REGULAR MEETING, SEPTEMBER 14, 2004
CULTURAL AFFAIRS COMMISSION

PRESIDING: CHAIR ALICIA MILLIKAN

Call to Order 7:09 p.m.
The Chair called the meeting to order at 7:09 p.m.

Roll Call
Present: Susan Deen; Julie Lugo Cerra; Luther L. Henderson, III; Alicia Millikan, and Ronnie Jayne.

Pledge of Allegiance
Kellee Fritzal led the Pledge of Allegiance to the Flag of the United States.

Staff Present
Christine Byers, Public Art & Historic Preservation Coordinator; Elaine Gerety, Event Supervisor; Susan Evans, Community Development Director; and, Kellee Fritzal, Economic Development Manager.

Agenda Posting
It was moved by Commissioner Henderson, seconded by Commissioner Deen and unanimously carried, to receive and file the Secretary's Report regarding the agenda posting for this meeting.

Approval of Minutes
It was moved by Commissioner Deen, seconded by Vice-Chair Cerra and unanimously carried, to approve the minutes as amended of the Regular Meetings of July 13, 2004 and August 10, 2004, and the Adjourned Regular Meeting of August 25, 2004.

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The Chair recognized Charles Deen, who announced that this year's Fiesta La Ballona earned a profit of at least $7,000. He also indicated the City's official program guide, which was designed by the same person who works on the "Culver City Living" publication is now available.

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Item #6A 7:16 p.m.
Consideration of Revision to 1997 Approved Concept for Public Art Project at Hillside Memorial Park:

Vice-Chair Cerra recused herself from presentation and discussion of this item.

Ms. Byers presented the agenda item report and staff's recommendation that the CAC approve the applicant's request to change the scope of work for Hillside Memorial Park as originally approved by the former Culver City Art Committee in 1997.

Barry Berlin, Chief Operating Officer of Hillside Memorial Park, thanked the Commissioners for the opportunity to speak. He explained that Hillside entered into a contract in 1997 with wellknown artist Kent Twitchell for a three-panel mural for their Acacia Gardens development project. Although the commissioned artwork was scheduled for completion by the end of 1998, to date, only one-and-a-half murals have been completed despite Mr. Twitchell's many assurances over the ensuing years that the project would be finished in the near future. He remarked that some families have purchased property in Hillside based upon a commitment for finished artwork to enhance their burial sites and this has created an aesthetic disaster as well as impacted the credibility of the park.

Mr. Berlin indicated that Hillside has already paid more than four times the City's required one percent public art fee and requested they be allowed to have Mr. Twitchell finish the second mural then terminate the remainder of his contract, saying they do not want him to begin a third mural. He stated Hillside has plans to repaint the third wall in a soft shade of blue which will blend nicely with the murals on the other two walls.

MOVED BY COMMISSIONER HENDERSON, SECONDED BY COMMISSIONER DEEN AND UNANIMOUSLY CARRIED, THAT THE CULTURAL AFFAIRS COMMISSION APPROVE THE REQUEST TO CHANGE THE SCOPE OF THE ARTWORK CONCEPT FROM THREE MURALS TO TWO AS FULFILLMENT OF CULVER CITY'S ART REQUIREMENT FOR THE ACACIA GARDENS.

Commissioner Deen commented that Hillside has been and continues to be a very good neighbor in Culver City, adding she was pained reading the report and supplemental material on the matter and could only imagine what Mr. Berlin has gone through trying to get Mr. Twitchell to perform. She expressed amazement that an artist of Mr. Twitchell's standing would renege on his agreement.

Commissioner Jayne remarked Mr. Berlin has shown an incredible amount of patience and queried what will happen if Mr. Twitchell fails to honor his commitment to complete the second mural.

Mr. Berlin answered they will wait until the end of the year, when the artwork is currently scheduled for completion, after which they may consult their attorney to seek legal redress.

Vice-Chair Cerra rejoined the meeting.

Item #6B
7:29 p.m.

