



# CITY OF NEWPORT BEACH CITY ARTS COMMISSION SPECIAL MEETING AGENDA

Friends Meeting Room, Central Library  
1000 Avocado Avenue, Newport Beach, CA 92660

Saturday, August 13, 2016 - 9:00 AM

## **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 twenty-four (24) 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, 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. CURRENT BUSINESS**

**A. Items for Review and Possible Action****1. Acceptance of the Sculpture Sunset Years into the City Art Inventory and Site Placement Recommendation**

The Fine Arts Ad Hoc Subcommittee requests that the City Arts Commission recommend that the City Council accept the work into the City Arts inventory and approve its placement at the end of Turquoise Avenue on Balboa Island.

[08-13-2016 - City Arts Commission - 01 Staff Report - Acceptance of Sculpture Sunset Years Into the City Art Inventory.pdf](#)

[08-13-2016 - City Arts Commission - 02 ATTACHMENT A - Images of Balboa Island Sculpture by Baker and Jones.pdf](#)

[08-13-2016 - City Arts Commission - 03 ATTACHMENT B - Proposed Site for Sunset Years.pdf](#)

[08-13-2016 - City Arts Commission - 04 ATTACHMENT C Council Policy I-9 Art in Public Places.pdf](#)

[08-13-2016 - City Arts Commission - 05 ATTACHMENT D Council Policy I-11 Donation of Art to City of Newport Beach.pdf](#)

**VI. STUDY SESSION****2. City Arts Commission Strategic Planning Session**

Loren Lillestrand of Lillestrand Leadership Consulting will facilitate a strategic planning session. The Commission will discuss mission and vision statements, as well as values. Other topics for the retreat include a programming plan, budget, committees, funding sources, the role of the Newport Beach Arts Foundation, and collaborations with the private sector, schools, local arts organizations, and City departments.

**VII. RECESS AT APPROXIMATELY 12:00PM****VIII. RECONVENE TO RESUME STUDY SESSION****IX. ROLL CALL****X. NOTICE TO THE PUBLIC****XI. STUDY SESSION RESUMES****VII. 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.*

**VIII. ADJOURNMENT**

**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:** Acceptance of Sculpture *Sunset Years* into the City Art Inventory

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**ABSTRACT:**

Sculptors Miriam Baker and Rhonda Jones, with support from the Balboa Island Improvement Association have offered to donate the sculpture *Sunset Years* to the City of Newport Beach. The piece satisfies the criteria of Council Policies I-9, Art in Public Places, and I-11, Donation of Art to City of Newport Beach. The sculpture, which is estimated to have a cost of \$50,000, is being funded through private donations.

**RECOMMENDATION:**

The Fine Arts Ad Hoc Subcommittee requests that the City Arts Commission recommend that the City Council accept the work into the City Arts inventory.

**FUNDING REQUIREMENTS:**

The cost of the sculpture and its shipping and installation will be paid for through private donations to the Balboa Island Improvement Association. The long term maintenance and conservation of the art work is estimated at \$250.00 annually and will be covered by Account No. 4002-8160, "Maintenance and Repair".

**DISCUSSION:**

Sculptors Miriam Baker and Rhonda Jones, with support from the Balboa Island Improvement Association, have offered to donate *Sunset Years* to the City of Newport Beach (see ATTACHMENT A for photos of the maquette). The piece, created by Ms. Baker and fellow artist Rhonda Jones, is a representational life-size bronze of an elderly couple seated on a bench enjoying the sunset. The piece is meant to serve as an appreciation and celebration of Balboa Island life. The finished work will weigh between 400 and 500lbs. and measure 47" high by 33" wide by 30" deep. The work will also serve as a functional bench, which will be situated at the end of Turquoise Avenue on a view point facing the peninsula (see ATTACHMENT B). *Sunset Years* is expected to be completed in time to be dedicated at the Balboa Island Centennial Celebration on September 18, 2016.

