

**Newport Beach City Arts Commission  
Meeting Minutes  
Thursday, August 8, 2013 – 5:00pm  
Central Library Friends Meeting Room**

**Convened at 5:01pm**

**1) Call Meeting to Order**

Chairperson Goldberg called the meeting to order.

**2) Roll Call**

Commissioners Present: Rita Goldberg, Chair  
Arlene Greer, Vice Chair  
Caroline Logan, Secretary  
Carole Boller  
Gilbert Lasky  
Michael Magrutsche

Staff Present: Nancy Gardner, Council Member  
Cynthia Cowell, Library Services Director  
Tim Hetheron, Library Services Manager  
Anthony Nguyen, Purchasing Agent  
Kyle Rowen, Deputy City Attorney

Public Present: Jim Mosher, resident  
Bill Ficker, resident  
Genny Boccardo-Dubey, O.C. Museum of Art, Associate Director

**3) Public Comments**

Resident and retired architect Bill Ficker noted his interest in the arts and the positioning of the Uprooted II sculpture located outside of the City Council Chambers. He suggested it be at eye level and that he would be willing to raise funds needed to purchase a pedestal for this piece. The City Arts Commissioners involved in the placement noted that it is a seat that two people can sit on. Staff noted that it would be best to make a motion to place this item on a future agenda for further discussion.

Resident Jim Mosher's typed comments were dispersed at this meeting. He noted that it is a very ineffective method for the public to have to comment on the agenda before they've heard the items being discussed. The conduct of the City Arts Commission (CAC) meetings and the agenda do not conform to the City Arts Commission By-Laws on file, and he suggested that the CAC look at this document to conduct their meetings accordingly.

Agenda item B.2. Cultural Arts Grants Applications was noted. This should to be widely publicized to get input from as many potential groups as possible. The same groups get funded year after year and it would be important to ask those groups what other public funding they are expecting as it is important to see where and how the funds are being spent.

He spoke on the appointment of the ad hoc committees and that it appears that there is no evidence in previous meeting minutes that the committees have been appointed year after year. If they are an ad hoc meeting the purpose should be defined and noted.

#### 4) **Approval of Minutes**

Commissioner Boller disputed the wording in the July 11, 2013 meeting minutes and requested that they be revised as follows in an email to Library Services Director Cowell and Library Services Manager Tim Hetherington dated Sunday, August 11, 2013 11:07 a.m.: This correction is dated August 11 and cannot be considered as part of the corrected minutes as stated at the meeting on August 8. We will need to use whatever she said on the tape.

*“Hello Tim,*

*I expect the August 8, 2013 minutes to include the following as I said them verbatim:*

*Please correct the July 2013 NPB Arts Commission minutes to read:*

*Chair Goldberg called an end for discussion and called for a vote on the sculpture park project.*

*Arts Commissioner Boller moved to abstain from voting saying she may be an applicant for the position involved and wanted to be totally ethical. She was advised by Library Services Director Cynthia Cowell that she was not allowed to abstain. Her move was denied.*

*Thanks. Arts Commissioner Boller”*

Per Jim Mosher’s written comments for this meeting on the top of page 5, change “docent-lead to docent-led. Then in the paragraph following “theprojected” should be “the projected”.

Commissioner Caroline Logan stated that Commissioner Greer’s report on the Hilbert reception should be moved under C.2. Fine Arts Ad Hoc Subcommittee and should not be reported under C.1. Art in Public Spaces/Historical Preservation Ad Hoc Subcommittee.

At the suggestion of Assistant City Attorney Kyle Rowen, Director Cowell noted that the minutes as distributed prior to this meeting were basically verbatim minutes and she does not recall Commissioner Boller’s revisions as noted above. However the tape recording from the July 11, 2013 CAC meeting will be reviewed once again.

The July 11, 2013 City Arts Commission meeting minutes were suspended until the next meeting to be held on Thursday, September 12, 2013, after revisions as requested have been verified.

#### 5) **Current Business**

##### **A. Consent Calendar -**

1. Cultural Arts Activities - Monthly review of cultural arts activities from the Library Administrative Office for upcoming Library and City arts events and services.
2. Correspondence and Press - Review of Arts Commission correspondence and/or marketing materials.

