



**CITY OF MANHATTAN BEACH
CULTURAL ARTS COMMISSION**

December 17, 2018

6:00 PM

**Manhattan Beach City Hall
1400 Highland Ave.
Manhattan Beach, CA 90266**

A G E N D A

A. CALL TO ORDER

B. PLEDGE TO THE FLAG

C. ROLL CALL

Chairperson Fred Manna
Commissioner Elizabeth Rubino
Commissioner Jacquelyne May

Commissioner Shannon Ryan
Commissioner Orhan Taner
Commissioner Grayson Matsumoto

D. APPROVAL OF MINUTES

September 24, 2018
November 19, 2018

E. CEREMONIAL

F. AUDIENCE PARTICIPATION (3-Minute Limit)

The public may address the Commission regarding City business not on the agenda.

G. GENERAL BUSINESS

18/1119.1 Utility Box Beautification Project
18/1217.1 Public Sculpture *Egrets in Flight* donation
18/1217.2 MB Mural Ordinance

H. STAFF ITEMS

Cultural Arts Division update
City Council updates
Presentation on Local Artist Eva Goldsheid – Ann Pitts

I. COMMISSION ITEMS

J. ADJOURNMENT

CITY OF MANHATTAN BEACH
MINUTES OF THE CULTURAL ARTS COMMISSION

September 24, 2018
City Hall – City Council Chambers
1400 Highland Avenue
Manhattan Beach, CA 90266

A. CALL TO ORDER

Chairperson Manna called the meeting to order at 6:10 PM.

B. PLEDGE TO FLAG

C. ROLL CALL

Present: Grayson, Matsumoto, May, Rubino, Ryan, Taner, Chairperson Manna

Absent: None

Others present: Martin Betz, Cultural Arts Manager, Ceramics Supervisor Eilen Stewart

D. APPROVAL OF MINUTES - August 20, 2018

Commissioner Taner noted that in Paragraph G. of the minutes he mentioned he had a proposal for an art conference which has not been agendized. It was agreed that this can be added tonight for discussion under “Commission Items”.

It was moved and seconded (Rubino/Ryan) that the minutes of August 20, 2018 be approved as submitted. The motion was unanimously approved by voice vote.

Commissioner Rubino requested that Item H (“Art in the Park”) be moved ahead in the agenda, between items F. and G; no objections, it was so ordered.

E. CEREMONIAL - None

F. AUDIENCE PARTICIPATION (3-Minute Limit)

Presentation by Evanna Shaffer, City resident as well as yoga instructor, artist and teacher. Ms. Schaffer gave a slide presentation of a concept with implications for public art and other applications. The concept is a 360 degree 46-ft. diameter dome that creates a 5-D fully immersible art experience. Said dome is easily transported, can be located anywhere in an open space, e.g. on a roof. This technology has been used in collaboration with Google; dome has a platform with mirrored floor which can heat, cool, and rotate, and is safe. There’s a lot of research showing neurological benefit; examples of such events are, in NYC (“Inscape”), Las Vegas (“MSG Sphere”).

Ms. Shaffer responded to Commissioner questions: She seeks input from the Commission only to find out if there is general interest. The dome could be used as a public art installation and/or venue for art classes or activity; estimates a cost for the dome use as between \$57k and \$88k; no specific location in Manhattan Beach has been targeted but the dome is very flexible and can be located in any public area, and whether a fee would be charged would depend on some unknowns. She is not involved for personal profit or a commercial interest but by the desire to bring this very unique experience to the community; and is working with Tedx to be part of its local Expo next year.

Commission feedback: **Commissioner Ryan** acknowledged virtual reality is exciting but many details would need to be worked out. **Chair Manna** pointed out the potential for application as an arts experience and this is within the Commission's purview, while the conduct of classes is not, and is something Parks and Recreation should address. As an art experience, it would be very interesting. Ms. Shaffer will get more information and hopes to revisit at a future meeting.

Chair Manna thanked Ms. Shaffer for her presentation.

Gary McAulay, President, Manhattan Beach Historical Society, expressed his concern that recently a tile mosaic of a mermaid that has been in place at the Neptunian Women's Club has been destroyed during remodel construction, without notification of the artist. **Mr. McAulay** noted that while he realizes that a private installation is not entirely within the Commission's purview, he believes there is some relevance to the Commission. He asked if the Commission can work with the community to educate the public of the need to protect all art in public places. Brief discussion followed; **Commissioner May** suggested that the artist pursue this as this is foremost her personal loss.

G. GENERAL BUSINESS (order on agenda changed- this item originally F.)

18.0924.01 Arts in the Park Project – Commissioner Rubino

Commissioner Rubino presentation: Commissioner Rubino provided an overview with slides explaining the "Arts in the Park" which involves reaching out and engaging the community regarding performing and visual arts. This subject has been discussed quite a bit and approved by the City Council in June, as part of the Commission's Work Plan; would be a hands-on, interactive and collaborative event for all ages, an experience to **participate in** as opposed to **observing**. Artists would display their art but also be able to provide their own literature. As to who would be involved, **Commissioner Rubino** mentioned schools, including any Manhattan Beach (MB) school public and private in beach cities (HB, RB, ES, Torrance) and their arts organizations but MB would have priority.

A subcommittee, including **Commissioners May, Matsumoto, Rubino**, met and decided: event hours of 10-am-3:00 pm, booths to be scattered throughout Polliwog Park, and each artist is to provide a hands-on experience; estimated cost: \$33,000; planning committee include one rep from public school; May 15, 2019 is a proposed date. The requested action is to support the concept.

Staff response: **Manager Betz** expressed a concern that there may be a need to spread the event out to a bigger physical area. **Commissioner Rubino** stated the Committee will approach Parks and Recreation to see about some staff assistance. As this is the first year, only about 20 booths will participate; the final recommendations will come out of the larger committee to be formed.

