



Culver CITY

MKE BALKMAN COUNCIL CHAMBERS
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MARLA KOOSSED, Chair
REGINA KLEIN, Vice Chair
SUSAN ANDERSON, Commissioner
MICHELLE BERNARDIN, Commissioner
JOHN B. WILLIAMS, Commissioner

CULTURAL AFFAIRS COMMISSION SPECIAL MEETING AGENDA TUESDAY, MARCH 25, 2014

PUBLIC COMMENT

The Cultural Affairs Commission will listen to the public on any item on the agenda or item of interest that is not on the agenda. The Cultural Affairs Commission cannot legally take action on any item not scheduled on the agenda. Such items may be referred for administrative action or scheduled on a future agenda.

If you wish to speak to the Commission, please complete a Speaker's Card and present it to the Secretary before the agenda item is called. You will be called to the podium by name when it is your turn to speak to the Commission.

PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Persons wishing to speak on agenda items will be called at the time the agenda item is brought forward. Comments will generally be limited to five minutes per speaker; however, a three-minute limit may be declared by the Chair from time to time for agenda items for which many Speaker Cards have been submitted.

NOTE: AT OR ABOUT 11:00 P.M., COMMISSIONERS WILL DETERMINE WHETHER TO CONTINUE WITH DISCUSSION OF REMAINING ITEMS ON THE AGENDA OR TO CARRY SOME/ALL OF THE ITEMS OVER TO A FUTURE MEETING DATE.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

A total of twenty minutes shall be devoted to audience participation at the beginning of the agenda. Speakers will be called on in the order cards were received by the Secretary. If additional time is needed, the Chair will allow for some at the end of the agenda.

When the Secretary calls your name, please advance to the podium, state your name and city of residence. Speakers must limit their comments to five minutes in length. A three-minute time limit may be declared by the Chair if there are a large number of individuals desiring to address the Commission.

CELL PHONES AND OTHER DISTRACTIONS

Use of cell phones, pagers and other communication devices is prohibited while the Commission meeting is in session. Please turn all devices off or place on a silent alert and leave the Chambers to use. During the meeting, please refrain from applause or other actions that may be disruptive to the speakers and the conduct of City business.

MEETING INFORMATION

Cultural Affairs Commission meetings are regularly scheduled for the second Tuesday of every month. Commission Agenda information is available 72 hours before each meeting.

Cultural Affairs Commission meetings can be viewed live on Channel 35 by most Comcast subscribers. Meetings are also broadcast on the City's Radio Station AM 1690. To view the commission meetings on line please visit <http://www.culvercity.org/webcast>.

ALD

Assisted Listening Devices are available through Cultural Affairs staff.



Agendas are
available on the web @
www.culvercity.org

AGENDA CULTURAL AFFAIRS COMMISSION SPECIAL MEETING

Tuesday, March 25, 2014
7:00 p.m. (Regular Session)

CALL TO ORDER & ROLL CALL:

**Chair Marla Koosed
Vice Chair Regina Klein
Commissioner Susan Anderson
Commissioner Michelle Bernardin
Commissioner John B. Williams**

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT – Items Not On the Agenda

RECEIPT OF CORRESPONDENCE

CONSENT CALENDAR *Note: Consent Calendar items are considered to be routine in nature and may be approved by one motion. Public requests to discuss Consent Calendar items must be filed with the Secretary before the Consent Calendar is called.*

- C-1.** Minutes of the February 11, 2014 Regular Meeting.
Approve minutes.

ACTION ITEMS *Public requests to discuss Action Items must be filed with the Secretary before the item is called.*

- A-1.** Consideration of a Public Art Concept in Conjunction with a Development Project at 8810, 8840 and 8850 Washington Boulevard (Platform).
Approve concept and require the applicant to provide Staff and the CAC Public Art Subcommittee an update on materials and future maintenance.
- A-2.** (1) Consideration of the De-Accessioning of a Public Artwork by Kent Twitchell at 6001 Centinela Avenue (Hillside Memorial Park and Mortuary); (2) Consideration of the Replacement Cost of Kent Twitchell's Artwork; and, (3) Consideration of the Art in Public Places Allocation for a New Project at Hillside.
Approve de-accession, approve \$27,000 as the dollar amount for replacement of the artwork by Kent Twitchell, and determine how to address the disposition of the \$27,000.

- A-3. Discussion of (1) a Presentation from Staff Related to the Cultural Trust Fund and a Preliminary Budget Outline for Uses of Funds from the Cultural Trust Fund for Fiscal Year 2014/2015 and (2) Upcoming Steps in the Fiscal Year 2014/2015 Budget Process.
Consider the presentation from staff and provide comment and feedback as deemed appropriate

PUBLIC COMMENT - Items Not On the Agenda

ITEMS FROM STAFF

ITEMS FROM COMMISSIONERS

ADJOURN

**Next Cultural Affairs Commission Meeting
Mike Balkman Council Chambers
April 8, 2014
7:00 PM**

Upcoming Public Meetings Tentative Schedule

Date	Day	Time	Location
City Council			
April 14, 2014	Monday	7:00 PM	Council Chambers
April 28, 2014	Monday	7:00 PM	Council Chambers
Parks, Recreation, and Community Services Commission			
April 1, 2014	Tuesday	7:00 PM	Council Chambers
Planning Commission			
April 9, 2014	Wednesday	7:00 PM	Council Chambers
April 23, 2014	Wednesday	7:00 PM	Council Chambers
Civil Service Commission			
April 2, 2014	Wednesday	7:00 PM	Council Chambers
- Regularly scheduled meetings may be canceled and Special Meetings may be called - Times and dates may be changed. - Meetings may be added or changed			

Compliance with Government Code Section 54957.5: Any writing determined to be a public record under subdivision 54957.5(a), which relates to an agenda item for an open session of a regular meeting of the legislative body of a local agency that was distributed less than 72 hours prior to that meeting, shall be made available for public inspection at the time the writing is distributed to all, or a majority of all, of the members of the legislative body. Such documents are available at the Office of the City Clerk, City of Culver City, City Hall, 9770 Culver Boulevard, Culver City, CA 90232 and may be inspected by members of the Public during normal business hours. Such documents may also be made available on the City's Website: www.culvercity.org

REGULAR MEETING OF THE
CULTURAL AFFAIRS COMMISSION
CULVER CITY, CALIFORNIA

February 11, 2014
7:00 P.M.

Call to Order & Roll Call

Chair Koosed called meeting of the Cultural Affairs
Commission to order at 7:06 P.M.

Present: Chair Marla Koosed
Vice Chair Regina Klein
Commissioner Michelle Bernardin

Absent: Commissioner Susan Anderson (excused)
Commissioner John B. Williams (excused)

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Pledge of Allegiance

The Pledge of Allegiance was led by Arlene Cardenes.

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Public Comment – Items Not On the Agenda

Chair Koosed invited public input.

The following member of the audience addressed the
Commission:

Arlene Cardenes, Culver City Chamber Orchestra, announced
their upcoming concert on March 16 at the Culver Palms United
Methodist Church.

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Receipt of Correspondence

Christine Byers, Public Art and Historic Preservation
Coordinator, reported that no correspondence had been
received.

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Consent Calendar

Item C-1

Meeting Minutes

MOVED BY COMMISSIONER BERNARDIN AND SECONDED BY VICE CHAIR KLEIN THAT THE CULTURAL AFFAIRS COMMISSION APPROVE MINUTES FOR THE REGULAR MEETINGS OF NOVEMBER 19, 2013 AND JANUARY 14, 2014. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BERNARDIN, KLEIN, KOUSED
NOES: NONE
ABSENT: ANDERSON, WILLIAMS

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Action Items

Item A-1

(1) Dissolution of the Ad Hoc 2014 Repurposing of Cultural Affairs (Post-RDA) Subcommittee, (2) Consideration of the Creation of the Ad-Hoc 2015 Culver City Summer Music Event Request for Proposals Subcommittee and (3) Appointment of Members to Such Subcommittee (if Created)

Susan Obrow, Special Events Coordinator, provided a summary of the material of record.

Vice Chair Klein discussed overlapping opportunities in the cultural planning process and received clarification regarding the Cultural Plan subcommittee.

MOVED BY COMMISSIONER BERNARDIN AND SECONDED BY VICE CHAIR KLEIN THAT THE CULTURAL AFFAIRS COMMISSION DISSOLVE THE AD HOC 2014 REPURPOSING OF CULTURAL AFFAIRS POST RDA SUBCOMMITTEE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BERNARDIN, KLEIN, KOUSED
NOES: NONE
ABSENT: ANDERSON, WILLIAMS

Discussion ensued between staff and Commissioners regarding a Request for Proposal process for the 2015 Music Festival; Commission input into the process; procedures; the nature of

the 2015 Music Festival; what the City provides and what is offered to the promoter; options for producers; criteria; the original RFP; and the work of the subcommittee.

MOVED BY COMMISSIONER BERNARDIN AND SECONDED BY VICE CHAIR KLEIN THAT THE CULTURAL AFFAIRS COMMISSION CREATE THE AD HOC 2015 CULVER CITY SUMMER MUSIC EVENT REQUEST FOR PROPOSALS SUBCOMMITTEE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BERNARDIN, KLEIN, KOOSSED
NOES: NONE
ABSENT: ANDERSON, WILLIAMS

Commissioners discussed appointments to the subcommittee.

MOVED BY COMMISSIONER BERNARDIN AND SECONDED BY CHAIR KOOSSED THAT THE CULTURAL AFFAIRS COMMISSION APPOINT VICE CHAIR KLEIN AND COMMISSIONER WILLIAMS TO SERVE ON THE AD HOC 2015 CULVER CITY SUMMER MUSIC EVENT REQUEST FOR PROPOSALS SUBCOMMITTEE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BERNARDIN, KLEIN, KOOSSED
NOES: NONE
ABSENT: ANDERSON, WILLIAMS

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Public Comment – Items Not On the Agenda

Chair Koosed invited public input.

No cards were received and no speakers came forward.

Chair Koosed thanked Councilmember Clarke for attending the meeting.

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Items From Staff

Christine Byers, Public Art and Historic Preservation Coordinator, reported that the Public Art Subcommittee would be meeting on February 12, 2014 to review proposals for a permanent public art concept in conjunction with the Platform development project, along with an item pertaining to

Hillside; and she reported that Assistant City Manager/City Clerk Martin Cole had requested that alternate dates be considered for the March and April Commission meetings.

Commissioners discussed dates and agreed to meet on March 25, 2014 and April 22, 2014.

Discussion ensued between staff and Commissioners regarding scheduling subcommittee meetings.

Susan Obrow, Special Events Coordinator, reported on the recent use of Veterans Memorial Auditorium by Sony Pictures Television and upcoming performances in the space by USA Dance on February 16 and the Culver City Symphony Orchestra on February 22; she announced an upcoming performance by performing arts grant recipients Vox Femina on March 16 at the Culver City Presbyterian Church; and she reported the submission of an Our Town Grant to The National Endowment for the Arts.

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Items From Commissioners

Commissioner Bernardin requested a City Council proclamation for May as it is Historic Preservation month, and she questioned whether there were any plans to mark the 75th anniversary of *Gone With the Wind* and *The Wizard of Oz*.

Susan Obrow, Special Events Coordinator, discussed the elimination of funds for *Made in Culver City* and the upcoming City Centennial.

Discussion ensued between staff and Commissioners regarding the previous budget and costs for *Made in Culver City*; promotion; staff time; and the work of individuals to make events happen.

Vice Chair Klein discussed the performing arts grant awarded to the Kirk Douglas Theatre for *I'll Go On* noting that a discussion group would be held for audience members who have seen plays at the theatre on February 13, and she congratulated staff for making the January 15 deadline.

Chair Koosed reported enjoying the performance of *I'll Go On*; discussed attending the 2013 Otis Report on the Creative Economy; and congratulated staff on their work on the grant application for the Our Town Grant from the National Endowment for the Arts.

