



CITY OF BEVERLY HILLS STAFF REPORT

Meeting Date: February 18, 2014

To: Honorable Mayor & City Council

From: Nancy Hunt-Coffey, Assistant Director of Community Services

Subject: Request by Councilmember Gold to discuss the roles and responsibilities of the Recreation and Parks Commission and the Fine Art Commission

Attachments:

1. Municipal Code sections related to establishment and purpose of FAC & RPC
2. Municipal Code, Article 8, Beverly Hills Public Art Ordinance
3. Administrative Regulation regarding Siting City-Owned Public Art in City Parks
4. Minutes of FAC-RPC liaison meeting with Councilmember Gold

INTRODUCTION

Councilmember Gold has asked that the City Council discuss and clarify the roles and responsibilities of the Fine Art Commission (FAC) and the Recreation and Parks Commission (RPC). The areas of clarification involve jurisdiction regarding protection and proposed placement of artwork in the parks. After meeting with representatives of both Commissions, Councilmember Gold has outlined a procedure for Council to consider which clarifies these issues. Because of ongoing disagreements between the two Commissions on their respective roles on this issue, Councilmember Gold asked that the proposed clarification of roles and responsibilities be discussed expeditiously so as not to interrupt forward momentum on Commission business.

DISCUSSION

Recently there have been disagreements between Recreation and Parks Commission and Fine Art Commission related to issues of jurisdiction regarding art placed in City parks and protection of the art. There are a few City documents which address the roles and responsibilities of each commission.

Per BHMC 2-2-801 – BHMC 2-2-803, the purpose of the Fine Art Commission is to, "...enhance the beauty of the city through fine art ornamentation..." Some of the duties of the FAC listed in this article of the municipal code include:

Meeting Date: February 18, 2014

- Initiating and promoting the purchase, donation or loan of fine art to the City
- Advising the City Council on proposed donations of art
- Administering the Fine Art ordinance, including the purchase of art for the City through the Fine Art Fund and advising developers on selection of art intended to fulfill the fine art obligation of a development

Per BHMC 2-2-1001 – 2-2-1003, the function of the Recreation and Parks Commission is to:

- Advise City Council on matters related to recreation and parks, including capital projects, programs and user fees.
- Advise staff regarding formation of policy, effectiveness of programs, etc.

In 2003 Administrative Regulation #4A-10 was issued by the then City Manager which addressed, "Siting City-Owned Public Art in City Parks." This document lays out the responsibilities of staff members who support the commissions as well as the commissions themselves. This document and the sections of the BHMC referenced above are attached.

Disagreements between the two commissions have recently surfaced regarding proposed solutions to protect the Kusama *Hymn of Life*. There were differing opinions between the two commissions on how the piece should be protected. Additionally, there was confusion from some commissioners about the general jurisdiction of the two commissions when it came to placing art in the City parks. When this type of situation occurs, a meeting with the City Council liaisons would normally be called to discuss the issue, and then it would be brought forth to the full City Council. However, as these issues involved both commissions and their respective Council liaisons, it would have required inviting 3 Councilmembers to a meeting, which would have constituted a quorum. As a result, Councilmember Gold, who serve as liaison to both Commissions, volunteered to assist with talking through the issues with representatives from both commissions and to come up with an approach which would help to clarify the roles and responsibilities of both commissions. Two meetings were facilitated by Councilmember Gold with representatives from both commissions. The summary notes of the first meeting are attached.

Between the first and the second meeting of the group, it became clear that the City Council wanted to take a broader look at various issues related to Commissions in general, and as a result, formed an ad hoc of Councilmembers Gold and Krasne to work through the issues. As a result, further discussions related to the RPC/FAC were put on hold, pending the ad hoc discussions on commission charges in general. However, even with the clarification that was achieved through the meetings with Councilmember Gold, there continue to be disagreements between the two commissions which are beginning to interrupt the forward momentum of Commission work and impeding the development of mutually agreed solutions to the placement and protection of art in City parks. As a result, Councilmember Gold has asked that the roles and responsibilities of these two commissions be brought forward to the City Council at this time to provide clarity and direction.