Commission feedback: **Commissioner Taner** asked and it was confirmed that the \$33k would come out of the existing Art Fund and the event would take place both at the Art Center and Polliwog Park; and will be a free event. He believes it will be successful but wonders if it will be geared more to children. **Commissioner May** cited a past similar event that was enjoyed by both youths and adults and Commissioner Rubino gave examples of adult oriented activities such as dancing and Commissioner May noted she has some great contacts for activities geared to adults.

Chair Manna called for the motion. It was subsequently moved (Taner/Manna) that the Commission support the concept of Arts in the Park as presented with a budget of \$33,000.

Roll Call:

Ayes: Matsumoto, May, Rubino, Taner, Chairperson Manna

Noes: Ryan

Abstain: None

Absent: None

The Chair announced the motion has passed 5-1.

H. STAFF ITEMS

Cultural Arts Division update – Betz

Art Fair - Manager Betz noted this event - held last weekend at Metlox, organized by staff member Tom Delaney, which was well attended and successful. The event is regarded by staff as a test but the thinking is that it could become a regular event. Mr. Betz will provide a more info in October.

Chair Manna led off discussion; he was impressed with the quality of the art but is concerned that this could be negatively affected if, in the future an artist entry fee is imposed. **Manager Betz** commented that currently there is high interest among artists to participate, but this is an important issue. **Commissioner May** agreed and added the amount of a fee would be a big factor, citing that, for example, she believes \$250 would be discouraging. **Commissioner Ryan** felt that the aesthetics of the event could be elevated, and especially, if charging artists, the booths should have a more unified look. **Supervisor Eilen Stewart** noted the example of the Hometown Fair - that it requires artists to have a **white** booth, but there is variety in the **type** of structure. **Commissioner Rubino** really enjoyed the event, thought it was well done, especially for the first time out, but noted in terms of art content that there were quite a few pier pieces. She suggested that instead of buyers taking their art away once purchased, somehow the art be required to remain at the booth (with a sold sticker?) for others to enjoy. She feels this would give the event more of a show, instead of retail feel, and this is relevant to the Commission, whose job it is to make art available to the community, and would especially benefit the public who aren't able to attend in the am.

Manager Betz noted that the goal of the event should be considered, i.e., is it more to provide art as an indoor gallery? If so, perhaps there should be a requirement that arrangements be made for later pickup of sold art. Mr. Betz reminded that, while staff values the Commission's input, its role is not as a collaborator making decisions but more as an advisor, providing observations and suggestions.

Commissioner May noted these are mainly logistical issues that will be worked out; She questions whether, if the booths should become too uniform or whether there should be an effort to have a higher aesthetic, that the event might lose its unique feel.

Chair Manna closed discussion, pointing out that these are the types of comments that come out of a first show. **Commissioner Taner** confirmed with Mr. Betz that this event is paid out of the Cultural Arts Division's annual budget, not the Art Fund. He suggested that the City look into whether the event can be run through a nonprofit entity which will enable more fund raising and perhaps give more options to the staff planners. Commissioner Taner also suggested a couple things: that advertising may be more fruitful if it targeted nearby communities such as Palos Verdes which have more of an art collector culture and secondly, perhaps other independent events might be able to be organized surrounding the fair (e.g. a brunch at nearby Shade Hotel).

Manager Betz thanked the Commission and indicated he will incorporate their input into his debriefing.

Sculpture Garden Update - The City Council has reviewed the Commission prior recommended finalists, and has chosen ten artists, and locations; they now ask that the Commission revisit and revote for finalists. This will involve about ten submissions and will be on the October agenda.

The Commission briefly discussed; **Commissioner Ryan** noted concern for the artists with this extra step; she requested and it was confirmed that 3 prototypes shown prior were paid for by the City.

Manager Betz explained that of the former finalists, not all will be among the ten to be revisited and in one case the same artist is to be considered but for different pieces. The process is still evolving and to some degree this is due to the fact that there are new councilmembers, new Commissioners, and the fact that the number of submittals has exploded, going from about 10 to 60. He would like to form a sub-committee to work on the protocols of the selection process which will likely involve a first review by the City Council. Materials will be provided to the Commission about two weeks prior to the October 15 meeting.

Work Plan status: **Manager Betz** proceeded to go over projects. The **Strand bench program** (now on hold – only 4 spots left for benches) will go to City Council on October 16. For the **walkabout events**, the goal is to work out a comprehensive plan and this will be brought to the Commission in November. The **assessment of historical archives** may also be agendized in November. The **utility box project** is proceeding; submissions are being received, but the proposals need some work. That project will likely be presented to the CAC also in November and the implementation may start as early as January, 2019. The **City Hall public art project** will go to Council in November; an RFQ has already been issued. The **public mural project** will come back to the Commission in October for recommendations for locations, which are predominantly outdoor and then will go back to the City Council for final approval.

Art exhibits: **Eilen Stewart** reported that **Terra Firma** at the Art Center will come down October 14 and a new exhibit “Mimisis” which will pair video with painting and flat art will be installed immediately afterward which will open October 26.

I. COMMISSION ITEMS

Commissioner Taner art conference proposal:

Commissioner Taner described his proposal for a 6-hour art conference, to be attended by the CAC, and to which community leaders - civic leaders and influencers, schools, public and private and education foundation, community organizations (Rotary, etc.,) and those involved in art in Manhattan Beach, and perhaps from nearby communities. The idea would be to discuss the direction of the arts in Manhattan Beach; attendees would be briefed in advance; he is open to all sorts of ideas, but he feels this is fully within the mandate and role of the CAC. He understands that the Brown Act would need to be addressed. The point will be for the Commissioners to introduce themselves and their role and then whether the City’s programming should take a leap forward. He feels the time is ripe to have a discussion as to whether the City can be a sort of mixed melting pot of beach arts and beyond the City limits, and the pros and cons of this. He concluded by stating that if greenlighted, he would form a small committee, and draft an agenda and methodology for accomplishing this, which would be brought back to the Commission at an appropriate time, perhaps January. He feels that the conference will be a minimal cost, \$3,000 or less, depending on whether lunch is provided.