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Adjournment

There being no further business, at 7:41 P.M., the Cultural Affairs Commission adjourned its meeting to a meeting to be held at 7:00 P.M. on March 25, 2014 in the Mike Balkman Council Chambers at City Hall.

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SECRETARY of the Cultural Affairs Commission

APPROVED _____

MARLA KOOSSED
CHAIR of the Culver City Cultural Affairs Commission
Culver City, California

I declare under penalty of perjury under the laws of the State of California that, on the date below written, these minutes were filed in the Office of the City Clerk, Culver City, California and constitute the Official Minutes of said meeting.

Martin R. Cole
CITY CLERK

Date

**City of Culver City, California
Agenda Item Report**

Meeting Date: March 25, 2014		Item Number: <u>A-2</u>	
CULTURAL AFFAIRS COMMISSION AGENDA ITEM: Consideration of a Public Art Concept in Conjunction with a Development Project at 8810, 8840 and 8850 Washington Boulevard (Platform).			
Contact Person: B. Christine Byers, Public Art Coordinator		Phone Number: (310) 253-5776	
Fiscal Impact: Yes ☐ No ☒			
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: (E-Mail) Meetings and Agendas - Cultural Affairs Commission (03/20/14); Property Owners, Occupants, and Businesses within 500' Radius (to End of Block) (Sent via US Mail on 03/14/14).			
Department Approval: Sol Blumenfeld (03/19/14)		City Manager's Office Approval: Martin R. Cole (03/20/14)	
<u>RECOMMENDATION:</u> Staff recommends that the Cultural Affairs Commission (CAC) approve the proposed art concept entitled, <i>Thank You</i>, by Yoram Wolberger as fulfilling the City's Art in Public Places Program (APPP) requirement for the development project at 8810, 8840 and 8850 Washington Boulevard (Platform). <u>BACKGROUND:</u> Joseph Miller of the Runyon Group (Applicant) has been issued five Culver City building permits (Permit Nos. 80985, 83712, 83960, 84007 and 85695) for the conversion of a four acre former car dealership site to a complex featuring retail, dining, and offices as well as open green space. The site is located on the south side of Washington Boulevard, directly across from the Culver City METRO Expo Line Station and bordered on the east by National Boulevard. The permits issued are for both new construction and tenant improvements (remodeling) of existing structures on the site. Pursuant to Culver City Municipal Code (CCMC) Section 15.06.120, new commercial development projects with a building valuation of \$500,000 or more and remodeling projects with a building valuation of \$250,000 or more are subject to the City's APPP requirement. Further, Section 15.06.125 (B) states: "Multiple building permits issued within a three year period for a single project shall be considered in the aggregate in determining the APPP allocation." The valuation as appears on these five permits totals \$15,927,801.			

City of Culver City, California
Agenda Item Report

The applicant chose to fulfill the APPP requirement by commissioning original, site-specific artwork by a qualified artist. Based on the valuation of the building permits issued to date, the minimum APPP allocation is \$159,278.

DISCUSSION:

Under the direction of art consultant Beatrix Barker of Barker + Associates Public Art Advisory, the Applicant solicited qualifications from visual artists through an open call and by invitation. A selection committee, comprised of five members, reviewed over 80 submittals and selected three artists for an interview. Yoram Wolberger, a San Francisco based artist with public art experience, was unanimously selected by the committee as the artist for the project. (Coincidentally, Mr. Wolberger is also represented by Mark Moore Gallery which is located on Washington Boulevard in the Culver City Arts District.)

Mr. Wolberger's concept features a large-scale California poppy inspired by the image printed on plastic shopping bags with a cropped version of the words "Thank You" applied to the wall beneath the flower sculpture. As included in the artist's statement, the intent here is to reference "... the shopping experience that is carried on throughout this community-based retail network [Platform] [and] bring an icon of commerce to life, but present it on a larger-than-life scale." With associated meaning beyond the retail environment, the California poppy image is both site-specific to Platform and Culver City and "... celebrate[s] the renewal of the ... site into an exciting, visionary space and echo[s] the goals behind this development."

The Applicant, together with the artist and art consultant, met with staff and the CAC Public Art Subcommittee (Chair Koosed and Commissioner Bernardin) on February 12, 2014 to review the initial concept. At that time, Mr. Wolberger envisioned fabrication of the sculpture from fiberglass reinforced plastic with steel supports to better replicate the translucent quality of the thin white plastic bags which were the departure point for the art concept. Since then, the artist, in consultation with fabricators and an experienced objects conservator, has been exploring other alternatives, namely aluminum, to ensure an artwork that is both durable and that can be properly maintained. In the end, regardless of choice of material, the artist's intent is to reproduce a large-scale rendering of the poppy in a translucent material to dominate the east wall of the parking structure (facing Landmark Street) in such a manner that it appears to weave through the openings on that side of the building. As proposed, the sculpture (with approximate outside dimensions of 38' high x 47' long) would extend slightly above the roofline but not extend over the property line. The artist does not envision an entirely flat sculpture but one that has variations in thickness and would appear to "float" approximately 8 – 12 inches from the surface of the building wall.

The Applicant asked that the concept be brought forward to the CAC for consideration with the understanding that once the artist has gathered sufficient

**City of Culver City, California
Agenda Item Report**

information to make a final decision on materials, an update be provided to staff and the CAC Public Art Subcommittee. In addition, if approved by the CAC, the public art component of this development project will continue to be subject to review and approval by City Planning, Building/Safety and, if applicable, Engineering staff.

The estimated outside budget for the entire art commission is \$185,000 of which \$36,000 is the artist's fee for design. The fee for the art consultant is within the amount prescribed in Section 15.06.130 of the CCMC. Currently, the estimated installation date for the artwork is March 2015.

The artwork will be visible 24 hours/day, seven days per week to both pedestrian and vehicular traffic. The artist is proposing lighting from behind to create an illusion of transparency in addition to flood lighting from the front.

Durability and future maintenance of the artwork will be subject to the choice of materials but will include regular light pressure washing with water.

The CAC Public Art Subcommittee supported the concept as presented on February 12, 2014.

FISCAL ANALYSIS:

The cost for design, fabrication and installation for this project is borne entirely by the Applicant. The responsibility and cost for future cleaning, maintenance and restoration of the artwork is the responsibility of the property owner pursuant to Section 15.06.150 of the CCMC.

ATTACHMENTS:

1. Proposal dated March 18, 2014 for *Thank You*, including narrative description, artist resume, site plan and elevation drawings.

MOTION:

That the Cultural Affairs Commission:

1. Approve the concept for an artwork entitled, *Thank You*, by artist Yoram Wolberger as fulfilling Culver City's Art in Public Places Program requirement in conjunction with a development project at 8810, 8840 and 8850 Washington Boulevard (Platform);

AND

City of Culver City, California
Agenda Item Report

2. Require that the Applicant provide staff and the CAC Public Art Subcommittee an update on materials and future maintenance for review and approval prior to commencing fabrication.

MEETING DATE: March 25, 2014

AGENDA ITEM: Consideration of a Public Art Concept in Conjunction with a Development Project at 8810, 8840 and 8850 Washington Boulevard (Platform).

ATTACHMENTS

Pages

- | | |
|--|------|
| 1. Proposal for <i>Thank You</i> , including narrative description, artist resume, site plan and elevation drawings. | 1-17 |
|--|------|

CONCEPT ART PLAN

Presented by artist Yoram Wolberger and developer Joseph Miller of the Runyon Group

Submitted by public art advisor Beatrix Barker of Barker + Associates
Public Art Advisory

March 18, 2014

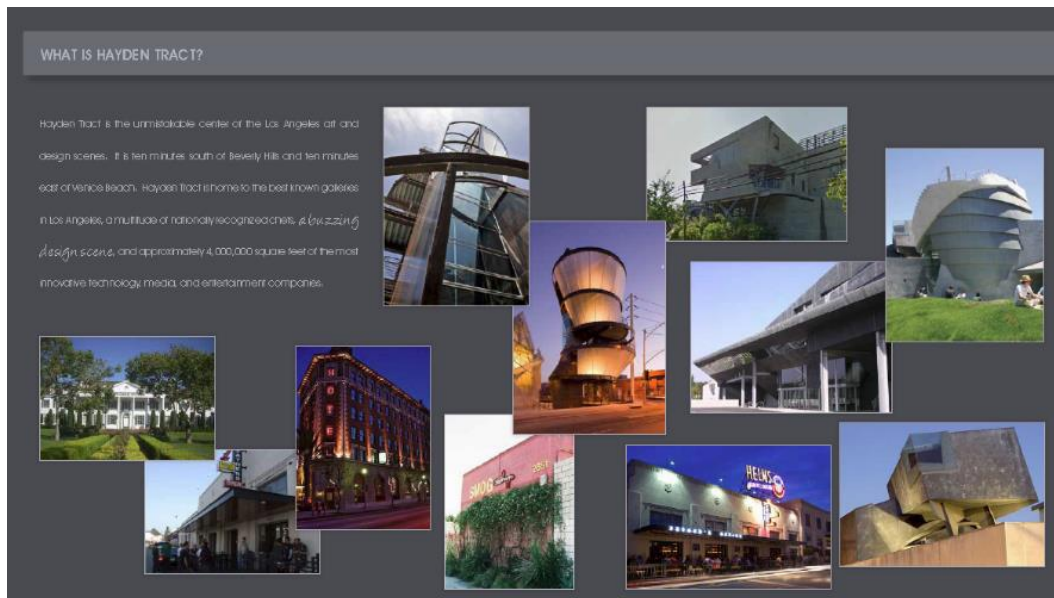
Project description



Culver City is the unmistakable center of the Los Angeles art scene and is home to over 2,000,000 square feet of creative businesses including Sony Pictures Studios, Nike Design, The Culver Studios, Ogilvy, Comcast, and Smashbox Studios.



The project site is at a key intersection adjacent to the new Culver City terminus of the Metro Expo Line which connects the Westside by rail to Downtown LA, Hollywood, the South Bay, Long Beach, Pasadena and dozens of points in between.



The neighboring Hayden Tract, just a few blocks from the newly revitalized downtown, consists of formerly abandoned industrial warehouses that are now studios and offices for people like graphic designers and software engineers, and feature a collection of experimental buildings by Los Angeles architect Eric Owen Moss.

Platform's four acre site was formerly a car dealership that will be repurposed into approximately 40,000 square feet of upscale, hip, urban retail and restaurants, 40,000 square feet dedicated to creative office space, and 40,000 square feet of open green space.

It is a collection of eight different spaces, some old and some new buildings, and outdoor open areas. It will play an important role in the transit oriented district energized by public plazas, outdoor dining and a strong retail edge.



The merchants and restaurants that are going to be part of the project will be unique, one-of-a-kind operators adding a new dimension to the Los Angeles fashion and culinary scene.



ARTIST SELECTION PROCESS

Headed by the project art consultant Beatrix Barker, Barker + Associates Public Art Advisory, artists were being solicited through open call and by invitation. An RFQ was issued and distributed locally, regionally and nationally via internet public art sites, city agency sites, public art registries. Directed special outreach was made to local Culver City galleries, art institutions and artists.

A five member Selection Committee was appointed consisting of the developer, representatives of the design team and stakeholders.

The Committee reviewed 84 qualifying digital submittals and selected Yoram Wolberger, Bob Zoell, and Megan Geckler to be interviewed. Yoram Wolberger was unanimously selected as project artist because his idea was the boldest and most inventive.

The Committee took into consideration the profile of the site, its future users, and also embraced the opportunity of presenting a dynamic artwork to complement Culver City's art profile and ever more exciting public art collection.

Yoram Wolberger uses childhood toys and everyday domestic items to create his large scale sculptures, foregrounding the latent symbolism and cultural paradigms of these objects that so subtly inform Western culture. By enlarging this ephemera to life size, Wolberger emphasizes the distortions of their original manufacture disallowing any real illusion and conceptually forcing the viewer to reconsider their meanings. When enlarged beyond any possibility of dismissal, we see that toy soldiers create lines between Us and Them, plastic cowboys and Indians marginalize and stereotype the Other, even wedding cake bride and groom figurines dictate our expected gender roles.

