



THE CITY OF SAN DIEGO

MINUTES

**COMMISSION FOR ARTS AND CULTURE
PUBLIC ART COMMITTEE**

Civic Center Plaza
1200 Third Avenue, Floor 9, Suite 924
San Diego, CA 92101
Tuesday, December 18, 2012
2:00 p.m. – 3:25 p.m.

PAC Members Present

Larry Baza
Kevin deFreitas
Roman de Salvo
Vernon Franck
Joanne Hayakawa
Laurie Mitchell
Lillian Perry
Vicki Reed
Constance Y. White
Allison Wiese

PAC Members Absent

Commission Staff Present

Dana Springs
Nigel Brookes

PAC Ex Officio Members Present

Michelle Abella-Shon
Kim Duclo
Alissa Gabriel

PAC Ex Officio Members Absent

Nazie Mansury
Michael Marks
Theresa Millette
Stephanie Pang
Yvonne Wise

I. Call to Order

The Public Art Committee (PAC) of the City of San Diego (City) Commission for Arts and Culture (Commission) was called to order by Larry Baza at 2:07 p.m.

II. Non-Agenda Public Comment

None.

III. Chair's Report

Baza reported that the agenda items would be heard in a different order.

IV. ACTION – November 29, 2012 Minutes

Approved by unanimous consent. Joanne Hayakawa abstained.

V. ACTION – Final Art Proposal: City Heights Square Mini Park by Wendell Kling

Baza asked Nigel Brookes to summarize the action item. Brookes summarized the evolution of the art proposal from the schematic design phase to the final proposal phase. **Joanne Hayakawa made a motion** to recommend to the Commission approval of the final art proposal by Wendell Kling. **Laurie Mitchell seconded the motion.** The vote was 7-0-0.

Yea: Baza, de Salvo, Franck, Hayakawa, Mitchell, Perry, Reed (7)

Nay: (0)

Abstention: (0)

Recusal: Wiese (1)

Kevin de Freitas and Constance Y. White arrived.

VI. ACTION – Donation Proposal: Sculpture by Richard Arnold

Baza asked Dana Springs to summarize the action item. Springs explained that the PAC is being asked to make a recommendation to the Commission whether to accept, accept with conditions, or reject the proposed donation of an artwork and a plaque by Richard Arnold for accession into the Civic Art Collection and for installation in a City-owned park in Ocean Beach.

Springs then outlined the staff recommendation: Recommend to the Commission that the donation of artwork and a plaque by Richard Arnold be accepted into the Civic Art Collection upon the fulfillment of eight conditions:

1. All other City Departments that are stakeholders (i.e. Fire-Rescue, Park and Recreation, Disability Services, Risk Management, etc.) indicate support for the installation and exhibition of the artwork in a City-owned public park in Ocean Beach.
2. The San Diego Lifesaving Association agrees to modify the artwork design, plaque design and installation plans, if requested by the City, to address any safety and accessibility issues.
3. The artist supplies the City and the San Diego Lifesaving Association with a detailed maintenance instruction manual in a format to be determined by Commission staff.
4. The San Diego Lifesaving Association agrees to fund ordinary artwork maintenance, not less than once per year, for the period(s) during which the artwork and the plaque are exhibited on City-owned property.
5. The San Diego Lifesaving Association agrees to fund extraordinary artwork maintenance, if required by the City, up to \$10,000 for the period during which the artwork and the plaque are objects in the Civic Art Collection.
6. The copyright holder agrees to grant the City a nonexclusive irrevocable and royalty-free license to reproduce the artwork for all standard City educational, public relations, tourism and arts promotional purposes.

7. The artist agrees to the City's standard Visual Artists Rights Act (VARA) and California Art Preservation Act (CAPA) waivers.
8. The Donor agrees to submit the proposed text for the commemorative plaque to Commission staff for approval prior to fabrication.

Byron Wear provided public comment in favor of the donation proposal.

Vernon Franck made a motion to recommend to the Commission rejection of the staff recommendation. **Roman de Salvo seconded the motion.** The vote was 4-6-0.

Yea: de Salvo, Franck, Mitchell, Wiese (4)

Nay: Baza, de Freitas, Hayakawa, Perry, Reed, White (6)

Abstention: (0)

Recusal: (0)

Kevin de Freitas made a motion to recommend to the Commission approval of the staff recommendation. **Constance Y. White seconded the motion.** The vote was 6-4-0.

Yea: Baza, de Freitas, Hayakawa, Perry, Reed, White (6)

Nay: de Salvo, Franck, Mitchell, Wiese (4)

Abstention: (0)

Recusal: (0)

Discussion ensued about the Commission's process for receiving donation proposals and whether it sufficiently encourages artwork excellence. Staff was asked to examine the current process and present findings to the PAC for future discussion about potential revisions to the current process.

VII. Staff Reports

Baza directed that staff reports be postponed to a future meeting in the interest of keeping time.

VIII. Member Reports

Alissa Gabriel presented a report on the City's Storefront Improvement Program and artist participation in the program.

IX. Adjourn

The meeting adjourned at 3:27 p.m.