



## **CITY OF NEWPORT BEACH CITY ARTS COMMISSION AGENDA**

**Newport Beach City Hall (via Zoom)  
100 Civic Center Drive, Newport Beach, CA 92660**

**Thursday, November 12, 2020 - 5:00 PM**

***City Arts Commission Members:***

**Marie Little, Chair  
Arlene Greer, Vice Chair  
Maureen Flanagan, Secretary  
Miriam Baker, Commissioner  
Wayan Kaufman, Commissioner  
Ritch LeGrand, Commissioner  
Leonard Simon, Commissioner**

**Staff Members:**

**Tim Hetherton, Library Services Director  
Francine Jacome, Administrative Support Specialist**

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**SPECIAL NOTICE REGARDING COVID-19**

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which allows City Arts Commissioners to attend City Arts Commission meetings by electronic means. Please be advised that to minimize the spread of COVID-19, City Arts Commissioners may attend this meeting either electronically or telephonically.

Also, please be advised that on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which allows for the public to participate in any meeting of the City Arts Commission telephonically or by other electronic means. Given the health risks associated with COVID-19, the City of Newport Beach will conduct this meeting via Zoom. As a member of the public, if you would like to participate in this meeting, you can participate via the following options:

1. You can submit your questions and comments in writing for the City Arts Commission to consider. Please send them by email to the Library Services Department at [ArtsCommission@newportbeachca.gov](mailto:ArtsCommission@newportbeachca.gov) by Wednesday, November 11, 2020, at 4:00 p.m. to give the City Arts Commissioners time to consider your comments. All emails will be made part of the record.

1. You can connect with a computer by joining through Zoom. Click the link below to register for the meeting using a valid email address. You will receive a confirmation email allowing you to join the meeting:  
[https://zoom.us/webinar/register/WN\\_8QOe6AhrTRmtpLgSpnKSRA](https://zoom.us/webinar/register/WN_8QOe6AhrTRmtpLgSpnKSRA).

2. Or you may connect by Phone/Audio Only by calling: 669-900-9128. The meeting ID is 914 6868 0602#

Please know that it is important for the City to allow public participation at this meeting. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website.

The City of Newport Beach thanks you in advance for continuing to take precautions to prevent the spread of the COVID-19 virus.

The City Arts Commission meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the City Arts Commission agenda be posted at least seventy-two (72) hours in advance of each regular 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 Board of Library Trustees. 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 Hetherton, Library Services Director, at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 717-3801 or [thetherton@newportbeachca.gov](mailto:thetherton@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 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. Attendees must raise their hand in the Zoom module if they would like to speak. If attending by phone, press \*9 to raise hand.*

**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. If attending by phone, press \*9 to raise hand.*

**A. Approval of Minutes of the October 8, 2020, City Arts Commission Meeting****1. Draft of 10/08/2020 Minutes**

[DRAFT OF MINUTES](#)

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

Review of financial information.

[FINANCIAL REPORT](#)

**3. Cultural Arts Activities**

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

[CULTURAL ARTS ACTIVITIES](#)

**VI. CURRENT BUSINESS****A. Items for Review and Possible Action**

**4. Recommendation for Acceptance of Donated Sculpture**

The Art in Public Spaces Ad Hoc Subcommittee recommends that the Commission accept donated Phase IV sculpture, *Chairman of the Board* by Steve Rieman, into the City's art inventory.

[DONATION REPORT](#)

[DONATION REPORT-ATTACHMENT A](#)

[DONATION REPORT-ATTACHMENT B](#)

[DONATION REPORT-ATTACHMENT C](#)

**5. Fiscal Year 2020-2021 Cultural Arts Grants**

Staff recommends that the City Arts Commission approve a proposal allowing 2020-2021 grantees to present virtual programs, with a completion report deadline of January 14, 2022.

[CULTURAL ARTS GRANTS REPORT](#)

**6. Sculpture Exhibition in Civic Center Park Phase VI Update**

Staff will update the City Arts Commission on the Phase VI call for entry.