Consideration of Updates to Cultural Affairs Policies:

Ms. Byers indicated a matrix of approximately 36 individually adopted and proposed policies was originally considered by the CAC at their July 29, 2003 workshop after which 15 of those policies were subsequently adopted and approved by the City Council with several minor changes. She explained the remaining policies were discussed at the July 24, 2004 workshop and staff was directed to incorporate some language changes and include additional policies (e.g., quarterly Art Fund reports) and return to the CAC with this list for further consideration. She clarified that staff's recommendation is to adopt the 19 proposed policies that include these changes and direct staff to bring them to City Council for consideration.

Referring to the language, "When items requiring considerable amount of reading are agendized ... at least a week earlier than usual," Commissioner Henderson questioned if the amount of reading is going to be quantified, saying his determination of what constitutes "considerable" might be less than someone else's.

Ms. Byers questioned if the Commission believes the amount needs to be quantified.

Vice-Chair Cerra indicated it is really not something that can be quantified, saying the issue was previously discussed and it was decided to resolve the matter by simply saying "more than usual."

Ms. Byers responded the language will be changed to "more than usual."

Commissioner Henderson asked, in regard to how CAC members will be notified of the scheduling of pertinent items, if the language should remain as is or be changed to indicate how the information will be transmitted.

Commissioner Jayne, assuming Commission members will not remain the same in perpetuity, indicated it should be each member's preferred means of contact.

Commissioner Deen opined the language should be left fairly broad to provide staff some flexibility and leeway.

Commissioner Henderson suggested, in reference to the language in Plaque Format and Placement, to change the word "should" to "shall." He indicated that in dealing with contracts the requirements should be prescriptive, saying "shall" clearly expresses an obligation or duty whereas "should" is a more lenient term which could be open to interpretation.

Ms. Evans responded that staff is attempting to maintain flexibility with the understanding there might someday be a public art piece that has yet to be imagined which could require something slightly smaller than an 8 x 8" minimum. She indicated these policies are intended as broad directives which communicate to the City and its clients what is sought to be achieved. She continued, if such a situation were to occur, staff will have the flexibility to bring the matter to the Commission to highlight and describe why this very unusual situation falls out of policy and an informed decision can then be made.

Commissioner Deen agreed with staff about the need to maintain flexibility, saying there could indeed be an unusual situation depending upon where a plaque needs to be placed or a circumstance where you have the same face area but instead of being square it needs to be a rectangle or circle or some other form.

Commissioner Cerra suggested it might be advisable to live with the policy for a while and, if it is determined not to be working, it can be revisited.

MOVED BY COMMISSIONER DEEN, SECONDED BY COMMISSIONER HENDERSON AND UNANIMOUSLY CARRIED, THAT THE CAC ADOPT THE 19 PROPOSED POLICIES INCLUDING THE MINIMAL CORRECTIONS AND ADJUSTMENTS JUST MADE AND DIRECT STAFF TO TAKE THESE TO CITY COUNCIL FOR THEIR CONSIDERATION.

Commissioner Henderson opined the policy of Credit for Excess Valuation of Commissioned Public Art on Attachment 3 is an item that merits more research, saying it is unclear what the fiscal implications might be.

Ms. Byers explained staff's objective is to create a Public Art Program that is a win-win situation for developers, property owners, and the City. Using the Beacon Laundry building as an example, she illustrated their Public Art Requirement was approximately $14,000; however, Mr. Marks spent over $100,000 on the artwork. She indicated if, within a one-year period additional development projects took place at that address, another one percent Public Art Requirement would have been triggered but credit would be given for what had already been invested in art work. She stated the proposed policy is intended to define some boundaries that are reasonable and to support the City's property owners for going the extra mile and doing something above and beyond what is required of them.

Item #6C
7:45 p.m.