The minutes of the meeting with Councilmember Gold were shared with and approved by all members who attended these meetings. The Fine Art Commission is comfortable with the documentation that is in place and with the procedure outlined by Councilmember Gold regarding the placement of art in the parks as well as the protection and maintenance of the art being under the auspices of the Fine Art Commission. Individual members of the Recreation and Parks Commission have indicated that they feel additional clarification is needed.

Meeting Date: February 18, 2014

FISCAL IMPACT

None at this time.

RECOMMENDATION

The City Council is asked to review the various documents related to the roles and responsibilities of the FAC and the RPC as well as the recommendations made from the meeting with Councilmember Gold, and to provide clarity on the roles and responsibilities of the two respective commissions.



Nancy Hunt-Coffey
Approved By

Attachment 1

Article 8. Fine Art Commission

2-2-801: Establishment

2-2-802: Jurisdiction And Functions

2-2-803: Administrative Support

2-2-801: ESTABLISHMENT:

There is established a fine art commission consisting of five (5) members. (Ord. 12-O-2618, eff. 2-24-2012)

2-2-802: JURISDICTION AND FUNCTIONS:

The purpose of the fine art commission is to enhance the beauty of the city through fine art ornamentation, and the commission shall have the following powers and duties:

- A. Initiate and promote the purchase, donation or loan of fine art to the city.
- B. Confer with persons relative to donation or loan of fine art to the city for placement in public sites or public buildings to enhance the aesthetic appeal and beauty of such public sites or buildings.
- C. Investigate methods and procedures by which the city may obtain fine art, including, but not limited to, grants from federal, state or other governmental agencies or private organizations, and to inform city council of such opportunities.
- D. Advise city council of the artistic merit and value of paintings, sculptures and other articles of fine art offered to the city as donations or for purchase, or other proposed disposition.
- E. Advise the council regarding the positioning and display of articles of fine art acquired by the city.
- F. Formulate rules and regulations governing the criteria for determination of fine art.
- G. Perform the functions designated under title 3, chapter 1, article 8 of this code.
- H. Perform such other duties relating to procurement and display of fine art as designated by council. (1988 Code; amd. Ord. 92-O-2136, eff. 3-6-1992)

2-2-803: ADMINISTRATIVE SUPPORT:  

The department of library and community services shall be responsible for furnishing administrative staff support to the fine art commission. (Ord. 89-O-2052, eff. 2-9-1989; amd. Ord. 92-O-2136, eff. 3-6-1992)

Article 10. Recreation And Parks Commission

2-2-1001: Establishment

2-2-1002: Jurisdiction And Functions

2-2-1003: Administrative Support

2-2-1001: ESTABLISHMENT:

There is established a recreation and parks commission consisting of five (5) members. (Ord. 90-O-2099, eff. 9-13-1990)

2-2-1002: JURISDICTION AND FUNCTIONS:

The recreation and parks commission shall perform the following functions:

- A. Act as an advisory body to the city council on matters which relate to recreation and parks programs and facilities, including, without limitation, the Greystone estate grounds and mansion.
- B. Advise and make recommendations to the director of recreation and parks, or his designee, on the planning, evaluation and delivery of recreation and parks programs and facilities including:
 - 1. Formulating general policies on use and delivery of recreation and park services;
 - 2. Evaluating the effectiveness of programs in relation to city council policy objectives;
 - 3. Assisting in communications with the community concerning recreation and parks programs.
- C. Advise the city council and staff regarding capital improvements and program projects for recreation and parks improvements.
- D. Provide recommendations on proposed user fees for use of recreation and parks facilities and programs.
- E. Perform such other duties relating to recreation and parks matters as may be referred to it by the city council, or the director of recreation and parks, or his representative. (Ord. 90-O-2099, eff. 9-13-1990; amd. Ord. 99-O-2332, eff. 9-3-1999; Ord. 03-O-2430, eff. 10-17-2003)

2-2-1003: ADMINISTRATIVE SUPPORT:  

The recreation and parks department, or such other staff designated by the city manager, shall provide administrative support to the recreation and parks commission. (Ord. 90-O-2099, eff. 9-13-1990; amd. Ord. 03-O-2430, eff. 10-17-2003)