[SCULPTURE EXHIBITION PHASE VI UPDATE](#)

**B. Monthly Reports****7. Art in Public Spaces Ad Hoc Subcommittee**

Commissioners Miriam Baker, Arlene Greer, Marie Little

**8. Newport Beach Arts Foundation Liaison Ad Hoc Subcommittee**

Commissioner Leonard Simon

**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 on 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. Attendees must raise their hand in the Zoom module if they would like to speak. If attending by phone, press \*9 to raise hand.*

**IX. ADJOURNMENT**

**Newport Beach City Arts Commission Meeting Minutes  
Thursday, October 8, 2020  
Regular Meeting – 5:00 PM  
Newport Beach City Hall (via Zoom)  
100 Civic Center Drive  
Newport Beach, CA 92660**

**I. CALL MEETING TO ORDER – 5:00 P.M.**

**II. ROLL CALL**

Commissioners Present: Marie Little, Chair  
Arlene Greer, Vice Chair  
Wayan Kaufman, Commissioner  
Ritch LeGrand, Commissioner

Commissioners Absent: Miriam Baker, Commissioner  
Maureen Flanagan, Commissioner  
Leonard Simon, Commissioner

Staff Present: Tim Hetherton, Library Services Director  
Francine Jacome, Administrative Support Specialist

**III. NOTICE TO THE PUBLIC**

**IV. PUBLIC COMMENTS**

None.

**V. CONSENT CALENDAR**

**A. Approval of Minutes of the September 10, 2020, City Arts Commission Meeting**

**1. Draft of 09/10/2020 Meeting Minutes**

Vice Chair Greer indicated she made the motion and Commissioner Simon Seconded agenda item VI.A.4 on the September 10, 2020 meeting minutes.

Chair Little requested the wording change of “press releases” to read “local advertising” on agenda item VI.A.4 paragraph 10.

Motion made by Vice Chair Greer, seconded by Chair Little, and carried (4-0-0-3) to approve the Minutes of the September 10, 2020, City Arts Commission meeting as amended.

AYES: Little, Greer, Kaufman, LeGrand  
NOES: None  
ABSTENTIONS: None  
ABSENT: Baker, Flanagan, Simon

**B. Consent Calendar Items**

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

Library Services Director Tim Hetherton shared that spring programming, including the Art Exhibition, is on course. With the cancellation of the Concerts on the Green, there has been a focus on maintenance and restorations. Sculpture Exhibition phases are on track. The balance for *Metalfor* will be paid upon receiving the piece. The City of Newport Beach is in discussions with a contractor to begin handling all art maintenance.

**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 Hetherton reported that virtual programming has been the focus at the Library. Library staff created a webpage that links to virtual programming, including prior events like the Art Exhibition, Sculpture Exhibition in Civic Center Park, and videos of the Joan Irving Brandt Centennial Celebration. The Community Arts Survey went live on September 14, 2020, with over 500 responses so far. Marketing ads for the Survey will be featured in the Newport Beach Independent, Stu News, and the City Manager's Newsletter. There is a link on the Library webpage, and it was included in the Cultural Arts e-blast. Banners have been placed at four locations around the City.

Chair Little shared that posters are available for Commissioners to hand out to local businesses such as coffee shops, boutiques, restaurants, and pharmacies.

Motion made by Vice Chair Greer, seconded by Commissioner LeGrand, and carried (4-0-0-3) to approve the Consent Calendar.

AYES:	Little, Greer, Kaufman, LeGrand
NOES:	None
ABSTENTIONS:	None
ABSENT:	Baker, Flanagan, Simon

**VI. CURRENT BUSINESS**

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

**4. City Arts Commission Statement of Funding Priorities to the Newport Beach Arts Foundation - Chair Little and Vice Chair Greer recommend that the Arts Commission approve a list of funding priorities for submission to the Newport Beach Arts foundation**

Library Services Director Hetherton requested funding for the following items:

- \$10,000 for a combined Grand Opening Luncheon for Phases V and VI of the Sculpture Exhibition.
- \$1,200 for the Newport Beach Art Exhibition to fund the musical performers at the reception.

- \$1,600 for the Newport Beach Art Exhibition for an art professional to create exhibition layout.
- \$650 for the Newport Beach Art Exhibition for a photographer to document the event.
- \$20,000 for the Sculpture Exhibition Phase VII to increase the amount of two honorariums that will be available exclusively to foreign submissions to help offset high shipping costs.

In response to Commissioner LeGrand's inquiry, Library Services Director Hetherton indicated the luncheon is not an inappropriate use of funds because it is funded by private monies donated by a non-profit support group, not taxpayer funds.

In reply to Commissioner LeGrand's question, Vice Chair Greer stated it was approximately \$5,000 to host the Sculpture Exhibition luncheon last year. This luncheon would be covering Phase V and Phase VI and would be great for publicity.