Consideration of Ivy Substation Usage

Ms. Gerety reviewed the staff report stating that since the refurbishment and technical enhancement of the Ivy Substation in 2002 it has evolved into one of the most desirable locations to produce theater in Southern California. She indicated the Center Theatre Group (CTG) officially completed their license agreement with the Redevelopment Agency in June 2004 and, using that arrangement as a model, staff recommends developing a Request for Proposal to enter into an agreement with a high-quality theater company similar to CTG to take over residency of the theater for a period of eight months per year for two years with the remaining four months to be used for Performing Arts Grant recipients or other private/public entities. She stated this would not only allow the Ivy Substation to continue as a top-notch theater facility but would permit the Commission and the

Redevelopment Agency to have a voice in the production of consistently high-quality performing arts in the community. She further indicated, in considering a potential resident theater company, staff examined the current agreement with CTG which provided they pay for all operating expenses including utilities, elevator maintenance, and custodial staff, creating a saving to the City of approximately $60,000 over two years. She stated the inclusion of a rental fee would offset the Performing Arts Grant recipients' ability to utilize the space under a fee waiver.

Commissioner Deen requested clarification of the intent of staff's recommendation.

Ms. Gerety clarified the motion to direct staff to recommend that the Redevelopment Agency proceed with the development of an RFP for a resident theater company which staff would then bring back to the CAC for further development.

Commissioner Deen indicated the proposed language is a little confusing and suggested rearranging the words of the motion for the sake of clarity.

Commissioner Jayne indicated the recommendation is vague, saying it is not explicitly stated which eight months in a given year the resident company would actually use the theater.

Ms. Gerety explained after the RFP process has been completed and a resident theater company has been selected, the exact times of usage will then be specified in the license agreement.

Vice-Chair Cerra remarked she would like to ensure the City's Academy of Visual and Performing Arts and NOFA recipients are considered, saying the first year this type of endeavor was undertaken, these local groups were inadvertently penalized because of CTG's presence at the Ivy. She stressed it is important that space be left open for them particularly at the end of the year when the Academy has their finale and suggested adding wording of the intent to leave space for these other groups.

Commissioner Deen concurred, saying part of the wording of the RFP should include, "It is the intent of the Commission that an eight-month term is to allow for NOFA recipients and other community organizations to have time available to use the Ivy Substation."

Ms. Evans indicated staff will definitely communicate the evening's conversation to the City Council, underlining the concerns that have been brought forward.

Commissioner Henderson remarked since CTG has had a license agreement for the Ivy, it has become a very attractive theater on the Westside. He stated the proposed motion seems to be prescriptive, indicating the City will be looking to develop an RFP for a resident theater company for two eight-month terms with four months per year being set aside for community theater groups. He asked if the possibility has been considered of having perhaps more than one theater group who might be willing to work out some type of time sharing combination over the two-year period.

Ms. Gerety explained it is staff's ultimate recommendation that a single group propose a level of performances for two eight-month periods over the two years; however, if in the RFP process a theater company desires to develop a partnership with another group, that could certainly be considered.

Commissioner Henderson queried if CTG will be leaving the seats, sound equipment, lighting, and other features so, when they depart, the City will have a viable 99-seat theater ready to accommodate another theater group.

Ms. Gerety answered their license agreement included a list of technical inventory CTG was required to purchase for the space that will remain upon their exit, adding the only thing left to be done will be to fill the space.

Chair Millikan indicated the Ivy Substation is an amazing performing space. She apologized for taking a negative stand but explained her biggest problem is this is the only space the City has to offer that is appropriate for theatrical performances. She commented, if she were an organization that is or could be the recipient of a grant, she would be very upset if eight months out of two consecutive years the Ivy Substation was dedicated to performances by the same company. She remarked she understands how difficult it is to schedule bookings and all the other logistics involved but strongly disagreed with the two-year model being proposed.

Ms. Gerety explained the Grants and Artists Subcommittee ran into many challenges this year being able to find time for all the performing arts groups desiring to perform in the Ivy even with the six months that were available. She noted, in addition to an evaluation of the amount of the award granted, one of their recommendations would be to determine through a competitive analysis process that could perform in the space. She indicated one of their major intents is to continue to build Culver City's theater environment and maintain a very strong level of performances occurring on a consistent basis.