Attachment 2

Article 8. Beverly Hills Public Art Ordinance

3-1-801: Title

3-1-802: Public Art Or In Lieu Payment Required

3-1-803: Definitions

3-1-804: Approval Required Of Proposed Fine Art

3-1-805: Location Of Fine Art

3-1-806: Time Of Installation Of Art Or Payment

3-1-807: Ownership, Maintenance, And Insurance

3-1-808: Separate Fund For Purchase Of Fine Art

3-1-809: Renovation Of Buildings That Have Complied With The Maximum Requirements Of This Article

3-1-810: Appeal To Council

3-1-801: TITLE:

This article shall be known as the *BEVERLY HILLS PUBLIC ART ORDINANCE*. (1962 Code § 8-11.01 et seq.; amd. Ord. 96-O-2259, eff. 6-7-1996)

3-1-802: PUBLIC ART OR IN LIEU PAYMENT REQUIRED:

- A. Any person constructing, reconstructing or constructing an addition to a commercial, industrial or mixed use building within the city shall provide fine art as follows:
1. Install fine art that has a value that equals or exceeds one percent (1%) of the total construction cost of the building when the total construction cost is between five hundred thousand dollars (\$500,000.00) and one million dollars (\$1,000,000.00).
 2. Install fine art that has a value that equals or exceeds one and one-half percent (1.5%) of the total construction cost of the building when the total construction cost exceeds one million dollars (\$1,000,000.00).
- B. In lieu of providing the fine art required by subsection A of this section, payment may be made to the city in an amount of ninety percent (90%) of the value required by subsection A of this section. All payments made pursuant to this subsection shall be segregated and used only as provided in section 3-1-808 of this article. (1962 Code § 8-11.01 et seq.; amd. Ord. 94-O-2193, eff. 3-4-1994; Ord. 96-O-2259, eff. 6-7-1996; Ord. 97-O-2282, eff. 7-4-1997; Ord. 98-O-2308, eff. 9-11-1998; Ord. 07-O-2525, eff. 9-21-2007; Ord. 07-O-2530, eff. 10-18-2007)

3-1-803: DEFINITIONS:

The following definitions are applicable to provisions of this article:

COMMERCIAL BUILDING: Any building or structure, all or part of which contains a commercial or industrial use permitted by this code; provided, however, "commercial structure" shall not include any building or structure constructed or reconstructed for the elderly or handicapped pursuant to title 10, chapter 3, article 12.5 of this code.

CONSTRUCTION COST: The total value of all construction, reconstruction or addition work on a commercial structure as determined by the director of building and safety in issuing a building permit for such construction, reconstruction or addition.

FINE ART: A work of art which is freestanding or freehanging in that it is not a structural part of a building or other structure, nor an architectural element on or in which the work of fine art is placed, installed, or affixed. Fine art includes, but is not limited to, sculptures, monuments, wall hangings, tapestries, photographs, etchings, engravings and paintings. Fine art shall not include decorative, ornamental or functional elements designed by the architect or other design consultant retained for the design and construction of the subject building or art objects that are mass produced with a standard design such as fountains and statuary objects.

MIXED USE OR MIXED USE BUILDING: A site with two (2) or more different land uses, such as, but not limited to, a combination of residential, office or retail uses in a single or physically integrated group of structures or the development of a combination of different land uses in a single zone.

RECONSTRUCTION: All alterations or repairs made to a commercial, industrial or mixed use building within any twelve (12) month period where: a) any such alterations or repairs result in changes to the exterior of the building, other than signs or fabric awnings, that can be seen from the public right of way, b) the changes to the exterior of the building are not limited to repair and ordinary maintenance, c) the building permit valuation of the changes to the exterior of the building exceeds five thousand dollars (\$5,000.00), and d) the building permit valuation of all alterations or repairs to the building exceeds five hundred thousand dollars (\$500,000.00).

For the purposes of this subsection, the twelve (12) month period referenced above shall include all building permits issued during the twelve (12) months following final inspection of an alteration or repair.