In answer to Commissioner LeGrand's question, Chair Little explained that both she and Vice Chair Greer attend every meeting of the Newport Beach Arts Foundation (NBAF), along with new liaison, Commissioner Simon. She believes it is appropriate for them to make the recommendation, and then allow each Commissioner to vote on the recommendation.

Commissioner LeGrand shared he does not have new ideas to recommend for funding. His inquiry regarding the names on the recommendation comes from comments made by Jim Mosher and in keeping to the Brown Act. Issues have been previously raised surrounding behind-the-scenes conversations. In reading the memo as it is, one could interpret that no other Commissioners had actively participated in the Statement of Funding Priorities except for Chair Little, Vice Chair Greer, and Commissioner Simon.

Chair Little restated her request to Commissioners to bring any recommendations forward they may have.

Commissioner LeGrand reiterated he does not have new ideas to bring forward. He believes it would be more appropriate to have the wording on the recommendation state "Commission" instead of "Chair Little and Vice Chair Greer" in the funding request.

Chair Little clarified the memo is for the City Arts Commission meeting only. When the Statement of Funding Priorities is submitted to the NBAF, it will be sent on behalf of the entire City Arts Commission.

Commissioner LeGrand acknowledged Chair Little's point, but reminded the memo is a written record of what the City Arts Commission does.

Chair Little stated that is why Library Services Director Hetherton attends the City Arts Commission meetings.

Library Services Director Hetherton explained the recommendation is currently phrased as is because Chair Little and Vice Chair Greer were at the NBAF meeting when the Chair of the NBAF asked them to create a list of funding priorities. Ultimately, the City Arts Commission must approve the funding priorities before officially sending any recommendations to the NBAF. In essence, Chair Little and Vice Chair Greer are acting as an ad hoc subcommittee that outlined funding priorities for Commissioner approval. He clarified that the funds for the luncheon, photographer, and musical performers are standard requests. The foreign submission funds request is the only new addition this year. He does not believe it violates the Brown Act.

Vice Chair Greer indicated the City Arts Commission and the NBAF approved the four requests of funds for the 2019 Newport Beach Art Exhibition last year. The event did not take place due to the COVID-19 pandemic. The addition of the honorarium funding request was generated by Commissioner LeGrand's comments at the September City Arts Commission meeting.

Motion made by Vice Chair Greer, seconded by Commissioner Kaufman, and carried (4-0-0-3) to approve the City Arts Commission Statement of Funding Priorities to the Newport Beach Arts Foundation.

AYES:	Little, Greer, Kaufman, LeGrand
NOES:	None
ABSTENTIONS:	None
ABSENT:	Baker, Flanagan, Simon

**5. Fiscal Year 2020-21 Cultural Arts Grants Timeline-** *Staff requests that the City Arts Commission approve a timeline for the 2020-2021 Cultural Arts Grants.*

Library Services Director Hetherton shared that the revised Cultural Arts Grant Timeline will include more time for reviewing applications. The Cultural Arts Grants Program will be publicized beginning on December 1, 2020. The application deadline would be January 11, 2021, with the ad hoc subcommittee recommendations due February 1, 2021. On average, the program receives ten to fifteen submissions each year. Staff will forward applications to the ad hoc subcommittee as received to provide them more time for review. A goal of May 13, 2021 has been set for the dissemination of checks and award letters.

Vice Chair Greer suggested the Committee adopt a similar format for the Cultural Arts Grants application selections as is used for the Sculpture Exhibition next year, where all applications are sent to each Commissioner as they come in. Commissioners then use

set criteria to anonymously grade each grant application, and submit to the subcommittee for review and final recommendation.

In response to Chair Little's inquiry, Vice Chair Greer clarified that her suggestion is for the following year's review process.

In answer to Commissioner Kaufman's question, Library Services Director Hetherton shared he was unsure of the exact date the grant funds must be spent or encumbered. That will be determined with more certainty once restrictions on public gatherings are lifted. As long as completion reports are received by the art organizations, there should not be any issues with moving forward on awarding grants.

In reply to Commissioner Kaufman's inquiry, Library Services Director Hetherton advised that grant funds can only be used for programming in the City of Newport Beach and may not go towards general operations.

In answer to Vice Chair Greer's inquiry, Library Services Director Hetherton indicated that the Commission would ultimately decide if awarded grant money may accommodate other areas than originally specified in the application, like virtual programming, to fulfill funding commitment.