Miriam Baker is a sculptor and Balboa Island resident. Ms. Baker's initial studies were at the Chicago Academy of Fine Art and the Art Institute of Chicago. Later, she studied painting with Vincent Farrell and Frank Tauriello. Her formal training as a sculptor also includes studies at Golden West College with Darrell Ebert; master classes at the Scottsdale Artist School with Bruno Lucchesi, Richard Macdonald, and Blair Buswell; and in numerous workshops with Paul Lucchesi in Pietrasanti, Italy and the Artist's

League in Virginia. She has also enjoyed a long career as an interior designer. In 2011, Ms. Baker was commissioned by the city of Newport Beach to sculpt a life-sized bronze figure of the late President Ronald Reagan. This piece is currently situated in Bonita Canyon Sports Park.

Rhonda Jones has studied art at Golden West and Orange Coast Colleges, and has participated in workshops with Paul Lucchesi, Blair Buswell, Stanley Bleifeld, John Coleman, Eugene Daubs and the Artist's League in Virginia. Ms. Jones owns and operates a private studio in Huntington Beach. She has had her work exhibited at Keller Fine Art in Palm Desert, the Anaheim Museum, the National Sculpture Society in New York, the Scottsdale Artist's School, Palm Springs Desert Museum, Long Beach Playhouse Gallery, and the San Bernardino County Museum of Art, among many others.

In order to recommend the gift for acceptance, the City Arts Commission is required to ensure that the gift meets the criteria of Council Policies I-9, *Art in Public Places* (ATTACHMENT C), and I-11, *Donation of Art to City of Newport Beach* (ATTACHMENT D).

The Fine Arts Ad Hoc Subcommittee advises the City Arts Commission that *Sunset Years* meets these criteria. Ms. Baker and Ms. Jones have proven track records that demonstrate their experience, skill and ability as artists. The aesthetic concept, quality, scale, and form of *Sunset Years*, and its appropriateness for the site, satisfy Council Policies I-9 and I-11. The proposed location for *Sunset Years* is on a site that is easily visible and accessible to the general public. Its placement near the public pathway ensures that the work will receive a great deal of exposure to both residents and guests. For a part of the summer, there are skiff racks that obstruct the view from the bench across the bay. The skiff racks are only there during the year when the Balboa Island Yacht Club (a youth sailing group) is active. The rest of the year it is clear. Mr. Lee Pearl of the Balboa Island Improvement Association and artist Miriam Baker approve of the site placement. Mr. Pearl feels that since boating is a such an essential element of island life, residents and visitors will enjoy seeing both the work of art and boating activities. The cost associated with acquiring and installing the piece is provided through private fundraising. *Sunset Years* is a hand-made original creation: it was not mass-produced from a standard design, nor is it a reproduction of an original art work. The work is solely the creation of the project artists. It adds significantly to the balanced inventory of the City's collection, representing a variety of style, design and media. The piece is consistent with and relevant to the civic interests and broad variety of tastes within the Newport Beach community and particularly Balboa Island, as evidenced by the strong private fundraising effort for the project.

The Fine Arts Ad Hoc Subcommittee has considered these criteria and requests that the City Arts Commission accept the work into the City Arts inventory. Pending City Arts Commission approval, the item will go to City Council for approval at the September 13 Regular Meeting.