Notwithstanding the foregoing, reconstruction necessitated by damage due to fire, flood, wind, earthquake, or other disaster shall be exempt from this article. (1962 Code § 8-11.01 et seq.; amd. Ord. 90-O-2096, eff. 9-6-1990; Ord. 96-O-2259, eff. 6-7-1996; Ord. 97-O-2282, eff. 7-4-1997; Ord. 98-O-2308, eff. 9-11-1998; Ord. 07-O-2525, eff. 9-21-2007; Ord. 07-O-2530, eff. 10-18-2007)

3-1-804: APPROVAL REQUIRED OF PROPOSED FINE ART:

- A. After final completion of architectural review of a structure under title 10, chapter 3, article 30 of this code, an application shall be filed with the city for the fine art commission approval of the fine art proposed for such building. The application shall be on the form designated by the city, containing the following information:
1. Preliminary sketches, photographs, a model or other documentation of sufficient descriptive clarity to indicate the nature of the proposed fine art;
 2. Curriculum vitae of the artist;
 3. An appraisal by an independent, qualified fine art appraiser or other evidence satisfactory to the commission of the value of the proposed fine art including, but not limited to, bona fide invoices, purchase orders or agreements, and auction records;

4. The site plans and elevations as approved by the architectural commission;
 5. An estimate of the construction cost of the proposed commercial or mixed use structure;
 6. Sketches, photographs, or other documentation sufficient to show the relationship of the proposed fine art to the proposed commercial or mixed use structure;
 7. Such other information as may be required by the fine art commission in considering the application under the standards established by subsection C of this section.
- B. Upon receiving a complete application, the fine art commission shall schedule a meeting to consider the application. Fourteen (14) days' prior written notice shall be provided to the applicant of the time and place of the meeting at which the application will be heard.
- C. The fine art commission shall approve the application if the proposed fine art satisfies all of the following standards:
1. The fine art has the minimum value required by section 3-1-802 of this article. Such value shall be established by an appraisal performed by an independent, qualified fine art appraiser or other evidence satisfactory to the commission, including, but not limited to, bona fide invoices, purchase orders or agreements, and auction records. Utility and maintenance costs incurred to operate and maintain the fine art over time shall not be considered in determining the value of the proposed fine art.
 2. The fine art has been created by an established artist. "Established artist" shall mean a professional artist who derives his or her income primarily from his or her work as an artist and is accepted and recognized in the field of art locally, regionally, nationally or internationally as evidenced by art journals, art books or art gallery reputation. The members of the architectural, engineering, design or landscaping firms retained for the design and construction of the subject commercial or mixed use building shall not be considered qualified established artists for the purposes of this article.
 3. The fine art has intrinsic quality and enduring value beyond any decorative characteristics.
 4. The fine art is compatible with and enhances the aesthetic quality of the building site. The relationship of the fine art to the site in terms of physical size, shape and colors shall be considered as well as the social and cultural interaction of the fine art with the space it ornaments.
- D. The fine art commission may conditionally approve proposed fine art subject to such conditions that the commission deems reasonably necessary for such fine art to satisfy the standards set forth in subsection C of this section. Upon the written request of the property owner, the commission may later reconsider a decision denying an application if the applicant installs such fine art on the subject site and is able to demonstrate to the satisfaction of the commission that the fine art as installed meets the standards set forth in subsection C of this section. Such request for reconsideration also may be made by the property owner and considered by the commission if changes are made either to the subject building or the proposed fine art such that there are new facts upon which the commission may reconsider its earlier denial. (Ord. 90-O-2096, eff. 9-6-1990; amd. Ord. 96-O-2259, eff. 6-7-1996; Ord. 07-O-2530, eff. 10-18-2007)

3-1-805: LOCATION OF FINE ART:

- A. The fine art required by this article shall be located in a public place.
- B. "Public place" means any area on public or private property which is easily accessible and clearly visible to the general public. If located on private property, the area must be open to the general public and clearly visible from adjacent public property such as a street or other public thoroughfare or sidewalk.
- C. When requested by the applicant for the certificate of occupancy, the fine art commission may designate a site on city owned property; provided further, such site is subject to approval by the city council. (1962 Code § 8-11.01 et seq.; amd. Ord. 94-O-2193, eff. 3-4-1994; Ord. 96-O-2259, eff. 6-7-1996)