Wolberger (b. 1963, Tel Aviv, Israel) earned his MFA from the San Francisco Art Institute's (CA) New Genres Department. He has had solo exhibitions in New York, Los Angeles and San Francisco, and has been featured in group exhibitions at the Brooklyn Museum of Art (NY), deCordova Sculpture Park (MA), the Aldrich Contemporary Museum (CT), Orange County Museum of Art (CA), Museum of Contemporary Art (IL) and the Israeli Museum of Modern Art (Israel) among others. His works have been acquired for the permanent collections of the Brooklyn Museum of Art (NY), Frederick R. Weisman Foundation (CA) and the Orange County Museum of Art (CA), Sweeney Art Gallery, University of California Riverside, Riverside, (CA).

The artist lives and works in San Francisco, CA.

A concept proposal for Platform, Culver City *by Yoram Wolberger*

My art manipulates and challenges perceptions of the familiar through a variety of sculptural interventions. I often choose to work with everyday, culturally familiar iconic objects to which we attach deep-seated and often unconscious meanings. Transformed beyond their original context, these objects suggest new associations and provoke fresh insights into their larger societal relevance and influence.

In my previous public art commissions, I have made a point to tie elements of the community into the work itself. For example, the "CA Mission" (2011) piece that was installed in the Millennium Tower in San Francisco, references the location of the building on Mission Street, the old road leading to the one of San Francisco's most iconic landmarks —Mission Dolores. At the same time, the work alludes to the state's history with the California Missions, as well as their inherent culture and history.

For the purposes of the *PLATFORM* project in Culver City, I envisioned a new facet to this practice that will illustrate the site's support of the retail, art, and environmental industries, in addition to its site-specific location in Culver City, California.

For *PLATFORM*, I wanted to facilitate a conversation between seemingly disparate practices through one ubiquitous image. Sourcing inspiration from the shopping experience that is carried throughout familiar community-based retail sites, my proposal would highlight the omnipresence of a familiar icon by essentially bringing it back to life, presenting it on a large scale, and using vivid color. On one hand, this piece will be seductive, surprising, and visually engaging, and on the other, a memorable, inclusive and familiar experience to the visitors of the renewed site.

Consider the minimalistic iconic rendering of the poppy flower on commonly used shopping bags. Despite its ubiquity, the image conjures associations as diverse as *PLATFORM*'s audience:

- Being such a popular and familiar image, the poppy suggests the inclusiveness and recreational aspects of the site, but also represents *PLATFORM*'s refined and elevated attitude.
- The image expresses the joy and growth of universal consumer culture, but also with a specific local reference as it is the official state flower of California—the *California Poppy* (*Eschscholzia californica*).
- Rather than presenting a realistic rendering of a poppy, it will represent the abstraction that occurs when a popular image is produced over and over again.
- By resurrecting this flat, disregarded/discarded mass-produced image from a shopping bag into a unique, individual, and multi-dimensional sculpture, this work will celebrate the renewal of the *PLATFORM* site into an exciting, visionary space and echo the goals behind this development.
- Finally, the iconography of the flower relates to the art historical canon; from the still life paintings of Dutch and Flemish painters, to the pop-art silkscreens of Andy Warhol; this work is an instant statement about *PLATFORM*'s objectives in facilitating an environment for creative and artistic interactions in our day-to-day experiences.



Titled '*Thank You*' this work would be installed within the *PLATFORM* community as both a nod to the support of its independent and unique retailers - as well as Culver City's own inventive history - but also to the creative thinkers that strive to find the imaginative in the ordinary.

General Description:

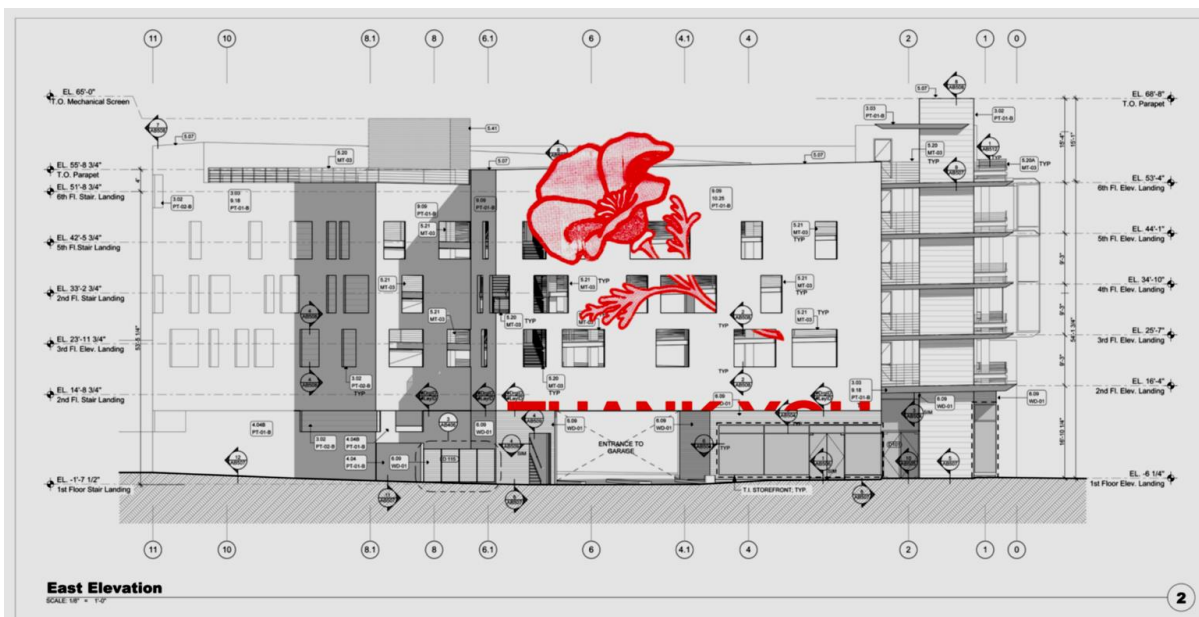
A large-scale rendering of a flower will be fabricated in relief out of white translucent flat material. This ghost-like structure, suspended on the eastern parking lot wall, will retain the characteristics of mass produced objects and imperfections of the original iconic rendering of a *California Poppy* on commonly used shopping bags. The phrase *Thank You* from the actual shopping bags will be applied (cropped) on the wall underneath the flower.

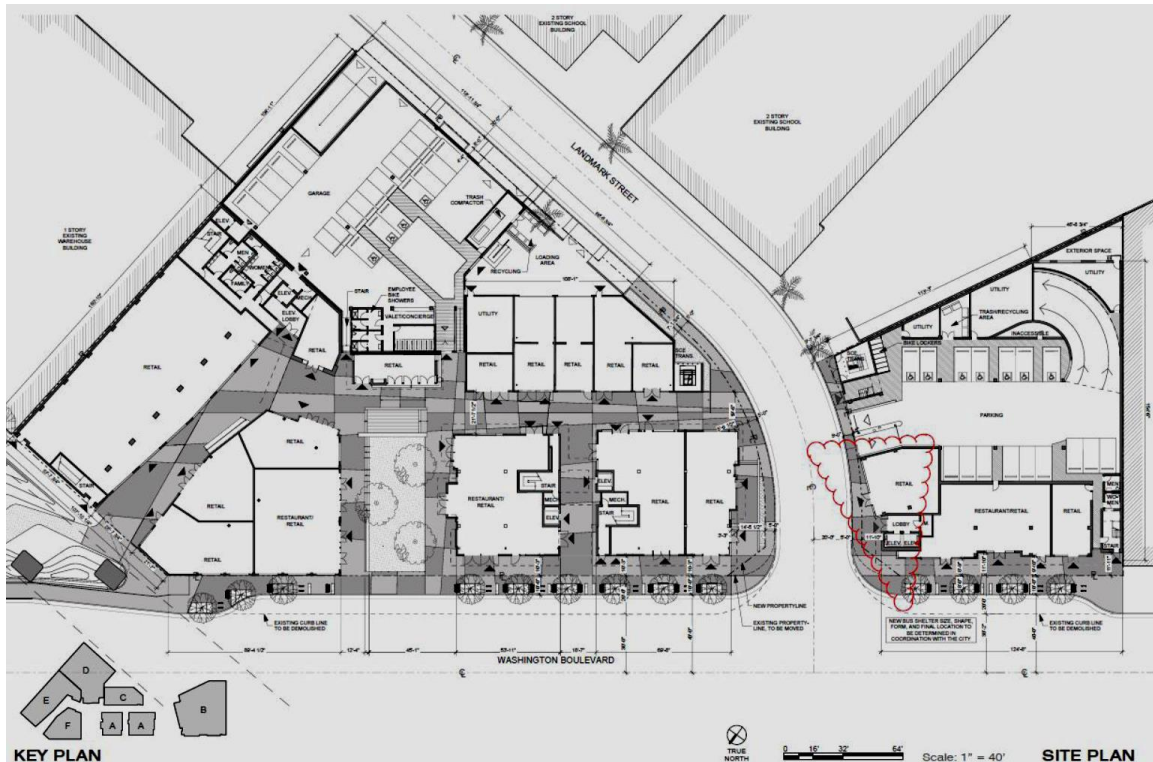
Referencing the shopping experience that is carried on throughout this community-based retail network, the artwork will bring an icon of commerce to life, but present it on a larger-than-life scale. On one hand, this piece will be uncanny, distinctive, and visually striking; on the other hand, it will be seductive, inclusive, and familiar to the visitors of the site.



Estimated dimensions:

H 38 ft. x L 47 ft. x w 1.5 ft. (Surface estimated: 525 sqft.- 850 sqft.)





Located on the on the east side wall of the parking structure of building B.

Proposed methods of fabrication:

Option 1:

- Fabricating Fiberglass Reinforced Plastic (FRP) sculpture with relief on front side of approximately 8-12 inches from the surface of the building wall.
- Steel reinforcement as needed.
- Post-fabrication applied paint and/or printed film referencing flower pattern and graphic, in white and red.
- Post applied clear coat UV inhibitor coats (commonly used in the auto industry) to protect the exterior paint from the elements and to minimize the UV damage.

Option 2:

- Perforated aluminum sculpture with relief on front side of approximately 8-12 inches from the surface of the building wall.
- Steel reinforcement as needed.
- Post-fabrication applied paint referencing flower pattern and graphic, in white and red.
- Post applied clear coat UV inhibitor coats (commonly used in the auto industry) to protect the exterior paint from the elements and to minimize the UV damage.

Lighting:

- Lighting from behind to create an illusion of transparency, referencing the translucent of a plastic bag
- Flood lighting from the front that should be balanced with the back lighting.

Scope of work:

A. Conceptual Design Phase- Estimated 6-8 weeks:

1. Meet with project principals for introduction.
2. Research project background, design and budget parameters.
3. Create visual materials to convey conceptual design for art plan including but not limited to: sketches, photos and material samples.
4. Estimate budget.
5. Present items 3 and 4 above to project principals for approval to proceed with Schematic Design and approval process by the City.

B. Schematic Design Phase - Estimated 6-8 weeks:

1. Finalize visual materials to convey refined design for art plan including but not limited to: sketches, photos and material samples.
2. Finalize budget estimate.
3. Finalize fabrication, delivery and installation schedule; coordinate with project principals.
4. Present items B.1 – B.3 to City.

C. Initial Fabrication (Fabrication Phase 1) - Estimated 8 weeks:

1. Execute construction drawings and coordinate artwork integration with building architecture.
2. Order materials and initiate fabrication.
3. Fabrication oversight to approximately midway of completion.