Chair Goldberg asked for clarification from Director Cowell on why the items listed above are listed as Consent Calendar items. Director Cowell informed her that these items are considered routine items to be enacted by one motion. Discussion is not required unless a request is made to discuss and/or remove a specific item from the Consent Calendar for separate action.

**It was moved, seconded and passed (Commissioner Greer/Commissioner Smith)** to approve the Consent Calendar items as presented. Motion carried by all Commissioners in attendance.

##### **B. Items for Review and Possible Action –**

1. *Verbal Presentation by Anthony Nguyen, City of Newport Beach Purchasing Agent, on purchasing processes germane to the City Arts Commission.*

The City of Newport Beach (CNB) Purchasing Agent Anthony Nguyen gave an overview of, and distributed a draft of, the Request for Proposal (RFP) No. 14-6 Public Arts Coordination and Site Management Services. He explained the process involved as outlined in this handout. The CNB obtains a number of consultants and this is the first time they have done so for the CAC. The RFP, as presented, is an early working draft for the Commissioners' preliminary review. As noted and approved at the July 23, 2013 City Council, meeting this RFP is fundamental to hiring a consultant. If approved by the CAC at this meeting, this RFP will be made public on Friday, August 9, 2013. It will be posted in public form on the CNB website and will remain open for two to three weeks. After it closes, Anthony Nguyen will assemble all of the submitted RFP's and will request a non-quorum group of City Arts Commissioners' assistance in the applicant review process.

Page three of the draft reviews the evaluation criterion outlining what the applicants will be scored on, with page four noting the tentative schedule for the entire RFP process. After review, it will go back to City Council for approval. Applicant questions must be forwarded to Anthony Nguyen and not through staff, the CAC or City Council. Suggestions were made on certain target audiences to reach out to in this process. Advertising will be done through the Daily Pilot and the Orange County Register. It will be posted under the Online Services section on the City Website with a dropdown for RFP's and bids. A suggestion was made to include the LinkedIn website as a source for advertising. City Council Member Nancy Gardner noted that the appointment of three City Arts Commissioners could be made at this meeting to serve on an ad hoc committee panel for selection of applicants in the RFP process since agenda item B.3. Appointment of Commissioners to Ad Hoc Committees is on this meeting agenda. Cost was also discussed and applicants will be provided that information as well. The applicants will be rated on what they have provided in written format. In the interest of time, all comments can be directly addressed to Anthony Nguyen. He and Director Cowell will meet tomorrow to discuss.

Jim Mosher commented that he had no idea that this was going to be discussed. He questioned the table on page 3 of the distributed RFP handout. There was some confusion on the scope of services and the Public Art Coordinator/Site Manager for the new sculpture exhibition and the relation it does or does not have with the vacated Cultural Arts Coordinator position.

Staff noted that before being sent out, the proposed evaluation scores will be changed to a more finite title, and what was presented at this meeting is for information and discussion.

Commissioner Smith noted that the public made an interesting point that the RFP needs to clarify what the person will coordinate so as not to be confused with the vacated Cultural Arts Coordinator position. Discussion continued on the details. Anthony asked that all Commissioners return their suggestions to him by email tomorrow morning. Concern was noted on the time needed to review the entire document and get back to him by tomorrow morning. Anthony clarified that this is the standard format for an RFP and even though it looks daunting it shouldn't take that long to look over. He needs input on the Scope of Services and comments on pages 3, 11, and 12. From page 14, the RFP contains standard format and will not be revised, because it has already been approved by City Council.

## *2. Cultural Arts Grants Applications*

Chair Goldberg requested an addition to the Cultural Arts Grant Application, after Item B:

*"Collaborative events, such as public performances or programs implemented in conjunction with the City of Newport Beach are also eligible for grants."*

**It was moved, seconded and passed (Commissioner Logan/Commissioner Magrutsche)** to approve the grant application with addition as noted by Chair Goldberg. Motion carried by all Commissioners present.