3-1-806: TIME OF INSTALLATION OF ART OR PAYMENT:

- A. Prior to final inspection of construction or reconstruction that triggers the requirements of this article, all fine art required by this article shall be installed as approved by the fine art commission.
- B. Prior to the issuance of a building permit that triggers the requirements of this article, the applicant shall make either the in lieu payment authorized by this article or the applicant shall deposit with the city cash, a letter of credit, or other security satisfactory to the director of building and safety, in an amount equal to the value of the fine art required by subsection 3-1-802A of this article. The security shall guarantee installation of fine art as required by this article. If the fine art required by this article is not installed within three (3) months after final inspection of the construction or reconstruction that triggers the requirements of this article, then the applicant shall forfeit the security posted with the city. The city shall be empowered to use the security to purchase and install alternate fine art in a public place within the city. In addition, the city may utilize any other means available to remedy a violation of this article.
- C. If the issuance of a building permit does not trigger the requirements of this article, but that building permit: 1) has a valuation in excess of two hundred fifty thousand dollars (\$250,000.00), or 2) is issued within one year after final inspection of improvements with a valuation in excess of two hundred fifty thousand dollars (\$250,000.00), then the applicant shall deposit cash, a letter of credit, or other security satisfactory to the director of building and safety in an amount equal to the amount required by subsection 3-1-802B of this article. The purpose of such security is to guarantee installation of the art required by this article if later improvements to the building trigger the public art requirement and the applicant is required to pay the applicant's fair share of the public art requirement for the building renovations. The deposit or other security shall be returned to the applicant if the requirements of this article are not triggered within one year after the date of the final inspection of the building improvements with a valuation in excess of two hundred fifty thousand dollars (\$250,000.00). The deposit or other security shall be forfeited if the applicant does not fulfill the requirements of this article within three (3) months after final inspection of the construction or reconstruction that triggers the requirements of this article. The forfeited security shall be used as provided in section 3-1-808 of this article. (1962 Code § 8-11.01 et seq.; amd. Ord. 96-O-2259, eff. 6-7-1996; Ord. 98-O-2308, eff. 9-11-1998; Ord. 07-O-2525, eff. 9-21-2007)

3-1-807: OWNERSHIP, MAINTENANCE, AND INSURANCE:  

The holder of the certificate of occupancy of the structure for which fine art subject to the provisions of this article is designated shall:

- A. Own such fine art, and if the building is sold, shall transfer ownership of the fine art as an integral part of the sale of the building;
- B. Maintain such fine art at the on site location as approved by the fine art commission unless a different on site location is authorized in writing by the commission; or reimburse the city for the cost of maintenance where the art is located off site;
- C. Maintain in full force and effect, at all times, insurance coverage in the amount of the purchase price and would insure such fine art against any loss or damage, including vandalism in accordance with provisions of title 3, chapter 4 of this code. (1962 Code § 8-11.01 et seq.; amd. Ord. 96-O-2259, eff. 6-7-1996)

3-1-808: SEPARATE FUND FOR PURCHASE OF FINE ART:  

All monies paid pursuant to subsection 3-1-802B of this article in lieu of procurement and placement of fine art shall be held in a separate fund of the city, and shall be used solely for the acquisition, installation, improvement, maintenance, and insurance of fine art for display in the city. Any fine art purchased with such funds shall be the property of the city. (1962 Code § 8-11.01 et seq.; amd. Ord. 96-O-2259, eff. 6-7-1996)

3-1-809: RENOVATION OF BUILDINGS THAT HAVE COMPLIED WITH THE MAXIMUM REQUIREMENTS OF THIS ARTICLE:  

Except as provided below, a building owner shall be exempt from further compliance with this article if that owner or previous owners have provided fine art and/or paid in lieu fees for the building and the combined value of all fine art and in lieu fees associated with the building equaled or exceeded the maximum value required by section 3-1-802 of this article at the time that such art was installed or such fees were paid.