D. Final Fabrication (Fabrication Phase 2 and 3) - Estimated 16 weeks:

1. Oversight and completion of fabrication.

E. Delivery/Installation Phase - Estimated 2-3 weeks:

1. Schedule delivery and installation of artwork, **estimated March 2015.**
2. Coordinate delivery of the Artwork to the site for installation by others.
3. On site consulting on aesthetic issues related to installation.
4. Obtain acceptance of Artwork by concerned parties (Developer and City)

Maintenance:

- Every 6 months the piece should be lightly pressure washed with water.
- Every 12 months it should be inspected for any cracking or topcoat degradation.
- Every 36 months the piece should be thoroughly cleaned by pressure washing and lightly scrubbing with a soft brush and a TSP substitute solution and rinsed with water. Once cleaned, an inspection of the steel and attachment points should be done and a new UV inhibitor topcoat should be reapplied per the material application specification.
- Recommended Maintenance Company:

Rosa Lowinger & Associates
5418 Packard St,
Los Angeles, CA 90019
www.rosalowinger.com
(310) 383 4710

BUDGET – current preliminary estimate: \$185,000

ARTIST’S BUDGET:

Rough order of magnitude (ROM) cost estimate – Total: \$150,000

- Artwork Fabrication – \$96,666
- Artist’s Prep and Support Expenses - \$12,334
- Artist Design Fee - \$36,000
- Contingency - \$5,000

Itemized Estimated Artist’s Prep and Support Expenses – \$12,334:

- Modeling/Scanning - \$5,000
- 3-D printout -\$2,000
- Insurance (2yr) - \$1,000
- Travel - \$4,334

DEVELOPER’S BUDGET preliminary estimate - \$20,000

Based on anticipated exclusions from artist’s budget

1. Back up and anchors
2. Shipping
3. Installation and identification plaque
4. Inspection and testing by an independent laboratory
5. Applicable taxes
6. Necessary permits
7. Lighting

ADMINISTRATIVE:

Art advisor fee

\$15,000

Based on 10% of current estimated on-site art budget

Yoram Wolberger

Born 1963, Tel Aviv, Israel
Lives and works in San Francisco, CA

Education

2001 MFA, New Genres Department, San Francisco Art Institute, San Francisco, CA
1992 BA, Bezalel Academy of Art and Design, Jerusalem, Israel

Selected Solo Exhibitions

2010 Cowboys and Indians, Benrison Contemporary, New York, NY
2006 A Survey of work from 1998 - 2005, Center for Contemporary Art, Sacramento, CA
2004 Mark Moore Gallery, Los Angeles, CA
2002 Parting Lines, New Langton Arts, San Francisco, CA
2001 Introductions 2001, Catharine Clark Gallery, San Francisco, CA
2000 Diego Rivera Gallery, San Francisco, CA
1999 Diego Rivera Gallery, San Francisco, CA

Selected Group Exhibitions

2014 *Pop Culture: Selections from the Frederick R. Weisman Art Foundation*, Boca Raton Museum, FL
Pop Culture: Selections from the Frederick R. Weisman Art Foundation, MANA Contemporary, NJ
Under The Influence of Finance & Fashion, Carnegie Art Museum, Oxnard, CA
2013 Ducks in a Row, Refusalon Gallery, CA
Essential: Selections from the Permanent Collection Celebrates UCR Sweeney Art Gallery's 50th Anniversary, Sweeney Art Gallery, UC Riverside, Riverside, CA
2012 We Could Be Heroes: The Mythology of Monsters and Heroes in Contemporary Art, Museum of Art Brigham Young University, UT (traveling through 2013)
Curiosity, MASS MoCA, North Adams, MA (traveling through 2013)
Go East: Curated by Mark Moore Gallery, Joshua Liner Gallery, NY
2011 Transformations, 21c Museum, Louisville, KY
2010 Fashion and Finance, Pepperdine University, Frederick R. Weisman Museum of Art, Malibu, CA
New Art for a New Century: Contemporary Acquisitions 2000-2010, Orange County Museum of Art, Newport Beach, CA
Childs Play, Institute of Art, Design and Interactive Media CCBC, Baltimore, MD
2009 American Identities, Brooklyn Museum of Art, Brooklyn, NY
deCordova Sculpture Park + Museum, Lincoln, MA
Sygyzy, The Lab, San Francisco, CA
Pulse New York Contemporary Art Fair, installation, New York, NY
2008 Group Exhibition, Scott White Contemporary Art, San Diego, CA
From the Permanent Collection, Brooklyn Museum of Art, Brooklyn, NY
Scope Miami Art Fair, Mark Moore Gallery booth, Miami, FL
2007 Model Behavior, organisms, Portland, OR
Pulse Miami Contemporary Art Fair, Mark Moore Gallery booth, Miami, FL
California Art: Selection from the Frederick R. Weisman Art Foundation, American Jewish University, Los Angeles, CA
Made in California: Contemporary California Art from the Fredric R. Weisman

- Foundation, Fredric R. Weisman Museum of Art, Pepperdine University, Malibu, CA
- 2006 No Reservations: Native American History and Culture in Contemporary Art, The Aldrich Contemporary Art Museum, Ridgefield, CT
Through the Rabbit Hole, 21C Museum, Louisville, KY
See Jane Run, The Bedford Gallery, Walnut Creek, CA
Pulse Contemporary Art Fair, Mark Moore Gallery booth, New York, NY
Pulse Contemporary Art Fair, Catharine Clark Gallery booth, New York, NY
- 2005 Summer Pleasures, Mark Moore Gallery, Santa Monica, CA
Social Insecurity: The Future Ain't What It Used to Be, Catharine Clark Gallery, San Francisco, CA
Scope New York, Mark Moore Gallery booth, New York, NY
Scope New York, Catharine Clark Gallery booth, New York, NY
- 2004 Overt/Covert, Aidekman Arts Center, Tufts University Gallery, Medford, MA
Domestic Odyssey, San Jose Museum of Art, San Jose, CA
The Armory Show, Henry Urbach Architecture, New York, NY
Scope New York, Mark Moore Gallery, New York, NY
Scope New York, Catharine Clark Gallery, New York, NY
Hard Candy, San Jose Institute of Contemporary Art (ICA), San Jose, CA
Just One Word: Plastics, Square Blue Gallery, Costa Mesa, CA
- 2003 Scope Miami, Catharine Clark Gallery, Miami, FL
Art on Site 2: officespace, Tel Aviv, Israel
Sprout, Catharine Clark Gallery, San Francisco, CA
realUNREALI, Sheppard Fine Arts Gallery, University of Reno, NV
War (What Is It Good For?), Museum of Contemporary Art, Chicago, IL
A Beautiful Day in the Neighborhood, Sun Valley Center for the Arts, Sun Valley, ID
- 2002 2002 California Biennial, Orange County Museum of Art, Newport Beach, CA
Portrait Obscured, San Jose Institute of Contemporary Art (ICA), San Jose, CA
Pro Arts' Juried Annual 2001-02, Pro Arts Gallery, Oakland, CA
Art Chicago, Catharine Clark Gallery, Navy Pier, Chicago, IL
San Francisco International Art Exposition, Catharine Clark Gallery, San Francisco, CA
- 2001 Present/Tense, University Art Gallery, Sonoma State University, Sonoma, CA
Introductions South 2001, San Jose Institute of Contemporary Art (ICA), San Jose, CA
By Appointment, Refusalon, San Francisco, CA
Jernigan Wicker Fine Arts Gallery, San Francisco, CA
House and Garden Show, San Francisco, CA
About Body and Space, Diego Rivera Gallery, San Francisco, CA
Headlands Center for the Arts, Installation, Annual Mystery Ball, Sausalito, CA
- 2000 OpenHouse; Art on Site1, San Francisco, CA
Bay Area Student Sculpture Biennial, San Francisco, CA
Limited Situations, curated by "Los Carpenteros" and Toni Labat
- 1993 The Week of the Young Artist, The Schrieber Gallery, Tel Aviv, Israel
- 1992 Gallery 13, Jaffa, Israel
The Week of the Young Artist, The Israeli Museum of Modern Art, Ramat Gan, Israel Mann Auditorium, Tel Aviv, Israel
- 1991 Tel Aviv Museum of Modern Art, Tel Aviv, 1993

Public Collections

21c Museum, KY
Brooklyn Museum, Brooklyn, NY
Frederick R. Weisman Art Foundation, CA
Orange County Museum of Art, CA
Sweeney Art Gallery, University of California Riverside, Riverside, CA

Awards and Fellowships

2012 Millennium Tower Public Commission, City of San Francisco
2002 Pro Arts' Juried Annual 2001-02, Juror's Commendation
2000 Jack and Gertrude Murphy Fine Arts Fellowship
Schmidt Family Foundation Fellowship
1992 American Israel Cultural Foundation Scholarship
1991 American Israel Cultural Foundation Scholarship
1990 American Israel Cultural Foundation Scholarship

Selected Bibliography

2012 Green-Miner, Brittany, "Art Exhibit investigates modern heroes, monsters", Fox 13 News, December 9, 2012.
Cotney, Carolyn. "CA Mission," Home and Design Magazine, September 2012.
Foulatier, Julien, "Yoram Wolberger", Boum!Bang!, May 30, 2012.
Rubin, Josh, "CA Mission: Yoram Wolberger debuts his first public installation in a San Francisco high-rise", Cool Hunting, March 1, 2012.
2011 Rottman, Michael, "Cosa Nostalgia", The Morning News, September 1, 2011.
2009 Smith, Paul Chaat. Everything You Know about Indians is Wrong, 2009
2007 Choquette, Marc, "Simplicity makes Wolberger's piece very intriguing", The Graphic, November 26, 2007.
2006 Cowan, Alison Leigh, "A Pile of Blankets, With Personal History Woven Into the Fabric", The New York Times, August 25, 2006.
2004 Sapina-Kerkhove, Mari, "Domestic Pains And Gains On Display", Spartan Daily, April 19, 2004.
Sullivan, James, "A Love Affair with Appliances Only Keeps Us in the Kitchen", San Francisco Chronicle, March 25, 2004.
Gant, Michael S., "House Unbound", Silicon Valley Metro, March 17-24, 2004.
Hayes, Holly, "Domesticity goes for a spin" San Jose Mercury News, Mar. 13, 2004.
Gordon, A.L., "Out and About", The New York Sun, March 15, 2004.
Hayes, Holly, "What's in the fridge? Art", San Jose Mercury News, Mar. 05, 2004.
Fischer, Jack, "Twisted Visions of Youth", San Jose Mercury News, February 1, 2004.
Baker, Kenneth, "California Artists Take the Traditional Still-Life in Wild New Directions," San Francisco Chronicle, January 31, 2004.
2003 Woods, Casey, "Alternative to Exhibit Space", Miami Herald (Neighbors), December 7, 2003.
McCarthy, David, "Fantasy and Force: A Brief Consideration of Artists and War in the American Century", Art Journal, December 2003, p. 95 illus.
Shefi, Smadar, "Executives Games", Haaretz, May 27, 2003.
Director, Ruth, "Velvet Underground", Ha-ir, May 15, 2003.
Kantor, Sharon, "Another Day at The Office", Ha-ir, May 15, 2003.
Gilerman, Dana, "New Life to a Deserted Office", Haaretz, May 8, 2003.