Commissioner Henderson indicated he, too, is torn regarding the proposal. He suggested, if the City decides to have one company do two eight-month terms over the next two years, they must meet a standard of excellence with the quality of performance and production values being superb. He stated he would support the recommendation with the proviso that the City carefully scrutinize and choose an absolutely excellent theater company with a proven track record before entering into a commitment.

Commissioner Deen remarked the type of theater company being sought is going to be larger than most of the companies applying for NOFA Grants; a company that can afford to pay rent and the operating costs for the Ivy. She agreed with Commissioner Henderson that the bar needs to be raised to inspire the kind of quality people have come to expect from the Douglas. She stated, while the quality of projects coming from the City's NOFA applicants is wonderful and there are myriad companies that put on remarkable productions, they, unfortunately, are not in a position to pay for rent and maintenance of the space. She opined the proposed arrangement would provide a good middle road for everyone by bringing in a resident company and their following who, hopefully, will want to dine and shop in downtown as it is built out, it will give more publicity and name recognition to Culver City as a destination location, and it will still allow time for NOFA recipients to schedule performances there.

Ms. Evans indicated it really comes down to cachet and cash. She explained the retailing equivalent of this would be to bring in a national retailer everyone recognizes, saying what really brings personality to any district is the boutique – the unique experience. She stated staff's perspective is this will create the perfect blend by having the boutique in the form of Performing Arts Grant recipients, the up-and-coming new groups that lend personality and a unique flair to the community, and the national retailer that brings name recognition and helps pay the bills in order to bring the smaller boutiques in.

Commissioner Jayne commented she understands the dichotomy taking place, saying she is trying to balance the matter, understanding the bills have to be paid.

Chair Millikan reiterated her difficulty with the decision, saying she has a very personal stake in the Ivy Substation. She indicated she does not believe there is any shortage of potential applicants and wonderful performing arts groups that would be interested in doing a competitive process such as this, stating she still feels the overall picture will leave out many organizations that, while they may have enough of a budget to be able to enter into this type of agreement and they have a great reputation and would bring in a large audience, they may not have the budget, reputation, or following of an organization like the Center Theatre Group, which essentially no one in Los Angeles can come close to; so that expectation will slant the process from the beginning . She agreed the City wants to ensure high-quality, high-caliber work but said she is very concerned that organizations that have spent years applying for grants will somehow get lost in the bigger picture.

Commissioner Jayne, understanding the Chair's concerns, suggested making the RFP more explicit and broadening the scope to keep things more open for when decisions are finally made.

MOVED BY COMMISSIONER DEEN, SECONDED BY VICE-CHAIR CERRA AND CARRIED BY A VOTE OF 4 TO 1, THAT THE CULTURAL AFFAIRS COMMISSION RECOMMEND TO THE CULVER CITY REDEVELOPMENT AGENCY THAT STAFF DEVELOP A REQUEST FOR PROPOSAL TO ENGAGE A RESIDENT THEATER COMPANY TO USE THE IVY SUBSTATION FOR TWO EIGHT-MONTH TERMS OVER THE NEXT TWO YEARS.

AYES: CERRA, DEEN, HENDERSON, JAYNE
NOES: MILLIKAN

Commissioner Henderson asked when the proposed RFP would be ready and if the Commission would have the opportunity to review it before it goes out.

Ms. Gerety explained staff anticipates bringing the RFP to the Redevelopment Agency for their consideration and potential approval, saying the Commission will be involved in overseeing and developing the document in conjunction with them.

Item #6D
8:45 p.m.

Recommendation of a Three-Month Extension to the License Agreement with Center Theatre Group for Use of the Ivy Substation

Kellee Fritzal indicated the majority of her report was already presented and clarified the three-month extension would be from January 1, 2005 to April 1, 2005.