Manager Betz responded that there are many questions to be answered, many logistical. Martin Betz stated that he feels the proposed conference has value to the Commission more as a fact-finding opportunity to enable them to explore what's going on in the community, but he will look into how this would happen; doesn't recall a past such event.

Commission feedback: **Commissioner Ryan** supports the concept, explaining that, while new to the Commission, she is a longtime resident. She voted against the art in the park concept earlier only because she feels that it may be out of alignment with efforts so far. She feels that the City needs clear vision for "who we are" with respect to art in the community. Maybe we are a hands-on experience in the park, but perhaps this can be elevated just a bit. It will be helpful to hear from leaders.

Commissioner May stated that she sees potentially two different factors; those who are newer to the community who may want to "elevate" arts more and then there are those who have lived in the City for many years, who want to maintain art more in line more as a home town feel. Perhaps its 50/50. Commissioner May thinks of the City as "the beach" and noted there have always been artists living in the City but they have stated they would have liked to have been able to show and sell their art more. Not until recently has the City strongly supported art. **Commissioner Ryan** explained that by "elevate" she doesn't necessarily mean more expensive. **Commissioner Taner** acknowledged there are different ways of thinking, but believes that all artists want to be able to show and sell their art. Can discuss for example, how to present local art to larger audiences (cited Etsy, Saatchi Art etc.) Perhaps an outcome, for example, might be to recommend that the racquetball building in Marine Avenue Park be changed into a mini Bergamot Station. **Commissioner Ryan** again stated she likes coming together with ideas and getting to a common vision. **Chair Manna** stated that he believes this is a great idea.

Manager Betz suggested that stated this event if held as a retreat can be financially supported as training in the budget and this will simplify its planning. He will explore this and get back to the Commission. **Commissioner Taner** will coordinate by email with **Manager Betz** regarding preparing a proposal with possible agenda, venues and dates.

Chair Manna may not be in attendance in November. If so, Vice Chair Rubino will preside. Chair Manna also reported his recent visit to New Mexico – he was very impressed with Santa Fe and the art in that area (Taos, etc.). Perhaps the City can strive to be the "Santa Fe" of its region?

Discussion of Arts in the Park Project – Commissioner Rubino (see earlier discussion)
Commissioner May will email with Commissioner Rubino for information to pass on.

J. ADJOURNMENT

At 8:01, P.M, Chair Manna moved, second by May, adjournment, to the regular meeting of October 15, 2018 at 6:00 P.M. in the Council Chambers at City Hall, 1400 Highland Avenue; there being no objections, it was so ordered.

CITY OF MANHATTAN BEACH
MINUTES OF THE CULTURAL ARTS COMMISSION

November 19, 2018
City Hall – City Council Chambers
1400 Highland Avenue
Manhattan Beach, CA 90266

A. CALL TO ORDER

Vice Chair Rubino called the meeting to order at 6:08 PM.

B. PLEDGE TO FLAG

C. ROLL CALL

Present: Matsumoto, May (6:19 pm), Ryan, Taner, Vice-Chair Rubino

Absent: Chairperson Manna

Others present: Martin Betz, Cultural Arts Manager, Rosemary Lackow, Recording Secretary

D. APPROVAL OF MINUTES - September 24 and October 15, 2018

It was moved and seconded (Ryan/Taner) that the minutes of October 15, 2018 be approved as submitted, and that the minutes of September 24 be delayed until the December meeting due to a technical difficulty.

ROLL CALL:

Ayes: Matsumoto, Ryan, Taner, Vice-Chair Rubino

Noes: None

Absent: May (arrival 6:19 pm), Chairperson Manna

Abstain: None

E. CEREMONIAL - None

F. AUDIENCE PARTICIPATION (3-Minute Limit)

G. STAFF ITEMS

Cultural Arts Division report

a. Staffing update: Manager Betz updated noting that Eilen Stewart is now on family leave and the division staff will adjust during this period; Lorenzo Baker will be assisting Mr. Betz and Ginna Muzinga will focus on managing the Arts Center.

b. City Council updates: Manager Betz specifically reported:

- **Arts in the Park program:** Commissioner Rubino and Manager Betz reported that the City Council has been very supportive; it will be on the Work Plan agenda item in June and a developed proposal will be presented in July.
- **Historical Archive Project:** Manager Betz touched on a staff driven initiative that is on tomorrow's (Nov. 20) City Council meeting. The Parks and Recreation Department is recommending that the Council appropriate funds (\$109K), discuss and provide direction on

a proposal to identify, collect and ultimately protect city owned historical archives plus an educational component. The project could involve renovation of the “Red House” in Poliwog Park and possible creation of an historical document facility. If approved as proposed, the project will roll out in 4 phases and in the fifth year, it will be determined if the document facility or permanent home for the archives will be at the MBAC. The project involves multiple sources of funding, one of which will be from the Public Art Trust Fund. Discussion tomorrow before City Council is just the beginning; it remains to be seen how much of the project will involve the CAC.

Brief discussion followed. Manager Betz emphasized that the involvement of the Commission will depend on the funding sources and alignment of the project with the mission and role of the CAC. Mr. Betz also clarified that the project will be dealing with a visual presentation of the history of Manhattan Beach, with an educational component. Manager Betz emphasized that the main focus now is to archive what the City has and decide what needs to be preserved and archiving is not about disposing of historical materials. He expects long term residents to be interviewed.