- Hieggelke, Brian, "When Hawks Cry: Art (What is it good for?)," NewCityChicago Online Magazine, March 26, 2003.
- Hawkins, Margaret, "WAR, Exhibit Cry Out for Peace," Chicago Sun-Times, January 24, 2003.
- 2002 Tanous, Adam, "Center Exhibit Examines the Concepts of Home," Express, December 18, 2002.
- Frank, Peter, "2002 California Biennial," LA Weekly, August 30-September 5, 2002.
- Chang, Young, "Strange Beauty," Daily Pilot, May 25, 2002.
- Pincus, Robert L., "Ordinary Strangeness," The San Diego Union –Tribune, June 20, 2002.
- Walsh, Daniella, "Exhibition Two Years Young," The Orange County Register, June 2, 2002.
- Mendenhall, Lauri, "A Multi-layered Debut," Coast, June 2002.
- Goldner, Liz, "Provocative Summer Shows, from Warhol to Edge of the World," Post-pop, Multimedia Extremism," OC Metro, June 2002.
- Walsh, Danielle, "Avant Art," Riviera Magazine, May-June 2002.
- Fisher, Jack, "About Face," The Mercury News, March 28, 2002.
- Baker, Kenneth, "Yoram Wolberger," San Francisco Chronicle, January 12, 2002.
- 2001 Baker, Kenneth, "Toying with the Human Form," San Francisco Chronicle, July 28, 2001.
- Betsky, Aaron, "Tangerine Dream," Interiors, May 2001.
- Novakov, Anna, "Open House: Art on Site 1," Vistaview Journal of Contemporary and New Media Art, March 25, 2001.
- 2000 Baker, Kenneth, "Rooms with a View," The San Francisco Chronicle, June 10, 2000

Catalogues

- 2007 Klien, Richard, No Reservations, The Aldrich Contemporary Art Museum, Ridgefield, CT
- 2004 Northrup, JoAnne, Domestic Odyssey, San Jose Museum of Art, San Jose, CA
- 2002 Armstrong, Elizabeth; Hofman, Irene, 2002 California Biennial, Orange County Museum of Art, Newport Beach, CA

Barker + Associates specializes in the field of public art, cultural planning, and community development. The firm acts as liaison between developers, architects and artists, in association with city planners, design teams and art advisory committees, to find the best solutions for the inclusion of art and art programming in a wide variety of projects.

Our professional expertise and strategic alliances, developed in over thirty years of working on public art projects, makes us effective in all aspects and phases of project development and management, including:

- professional guidance in the planning, selection, commission, fabrication, installation, and maintenance of art in public places;
- integration of the art component with other design and development objectives;
- securing all required approvals and permits from government agencies;
- development and coordination of creative community outreach programs and art programming.

We see our role as mediators of win-win partnerships with the communities we work in, as well as the local government agencies and departments. We approach both the mandated public art programs, and the developer or architect initiated art programs, with the aim that our projects, the art and artists we select, as well as related programming, become positive icons in the community.

The principal consultant of Barker + Associates is **Beatrix Barker**. She has been a professional art advisor for over three decades and is experienced in a broad range of project types with skills in analysis, strategic planning, and project management.

Because of her extensive knowledge of public art and related issues, she is often invited to advise public sector clients on workable policy, strategy and implementation, and is a frequent lecturer on the subject of public art. In addition to public art, community development, and cultural planning, Beatrix has also distinguished herself in corporate consulting, corporate philanthropic policy and communications programming, as well as exhibition development. She has been appointed to various boards and committees.

The broad range of projects she has worked on since establishing an office in Los Angeles include five public art projects at Staples Center, the sports and entertainment complex downtown Los Angeles; the largest riverfront regeneration project in the US: Three Rivers Park in Pittsburgh, PA; temporary art installations programming for Santa Monica Boulevard in West Hollywood; UCLA Santa Monica Medical Center art program; a Marriott Hotel in Burbank; a bridge downtown Los Angeles; and numerous significant mixed-use residential, retail and commercial projects.

**City of Culver City, California
Agenda Item Report**

Meeting Date: March 25, 2014		Item Number: <u>A-2</u>	
CULTURAL AFFAIRS COMMISSION AGENDA ITEM: (1) Consideration of the De-Accessioning of a Public Artwork by Kent Twitchell at 6001 Centinela Avenue (Hillside Memorial Park and Mortuary); (2) Consideration of the Replacement Cost of Kent Twitchell's Artwork; and, (3) Consideration of the Art in Public Places Allocation for a New Project at Hillside.			
Contact Person: B. Christine Byers, Public Art Coordinator		Phone Number: (310) 253-5776	
Fiscal Impact: Yes ☐ No ☒			
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: (E-Mail) Meetings and Agendas - Cultural Affairs Commission (03/20/14)			
Department Approval: Martin R. Cole, Assistant City Manager (03/20/14)			
<u>RECOMMENDATION:</u> Staff recommends that the Cultural Affairs Commission ("CAC") (1) approve the de-accession of an artwork by Kent Twitchell commissioned through the City's Art in Public Places Program in 1997 for Hillside Memorial Park and Mortuary ("Hillside"); (2) approve a dollar amount as the replacement cost for the artwork by Kent Twitchell; and, (3) consider whether Hillside may add the value of the replacement cost of Mr. Twitchell's artwork to the Art in Public Places allocation for a new project (Valley of the Prophets) currently in development. <u>BACKGROUND:</u> In 1997, pursuant to the City's Art in Public Places Program (APPP), Hillside Memorial Park and Mortuary engaged Los Angeles muralist Kent Twitchell to create and execute a triptych for the Acacia Gardens mausoleum. That triptych was to depict family members of various ages from infancy to old age. The original 1% APPP allocation pursuant to the City-issued building permit(s) was \$11,881. Hillside voluntarily chose to invest \$75,000 into the triptych project and executed a contract with the artist in August of that year. The terms of the contract included a time-frame for completion of 7 – 10 months from the date the artist commenced work on the project.			

City of Culver City, California
Agenda Item Report

In 2004, Hillside approached the City regarding the status of the project which, at that time, included one and one-half complete murals. Hillside requested that the CAC consider the length of time that had passed since the contract had been executed with the artist, the amount paid to the artist up to that point (\$42,000), and approve a revision to the original concept. On September 14, 2004, the CAC considered the item and approved the request to amend the scope of the project from three murals (triptych) to two murals (diptych).

On January 1, 2007, the CAC again considered an item at Hillside's request to further revise the original proposal. The CAC approved that the one completed mural fulfill Hillside's Art in Public Places Program requirement in association with the 1997 development project (Acacia Gardens).

DISCUSSION:

In the fall of 2013, Paul Goldstein, General Manager at Hillside, met with staff to discuss the concept for a new development project at Hillside (Valley of the Prophets). At that time, Mr. Goldstein informed staff that Hillside had recently (inadvertently) painted out Mr. Twitchell's mural at Acacia Gardens and two other adjacent murals commissioned separately by another artist after the 2007 CAC decision. It was afterward that Mr. Goldstein learned that Mr. Twitchell's artwork was commissioned as part of the City's Art in Public Places Program and, therefore, had certain requirements associated with it. (Kent Twitchell has already reached an agreement with Hillside in conjunction with these events.)

Per Culver City Municipal Code (CCMC) Section 15.06 et seq., de-accessioning guidelines include consideration only after five years following the installation of a permanent artwork and under circumstances that may include a significant adverse reaction to the artwork. With regard to the second criterion, over time it became evident that the intent to "complete" Kent Twitchell's original concept with the work of a second artist was not successful in terms of creating a cohesive environment where the art was integrated into the surroundings and served the needs of the site. Hillside received numerous complaints about the art at Acacia Gardens.

For purposes of replacing Mr. Twitchell's artwork with artwork of the same value or paying the value of the removed artwork to the Cultural Trust Fund (CCMC Section 15.06.150 (L)), the sequence of events that led to two amendments to the original concept created a situation where the value, for purposes of complying with the CCMC, became subjective. In light of this, following the meeting with Mr. Goldstein in 2013, staff proposed an amount that was based on the average of the original APPP allocation (\$11,881) and the amount Hillside had paid Kent Twitchell by 2004 (\$42,000). Using this methodology, \$27,000 is the amount (rounded up) that would be used as the value for an artwork to replace Kent Twitchell's completed mural for Acacia Gardens.

**City of Culver City, California
Agenda Item Report**

On February 12, 2014, the CAC Public Art Subcommittee met with staff and Mr. Goldstein to review the information outlined above. The Subcommittee unanimously supported de-accessioning Kent Twitchell's mural for Acacia Gardens as well as the proposed replacement value of \$27,000. They were not, however, in agreement about whether to support Hillside's request to add \$27,000 to the 1% APPP allocation for a new development (Valley of the Prophets), currently estimated at \$82,819. (Hillside intends to commission art for the new project to include stained glass windows. Hillside's public art concept for this project will be brought to the CAC at a later date.)

FISCAL ANALYSIS:

If the CAC decides to approve staff's (as concurred in by the Subcommittee) proposed value of \$27,000 as the replacement cost for Kent Twitchell's mural and Hillside's request to add that amount to the 1% APPP allocation for Valley of the Prophets (the Subcommittee did not agree on this proposal), Hillside would have a total public art budget of \$109,819. If the CAC decides to approve staff's proposed value of \$27,000 as the replacement cost for Kent Twitchell's mural but decides that this amount should be paid into the Cultural Trust Fund, the money would be used to support other Cultural Affairs projects and programs as outlined by the CCMC.

ATTACHMENTS:

1. August 1997 Contract between Hillside and Kent Twitchell
2. August 2004 Letter from Barry Berlin to City staff
3. September 14, 2004 CAC staff report
4. January 9, 2007 CAC staff report

MOTION:

That the Cultural Affairs Commission:

- 1) Approve the de-accession of an artwork by Kent Twitchell originally commissioned through the City's Art in Public Places Program in 1997 for Hillside Memorial Park and Mortuary ("Hillside");

AND

- 2) Approve \$27,000 as the dollar amount for replacement of the artwork by Kent Twitchell;

AND

City of Culver City, California
Agenda Item Report

- 3) Approve Hillside's request to add the value of the replacement cost of Kent Twitchell's artwork in the amount of \$27,000 to the Art in Public Places allocation for the Valley of the Prophets project;

OR

- 4) Deny Hillside's request to add the value of the replacement cost of Kent Twitchell's artwork in the amount of \$27,000 to the Art in Public Places allocation for the Valley of the Prophets project and require that Hillside pay this amount to the Cultural Trust Fund.

MEETING DATE: March 25, 2014

AGENDA ITEM: Consideration of the De-Accessioning of a Public Artwork by Kent Twitchell at 6001 Centinela Avenue (Hillside Memorial Park and Mortuary); Consideration of the Replacement Cost of Kent Twitchell's Artwork; and, Consideration of the Art in Public Places Allocation for a New Project at Hillside.

ATTACHMENTS

	<u>Pages</u>
1. August 1997 Contract between Hillside and Kent Twitchell	1 - 3
2. August 2004 Letter from Barry Berlin to City staff	4 - 5
3. September 14, 2004 CAC staff report	6 - 7
4. January 9, 2007 CAC staff report	8 - 9

MURAL CONTRACT

This Agreement is made this 22 day of AUGUST, 1997 by and between KENT TWITCHELL ("Artist"), whose address is 9429 Main Street, Post Office Box 145, Upper Lake, California 95485 and HILLSIDE MEMORIAL PARK AND MORTUARY ("Owner"), whose address is 6001 Centinela Blvd., Los Angeles, California 90045 (collectively the "Parties").

RECITALS

Whereas, Owner owns a mausoleum building at its address stated above (the "Building"); and

Whereas, Artist is a fine artist with expertise in painting murals; and

Whereas, the Parties desire to make an agreement whereby Owner will provide suitable walls and will commission Artist to design, paint and install three (3) murals on three (3) walls of the Building;

NOW, THEREFORE, in consideration of the terms and conditions set forth below, the Parties agree as follows:

AGREEMENT

1. COMMISSION AMOUNT AND MANNER OF PAYMENT. Owner shall pay Artist a total of SEVENTY FIVE THOUSAND DOLLARS (\$75,000) as a commission for the three (3) murals. This commission will cover the Artist's fee, paints, and labor used by Artist to assist in the painting of the mural in the Artist's studio and in the installation of the three (3) murals. Scaffolding required for installation of the murals shall be provided by Owner. Artist acknowledges receipt of Seven Thousand Five Hundred Dollars as a retainer which has been applied toward the total commission. The remainder of the payment schedule shall be as follows:

Seventeen Thousand Five Hundred Dollars (\$17,500) upon the signing of this Agreement and the approval of [the murals?] by the appropriate Culver City agencies;

Twenty Five Thousand Dollars (\$25,000) when the project is half completed (defined as after the first Mural has been painted, installed, touched up and sealed and the second Mural is fully drawn and ready to paint in the Artist's studio).