Commissioner Henderson stated the Center Theatre Group has produced many benefits to the arts community, noting they created the Ivy Substation, a state-of-the-art 99-seat black box theater; that Culver City and the Ivy have been mentioned in over 25 newspaper articles and countless radio announcements and interviews; and, that over 21,000 audience participants have attended the Ivy during CTG's agreement with the City, which has provided an economic catalyst for downtown.

Commissioner Deen questioned how this extension might impact usage by community groups and NOFA recipients for the first three months of 2005.

Ms. Gerety explained the current schedule for grant approval is a November recommendation with a final award consideration and approval coming from the Council in December, saying, hypothetically, a January turnaround might be too soon for those recipients. She indicated last year there was a similar situation and commitments were made to certain performing arts groups to try to work with schedules and maximize flexibility on both sides which enabled everyone approved for a Performing Arts Grant to be accommodated at the Ivy Substation.

Vice-Chair Cerra stated she is glad to approve the motion as long as consideration is given to accommodating the NOFA recipients.

Chair Millikan indicated she does not support this recommendation for the same reasons she did not vote to approve an extension in the past, which have nothing to do with CTG but rather her need to advocate for all the smaller organizations in the community who need a place to perform.

MOVED BY COMMISSIONER HENDERSON, SECONDED BY COMMISSIONER DEEN AND CARRIED BY A VOTE OF 4 TO 1, THAT THE CULTURAL AFFAIRS COMMISSION RECOMMEND TO THE REDEVELOPMENT AGENCY THE APPROVAL OF AN EXTENSION TO THE LICENSE AGREEMENT WITH CENTER THEATRE GROUP FOR USE OF THE IVY SUBSTATION FROM JANUARY 2005 TO APRIL 2005.

AYES: CERRA, DEEN, HENDERSON, JAYNE
NOES: MILLIKAN

Item #7 **Information Items**
8:21 p.m.

A. Update on 2005 Performing Arts Grants

Ms. Byers briefly outlined that approximately 100 hard copies of the 2005 Performing Arts Grant Guidelines and Application were mailed out two week ago and the same document has been posted on the City's homepage as well as the Cultural Affairs page. She indicated a workshop will be held on September 23, 2004 at 7:00 p.m. in the Garden Room of the Veterans Memorial building for any groups interested in obtaining assistance completing their applications which are due October 12, 2004.

Commissioner Deen inquired approximately how many groups are included in the database.

Ms. Byers answered approximately 600.

Chair Millikan indicated she is still on the mailing list for a group that has not existed since 1998 and suggested allocating someone the project of cleaning up the list so it is not thought to be larger than it actually is.

B. Update on the Art of ... Speaker Series

Ms. Gerety noted the last Art of ... Speaker Series took place on August 29, 2004 featuring Vice-Chair Cerra, saying it was an amazing presentation before a capacity audience and staff has received numerous comments saying how wonderful it was. She reported the next speaker will be Wednesday, September 22, 2004 at 6:00 p.m. at the NPR West Studios, 9909 Jefferson Boulevard, and will feature Mr. Alex Chadwick in the Art of Communication. Reservations are required for this performance. Mr. Wally Marks and Mr. Jeff Lee in the Art of Real Estate Development will take place on Thursday, October 21, 2004 at 7:00 p.m., most likely at the Helm's Bakery complex but the location is yet to be determined.

Ms. Gerety indicated staff is still working on solidifying a date for Mr. Gordon Davidson, of the Center Theatre Group, saying he would like to speak sometime in November in conjunction with their first show "A Perfect Wedding." She also informed that staff met with Ms. Vicky Faun to discuss an Art of Cuisine performance sometime in January or February, saying Ms. Faun has expressed interest in participating.

C. Update on the Unified Fund

Ms. Gerety reported when the sponsorship package for the City was developed this year, levels were created for individual events and programs and also for a Unified Fund, enabling one organization to provide a blanket donation which could then be allocated by the City Council based on necessity. She indicated Sony Pictures became the City's first platinum sponsor to the Unified Fund with a donation of $25,000.