This exemption shall not apply to additions to the subject building or to reconstruction that qualifies as construction of a new building for the purposes of title 10 of this code. (Ord. 98-O-2308, eff. 9-11-1998)

3-1-810: APPEAL TO COUNCIL:  

Any final decision of the fine art commission may be appealed to council under title 1, chapter 4, article 1 of this code. (1962 Code § 8-11.01 et seq.; amd. Ord. 98-O-2308, eff. 9-11-1998)

Attachment 3

ADMINISTRATIVE REGULATION
OF THE
CITY OF BEVERLY HILLS

No. 4A-10
December 5, 2003

SUBJECT: SITING CITY-OWNED PUBLIC ART IN CITY PARKS

- I. Purpose - Public art is sited to enhance public spaces such as a City park and to enhance the experience of the public when utilizing a public space. This Administrative Regulation is to identify the roles and responsibilities of the Fine Art Commission and Recreation and Parks Commission in regard to selecting locations for City-owned public art in City parks. The goal of this Administrative Regulation is to outline a process whereby the Fine Art Commission and Recreation and Parks Commission can reach consensus and a unified opinion for the location of public art in a City park.
- II. Definitions
- A. "Public art" shall mean objects of art including but not limited to paintings and sculptures designed by artists for view and appreciation by the public. For the purposes of the Administrative Regulation, public art is art owned by the City.
- B. "Design element" of a park shall refer to the functional elements of the site including but not limited to lights, benches, water features and equipment (also known as park amenities) that relate to a patron's recreational use of the park.
- C. The "Fine Art Commission" is defined in Municipal Code section 2-2.801.
- D. The "Recreation and Parks Commission" is defined in Municipal Code section 2-2.1001.
- III. Application - This regulation applies only to City parks where, per the City Attorney, City-owned art is legally authorized to be displayed.
- IV. Responsibilities
- A. The Director of Recreation and Parks is responsible for:
1. Identifying locations in City parks for public art.
 2. Maintaining a map, portfolio or documentation identifying City parks approved for public art.
 3. Facilitating and coordinating the Recreation and Parks Commission's efforts to identify City parks and sites within the parks for the location of public art.
 4. Facilitating dialogue between the Recreation and Parks Commission and the Fine Art Commission in regard to siting locations for public art within City parks.

5. Recommending appropriate design elements within City parks to the Recreation and Parks Commission and the City Council.
6. Working with the Director of Library and Community Service in determining appropriate landscaping and lighting around public art locations.
7. Installing appropriate landscaping around public art locations.

B. The Recreation and Parks Commission is responsible for:

1. Recommending locations within approved City parks for the installation of public art.
2. Reviewing staff recommendations of the location for public art upon renovation of a City park.
3. Recommending to the City Council the design elements within City parks.

C. The Director of Library and Community Service is responsible for:

1. Maintaining a map, portfolio or documentation identifying the current location of public art within City parks.
2. Facilitating and coordinating the Fine Art Commission's efforts to identify sites within the parks for the location of public art.
3. Facilitating dialogue between the Fine Art Commission and the Recreation and Parks Commission in regard to siting locations for public art within City parks.
4. Working with the Director of Recreation and Parks in determining appropriate landscaping and lighting around public art locations.

D. The Fine Art Commission is responsible for:

1. Recommending to the City Council the choice(s) of public art for a City park.
2. Proposing to the City Council the park(s) for a specific piece of public art.
3. Identifying within the proposed park, the specific site for the art based on the available, predetermined location(s) for public art.
4. Advising the Recreation and Parks Commission of its recommended public art and its recommended location within a City park for the public art prior to City Council consideration of the recommendation.
5. Recommending to the Director of Library and Community Service the appropriate lighting around public art locations and ideas for landscaping alternatives.

V. Procedures

For siting art in parks

- A. The Fine Art Commission and Recreation and Parks Commission will tour City parks periodically to view possible sites for the location of public art.
- B. The Fine Art Commission will advise the Recreation and Parks Commission of proposed public art for a City park and the proposed location within a City park for the public art.
- C. For each specific piece of public art, the Fine Art Commission and Recreation and Parks Commission will meet and endeavor to agree upon a mutually supported location.
- D. If a unified opinion among the Commissions for the location for a select piece of public art in a specific park is not achieved, the Director of Library and Community Service will coordinate a meeting between the City Council and Fine Art and Recreation and Parks Commissions liaisons to discuss the matter.
- E. The proposed art and the proposed location(s) for the public art will be forwarded to the City Council by the Fine Art Commission for review and approval.
- F. The Recreation and Parks Commission or designated representative(s) shall advise the City Council of its recommendation in regard to the proposed location(s) for a selected piece of public art to be located in a City park.