Twenty Five Thousand Dollars (\$25,000) after the third Mural has been completely installed, touched up and sealed.

2. COMMENCEMENT OF WORK. Artist shall commence work on the first Mural within thirty (30) days of receipt of the initial payment of Seventeen Thousand Five Hundred Dollars (\$17,500) by Owner. Artist shall work diligently on the Murals until all have been completed, which Artist

estimates will be from seven (7) to ten (10) months from the commencement of the work. If Artist fails to complete all of the Murals (including installation, touch up and sealing) within eighteen (18) months from the date of commencement of the work, Owner may deduct Two Hundred Fifty Dollars (\$250) per day from the final commission payment until the Murals are completed.

3. DESCRIPTION OF MURALS. Artist shall design, paint and install three (3) original murals for Owner. The Murals will be placed on three (3) separate walls and will depict family members of various ages from infants to the elderly. Painted figures will relate happily to each other and some will also relate to the viewer. The dimensions of the three (3) panels which are to comprise the Murals will be 16 1/2' x 16', 21' x 16', and 26' x 16'.

4. WARRANTY BY ARTIST. Artist warrants that he is the creator of the Artwork and that he is the copyright owner. With regard to the length of time that the Murals are expected to remain in good condition, reference is made to that letter dated July 17, 1997 from Artist to Owner. That letter is incorporated into this Agreement by this reference. If the parties agree that restoration of the Murals is required, such restoration shall be performed by Artist at no expense to Owner within a reasonable period of time after the parties agree on the need for restoration. The preceding sentence shall not apply to restoration required as the result of vandalism, or damage caused by Owner's employees or agents.

5. COPYRIGHT AND OTHER RIGHTS. Artist shall retain all rights, title and interest to the Murals as well as to any incidental and preliminary designs and artwork and thereby retains all rights to reproduce, distribute and/or display the artwork (but not including the right to remove the Murals from the Building) and any derivative work based on the subject matter of the Murals, as well as all other rights, privileges and remedies granted or reserved to a copyright owner under the copyright laws of the United States of America. Owner shall comply with the California Civil Code Section 987, the Arts Preservation Act, all copyright laws and other relevant laws. Artist shall allow Owner to reproduce the Murals for any purpose except for profit and will reasonably negotiate any for profit reproductions.

6. REPAIR, RESTORATION AND REMOVABILITY FOLLOWING WARRANTY PERIOD. Following the Warranty Period, Artist shall be informed and consulted with respect to any repairs and restoration efforts to be undertaken on the Murals and if Artist so desires, shall supervise all such repair and restoration efforts at no expense to Owner.

7. BINDING ON SUCCESSORS AND ASSIGNS. Subject to the provisions contained herein, this Agreement shall insure to the benefit of and be binding upon the Parties hereto, their successors, trustees, assigns, receivers and legal representatives. Notwithstanding the preceding sentence, the Parties acknowledge that this Agreement calls for the personal efforts of Artist. In the event that Artist is unable to complete the Murals due to death or disability, Owner shall have the right to engage another artist (the "Replacement") to complete the Murals based on the drawings and renderings of Artist. Artist or his estate and legal representatives agree to furnish

the drawings and renderings for the use of Replacement, but such designs and renderings shall remain the property of Artist or his estate. In the event of Artist's death or disability, no further payments will be due following the date of death or disability, other than payments then due according to the payment schedule set forth herein but unpaid.

8. INSURANCE. Owner agrees to maintain general liability insurance with limits commensurate with Owner's business activities. In the event that Artist hires workers to assist in the installation, touch up and sealing of the murals, Owner agrees to procure workers' compensation insurance at its expense.

9. ENTIRE AGREEMENT. This Agreement contains all of the terms and conditions agreed upon by the Parties. It may not be modified or terminated except by written agreement of both Parties. This Agreement supercedes all previous representations, negotiations, commitments and writings by and between the Parties with respect to the subject of this Agreement.

10. GOVERNING LAW. This Agreement shall be governed by the laws of the State of California and the United States of America.

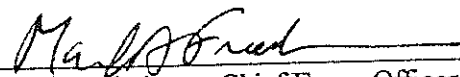
The Parties have caused this Agreement to be executed as of the date first written above.

Date: AUG 22, 1997


Kent Twitchell

Date: Aug 19, 1997

HILLSIDE MEMORIAL PARK & MORTUARY

By: 
Mark A. Friedman, Chief Exec. Officer



HILLSIDE

MEMORIAL PARK AND MORTUARY ★

A COMMUNITY SERVICE OF TEMPLE ISRAEL OF HOLLYWOOD

RECEIVED
C.C.R.A.

2004 AUG 19 August 17, 2004

B. Christine Byers, Public Art Coordinator
City of Culver City
P.O. Box 507
Culver City, CA 90232

Dear Ms. Byers,

Our Acacia Gardens project required public art or fees in the amount of \$11,881.38, since the total construction cost was \$1,188,138. Hillside Memorial Park (HMP) entered into a contract in good faith with well-known artist Kent Twitchell, and our three piece mural was approved by the city's Arts Committee at that time. In this 1997 contract with Twitchell (see attached) Hillside agreed to pay the artist a total of \$75,000 for his work, which far exceeded the required 1%. We were happy to commission this artwork, which was viewed as a benefit to the city as well as Hillside Memorial Park.

The aforementioned contract calls for the completion of the artwork by the end of 1998. As of today, only one of the three panels has been completed, as you know. The second panel is only partially complete, for which Mr. Twitchell has once again missed the most recent deadline of May, 2004. Hillside has paid the artist \$42,000 to date for his work. As you see at the top of Page #2 in the contract, there is a provision if the artist does not complete the artwork on time. At this point, the artist will be six years late at the end of 2004.

Some families have purchased property based on Hillside Memorial Park's commitment for finished artwork, commissioned to enhance the burial sites of loved ones. This has become an embarrassment, as well as aesthetic and credibility issues for the park.

We can no longer take a passive position on this artwork, and we know the city has been placed in a difficult position as well. This art issue even kept the project from being signed off for some time. We seek the city's guidance in finally solving this problem in a timely manner.

The artwork in its current form has exceeded the public art fees. We would like to propose that the city recognize the completion of the second panel as satisfying the artwork for Acacia. Since this project, we have revised our master plan and completed The Matriarch's project, for which HMP paid into the art fund.

You can see in the photos attached why the incomplete artwork is considered by many to be worse than having a blank wall. Given our experience with this artist, we feel it is unfair for him to cause HMP to be in violation of the city's public art requirement. We entered this contract in good faith, but feel it to be unrealistic to think we can effect the

completion of a third panel, not to mention the second. We will finish the third wall ourselves.

I look forward to your advice. Please contact me before having any contact with the artist. We have not shared this suggestion with him as yet. A recent LA Times article is attached for your review.

Most sincerely,

A handwritten signature in dark ink, appearing to read "Barry Berlin". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Barry Berlin
Chief Operating Officer

cc: Susan Evans, Community Development Director
Mark Friedman, Hillside Memorial Park and Mortuary
Julie Lugo Cerra, Cerra Enterprises

Enclosures

City of Culver City, California
Cultural Affairs Commission Agenda Item Report

Meeting Date: 09/14/2004		Item Number: 6A
AGENDA ITEM: Consideration of Revision to 1997 Approved Concept for Public Art Project at Hillside Memorial Park		
Contact Person/Dept.: Christine Byers/ Community Development	Phone Number: (310) 253-5776	
Fiscal Impact: Yes ☐ No ☒	General Fund: Yes ☐ No ☐	
Public Hearing: ☐	Action Item: ☒	Attachments: ☐
Public Notification: Kent Twitchell (8/24/04); Master Notification List (9/2/04)		
Department Approval: Susan Evans	CAO Approval:	
City Controller Approval:		

RECOMMENDATION:

That the Cultural Affairs Commission approve the applicant's request to change the scope of work as originally approved by the former Culver City Art Committee in 1997.

BACKGROUND:

Pursuant to Municipal Code Section 15.06.115, Hillside Memorial Park and Mortuary ("Hillside") was required to fulfill the public art requirement for the development of the Acacia Gardens mausoleum project which was begun in 1997. The project valuation was \$1,188,138, of which the minimum 1% was \$11,881.38. The directors of Hillside chose to commission renowned California muralist Kent Twitchell to create an original triptych depicting life's passages (birth, marriage, old age) and agreed to pay \$75,000 for the artwork. The agreement (attached), which was entered into in August 1997, also stipulated that the project be completed within eighteen (18) months. Hillside received approval from the City for this project in 1997 as fulfillment of its public art requirement for the Acacia Gardens development project.

DISCUSSION:

Mr. Twitchell completed and installed the first mural several years after signing the contract with Hillside in 1997 and part of the second mural in 2003. In the last year, Mr. Twitchell has corresponded both with the directors of Hillside and the Public Art Coordinator about his progress but has provided little evidence thereof (e.g., photographs, sketches, etc.). His most recent communication in March 2004 promised delivery of the figures for the second mural (Mr. Twitchell paints the mural

City of Culver City, California
Cultural Affairs Commission Agenda Item Report

images off-site and then bonds them to the wall at the site) in May 2004. Every communication with Mr. Twitchell has resulted in explanations for delay and promises of a delivery of more art work within several months. Pursuant to Mr. Berlin's letter dated August 17, 2004, staff's last conversation with Mr. Twitchell was on August 24 to inform him of Hillside's request and staff's endorsement thereof. Mr. Twitchell seemed accepting of the decision on Hillside's part and stated that he could not blame them for their request. Mr. Twitchell felt that he would be able to deliver the missing figures for mural no. 2 in the late fall of this year.

Hillside has paid Mr. Twitchell \$42,000 to date which exceeds the minimum 1% public art requirement for the Acacia Gardens project over three fold. In a telephone conversation with Mr. Barry Berlin of Hillside, staff was informed that the directors of Hillside intend to leave the third wall blank and perhaps paint it a neutral color to blend with the surroundings.

ATTACHMENTS:

1. Letter from Barry Berlin dated August 17, 2004;
2. Mural Contract between Hillside and Kent Twitchell
3. Los Angeles Times article, August 8, 2004; and,
4. Images of site and art work.

MOTION:

That the Cultural Affairs Commission:

Approve Hillside's request to change the scope of the artwork concept from three murals to two as fulfillment of Culver City's public art requirement for the Acacia Gardens mausoleum project.

City of Culver City, California
Cultural Affairs Commission Agenda Item Report

Meeting Date: 01/09/2007		Item Number: A-1
AGENDA ITEM: Consideration of Second Revision to 1997 Approved Concept for Public Art Project at Hillside Memorial Park		
Contact Person/Dept.: Christine Byers/ Community Development		Phone Number: (310) 253-5776
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☐
Public Hearing: ☐		Action Item: ☒ Attachments: ☒
Public Notification: Kent Twitchell (01/04/07); Nathan Zackheim (01/04/2007); and, Master Notification List (01/04/2007)		
Department Approval: Todd Tipton		City Manager Approval: N/A
City Controller Approval: N/A		

RECOMMENDATION:

That the Cultural Affairs Commission ("CAC") approve Hillside Memorial Park and Mortuary's ("Hillside") request to consider the completed mural depicting a marriage ceremony by artist Kent Twitchell as fulfillment of the public art requirement for the construction of the Acacia Gardens mausoleum.

BACKGROUND & DISCUSSION:

On September 14, 2004, the CAC considered a request from the officers at Hillside to alter the scope of work as originally approved by the City in 1997 for a public art concept by artist Kent Twitchell at the Acacia Gardens mausoleum. The CAC unanimously approved the recommendation that the scope of the project with regard to fulfillment of the City's public art requirement be reduced from a triptych (three panel) to a diptych (two panel) art work. At that time, in the seven years since the approval of the art concept by the City, only one and a half of the proposed panels had been installed at the site.