In response to Chair Little's question, Library Services Director Hetherton advised he will add the topic of determining a date in which grant funds may be spent or encumbered to the next agenda to help clarify the timeline for usage.

Motion made by Vice Chair Greer, seconded by Commissioner LeGrand, and carried (4-0-0-3) to approve FY 2020-21 Cultural Arts Grants Timeline.

AYES:	Little, Greer, Kaufman, LeGrand
NOES:	None
ABSTENTIONS:	None
ABSENT:	Baker, Flanagan, Simon

**B. Monthly Reports**

**6. Art in Public Spaces Ad Hoc Subcommittee - Commissioner Miriam Baker, Arlene Greer, and Marie Little**

Chair Little announced that Commissioner Simon prepared a report for the Art in Public Spaces Subcommittee, which she would report in his absence. Chair Little explained she, along with Vice Chair Greer and Commissioner Simon, attended the September 15 Newport Beach Arts Foundation meeting where Vice President Carol Lee announced the Selling Our Brand Campaign to help build memberships. Mr. Mark Williams of Studio 11 was the guest speaker at the meeting where he discussed ideas of reconnecting with past artists and how to engage with the new prospects in an effort to attract new interest and support for the NBAF. There was a brief presentation by Board Member Howard Herzog emphasizing the purpose of the NBAF as a 501(c)(3) organization is to raise funds for the City Arts Commission's programs and events, and reiterated funding requirements.



Chair Little explained that staff is in the process of preparing a digital presentation to accompany the subcommittee's recommendations for the relocation of *Metalfor*, and the donations of *Chairman of the Board* and *Grandma's Spirit*, that will be presented at the November 12, 2020 meeting.

Chair Little announced that the Sculpture Exhibition Photo Contest is underway and can be found on the City of Newport Beach's Cultural Arts website, social media platforms, StuNews and Newport Beach Independent. Banners and posters will be available soon.

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

Chair Little requested Art in Public Spaces recommendations for the relocation of *Metalfor*, and the donations of *Chairman of the Board* and *Grandma's Spirit* be added to the agenda.

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

None.

**IX. ADJOURNMENT – 5:50 P.M.**

Chair Little adjourned the meeting at 5:50 p.m.

## Cultural Arts Division

FY 2020-21

As of October 31, 2020

ACCT NAME / #	BUDGET	DATE	VENDOR	EXPENSES	BALANCE	NOTES
<b>Programming</b>	<b>60,500.00</b>					
01060603-841004		07/24	Restoration Artechs Inc.	5,315.00	55,185.00	Marine monument restoration
		07/31	GotPrint	438.81	54,746.19	Sculpture Exhibition brochures
		07/31	Image 360	246.20	54,499.99	Sculpture placards
		09/30	Amazon.com	50.00	54,449.99	Arts survey gift card: week 1
		09/30	Amazon.com	50.00	54,399.99	Arts survey gift card: week 2
<b>TOTAL</b>					<b>54,399.99</b>	
<b>Professional Services</b>	<b>15,954.00</b>					
01060603-811008		07/31	Hector Dominguez	3,350.00	12,604.00	"Metalfor" restoration (deposit)
		07/31	Jose Martinez	398.75	12,205.25	"Sunset Years" bench restoration
		08/21	TAVD Visual Assistant	144.00	12,061.25	Transcription of Minutes (7/20)
		08/28	Crown Building Services	825.00	11,236.25	Sphere 112 cleaning
		09/18	TAVD Visual Assistant	281.25	10,955.00	Transcription of Minutes (8/20)
		09/25	William McClelland Ent.	600.00	10,355.00	Bronze sculpture restoration
		10/16	TAVD Visual Assistant	150.75	10,204.25	Transcription of Minutes (9/20)
<b>TOTAL</b>					<b>10,204.25</b>	
<b>City Grants</b>	<b>30,000.00</b>					
01060603-821006						
<b>TOTAL</b>					<b>30,000.00</b>	
<b>Sculpture Garden (III/IV)</b>	<b>58,818.34</b>					
(Contract Art Services)		07/24	Karl Unnasch	3,000.00	55,818.34	"Burnt Matchstick" honorarium (2/2)
01060603-811054						
<b>TOTAL</b>					<b>55,818.34</b>	
<b>Sculpture Garden (Ph V)</b>	<b>141,436.00</b>					
01060603-811059		07/01	Roger Heitzman	2,075.00	139,361.00	"Cosmo" honorarium (1/2)
		07/01	Dominic Panziera	3,000.00	136,361.00	"Individuality n.1" honorarium (1/2)
		07/01	Curt Brill	3,000.00	133,361.00	"Seated Diana" honorarium (1/2)
		07/01	Andra Broekelschen	1,100.00	132,261.00	"Window to the Sea" honor. (1/2)
		07/01	Nancy Mooslin	1,750.00	130,511.00	"Fractured Peace" honor. (1/2)
		07/01	Joe Sackett	3,000.00	127,511.00	"Dude Ascending" honor. (1/2)
		07/01	Patricia Vader	3,000.00	124,511.00	"Unbearable Lightn." honor. (1/2)
		07/01	Ronald Whitacre	2,250.00	122,261.00	"Marble Shooter" honorarium (1/2)
		07/01	Monica B. Wyatt	3,000.00	119,261.00	"I'm Listening" honorarium (1/2)
		07/31	Grant Irish	2,000.00	117,261.00	"Primemover" honorarium (1/2)
		08/14	Arts Orange County	38,651.00	78,610.00	Phase V mgmt (8/8) & installation
		09/04	Arts Orange County	4,350.00	74,260.00	Relocation of "Dude Ascending"
		09/25	Arts Orange County	3,000.00	71,260.00	Phase VI management (1/10)
		10/16	Arts Orange County	3,000.00	68,260.00	Phase VI management (2/10)
<b>TOTAL</b>					<b>68,260.00</b>	