- **City Hall lobby public art RFQ:** At its November 6th meeting the City Council approved the issuance of an RFQ of artists which will be released November 7. The selection and approval of finalists is anticipated in February, 2019, with presentation of the finalist’s concepts following in May, and completion and unveiling in January, 2020.
 - New lapel pins: Manager Betz distributed new lapel pins provided by the City Clerk.
- c. Presentation on Local Artist Eva Goldsheid – Ann Pitts. It was noted that Ms. Pitts was unable to attend this meeting and staff will look into a future date for a presentation.

H. COMMISSION ITEMS - None

I. GENERAL BUSINESS

18/1119.1 Utility Box Beautification Project

Manager Betz gave a brief overview, noting that 34 artists made a total of 55 proposals. Staff is very impressed with the quality of the response, noting that 50% were from Manhattan Beach. In Round 1, staff eliminated proposals that didn’t respond properly to the RFP. Tonight, Round 2, the Commission will score the 55 proposals (Amell to Toporow), with the goal of coming up with the top 20. The scoring will involve first viewing all proposals, then scoring. It was agreed to assign between 1-5 points per proposal), and Mr. Betz will be the tiebreaker if needed. He explained that the the proposals depict how the design will be placed on a utility box, and if chosen the artist will partner with the installation company.

Vice Chair Rubino called for a break at 7:03 pm and reconvened the meeting at 7:13 pm and the scoring proceeded. Mr. Betz went through each artist and their proposals, answering questions and explaining that after tonight, staff will match the 20 or so selected proposals with box locations and, at the next meeting, staff will show the Commission how this matching is proposed to occur.

The scoring resulted in the selection of the following artists in alpha order: Amell, Aviram, Barnes, Berry, Billings, Brantley, Cruglez, Escopete, Ganzini, Gould, Ireland, K. Kiefer, Kracht, Meyer, Miller, Petroczy, Post, Skolarus, Stitt and Toporow.

It was subsequently moved and seconded (Matsumoto/Ryan) that the aforementioned artists be selected for Round 2 of the Utility Box Beautification Project.

ROLL CALL:

AYES: Grayson, Matsumoto, May, Ryan, Taner, Vice-Chair Rubino
NOES: None
ABSTAIN: None
ABSENT: Chair Manna

Brief discussions followed on December meetings: it was confirmed that the CAC will meet in December. Mr. Betz mentioned that on December 18, possibly, the City Council may be discussing a new ordinance for handling murals on private property which will involve the Department of Community Development with some review by CAC.

J. ADJOURNMENT

At 7:45, P.M, Vice Chair Rubino moved, second by May, adjournment, to the regular meeting of December 17, 2018 at 6:00 P.M. at City Hall, 1400 Highland Avenue; there being no objections, it was so ordered.

DATE: December 17, 2018

TO:

Members of the Cultural Arts Commission

FROM:

Martin Betz, Cultural Arts Manager

SUBJECT:

Utility Box Beautification Project Artwork and Location Review

RECOMMENDATION:

Staff recommends that the Cultural Arts Commission review the matching of the Utility Box artwork with the utility box locations as determined by staff.

FISCAL IMPLICATIONS:

With the approval of the City Council the Utility Box Beautification project Phase 1 would potentially impact the Public Art Trust Fund in the following manner: The Utility Box Beautification project has a \$30,000.00 project budget of which approximately \$19,500.00 will be allocated for Phase 1.

BACKGROUND:

At the November 19, 2018 Cultural Arts Commission meeting, the Commission requested to review the matching of the artist and artworks to the utility boxes at the December 17, 2018 meeting.

DISCUSSION:

The Cultural Arts Commission was directed to identify and apply decorative vinyl wraps to multiple utility boxes around the City. Staff identified 33 possible locations with over 45 utility boxes as possible sites for this public art project. 13 sites were chosen for Phase 1 by the Cultural Arts Commission. The artwork selected by the Commission at the November 19, 2018 meeting was reviewed by staff and paired with utility box locations.

Staff recommends that the Cultural Arts Commission review the matching of the Utility Box artwork with the utility box locations as determined by staff.

The presentation is scheduled to go before the City Council on December 18, 2018.