Since September 2004, officers at Hillside and their representatives have been in contact with both the artist and his representative, Nathan Zackheim, via telephone, e-mail and studio visits. Attached is a memorandum from Nathan Zackheim, dated March 10, 2005, outlining a tentative schedule for completion of the remaining work. To date, no change has occurred at the Acacia Gardens mausoleum site with regard to installation of additional art work since this item was presented to the CAC for consideration in September 2004.

City of Culver City, California
Cultural Affairs Commission Agenda Item Report

At this juncture, Hillside is requesting that the CAC accept the completed mural (depicting a marriage ceremony) as fulfilling the public art requirement for the construction of the Acacia Gardens mausoleum. Hillside has paid the artist \$42,000 to date (from an original contract of \$75,000 for three panels). The minimum 1% for public art for this development project is \$11,881.38. Hillside proposes to visually balance this elevation of the mausoleum structure by adding a second mural to the wall that is currently blank and perhaps a verse to the center panel. This additional work would be done on Hillside's own terms and would not be considered part of Hillside's public art requirement.

By deeming the public art concept completed, City staff would be able to sign off on the Certificate of Occupancy for the Acacia Garden mausoleum.

ATTACHMENTS:

1. September 14, 2004 CAC Staff Report with attachments.
2. Excerpt of September 14, 2004 CAC meeting minutes.
3. March 10, 2005 memorandum from Nathan Zackheim to Barry Berlin

MOTION:

That the Cultural Affairs Commission:

Kent Twitchell's completed mural depicting a marriage ceremony at the Acacia Gardens mausoleum completes Hillside Memorial Park and Mortuary's public art requirement for that construction project.

**City of Culver City, California
Agenda Item Report**

Meeting Date: 03/25/14	Item Number: A-3
CULTURAL AFFAIRS COMMISSION AGENDA ITEM: Discussion of (1) a Presentation from Staff Related to the Cultural Trust Fund and a Preliminary Budget Outline for Uses of Funds from the Cultural Trust Fund for Fiscal Year 2014/2015 and (2) Upcoming Steps in the Fiscal Year 2014/2015 Budget Process.	
Contact Person/Dept: Martin R. Cole, Phone Number: Assistant City Manager/City Clerk (310) 253-6000	
Fiscal Impact: Yes ☐ No ☒ General Fund: Yes ☐ No ☒	
Public Hearing: ☐ Action Item: ☒ Attachments: ☒	
Public Notification: Meetings and Agendas – Cultural Affairs Commission (03/20/14)	
City Manager's Office Approval: Martin R Cole (03/20/14)	
<u>RECOMMENDATION:</u> Staff recommends the Cultural Affairs Commission (CAC) receive a presentation from staff regarding a preliminary budget outline for uses of the Cultural Trust Fund (CTF) in Fiscal Year 2014/2015 and consider upcoming steps in the Fiscal Year 2014/2015 budget process. <u>BACKGROUND:</u> Pursuant to the direction of the City Council, the City Manager has implemented an enhanced budget process beginning in calendar year 2014 for preparation of the Fiscal Year 2014/2015 Budget. As part of that process, each of the City's Commissions/Committees/Boards have been provided a specific opportunity (in some cases several opportunities) to provide the City Council and City Manager with input and comment related to the proposed budget. At the meeting of January 14, 2014, the CAC received a staff presentation related to the CTF and budget/actual expenditures for Fiscal Years 2011/2012, 2012/2013, and 2013/2014 (the current fiscal year). In summary, staff presented the significant changes in cultural programming and staffing (especially staff resources) when comparing Fiscal Year 2011/2012 and Fiscal Year 2013/2014. The "Four Pillars" of Cultural Programming were also reviewed with the CAC, with staff providing its recommendation that, given current staffing levels, when formulating a proposed budget for Fiscal Year 2014/2015, the following areas of work be pursued (listed in priority order):	

City of Culver City, California
Agenda Item Report

(1) Historic Preservation (Especially Update of the Historic Preservation Ordinance);

(2) Performing Arts Programming (Including the Performing Arts Grants); and,

(3) Art in Public Places Program (including maintenance of the current portfolio of public art throughout the City)

With respect to Pillar 4 - **Update of the Community Cultural Plan**, given the continued validity of the six goals contained in the current Community Cultural Plan, the higher recommended priority of the three other "Pillars," and the already stretched staff and financial resources currently available, staff did not recommend a full-scale update of the Community Cultural Plan at this time.

In addition to the Four Pillars, staff also referenced the City Council's direction to the CAC to review the need for an RFP for the Culver City Summer Music Festival. This process is now underway, as the RFP process is being reviewed by the CAC's Ad-Hoc 2015 Culver City Summer Music Event Request for Proposals Subcommittee (Vice-Chair Klein and Commissioner Williams).

The City's Chief Financial Officer presented his Fiscal Year 2013/2014 Mid-Year Budget Report and Financial Forecast to the City Council on February 24, 2014. The CAC was provided with an invitation to this City Council meeting (along with all other Commissioners/Committee Members/Board Members). Three members of the CAC were in attendance during this City Council meeting. Additionally, the City Council has held several Special Meetings to review workplan items for Fiscal Year 2014/2015. Chair Koosed has attended each of those meetings. The City Council will further consider workplan items at a Special Meeting to be held at 4:00 PM on Monday, March 24 and again at 3:00 PM on Thursday, March 27, 2014. All CAC members are welcome to attend all of these meetings (with a reminder that should a quorum of three or more members attend, they should not sit more than two members together nor discuss any business that may come before the CAC in accordance with the Brown Act).

DISCUSSION:

Preliminary Budget Outline for Uses of Funds from the Cultural Trust Fund for Fiscal Year 2014/2015

Staff has prepared a preliminary budget outline for uses of funds from the CTF in Fiscal Year 2014/2015. This outline assumes the same level of limited staff resources is available in Fiscal Year 2014/2015 that is currently available in Fiscal Year 2013/2014. It also assumes that \$400,000 are deposited in the CTF in Fiscal

City of Culver City, California
Agenda Item Report

Year 2013/2014 (which forms the basis of the maximum allocation of funds for Fiscal Year 2014/2015 in accordance with the Culver City Municipal Code).

Generally, as in Fiscal Year 2013/2014, while there are accumulated funds available in the CTF above and beyond the \$400,000 from prior year deposits, the ability of the City to spend those funds on eligible projects/programs in Fiscal Year 2013/2014 is limited by the lack of availability of additional staff resources. Staff will provide additional details of the outline as part of its verbal presentation at the meeting.

Additional Important “Puzzle Pieces” to Come in the Near Future

At the January 14, 2014 CAC meeting, the Commission voted unanimously to approve a report from the 2014 Repurposing of Cultural Affairs (Post-RDA) Subcommittee and to send the report and its recommendations to the City Council and the City Manager. The report included the recommendation to: establish from the General Fund a city Arts, Culture and the Creative Economy department with at least two full-time staff to begin operating in FY 2014–2015; and allocate funds from the Cultural Trust Fund to conduct a study to establish baseline knowledge of the arts and culture in Culver City and point to areas of economic opportunity.

The City Council has not yet provided any direction related to the recommendation of the CAC. Should the City Council deem it appropriate to provide any such direction, staff will modify the outline consistent with any such City Council direction.

Further, the City Council has directed the City Manager to include a report related to Cultural Programming and Staffing as part of the budget process for consideration by the City Council prior to the conclusion of this fiscal year. The City Manager is in the process of formulating this item. ***It is expected such discussion will begin at the March 27, 2014 City Council Meeting (beginning at 3:00 PM).*** Should the City Council deem it appropriate to provide direction as a result of that discussion, staff will modify the outline consistent with any such City Council direction.

Upcoming Steps in the Fiscal Year 2014/2015 Budget Process

As mentioned above, the City Council will be considering workplan items on March 24, 2014 and March 27, 2014. The City Manager’s Proposed Budget for Fiscal Year 2014/2015 is scheduled to be presented to the City Council on May 12, 2014. There will also be budget study sessions scheduled for May/June along with the City Council’s consideration of adoption of the budget at a Public Hearing to be held sometime in June (but on or prior to June 30, 2014). All CAC members are welcome to attend any/all of these meetings.

The CAC may also have additional budget related discussion items at the April, May, and/or June meetings as deemed appropriate.

City of Culver City, California
Agenda Item Report

ATTACHMENTS:

1. Preliminary Budget Outline for Uses of Funds from the Cultural Trust Fund for Fiscal Year 2014/2015
2. Staff report and Minute Excerpts from the January 14, 2014 CAC Meeting

MOTION:

That the Cultural Affairs Commission:

Consider the presentation from staff and provide comment and feedback as deemed appropriate.

MEETING DATE: March 25, 2014

AGENDA ITEM : Discussion of (1) a Presentation from Staff Related to the Cultural Trust Fund and a Preliminary Budget Outline for Uses of Funds from the Cultural Trust Fund for Fiscal Year 2014/2015 and (2) Upcoming Steps in the Fiscal Year 2014/2015 Budget Process.

ATTACHMENTS

	<u>Pages</u>
1. Preliminary Budget Outline	1
2. Staff Report from January 14, 2014 CAC Meeting	2-5
3. Minutes Excerpt from January 14, 2014 CAC Meeting	6-7

**Proposed Cultural Affairs Budget - FY 14/15
(Cultural Trust Fund - CTF)**

**LIMITED STAFF
RESOURCES**
(Identical to those
available in
FY 13/14)

SALARIES (GENERAL FUND)

Cultural Affairs Coordinator
Special Events Coordinator
Management Analyst

Subtotal:

CULTURAL TRUST FUND (Formerly ART FUND)

41300502 PZ502 Fund Administration (Max. 15% of \$400,000)

Office Expenses - 512100
Printing and Binding - 512200
Departmental Special Supplies - 514100
Training & Education - 516100
Conferences & Conventions - 516500
Special Events & Meetings - 516600
Memberships & Dues - 516700
City Commission Expenses - 517000
Subscriptions - 517100
Advertising and Public Relations - 517300
Other Contractual Services - 619800
IT Equipment (Hardware) - 732150
IT Equipment (Software) - 732160

41300614 PZ614 Performing Arts (Max. 25% of \$400,000)

Performing Arts Grant Program
Summer Concert Series

NEW NEW Cultural Facility Enhancement

41300634 PZ634 Art Maintenance (Max. 5% of \$400,000)

41300676 PZ676 Temporary Art Displays and Exhibits
41300822 PZ822 Historic Designation Plaques
41300824 PZ824 Art Conservation (Restoration) Program
41300877 PZ877 Historic Structures Survey
41300954 PZ954 Historic Preservation Consulting Services
41300959 PZ959 Community Cultural Plan

Totals

\$ 305,000

NOTES

(For budget with LIMITED staff resources)

Includes City representation at annual AFTA conference and/or GIA conference.

Includes AFTA and Arts of LA dues; BMI, SESAC and ASCAP licenses.

Includes Grant Panel honorarium of \$100/panelist

Includes \$25,000 for Cultural Corridor Coordinator if NEA awards grant

Supplemented by additional funding from SPE (\$15,000 for PAG & \$2,000 for summer concerns)
Program support from volunteer, City Manager's office and summer intern
Program managed by City Manager's office staff

Allows for research phase only due to lack of adequate staff resources; SPE to augment CTF allocation with \$10,000

Includes funding for sculpture conservator to complete annual inspections and routine cleaning/maintenance of City-owned artworks.

Per CCMC 15.05.100 et seq. City to provide plaques for "Landmark" and "Significant" designated structures.

Includes estimated costs associated with restoration of Don Merk's artwork at Transportation Facility.