**TO** Newport Beach City Arts Commission

**FROM:** Library Services Department  
Tim Hetherton, Library Services Director  
949-717-3819, [thetherton@newportbeachca.gov](mailto:thetherton@newportbeachca.gov)

**PREPARED BY:** Tim Hetherton

**TITLE:** Cultural Arts Activities for October 2020

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### **Community Arts Survey**

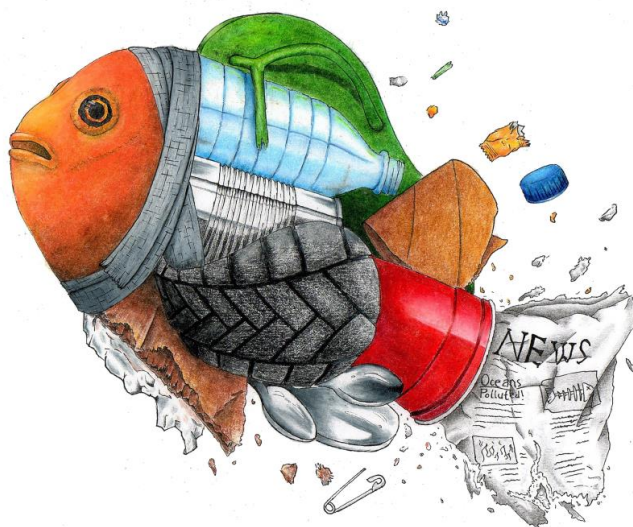
The Community Art Survey deadline was extended to November 9. As of November 2, there were nearly 600 responses.

### **Art at the Library**

#### **"Youth Ocean Art", Mixed Media Exhibition**

Presented by Bow Seat Ocean Awareness Programs, Sierra Club Angeles Chapter and the Newport Beach Chamber of Commerce

*November 9 - January 8, 2021, Central Library*



*(Float On by Emmanuel Ramirez)*

The Newport Beach City Arts Commission presents Bow Seat Art, an exhibition of youth ocean art, on display at the Newport Beach Central Library gallery.

This collection calls for care for our friends in the oceans, who suffer from our increased use of plastic since the COVID-19 pandemic started. Study showed plastic in the oceans will triple in 20 years. These young artists use creative and thought-provoking messages to call for change.

The exhibition will be on display through January 8, 2021, during the library's modified operating hours.

## **"Aging As Art", a Photographic Exhibit Presented by the Council on Aging**

*October 14 - November 20, Second Floor Exhibition Space*



The Council on Aging – Southern California invited all amateur and professional photographers, 18 years of age or older residing in California, to use their imagination and share their vision and unique interpretation of the aging experience.

The Aging as Art Photography Show was juried by a panel of distinguished judges. Selected entries are currently on display on the second floor of the Newport Beach Central Library.

The Aging as Art Photography Show depicts the diversity, dignity, and challenges of what living a long life means today.