UTILITY BOX BEAUTIFICATION PROJECT

ARTIST & LOCATION
SELECTION



ARTIST SELECTION

UTILITY BOX BEAUTIFICATION ARTIST SELECTION PER LOCATION

Project Summary: Narrative for Council





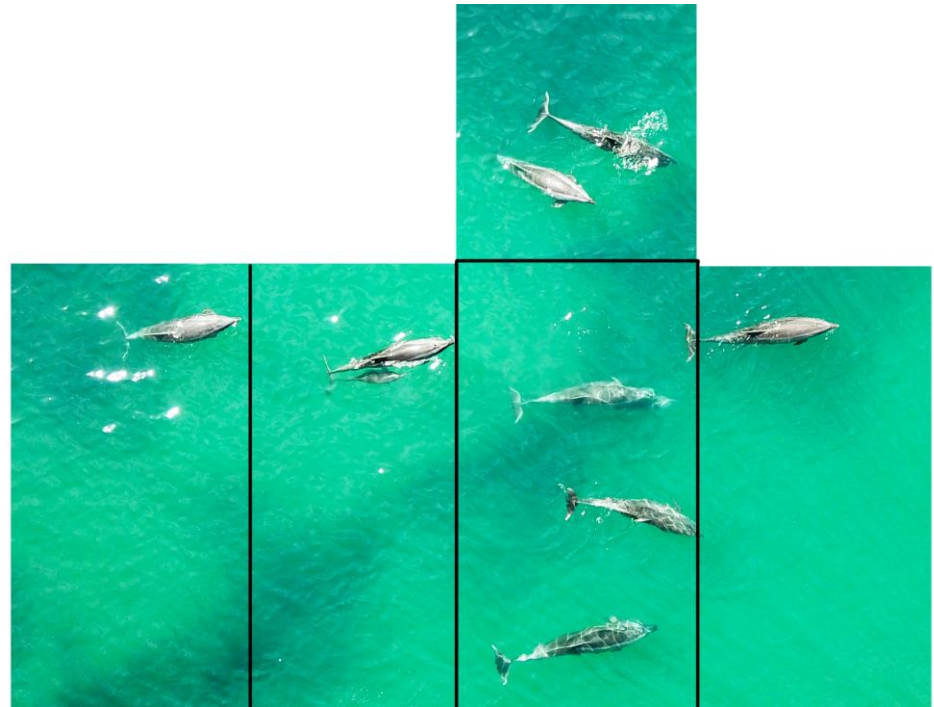
8 – HIGHLAND + ROSECRANS,
SW corner

Artist Emily Brantley



II – ROSECRANS + VILLAGE

Artist Rosa Cruglez



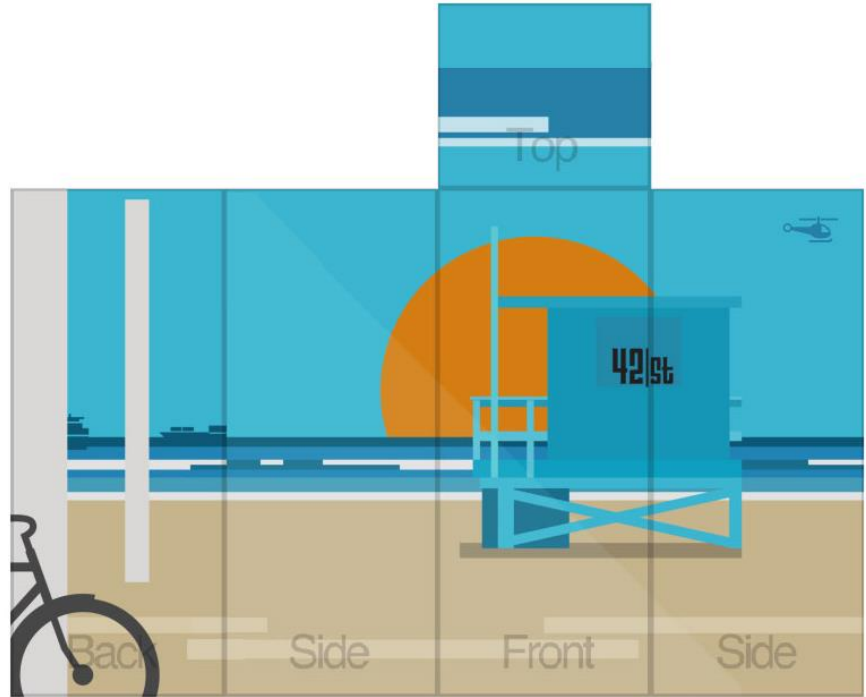
12 – ROSECRANS BETWEEN
REDONDO AVE & VILLAGE