For on-call preservation consulting services to include those relating to City's Historic Preservation Program.
Focus on Performing Arts, Public Art, and Historic Preservation Outcomes/Tasks in current plan

NOTE: This budget will only allow for implementing the Art in Public Places Program as it pertains to new development and continue maintenance/conservation of City-owned artwork. Depending on the number of active development projects with public art and/or historic preservation requirements, the resources may not allow for oversight/assistance with maintenance/conservation of artwork on private property, outreach/promotional updates (City website and/or Public Art Archive) or assistance with or participation in partnerships with outside organizations bringing events to Culver City (e.g., Paris Photo/FIAC). Staff resources will not allow for participation in intern programs such as those offered by the Getty Foundation or temporary art installations. Historic Preservation tasks will be limited to those associated with the development process and possibly an update of the Historic Preservation Ordinance with a timeframe that may extend into FY 15/16.

City of Culver City, California
Agenda Item Report

Meeting Date: 01/14/14	Item Number: A-1
CULTURAL AFFAIRS COMMISSION AGENDA ITEM: Discussion of (1) a Presentation from Staff Related to the Cultural Trust Fund and the Amounts Appropriated from the Fund for Fiscal Years 2011/2012, 2012/2013, and 2013/2014, (2) Initial Discussion of Potential Uses of Cultural Trust Fund Resources in Fiscal Year 2014/2015, and (3) Upcoming Steps in the Fiscal Year 2014/2015 Budget Process.	
Contact Person/Dept: Cultural Affairs Christine Byers & Susan Obrow	Phone Number: (310) 253-5776 & (310) 253-6628
Fiscal Impact: Yes ☐ No ☒	General Fund: Yes ☐ No ☒
Public Hearing: ☐	Action Item: ☒ Attachments: ☒
Public Notification: Meetings and Agendas – Cultural Affairs Commission (01/09/14)	
Department Approval: Martin R Cole (01/09/14)	
<u>RECOMMENDATION:</u> Staff recommends the Cultural Affairs Commission (CAC) receive a presentation from staff regarding the Cultural Trust Fund (CTF), discuss the uses of CTF resources for Fiscal Year 2013/2014, have an initial discussion related to potential uses of CTF resources for Fiscal Year 2014/2015, and consider upcoming steps in the Fiscal Year 2014/2015 budget process. <u>BACKGROUND & DISCUSSION:</u> <i>Cultural Affairs Programs Budgets for FY 2011-12, FY 2012-13, FY 2013-14</i> On November 7, 2013, staff provided the CAC with a document entitled “Cultural Affairs Programs Budgets (Appropriations) For FY 2011-12; FY 2012-13; FY 2013-14 (CAPB).” The document is provided as an attachment to this report. The CAPB summarizes the financial resources appropriated from various sources (generally, the former Culver City Redevelopment Agency and the CTF) to fund cultural programs and staffing for the three fiscal years noted. One item that stands out is the “zeroing-out” of funding from the former Culver City Redevelopment Agency beginning in Fiscal Year 2012/2013 due to the dissolution of redevelopment agencies by the State of California effective on February 1, 2012. This left the CTF as the remaining and almost sole source of funding for cultural programming beginning in Fiscal Year 2012/2013 and Fiscal Year 2013/2014 (the current fiscal year). Staff will provide additional oral comments on the CAPB as part of the	

City of Culver City, California
Agenda Item Report

presentation at the Commission meeting. Commissioners are welcome to pose questions related to this document at this time.

The "Four Pillars" of Current Cultural Programs

During prior discussions, staff has used the term "Four Pillars" to identify the four major Cultural Programs currently offered by the City. Now that the CAC has had an opportunity to review the CAPB, it is appropriate to have a discussion about the Four Pillars in the context of current staff and financial resources. Staff presents the discussion in order of proposed urgency given potential legal and other impacts of the Four Pillars:

(1) Historic Preservation (Especially Update of the Historic Preservation Ordinance)

The City's Historic Preservation Program (HPP) is set forth in Chapter 15.05 of the Culver City Municipal Code (CCMC). The HPP was last updated in 2004.

Significant components of the HPP are linked with the California Environmental Quality Act. Because of the sensitivity and importance of these links, it is very important that the HPP and the Historic Preservation Ordinance remain up to date.

Staff strongly recommends that staff and financial resources be allocated to his effort and that it proceed as a priority.

(2) Performing Arts Programming (Including the Performing Arts Grants)

The CTF has traditionally funded performing arts programming, in significant part by providing major funding for the annual Performing Arts Grants. Unless the CAC were to determine to recommend the City Council discontinue the Performing Arts Grants Program, and the City Council were to adopt such recommendation, the Performing Arts Grants Program will continue to require an allocation of staff and financial resources.

Staff recommends that staff and financial resources continue to be allocated to this effort.

(3) Art in Public Places Program (including maintenance of the current portfolio of public art throughout the City)

Culver City has a long-standing and distinguished Art in Public Places Program (APPP). The CAC and staff invested significant time and effort in preparing a complete and thorough update to the APPP by updating the APPP ordinance, which was adopted by the City Council on March 26, 2013. Additionally, significant

City of Culver City, California
Agenda Item Report

funding for the APPP (for both maintenance of existing and creation of new pieces of public art) is provided by the CTF.

Staff will provide the CAC with additional details of the APPP as part of the verbal presentation of this report. This update will include information on the "re-start" of the City's maintenance program for public art and the anticipated increase in the number of projects that are subject to the APPP requirements as economic conditions improve and development accelerates.

Staff recommends that staff and financial resources continue to be allocated to this effort.

(4) Update of the Community Cultural Plan

The Culver City Community Cultural Plan was first adopted in November of 2003 and has been updated annually over the past 10 years. This important document provides six foundational goals for the City's cultural programming.

The Community Cultural Plan is an umbrella document that references the other three "Pillars" outlined above. While it is important to ensure the document does not become dated and dysfunctional, a periodic review may be needed. However, given the continued validity of the six goals, the higher recommended priority of the three other "Pillars," and the already stretched staff and financial resources currently available, staff does not recommend a full-scale update of the Community Cultural Plan at this time.

City Council Direction for the CAC to Review the Need for an RFP for the Culver City Summer Music Festival

The City Council has directed the CAC to review the need for an RFP for the Culver City Music Festival. Pursuant to that direction, staff will be placing an item on a future CAC meeting agenda to begin this process so that any recommendations the CAC may determine to provide are available to the City Council in sufficient time to inform the process for the 2015 Festival.

While staff does not anticipate this process to require significant staff or financial resources, it is an item that was not anticipated when the workplans for Fiscal Year 2013/2014 were developed.

The above information is provided to initiate the discussion related to efforts in the remainder of Fiscal Year 2013/2014 and to inform a future discussion related to any recommendations the CAC may wish to provide to the City Council on the subject of the Proposed Budget for Fiscal Year 2014/2015. At this meeting, the Commission is not being requested to make any recommendations related to allocation from the

City of Culver City, California
Agenda Item Report

CTF or other fund resources for Fiscal Year 2014/2015. The first of such opportunities is scheduled for the March, 2014 CAC meeting.

Upcoming Steps in the Fiscal Year 2014/2015 Budget Process

Recently, City Manager John Nachbar provided an e-mail to the members of all of the City's Commissions, Committees, and Board (collectively Commissions) outlining an enhanced budget process approved by the City Council to be implemented for the 2014/2015 budget cycle. In summary, Mr. Nachbar indicated the Commissions would be provided several opportunities for input into the budget process. Tonight's meeting is the first of several where the CAC will have an opportunity to provide such input.

Chief Financial Officer Jeff Muir has indicated that he will be presenting the City Council with the Fiscal Year 2013/2014 mid-year review and a revised Five Year Forecast at one of the City Council meetings in February (either February 10 or February 24). Once that date is announced, staff will inform the CAC and invite Commissioners to attend that meeting to receive this important information. In compliance with the Brown Act, the Commissioners are reminded that this invitation is to receive information only (so that a formal meeting of the Commission is not held). This information will inform the discussion currently scheduled for the March CAC meeting which will provide an opportunity for the Commissioners to ask questions related to the Chief Financial Officer's report and forecast.

In addition to the March CAC meeting, there will also be items scheduled for future CAC meetings as opportunities for the CAC to have input on the FY 2014/2015 Budget. The dates for those meetings will be finalized as more information becomes available consistent with Mr. Nachbar's recent e-mail.

ATTACHMENTS:

1. Cultural Affairs Programs Budgets (Appropriations) For FY 2011-12; FY 2012-13; FY 2013-14
2. Chapter 15.05 of the CCMC (Historic Preservation Program)
3. Sections 15.06.100 – 15.06.180 of the CCMC (Art in Public Places Program)
4. Culver City Community Cultural Plan

MOTION:

That the Cultural Affairs Commission:

Consider the presentation from staff and provide comment and feedback as deemed appropriate.

Action Items

Item A-1

Discussion of (1) a Presentation from Staff Related to the Cultural Trust Fund and the Amounts Appropriated from the Fund for Fiscal Years 2011/2012, 2012/2013, and 2013/2014, (2) Initial Discussion of Potential Uses of Cultural Trust Fund Resources in Fiscal Year 2014/2015, and (3) Upcoming Steps in the Fiscal Year 2014/2015 Budget Process

Martin Cole, Assistant City Manager/City Clerk, provided a summary of the material of record.

Discussion ensued between staff and Commissioners regarding line items for the Cultural Trust Fund; the amount allocated for consultants; fund administration; median entry signs; Historic Preservation Consulting Services; temporary art displays and exhibits; and the amount of time per week staff is able to spend on Cultural Affairs.

Martin Cole, Assistant City Manager/City Clerk, discussed the administration of the Cultural Fund; the Four Pillars which include the Performing Arts Grant Program, Public Art Program, Historic Preservation Program, and the Community Cultural Plan; staff time; financial resources; prioritization; allocation of resources; maintenance of programs; Historic Preservation; the California Environmental Quality Act; The Performing Arts Grants Program; and Art in Public Places.

Christine Byers, Public Art and Historic Preservation Coordinator, discussed the Art in Public Places program; maintenance; the internship program; public art on private property; the difficulty of continuing programs with limited staff availability; situations of comparable cities; issuing an RFP for a conservator; periodic inventory and inspection; artwork on public property; utility boxes; and the status of specific pieces.

Martin Cole, Assistant City Manager/City Clerk, discussed updates to the Community Cultural Plan; the original six goals; Commission input into the RFP for the Culver City Music Festival; the enhanced budget process; and the Chief Financial Officer's Mid-Year Report.

Discussion ensued between staff and Commissioners regarding the Art in Public Places Ordinance; the importance of regular maintenance; the role of the conservator; the use of interns; public art on private property; and the readiness of the Community Cultural Plan.

Martin Cole, Assistant City Manager/City Clerk invited everyone to attend the budget discussion at the February City Council meeting and he noted that there would be another budget discussion at the March Cultural Affairs Commission meeting.

Chair Koosed asked about timing of the budget discussion, and whether the Commission would be able to talk about the Four Pillars and prioritizing to include additional things if more money becomes available.

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Item A-2

- (1) Reports from the Commissions Four Ad-Hoc Subcommittees: 2014 Culver City Performing Arts Grant Program Subcommittee, 2014 Community Cultural Plan Subcommittee, 2014 Historic Preservation Ordinance Update Subcommittee and 2014 Repurposing of Cultural Affairs (Post-RDA) Subcommittee; and
(2) Discussion of the Reports from These Subcommittees and Potential Approval of Subcommittee Recommendations and/or Provide Direction to the Subcommittees

Martin Cole, Assistant City Manager/City Clerk, provided a summary of the material of record noting that the 2014 Performing Arts Grants were accepted by the City Council and that the 2014 Culver City Performing Arts Grant Program Subcommittee would not be making a report.

Vice Chair Klein and Commissioner Williams provided a report from the 2014 Community Cultural Plan subcommittee; discussed a ten-year review; gratitude to those who worked on the plan; accomplishments over the past ten years; the Centennial Committee; outreach; assistance from the Cultural Affairs Foundation; a three-year plan vs. a ten-year plan; increased school involvement; suggestions and recommendations of the subcommittee; alleviating pressure on staff; outreach; and opportunities and resources.