### *3. Appointment of Commissioners to Ad Hoc Committees*

Chair Goldberg clarified the difference between an ad hoc committee and a standing committee. Anything that is considered a standing committee cannot be appointed as an ad hoc committee. Any business and decision making needs to be conducted either at an Arts Commission meeting or in a properly noticed meeting subject to provisions of the Brown Act. Only ad hoc committees that have a start date and an end date may meet outside of a City Arts Commission meeting. Items discussed in ad hoc committee meetings then come forward to the entire Arts Commissions as recommendations which require concurrence by the entire Commission. That is the only change that will be made. Art in Public Spaces is clearly an Ad Hoc Committee which will have a finite date when the project begins at the hiring of a consultant and concludes when the sculptures are removed from the park.

Commissioner Logan stated that the Art in Public Spaces Ad Hoc Committee will end in May 2014. Chair Goldberg noted an extra month having it end in June 2014 would provide extra time in case things get delayed. Commissioners Boller, Logan and Smith will be appointed to this committee since they have been working on it from the beginning. This ad hoc committee will commence upon appointment and sunset after the sculpture garden is complete in April, 2014.

Smith asked Chair for clarification on all of the other ad hoc committees and whether or not they be treated as ad hoc committees as they have some element of decision making or gathering of information for decision making.

Chair Goldberg noted that the Performing Arts Ad Hoc Committee will sunset after the conclusion of the concert season.

Deputy City Attorney Kyle Rowen gave an example of sunset dates.

Chair Goldberg asked for clarification on the fiscal year from July to June in relation to start and end dates for these committees. Kyle Rowen noted that appointment does not have to be done at the beginning of the fiscal year but can at the CAC Chair's discretion. He also added that appointing the ad hoc committees does not need to take place on every July agenda. He explained that appointing these committees is different than the appointment of Boards and Committees which are done every July.

Commissioners were appointed to the following Ad Hoc Committees as follows:

Art in Public Spaces Ad Hoc Committee – Commissioners Smith, Boller, and Logan

Fine Arts Ad Hoc Committee – Commissioners Greer and Magrutsche

Performing Arts Ad Hoc Committee – Chair Goldberg

Museum Tour Ad Hoc Committee – Commissioner Greer

Arts Foundation Liaison Ad Hoc Committee – Commissioner Smith

Publicity Ad Hoc Committee – Director Cowell noted that Katherine Mielke is the staff liaison. She receives the information from the CAC and puts together the publicity. That information is forwarded

to staff for downloading to the Library's website. Budget constraints must be a consideration for this committee.

Budget Ad Hoc Committee – Chair Goldberg noted that this committee would no longer be needed. Staff will work with Commissioners Goldberg and Logan during the budget development process and will bring this information to each CAC meeting. The Library's budget season typically starts late in November and ends early in February. Support Services Coordinator Melissa Kelly will review the CAC budget process with the appointed Commissioners (as is done with the Board of Library Trustees) in a couple of two-hour meetings.

Cultural Arts Grant Ad Hoc Committee – Chair Goldberg and Commissioners Greer and Smith.

Master Plan Ad Hoc Committee for City-Wide Visual & Public Art Installations – Commissioner Logan explained that this committee is completely different than the committee overseeing the sculpture garden project. It will sunset February 18, 2014. The goal will be to create a plan for art in all areas of the City as well as how cultural arts can be used to bring a high level of art to the City. Revisions to I-11 were already made by this committee and are being reviewed by the City Attorney.

Commissioner Boller asked which committee would the fine arts collection and arts exhibits fall under. Chair Goldberg noted that because these are ongoing events with the CAC they would not need to be started and then sunset like the other ad hoc committees would be. In this case, this would be reviewed and discussed by the entire CAC. They would need to begin their review after the Hilbert exhibit is done. Artist reception costs, hanging art exhibits, and future scheduling were also discussed. After discussion it was decided to table this item for further discussion at a future CAC meeting as to whether or not it would be best handled as an ad hoc committee. Commissioner Greer was appointed as the liaison to Fine Arts for the time being.

**It was moved, seconded and passed (Commissioner Smith/Commissioner Greer)** to approve appointments made at this meeting to the Ad Hoc Committees. Motion carried by all Commissioners present.

