



CITY OF

NEWPORT BEACH

City Council Staff Report

September 27, 2022
Agenda Item No. 11

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Contract with Arts Orange County to Manage Phase VIII of the
Sculpture Exhibition in Civic Center Park

ABSTRACT:

The Newport Beach City Arts Commission requests that the City Council approve a contract with Arts Orange County for \$119,000 for Phase VIII of the Sculpture Exhibition in Civic Center Park. This amount includes project coordination and management fees, in addition to installation and de-installation fees.

RECOMMENDATION:

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Approve a contract with Arts Orange County for project management of Phase VIII of the Sculpture Exhibition in Civic Center Park for a total amount not to exceed \$119,000, and authorize the Mayor and City Clerk to sign the agreement.

DISCUSSION:

The Sculpture Exhibition in Civic Center Park is an integral feature of the Newport Beach Civic Center project. The Civic Center Park project was designed by the renowned landscape architectural firm, Peter Walker and Partners (PWP). PWP developed a master plan for art in the park, and identified various spots in the park where art, particularly sculpture, could be exhibited.

The City Arts Commission determined that a rotating exhibition was a pragmatic approach to bring sculpture to the City of Newport Beach (City) in a cost-efficient manner.

The acquisition program that the City Arts Commission developed in 2013 for the exhibition created a model in which pieces are loaned for a two-year period. Sculptors of works chosen for the exhibition are provided with a small honorarium, not to exceed \$5,000, to loan their work to the City. The City is responsible for installing the art, while sculptors are responsible for the maintenance and repair of their work. Pieces are rotated into the exhibition annually and displayed for two years. Phases overlap for a one-year period so that 20 pieces are typically on display.

Admission is free and the exhibition continues to be enjoyed by residents and visitors. The exhibition offers the temporary display of public art that allows the City to avoid the obligation and expense of owning public art. The City Arts Commission selects a well-balanced representation of public art that appeals to a diverse audience, while including artistic merit, durability, practicality, and site responsiveness as criteria in the selection. The rotational nature of the exhibit ensures that residents and guests are exposed to a variety of work.

Park visitors are encouraged to download the free Sculpture Exhibition in Civic Center Park app to take a roughly 30-minute guided tour through the 14-acre park.

A temporary/rotational exhibit of this nature is a first for Orange County and has proven to be a popular amenity that has garnered significant favorable media coverage. The sculpture garden has become an integral element to the enjoyment of the park by residents and guests throughout the year, and the “museum without walls” has become a favored destination for residents and guests interested in public art.

Arts Orange County

The City Arts Commission requests that the City Council approve a contract with Arts Orange County for \$119,000.00 for Phase VIII. The budget remains unchanged from Phase VII.

SCHEDULE OF BILLING RATES			
PHASE	ITEM	DETAIL	COST
8	Installation of Phase 8 Sculptures (June 2023)	10 Sculptures	\$ 25,000.00
8	Site Preparation	Concrete pads, footings	\$ 15,000.00
8	Equipment Rental	Cranes, forklifts	\$ 6,500.00
8	Project Management & Curation	Management Fee	\$ 35,000.00
8	Contingency		\$ 8,000.00
Phase Sub-Total			\$ 89,500.00
8	De-installation of Phase 8 Sculptures (2025)	10 Sculptures	\$20,000.00
8	Project Management & Curation	Management Fee	\$9,500.00
Phase Sub-Total			\$29,500.00
PROJECT TOTAL:			\$119,000.00

The City Arts Commission selected Arts Orange County (Arts OC) to provide public art coordination and site management services for the first seven phases of the Sculpture Exhibition in Civic Center Park after issuing Requests for Proposals in 2013 and 2016. Given the consultant's background experience and expertise, and its availability, staff is requesting a Professional Services Agreement with Arts OC for this work. The Arts OC project team successfully managed all previous phases of the exhibition and has strong working relationships with the City Arts Commission and City staff.

Arts Orange County was established in 1995 as the nonprofit, countywide arts council of Orange County, California. Arts Orange County has been recognized by the California Arts Council as a model agency based on the quality of its work and has served as the officially designated arts agency and state-local partner of the County of Orange since its inception.

Private Funding

As in previous phases, the City Arts Commission will utilize private funds to augment the total cost of Phase VIII. The Newport Beach Arts Foundation has already committed \$10,000.00 toward the project. These donated funds will be used to pay artist honorariums.

Community Input

Since the exhibition's inception, the City Arts Commission has increased public engagement by offering residents opportunities to become part of the selection process. The following elements introduced with Phase VII will continue:

- The City Arts Commission will not utilize an ad hoc subcommittee for selecting the pieces for Phase VIII. Instead, during a regular meeting, the entire City Arts Commission will determine which pieces to include in an online public survey. The results from completed surveys will determine which pieces will be installed in the Phase VIII Sculpture Exhibition.
- The City Arts Commission and a curatorial panel will approve pieces for inclusion in the online public survey, based on the following criteria:
 1. Artistic Merit – the artist has strong professional qualifications, and the artwork is of high quality and demonstrates originality and artistic excellence.
 2. Durability – the artwork is made of high-quality materials, requires minimal maintenance, and can withstand the outdoor elements of coastal Orange County.
 3. Practicality – the artwork is appropriate for audiences of all ages and does not exhibit unsafe conditions that may bear on public liability.

4. Site Appropriateness – the scale of the artwork is suitable for the environment and the artwork is suitable for viewing from all angles.
- The approved pieces will be included in the online public survey. The public, through the online survey, will choose 10 artworks and three alternates. The most popular pieces, as determined through the online survey, will be selected for the Exhibition, pending final approval by the City Council.
 - The City Arts Commission and City staff will publicize opportunities for public participation in the entire process to the maximum extent feasible.

FISCAL IMPACT:

There are sufficient funds in the Cultural Arts budget to fund Phase VIII. Funds will be expended from the Sculpture Exhibition in Civic Center Park Phase VIII account (Account No. 01060603-811059) in the General Fund.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENT:

Attachment A – Professional Services Agreement