**ATTACHMENT A:** Images of *Sunset Years* maquette

**ATTACHMENT B:** Proposed site of *Sunset Years*

**ATTACHMENT C:** Council Policy I-9, *Art in Public Places*

**ATTACHMENT D:** Council Policy I-11, *Donation of Art to City of Newport Beach*

**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).

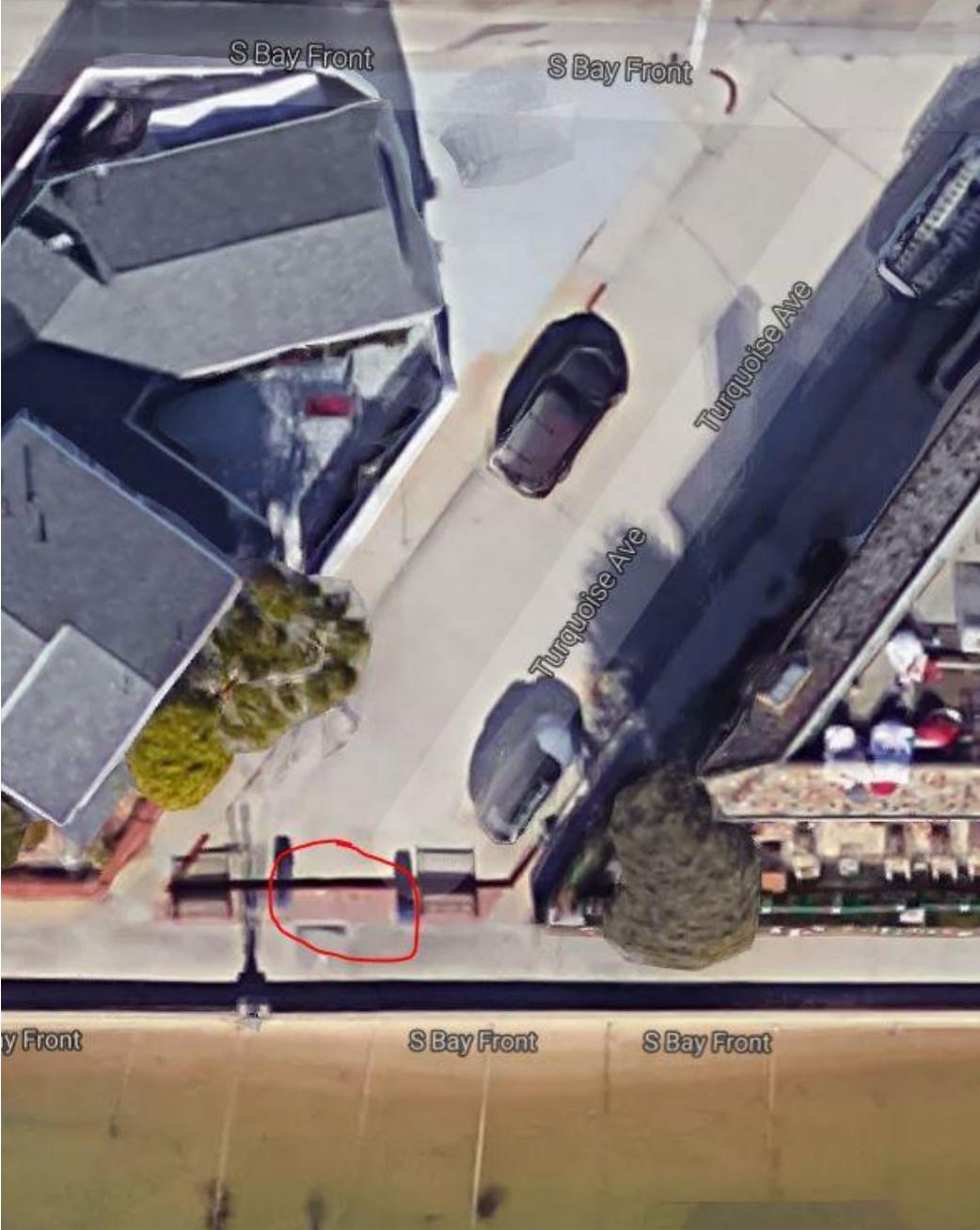
ATTACHMENT A - images of Sunset Years maquette



ATTACHMENT A - images of Sunset Years maquette



ATTACHMENT B: proposed site of *Sunset Years*



Aerial view of Turquoise Avenue site.



View from Turquoise Ave. site

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**