**6) City Arts Commission Announcements or Matters Which Members Would Like Placed on a Future Agenda for Discussion, Action or Report (Non-Discussion Item)**

Commissioner Magrutsche asked that further discussion on the sculpture garden to discuss details, cost, and location, etc. be put on a future agenda. Discussion continued that this has been discussed as presented in the RFP at this meeting and that further discussion could be held at future meetings on this topic as needed.

- Repositioning of the Uprooted II sculpture.

**It was moved, seconded and passed (Commissioner Smith/Commissioner Logan)** to approve adding this agenda item to the next CAC meeting agenda. Motion carried by all Commissioners present.

- Offering the public an opportunity to comment after various discussions throughout the meeting. Staff suggested the CAC have the City Clerk in attendance at the meeting at which this agenda item is placed for further explanation.

**7) Public Comments on Non-Agenda Items**

No public comments were made and it was noted that no members of the public were present at the meeting at this time.

### C. Monthly Reports

This item was discussed at this time as it had been previously passed over.

1. *Art in Public Spaces this was never the official name of this committee Ad Hoc Committee – City staff who presented the RFP to the CAC were thanked.*
2. *Fine Arts Ad Hoc Committee – The subscription for “Ask Art” is not accessible yet; however, it has been approved and will be funded after a check is received from the Library Foundation. The Hilbert exhibit has been re-hung. Three more pieces will be exhibited through November for a total of six. This exhibit includes radios (circa 1930-1950) which are on display at the Central Library. November and February will be the next change for the Hilbert collection exhibits. Other exhibits have been scheduled from May 2014 through April 2015. The next major step dealing with the City’s framed art collection is to curate the pieces. This could include stabilizing some of the pieces that are fading or deteriorating due to age, reframing or de-framing, and acquiring flat storage for those items not in frames. The art inventory has been completed and entered into a Library-controlled database. Funding for 2014 -2015 will need to be set aside for this project.*
3. *Performing Arts Ad Hoc Committee – The concerts this summer were very successful with close to 2,000 attendees at each concert. The Civic Green was noted as an excellent venue for these concerts. The cost is approximately \$10,000 per concert. The next concert will be held on August 11, and another one will possibly be held in September with costs being budgeted through the City Manager’s office. Plans are being finalized.*
4. *Museum Tours and Special Events Ad Hoc Committee – Nothing to report.*
5. *Arts Foundation Liaison Ad Hoc Committee – The last meeting was held on Tuesday, July 16. The treasurer reported that the Arts Foundation has a balance of \$18,590 in their funds. The Art in the Park event will be held Saturday, October 12 at the Civic Green from 10:00 a.m. to 5:00 p.m. The Arts Foundation invited all of the community to attend that day. There are 28 booths sold so far with room for 70. This event has been published in several local publications, and banners will be placed two weeks prior to the event. Sponsors for this were also noted. The event website is [www.newportbeachartinthepark.vpweb.com](http://www.newportbeachartinthepark.vpweb.com). A *Night at the Gallery* event may be held on August 26 or August 29, and may be held at the O.C. Museum of Art. The next Foundation meeting is scheduled Tuesday, August 20 and the location has yet to be determined.*
6. *Publicity Ad Hoc Committee – Staff has been heavily publicizing the Concerts in the Park series. Director Cowell stressed the importance of keeping within the designated budget for this series.*
7. *Budget Ad Hoc Committee - Staff will email the budget to the CAC to review. A report will be placed in the packet each month for review.*
8. *Cultural Arts Grants Ad Hoc Committee – Information pertaining to cultural arts grants and the application form have been placed on the website. Staff was thanked for their efforts on this. The I-11 Council policy will be reviewed by Deputy City Attorney Kyle Rowen and when finished it will be reviewed by the CAC and sent to Council for their discussion and possible concurrence. The funding for the sculpture in the park project has been approved by the City Council.*
9. *Master Plan Ad Hoc Committee – Nothing reported.*

Commissioner Greer will emcee the Friday, August 9 Hilbert reception.

**It was moved, seconded and passed (Commissioner Greer/Commissioner Boller)** to approve adjournment of this meeting. Motion carried by all Commissioners present.

**8) Adjournment** – 7:03 p.m.

Submitted by: Rita Goldberg  
Chair Approval of Minutes