Artist Kerry Stitt



13 – ROSECRANS + AVIATION

Artist Monika Petroczy



16A – REDONDO AVE +
MANHATTAN BLVD

Artist Jon Berry



16B – REDONDO AVE +
MANHATTAN BLVD

Artist Veronica Escopete



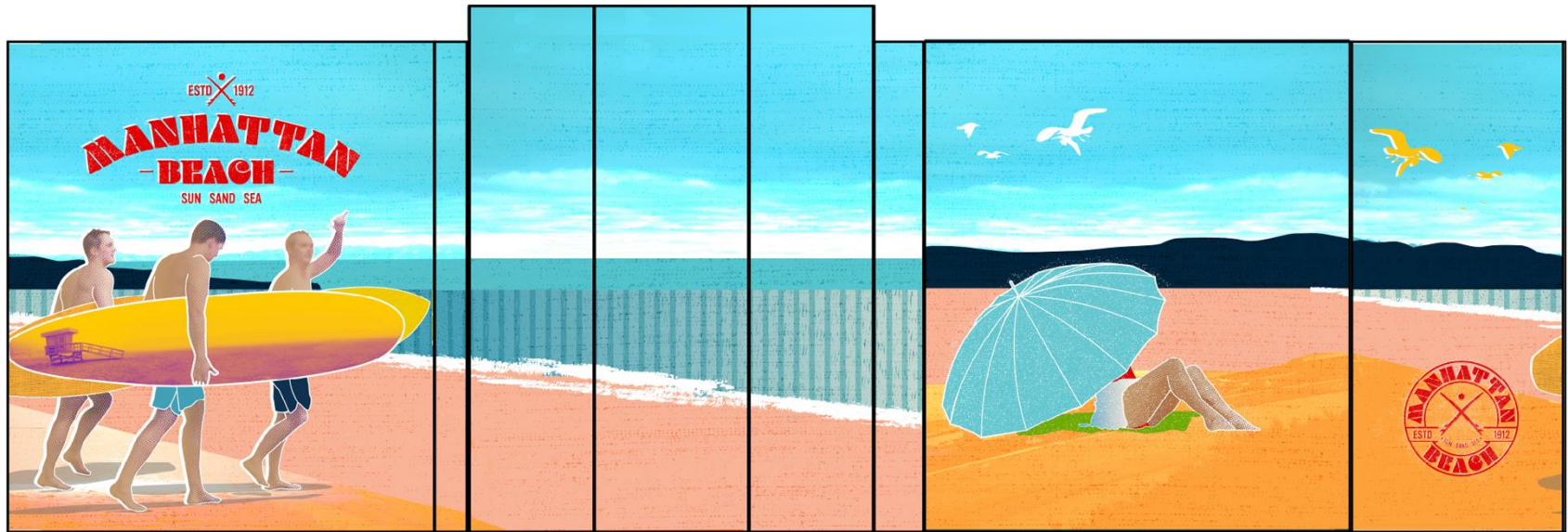
20 – ARTESIA + MEADOWS

Artist Einav Aviram



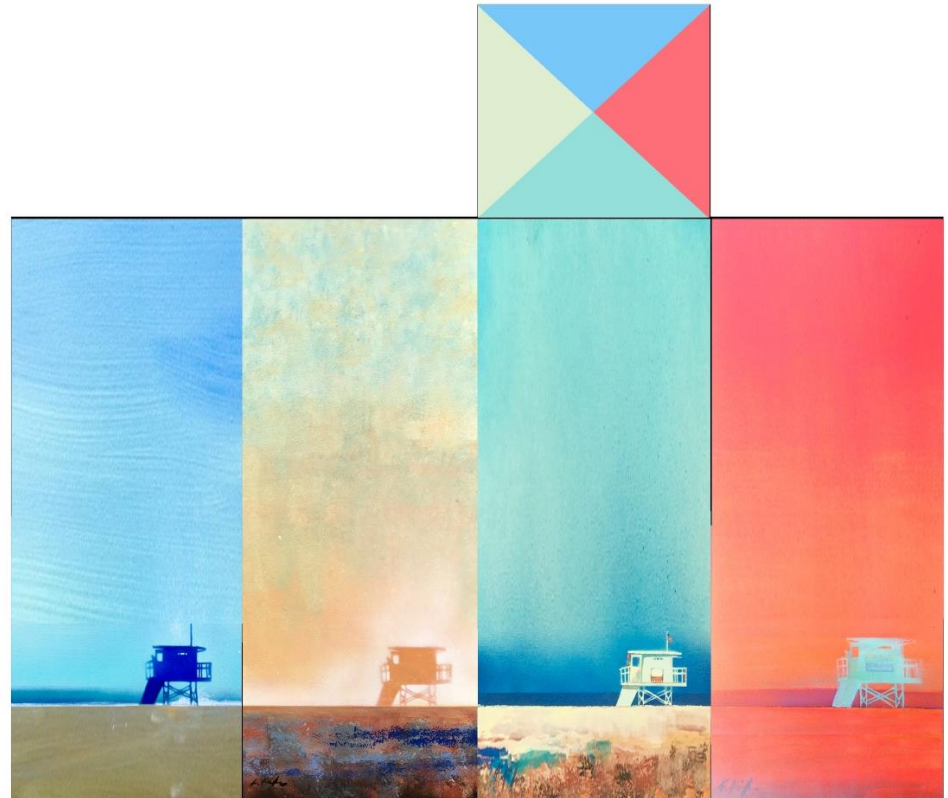
21 – ARTESIA + PROSPECT

Artist Derek Billings



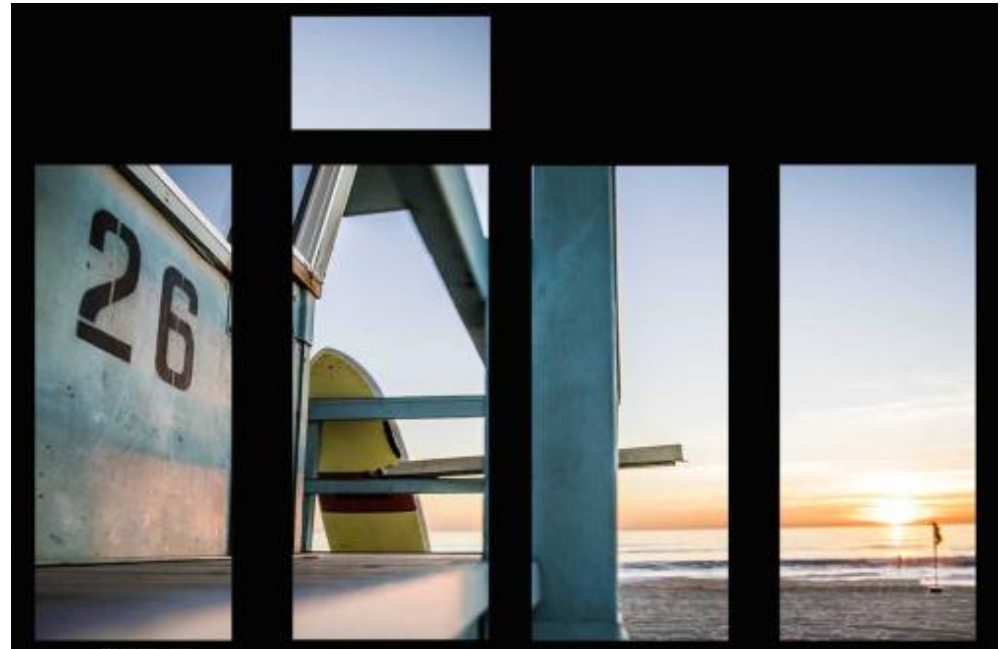
25 – MANHATTAN BLVD +
HIGHLAND

Artist Amelia Amell



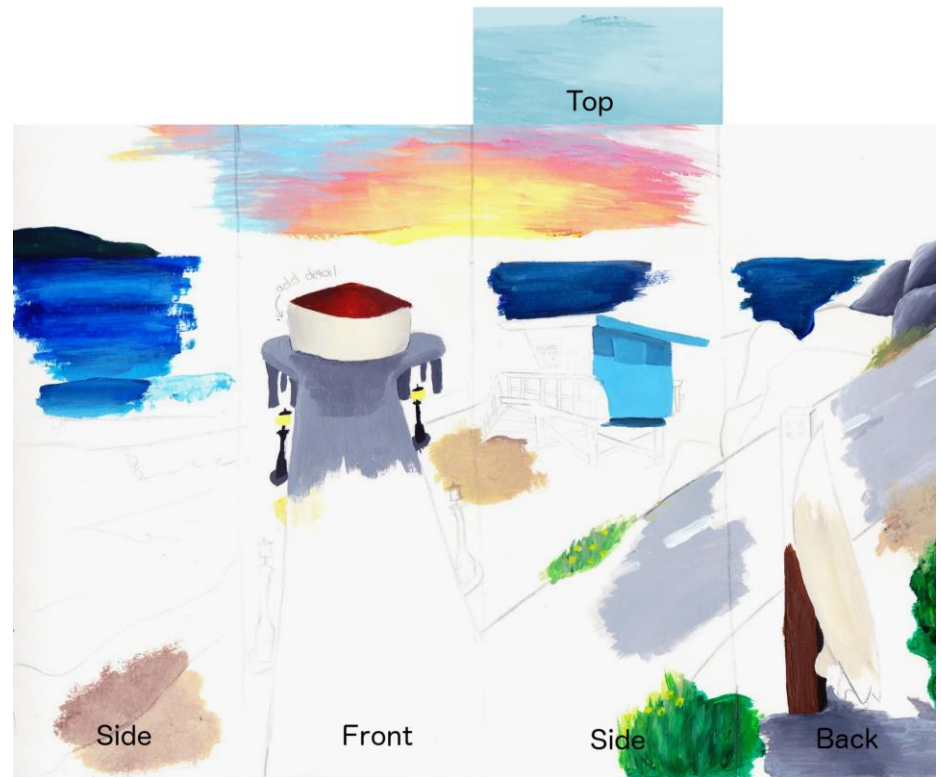
26 – MANHATTAN BLVD +
MANHATTAN AVE

Artist Kathleen Keifer



28 – HIGHLAND + 15th STREET

Artist Sandra Meyer



29 – MANHATTAN BLVD +
SEPULVEDA

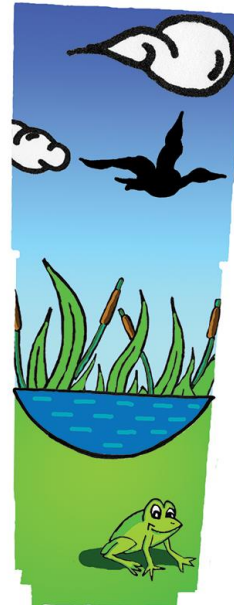
Artist Alina Skolarus



West Panel



South Panel



East Panel



North Panel



Top Panel



33 – MANHATTAN BLVD + PECK

Artist Greg Gould

DATE: December 17th, 2018

TO: Members of the Cultural Arts Commission

FROM:

Martin Betz, Cultural Arts Manager
Lorenzo Baker, Cultural Arts Assistant

SUBJECT:

Proposal for the Donation of *Egrets Take Flight* to The City of Manhattan Beach

RECOMMENDATION:

Staff recommends that the Cultural Arts Commission discuss and approve the donation of *Egrets Take Flight*.

FISCAL IMPLICATIONS:

Site preparation and installation of *Egrets Take Flight* will cost \$500.

BACKGROUND:

Egrets Take Flight was designed by artists Margaret Lazzari and Lauren Evans and is displayed as part of the City of Manhattan Beach's biennial sculpture garden 2015 installation. Currently located in the Civic Plaza adjacent to the library, the artwork has become an intimate part of the city's cultural makeup and an extension of its commitment to environmentalism.

Egrets Take Flight is a painted metal sculpture that borrows from the wildlife in and around Manhattan Beach. Emphasizing three great egrets, the piece is executed with bright bold patterns and iridescent paints that are illuminated by the nearby seaside sun.

Margaret Lazzari and Lauren Evans are a public art painter and sculptor team based in Los Angeles, California, with a combined 20 plus years of working experience in and around the public arts sphere.

DISCUSSION:

On December 10, 2018, a meeting was held with artists Margaret Lazzari and Lauren Evans to discuss the permanent installation of *Egrets Take Flight* in or around the Manhattan Beach Botanical Garden.

As the City of Manhattan Beach gears up for its 6th iteration of the sculpture garden project, the artist team of Margaret Lazzari and Lauren Evans, along with the Cultural Arts Division are recommending the acquisition (via donation) of *Egrets Take Flight* and its permanent installation in the Manhattan Beach Botanical Garden.

The Manhattan Beach Botanical Garden is a beacon of the city's dedication to environmental sustainability and preservation of the South Bay's natural environment. The installation of *Egrets Take Flight* will not only compliment the garden aesthetically, but will also compliment the Botanical Garden's mission of promoting educational awareness of the social and physical impact of climate change and its effects on the natural environment that encompasses the Manhattan Beach community.

DATE: December 17, 2018

TO:
Members of the Cultural Arts Commission

FROM:
Martin Betz, Cultural Arts Manager

SUBJECT:
Proposed Mural Ordinance Language

RECOMMENDATION:

Staff recommends that the Cultural Arts Commission review and approve the language for a proposed mural ordinance.

FISCAL IMPLICATIONS:

The Community Development Department will collect fees on behalf of the City. Fees could range between 60 and 150 dollars.

DISCUSSION:

Currently the City of Manhattan Beach does not have a mural ordinance to address the proliferation of murals in the City. Staff is developing a comprehensive mural ordinance and would like for the Commission to review the concept and language for a proposed ordinance. The purpose of this ordinance is to provide for opportunities to create or preserve original artwork murals throughout the City, to officially recognize such murals by registering them, and to protect them against vandalism. Murals foster artistic expression, increase community cultural assets, and enhance community character. This ordinance differentiates murals from commercial signage and graffiti, ensures compatibility with the built environment, and protects public safety.