For determining design elements within parks

- A. The Recreation and Parks Commission shall invite the involvement of the Fine Art Commission in the earliest stages of park design and enhancement projects.
- B. The Recreation and Parks Commission shall identify the functional design elements in a park that can be designed, commissioned or purchased as art. The list shall be forwarded to the Fine Art Commission.
- C. The Fine Art Commission shall review the list provided by the Recreation and Parks Commission and identify potential artists or artistic options for the identified design elements.
- D. The Fine Art Commission's recommendations of artists or artistic options for design elements in the park shall be forwarded to the Recreation and Parks Commission for consideration and further exploration.
- E. The Recreation and Parks Commission will recommend to the City Council design elements for consideration at a park and in doing so, represent the input received from the Fine Art Commission.

APPROVED:


DAN WEBSTER
INTERIM CITY MANAGER

Attachment 4

FAC/R&P Liaison Meeting
With
Dr. Julian Gold, City Council Member
July 15, 2013

Attending: Julian Gold, City Council Member
Fiona Chalom and Sandy Pressman, representing the Fine Art Commission
Robbie Anderson and Susan Gersh, representing the Recreation and Parks Commission
Mahdi Aluzri, Steven Zoet, Nancy Hunt-Coffey, Brad Meyerowitz, Patty Acuna, Lois Foraker, City Staff members.

Councilmember Gold provided an overview of the intention of this gathering; to clarify the jurisdiction of the Fine Art Commission and the Recreation and Park Commission when it comes to functions of Fine Art Installations in Beverly Hills City Parks, and to discuss possible protection of the Kusama piece.

In restating the basics:

- Fine Art Commission has the responsibility to act as an advisory body to the City Council to initiate and propose the acquisition or donation of Fine Art to the City, to the City-owned art collection, or the loan of Fine Art to the City.
- Recreation and Parks Commission has the responsibility to act as an advisory body to the City Council on matters which relate to recreation and parks programs and facilities.

Fine arts commission will identify a piece of art they are interested in acquiring, will develop a list of site specific locations for its installation, and if one or more of those sites is in a City Park or Community Center, the FAC and R&P Liaison will meet to discuss the proposed site(s) within the parks. This may include site visits.

If proposed sites are endorsed by the FAC and R&P Liaison, the selected site(s) will be brought to the full R&P for their endorsement after which the recommendation will be brought to the FAC and City Council Liaison prior to a vote of the full City Council for approval.

Councilmember Gold suggested that, once a piece of art has been chosen to proceed toward acquisition, the protection of the piece be considered at the same time. The package for approval by City Council would include both the cost to acquire the artwork and the method and price to protect the artwork.

Summary: City regulatory documents, Administrative Regulations and Municipal Code, shall be amended and clarified to clearly state the Fine Art Commission has the authority to find, purchase, protect, and to examine lighting options for the artwork that is installed on City Property, inclusive of Beverly Hills City Parks. Art intended for placement in the City Parks shall be site specific and the site agreed upon by R&P and Fine Art Commissions in advance of the purchase. If the two commissions cannot come to agreement, the City Council will decide. A member of each Commission shall attend the others Commissions to report back to their Commission the topics discussed to facilitate transparency and cooperation between the Commissions. Dr. Gold will be responsible for the final language of the changes that are taken to City Council for approval.

2 options to protect the Kusama piece were presented and discussed. The costs associated with each option will be researched and brought to group for more detailed examination.

Future Meetings:

1. Next meet to discuss the language of these proposed changes with the same Commissioners and City staff members.
2. 2nd meeting, with the same people, to discuss Kusama protection options and associated costs.
3. 3rd meeting, same people, to discuss possible City Standard for protection of artwork.