D. Update on the Art Fund Report

Ms. Byers indicated the Art Fund Report, which will be produced on a quarterly basis, is still a work in progress with the basic issue being how much money allocated for maintenance of the Public Art Ordinance may have rolled over. She stated last year's unspent maintenance funds amount to just over $7,000 and this year's fiscal allocation is just over $4,000, adding those funds are restricted by the ordinance language which will need to be amended to better meet future needs.

Vice-Chair Cerra suggested staff verify with Council members who initially passed the ordinance to determine what the actual intent was, saying she believes the intent was for the funds to be carried over.

Ms. Evans indicated staff will go back to the City Council and confirm their actual intent in terms of that maintenance.

Ms. Byers responded the distinction for maintenance in the language is expended versus appropriated, adding staff has not discovered anything to indicate the language was not intentional but, as Ms. Evans indicated, staff will certainly confirm that.

Chair Millikan requested the matter be given priority status.

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Item #8 8:31 p.m. **Commissioners' Comments.**

Ms. Evans introduced Ms. Linda Simmons, the new Event Supervisor for the CAC.

Everyone on the Commission welcomed Ms. Simmons into her new position and thanked Ms. Gerety for all the time and hard work she has invested.

Vice-Chair Cerra gave copies of her new book to each Commissioner and each member of staff to be used as a cultural resource in providing historical information about Culver City.

Vice-Chair Cerra indicated the City's website has finally been fixed and all of Culver City's historic landmarks and significant structures are now listed thanks to the tenacity of Ms. Byers. She also informed she forwarded to Ms. Byers an advocacy bulletin from the California Preservation Foundation related to a statewide issue about historic preservation and urged everyone interested to submit a letter post haste in response.

She also reported at the September 13, 2004 City Council meeting, all three artists groups were approved for the $500 deed to go forward and take a look at the Harry Culver statue.

Commissioner Henderson remarked there are a number of very positive things going on in downtown with the Center Theatre Group and the revitalization of the city, saying everyone on the CAC is doing their best to make certain Culver City remains viable and positive and flourishes in the current economy.

Commissioner Henderson reported the Los Angeles County Arts Commission announced $1,965,000 in grants to 204 nonprofit organizations for the 2004-05 fiscal year, saying they also provide grants for L.A. County-based arts organizations and Culver City is doing everything possible to garner as much of those funds as possible.

Commissioner Jayne indicated she just returned from vacation and had nothing to report.

Commissioner Deen stated it is exciting to see the CAC growing.

Chair Millikan, piggybacking onto Vice-Chair's mention of the advocacy bulletin, reported a project has been proposed to build a new center downtown on Olvera Street but what might have been the first building in the area would have to be demolished. She said she might not have all the details correct, but she wanted to inform the other Commissioners. She also indicated she was able to attend the Fiesta La Ballona for the first time in the last couple years, saying she was very impressed. She thanked the Fiesta Committee and everyone involved for putting on a wonderful event.

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Item #9
8:43 p.m.

Announcements.

Ms. Byers thanked Vice-Chair Cerra, Mayor Steve Rose, and Event Coordinator Gerety for making the Los Angeles County intern tour of Culver City in July such a huge success, saying the organizer said it was one of the best intern tours they had ever had.

Ms. Byers also introduced the CAC's new minutes reporter, Debra Presutti.

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Item #10
8:45 p.m.

Director's Comments.

Ms. Evans reported the City's IT Department is currently putting a special Cultural Affairs icon on the City's Homepage and thanked John Richo for all his hard work and efforts in making these things happen.

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Item #11
8:46 p.m.

Adjournment.

With no further business for the Commission to consider, the Chair entertained a motion for adjournment.

MOVED BY COMMISSIONER DEEN, SECONDED BY VICE-CHAIR CERRA AND UNANIMOUSLY CARRIED, TO ADJOURN THE MEETING AT 8:46 P.M. TO THE NEXT REGULAR MEETING ON TUESDAY, OCTOBER 12 2004 AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS, CITY HALL.

Respectfully submitted,

Alicia Millikan, Chair

Debra Presutti