The exhibition will be on display in the second-floor exhibition space through November 20, during the library's modified operating hours.

**TO** Newport Beach City Arts Commission

**FROM:** Library Services Department  
Tim Hetherton, Library Services Director  
949-717-3819, [thetherton@newportbeachca.gov](mailto:thetherton@newportbeachca.gov)

**PREPARED BY:** Tim Hetherton

**TITLE:** Donation and Placement of *Chairman of the Board*

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**ABSTRACT:**

*Chairman of the Board* is one of the works featured in Phase IV of the Newport Beach Sculpture Exhibition in Civic Center Park. The piece's creator, Steve Rieman, has offered to donate it to the City.

**RECOMMENDATION:**

The Art in Public Places Ad Hoc Subcommittee recommends that the City Arts Commission approve the donation of the piece and approve its placement at Marina Park Community Center.

**FUNDING REQUIREMENTS:**

*Chairman of the Board* will be donated to the City by artist Steve Rieman. Maintenance is estimated at \$1,250 annually, will be expensed from Cultural Arts account # 10160603-811008, Professional and Technical Services. The relocation of the piece is estimated at \$3,500, and this will also be expensed from Cultural Arts account # 10160603-811008, Professional and Technical Services.

**DISCUSSION:**

*Chairman of the Board* (ATTACHMENT A) by Steve Rieman is one of the works featured in Phase IV of the Newport Beach Sculpture Exhibition in Civic Center Park. Created in 2014, the 11' by 11' stainless-steel kinetic surfboard-shaped creation weighs 350 lbs.

The surfboard, kinetic elements, and the surfer are all made from marine grade 304 stainless steel. Artist Steve Rieman recommends that in Newport Beach's coastal environment, the stainless-steel parts should be treated with a Rust-oleum product call Krud Kutter every two years. This product provides a protective coating and dissolves any oxidation that may occur around weld areas.

Mr. Rieman states that the kinetic arms pivot on sealed bearings and require no annual maintenance. The mast is aluminum and may be treated with the rust-oleum product to prevent surface oxidation.

The base element is mild steel with an applied silica sand finish. The sand is broadcast into a heavy coat of penetrol then top coated with the same product. The penetrol is a paint additive that provides weather protection. According to Mr. Rieman, the finish is very durable, long lasting and easy to repair or renew.

Staff inspected the piece on October 29, 2020. The piece had a few areas of oxidization, and a significant scratch on the back of the surfer. Staff used the Krud Kutter product to address some oxidization on the underside of the piece, near the mounting bracket. The product worked well, eliminating the oxidization with a minimum of elbow grease.



Cost to relocate the piece from Civic Center Park to Marina Park is estimated at \$3,500.