Mural ordinance language (Draft) and registration

Definitions:

Mural

An original, one-of-a-kind image that contains only a non-commercial message, that is painted or applied to the exterior wall of a building or structure, and that does not contain changeable or moveable elements or changeable illumination, including flashing or sequential lighting, or any other elements.

Non-commercial message

As used on a mural, a message or image that does not include any branded, registered, or trademarked words, icons, or logos and is not used to advertise a business, a service or a product offered for sale, or to create a revenue stream as a result of its visible placement to the public.

Mural Registry

Registry kept with the Manhattan Beach Art Center will archive materials related to each mural project, document the project, track the agreements and monitor the condition of each mural.

Purpose

The purpose of this ordinance is to provide for opportunities to create or preserve original artwork murals throughout the City, to officially recognize such murals by registering them, and to protect them against vandalism. Murals foster artistic expression, increase community cultural assets, and enhance community character. This ordinance differentiates murals from commercial signage and graffiti, ensures compatibility with the built environment, and protects public safety.

Eligibility

To be eligible for registration, all proposals for new murals shall meet the following criteria:

- A. The artwork shall meet the definition of a "mural" (see definitions above) in that it contains only original artwork with a non-commercial message;
- B. The mural shall be located on private property that can be viewed by any persons utilizing any public right-of-way;
- C. The mural shall not be located on property containing a single family residence except on a solid fence or wall of a uninhabitable structure, not attached to the residence, that faces and is viewable from the public right-of-way;
- D. The mural shall not display any unlawful act, business, or purpose or contain any obscene matter; (need reference to City municipal code related to this)
- E. The materials in the proposal shall be limited to paint. Any other materials may be considered and approved on a case-by-case basis by the Cultural Arts Commission;

- F. The paint and any other materials approved by the Cultural Arts Commission shall be durable, graffiti resistant, and weather resistant for a minimum period of two years;
- G. The mural shall not exceed the width or height of the wall of the building;
- H. Elements of the mural shall not project over the public right-of-way;
- I. The mural may include an artist's signature and date, which shall not cover more than twenty-four inches by twenty-four inches of the mural's area, however, this requirement may be modified at the discretion of the Cultural Arts Commission;
- J. Prior to registration of a mural, evidence shall be provided that the applicant has initiated neighborhood engagement by mailing of notice to surrounding property owners within a 500-foot radius.

Application and Review Procedures

- A. Mural Program Administration: The Manhattan Beach Cultural Arts Commission shall administer the City Mural Program, including the review, outreach and registration process for murals in the City of Manhattan Beach.
- B. Application Checklist: The application submittal shall contain all of the materials required by the Mural Registration Checklist.
- C. Application

Community Development Department shall process application and collect Fees.

After the Community Development Department confirms that the mural meets the definition as described above and that the application includes all the required materials and fee payment, the Department shall refer the application to:

1. Cultural Arts Commission
All mural applications will be reviewed by the Cultural Arts Commission. The Cultural Arts Commission shall review the mural application to ensure that the application meets the criteria (Eligibility); work with the artist of the proposed mural and the sponsoring property owner or the owner's designee through design review to determine that the artwork is an original design; and confirm that the applicant conducts neighborhood engagement. After all the criteria has been met, the Cultural Arts Commission shall provide the applicant with a form agreement (Agreement between Artist and Property Owner).
2. Department of Public Works
Any new mural containing structural elements other than paint, that will be attached to the building wall, or requiring the temporary use of a public right-of-way, will be reviewed by the Department of Public Works for required permits, as applicable.
3. Fire Department
Any mural containing elements or materials that have been, or will be, plastered or mounted onto doors, windows, vents, or any other parts of a building which may affect ingress and

egress, firefighting operations including ventilation, or addressing of the building, will be reviewed by the Fire Department for compliance with Fire Department policies and regulations, as applicable.

For new murals, upon confirmation that the Department of Public Works and Fire Department have issued the required permits, the Community Development shall forward the complete application, meeting all eligibility criteria, to the Cultural Arts Division.

The Cultural Arts Division shall then notify the property owner or the owner's designee to proceed with the mural.

The property owner or the owner's designee shall notify the Cultural Arts Division upon completion of the artwork and provide photographs.

Upon completion of artwork and receipt of photographs, the Cultural Arts Division shall register the mural into the Mural Registry.

Agreement between Artist and Property Owner

The property owner and the mural artist shall enter into a signed agreement, of which the City is a third party beneficiary, to ensure compliance with the City's mural guidelines, terms and conditions. The agreement shall be in effect for a minimum period of 24 months from the time the mural is installed, unless an agreement with the mural artist provides for a shorter term, and copies shall be furnished to the Cultural Arts Commission. The agreement may be extended another 24 months, with up to a maximum of four extensions.

Responsibilities for Maintenance, Repair and Removal

A. Maintenance

It shall be the responsibility of the property owner or the owner's designee to ensure that the mural is maintained in good condition, free from graffiti, and free from chipped, peeled, torn or faded paint or materials, for the duration of the term in the agreement. Failure to properly maintain the mural according to the terms of the agreement, including removal of graffiti, will subject the mural to abatement or removal by the Department of Public Works.

B. Damage and Restoration

In the event that a mural is damaged, vandalized, removed, altered, or destroyed, including graffiti abatement, the property owner or the owner's designee, in consultation with the mural artist, shall be responsible for restoring the mural to the original condition, at the property owner's expense, within 60 days from the date a notice is sent to the property owner or the owner's designee by the City regarding damage to the mural. In the event the mural is not timely restored, the City may, with notice sent to the property owner or the owner's designee, remove the mural in its entirety.

C. Removal of Mural

In the event that a mural requires excessive or unreasonable maintenance or receives significant adverse public reaction, the City may at its discretion, with notice sent to the property owner or the owner's designee, remove the mural in its entirety.