situ depicts the piece much closer to the foot path and

the driveway than the site recommended by City staff from Municipal Operations. The concern is that viewers may be forced to stand too close to the driveway which is the main entrance/exit by automobile into the Civic Center;

2. The piece should be rotated so that the part of the sculpture that flares outward (see photo excerpt) is redirected away from both the footpath and the driveway:



This part of the sculpture implies an entry point to access the interior of the piece. As for climbing on the piece in general, sculptor Warren Techentin states in his letter that climbing on the piece was only allowed in the presence of two on-site supervisors.

Lastly, City staff recommends that the piece *Re-cycled* be moved to a location further down from the proposed site near the dog park. The concern over this piece is that it may reflect glare to both the homeowners and to drivers on MacArthur Blvd. A very similar spot closer to the tables and benches where the view from MacArthur is obscured by trees and bushes is a potential replacement site. This space is very similar to the initial spot, with the proposed placement of the piece on the footpath.

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).