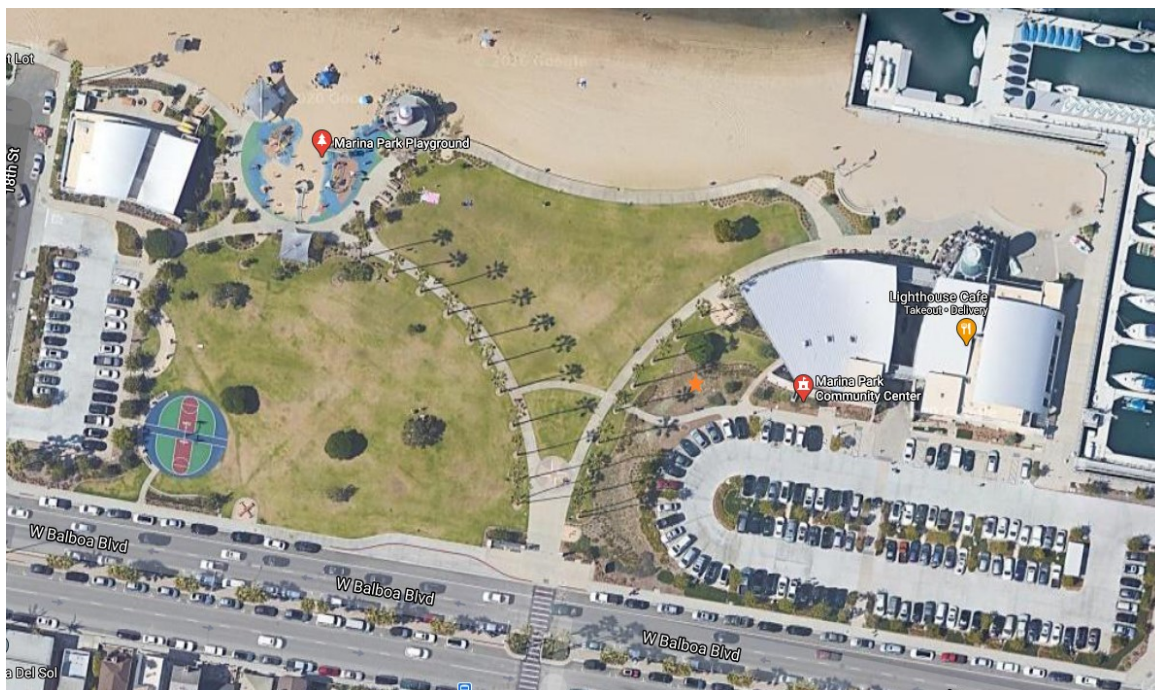
**SITE:**

The Art in Public Places Ad Hoc Subcommittee identified Marina Park Community & Sailing Center as a potential site for the piece. *Chairman of the Board* celebrates ocean recreation, and the piece's curves and stainless-steel composition are complementary to the aesthetics of the Marina Park building.

Staff met with Recreation staff to evaluate potential sites at the Marina Park location. Recreation staff suggested that the piece could be sited at an intersection of paths in a planted area. This placement would ensure that the piece did not interfere with the public's use of the facility. This placement would not disrupt landscape maintenance or irrigation. Siting the piece at this particular location also assures that the piece will be in the public view and exposed to many residents and guests. The site will enable the public to view the piece from multiple locations.



The proposed site for the piece is denoted by the orange star:





Deputy Recreation & Senior Services Director Sean Levin stands in for *Chairman of the Board*:



The site from other perspectives:





The piece meets the criteria as established in Council Policy I-9, *Art in Public Places* (ATTACHMENT B) and Council Policy I-11, *Acquisition of Art by the City of Newport Beach* (ATTACHMENT C).

*Chairman of the Board* is an original creation by the original artist. Mr. Rieman is an established sculptor and his work is on display at other public sites (<https://riemansculpture.com/public-art>). The subcommittee thinks that the piece will add to the balanced inventory of the City's collection, representing a variety of style, design and media. Currently, the Marina Park site lacks a public art piece and the committee thinks *Chairman of the Board* would be an appropriate addition due to its subject matter and composition. Mr. Rieman has completed all required forms, as provided by the Library Services Department. The Art requires maintenance, but overall, it is of satisfactory physical condition. With regular maintenance, the piece is sufficiently durable as to not be easily damaged or destroyed, should not require restoration or extensive long-term conservation, and is of a physical size and weight that the piece can be managed in storage, transport and public display without difficulty.

The Art in Public Places Ad Hoc Subcommittee has reviewed the Application for the Review and Consideration of Art submitted by Mr. Rieman and has approved the acceptance of the donation.

Should the City Arts Commission move to approve the recommendation, the item will go to Parks, Beaches, and Recreation Commission (PB&R) for site approval. Pending PB&R approval, the item will go to City Council for final approval.

**NOTICING:**

The 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).

**ATTACHMENTS:**

A: *Chairman of the Board*

B: Council Policy I-9, "Art in Public Places"

C: Council Policy I-11, "Acquisition of Art by the City of Newport Beach"

ATTACHMENT A: *Chairman of the Board*













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. Reserved.
- E. Reserved.
- F. Reserved.
- G. The Arts Commission shall review any future modifications, relocation, repairs, and/or replacement of parts or works for Art located in public places.

*History*

Adopted T-1 - 9-8-1986

Amended T-1 - 1-24-1994 (changed to I-18)

Amended I -18 - 5-26-1998

Amended I-18 - 4-8-2003 (changed to I-9)

Amended I-9 - 8-8-2017

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  
949-717-3819, [thetherton@newportbeachca.gov](mailto:thetherton@newportbeachca.gov)

**PREPARED BY:** Tim Hetherton

**TITLE:** Fiscal Year 2020-2021 Cultural Arts Grants

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**RECOMMENDATION:**

Staff recommends that the City Arts Commission approve a proposal allowing 2020-2021 grantees to present virtual programs, with a completion report deadline of January 14, 2022.

