



**CITY OF**

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# **NEWPORT BEACH**

## **City Council Staff Report**

July 28, 2020  
Agenda Item No. 8

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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

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**ABSTRACT:**

The Newport Beach City Arts Commission requests that City Council approve a contract with Arts Orange County for \$91,436.00 for Phase VI of the Sculpture Exhibition in Civic Center Park. This amount includes both project coordination and management fees.

**RECOMMENDATION:**

- a) Determine that the 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 it 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 VI of the Sculpture Exhibition in Civic Center Park for a total amount not to exceed \$91,436.00, and authorize the Mayor and City Clerk to sign the agreement.

**FUNDING REQUIREMENTS:**

There are sufficient funds in the Cultural Arts budget to fund Phase VI, budgeted at \$135,000. Funds will be expended from the Sculpture Exhibition in Civic Center Park Phase VI account (Account No. 01060603-811059). The City has received a State of California Department of Parks and Recreation Local Assistance Specified Grant Funding in the amount of \$500,000 for the Civic Center Park Sculpture Exhibition Phases V and VI, which will fully fund this project on a reimbursement basis. The grant funds from the State will also cover concrete repair and rehabilitation needs at the site. Projects funded by the State grant must be completed by December 31, 2021.

## **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 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 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 guests. The exhibition has become a “museum without walls” that 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 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.

Guests to the park 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 (including a cover story in COAST magazine and coverage by the Orange County Register and Daily Pilot). The sculpture garden has become an integral element to the enjoyment of the park by residents and guests throughout the year. In 2015, the Sculpture Exhibition in Civic Center Park was awarded “Best Public Art” from OC Weekly for the second consecutive year and the “museum without walls” has become a favored destination for residents and guests interested in quality public art.

## **ARTS ORANGE COUNTY:**

The City Arts Commission requests that City Council approve a contract with Arts Orange County for \$91,436.00 for Phase VI. This amount includes both project coordination and management fees, and is the same amount as contracted for Phase V.

The City Arts Commission selected Arts Orange County (Arts Orange County) to provide public art coordination and site management services for Phases I, II, III, IV, and V of the Sculpture Exhibition in Civic Center Park after issuing Requests for Proposals in 2013 and 2016. Given their background experience and expertise, the reasonable cost, and their availability, staff is requesting a Professional Services Agreement to Arts Orange County for this work.

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.

The Arts Orange County project team successfully managed all previous phases of the exhibition and has strong working relationships with the City Arts Commission and City staff.

#### **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 are integrated into the process:

- All meetings of the Phase VI Sculpture Exhibition Ad Hoc Subcommittee will be held in public during the City Arts Commission's regular meetings;
- The City Arts Commission will provide an online survey in which the public can vote for their favorite sculpture. The most popular pieces will be considered for the Exhibition, pending City Arts Commission review and final approval by City Council;
- The City Arts Commission will hold one study session meeting where the public will be invited to express their preferences for the submitted art prior to panel consideration;
- The City Arts Commission will hold a curatorial selection panel meeting where the public can express their preferences;
- The City Arts Commission will devote one regular meeting for the public to express their opinion of the panel's recommendations;
- The City Arts Commission and City staff will publicize opportunities for public participation throughout the entire process to the maximum extent feasible.

## **PHASE VI SCHEDULE:**

Pending Council approval, Arts OC will open a call for entry early September 8. The call for entry will be distributed to multiple arts mailing lists and will be promoted in local media. The call for entry will close on December 8, and Arts OC will launch the online public survey on December 9. At that time, the City Arts Commission and the curatorial panel can also review and vote for submissions online. On January 10, the online public survey and Arts Commission review concludes. In January 2021, at a City Arts Commission meeting, the Commissioners and curatorial panel share their results and the public survey rankings. After a public hearing and input from the community, the Commission will approve of 10 works plus 3-5 alternates. In February 2021, at a regular City Council meeting, the selected works will be presented to City Council for final approval. Approved artists are then contracted, and Arts OC commences the installation of Phase VI and the deinstallation of Phase IV in May. The Grand Opening for Phase VI is scheduled for June 2021.

## **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 with Arts Orange County