**BACKGROUND:**

City Council Policy I-10, Financial Support for Culture and Arts, recognizes the importance of promoting culture and the arts within the City and establishes a Reserve Fund for Culture and Arts. For Fiscal Year 2020-2021, the sum of \$30,000 has been budgeted for specific cultural or artistic planning or projects as approved by the City Council. The City Arts Commission has the responsibility to review all programs and requests for support from arts groups and make recommendations for funding to the City Council for final approval.

Council Policy I-10 defines arts groups as those involved in visual, musical, theatre, dance, crafts, performing and literary activities. The City Arts Commission considers the following in order of preference for granting support:

1. Local arts groups located within the City of Newport Beach and offering programs to City residents;
2. Regional arts groups located in Orange County and offering programs to City residents; and
3. Arts groups located in California and performing or offering programs to City residents.

Groups not offering programs or services to residents are not eligible for support from the City.

**DISCUSSION:**

In concurrence with the executive order issued by the Governor of the State of California, arts organizations who present public performances cancelled all programming to help curtail the further spread of COVID-19 in the community by restricting large gatherings. Many grantees stage programs in local schools, and other grantees had events scheduled for the spring 2020, coinciding with the stay at home order. These organizations were unable to present programs and were unable to submit the required completion report, which was due on September 25, 2020.

At the June 2020 meeting, the City Arts Commission agreed to allow grantees to stage performances when restrictions are lifted, using 2019-2020 grant funds. Completion reports can be submitted at that time, and 2019-2020 grantees will be allowed to seek Cultural Arts Grant funding for Fiscal Year 2020-2021.

At their October 2020 meeting, the City Arts Commission approved a recommendation to modify its timeline for Cultural Arts Grants. Generally, applications and completion reports are due on the last Friday in September, grantees are approved by the Arts Commission and City Council in October, and grantees receive their funding in November. Some grantees, particularly organizations who program in local schools, are hampered by this timeline, since their fiscal calendar starts July 1. Staff requested that the Commission adjust the timeline so that the grants are announced in December, with a deadline for applications by January 11, 2021, with grants approved in February, and checks disseminated in May.

At the October meeting, the Arts Commission asked staff to investigate the feasibility of allowing grantees to use funds for virtual programming. Given the uncertainty about the pandemic, and when restrictions on public gatherings will be lifted, staff recommends that the City Arts Commission allow virtual programming for the Fiscal Year 2020-2021 grants, as long as the Newport Beach City Arts Commission is acknowledged, and that all grant-funded content is made available on the Cultural Arts and Library websites. Arts organizations applying for 2020-2021 grant funds should be strongly encouraged to present virtual programs. Completion reports for virtual programming should be submitted by Friday, January 14, 2022, when applications for 2021-2022 Cultural Arts grants are due.

Staff recommends that funds granted for live performances in fiscal year 2019-2020 should be retained by grantees and used for their original intent, as recommended by the City Arts Commission and approved by the City Council, when restrictions on public gatherings are ultimately lifted. Consequently, the due date for 2019-2020 completion reports should remain “to be determined”.

The proposed timeline is as follows:

**TIMELINE:**

12/01/20	Grants are publicized
01/11/21	Applications are due
02/01/21	Subcommittee’s recommendation is submitted to staff for inclusion in the agenda packet
02/11/21	Arts Commission approves grantees for recommendation to City Council
02/23/21	Recommendations made to City Council
05/13/21	Award letters and checks disseminated
TBD	2019/20 Cultural Arts Grant Completion Report due.
TBD	2019/20 Grant funds must have been spent or encumbered.
01/14/22	2020/21 Cultural Arts Grant Completion Report due.
01/14/22	2020/21 Grant funds must have been spent or encumbered.

**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  
949-717-3819, [thetherton@newportbeachca.gov](mailto:thetherton@newportbeachca.gov)

**PREPARED BY:** Tim Hetherton

**TITLE:** Sculpture Exhibition in Civic Center Park Phase VI Update

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**DISCUSSION:**

According to Project Manager Rick Stein of Arts Orange County (ArtsOC), there are nine completed submissions for Phase VI of the exhibition. There are 18 other applications in progress.

Mr. Stein noted that the submission period is three months long for Phase VI, as opposed to two months for Phase V and only 31 days for Phase IV; and the highest impact promotions only started rolling out the week of October 25. Since the majority of submissions are always received in the final days, Mr. Stein urges patience. In the meantime, ArtsOC will continue to refresh their promotional posts wherever possible.

**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).