

**Public Arts Commission
CITY OF PALM SPRINGS, CALIFORNIA**



**MINUTES
Regular Meeting**

Thursday, April 9, 2015
Palm Springs City Hall • 3200 E. Tahquitz Canyon Way
Large Conference Room

ROLL CALL:

	<u>Present This Meeting</u>	<u>Present to Date</u>	<u>FY 2014/2015 Excused Absences</u>	<u>FY 2014/2015 Unexcused Absences</u>
Joshua Edmundson	x	7	1	
Anne Rowe, Chair	x	7	1	
Bonnie Ruttan	x	8		
Amy Sand	x	5	3	
Ann Sheffer	x	2		
Buddy West, Vice Chair		7	1	

CALL TO ORDER: The meeting was called to order by Chair Rowe at 2:05 p.m.

ALSO PRESENT: John S. Raymond, Director, Community & Economic Development
Jennifer Henning, Arts and Special Projects Coordinator

ACCEPTANCE OF AGENDA:

MOTION: by Commissioner Edmundson, second by Commissioner Sheffer, to approve Public Arts Commission Agenda for Thursday, April 9, 2015; unanimously carried

PUBLIC COMMENTS: No Public Comments.

APPROVAL OF MINUTES:

MOTION: by Commissioner Edmundson, second by Commissioner Ruttan, to approve meeting Minutes of February 12, 2015; unanimously carried

MOTION: by Commissioner Sheffer, second by Commissioner Ruttan, to approve meeting Minutes of March 12, 2015; unanimously carried – *(meeting was held March 12, Agenda stated March 11).*

A. PRESENTATIONS

1. None.

B. NEW BUSINESS

2. None.

C. UNFINISHED BUSINESS

3. Community Outreach and Publicity – 2014/2015 Programming
1) Spring Exhibition 2015, Staff Update Regarding Temporary Gallery Location
RECOMMENDATION: Discuss project update

At this time there is nothing new to report regarding space for this exhibit.

D. LEGISLATIVE:

4. **MAKE A RECOMMENDATION TO THE CITY COUNCIL REGARDING A REQUEST FOR APPROVAL OF AN ART MURAL APPLICATION BY HOT PURPLE ENERGY FOR AN EXISTING MURAL ON THE COMMERCIAL BUILDING AT 810 NORTH FARRELL DRIVE IN ACCORDANCE WITH THE GUIDELINES SET FORTH BY SECTION 5.81 OF THE MUNICIPAL CODE AND SECTIONS 93.20.00 & 93.20.03 OF THE PALM SPRINGS MUNICIPAL CODE.**

RECOMMENDATION: Review Art Mural Application #15-001 and Adopt a Resolution of the Public Arts Commission Making a Recommendation to City Council for Consideration.

Ms. Henning reported on the art mural ordinance (Chapter 5.81 Art Murals on Private Property) – Chapter 5.81 is attached hereto for reference and made a part of the record of this meeting.

Chair Rowe advised that the mural for Hot Purple Energy has gone before Architectural Advisory Committee; approval was granted to move forward to Planning Commission under the mural ordinance. Planning Commission has denied the application as a mural; it spoke more to signage/marketing than a mural and art expression.

This item is now before this commission.

Commissioner Edmundson – has reviewed the material and the municipal code 5.81.010(B); states that the City’s mural regulations do not allow for commercial advertising. Commissioner Edmundson referred to a letter dated February 5, 2015 in which Mr. Otto states that *“HPE hopes to increase its customer base”* through this mural; because of that Commissioner Edmundson agrees that this seems to be a sign.

Commissioner Ruttan – Agrees; Commissioner Ruttan stated that this is a logo, which is a sign; it is in their application letter; it states that they *“intend to increase HPE’s visibility to the public”*; this speaks to advertising. Additionally, Commissioner Ruttan stated that there was a comment received from the public regarding it being highly visible from residential properties and they objected to the lighting intruding on their neighborhood. Commissioner Ruttan considers this a sign and not a mural.

Commissioner Sheffer – Stated since Planning Commission has denied the application there is nothing to comment on. We may feel it’s too big or too purple, but we are no longer part of the process.

Commissioner – Ditto all of it.

Chair Rowe – For this item we will defer any comment; because it was considered a sign at the Planning Commission level; the Public Arts Commission is not challenging that decision. The Arts Commission is only to provide input and comment on the appropriateness of the proposed art.

MOTION: by Commissioner Sheffer, second by Commissioner Sand, the Public Arts Commission feels that because this application has been reclassified as a sign rather than a mural that it's not necessary or appropriate for us to comment on it as art, because it's not anymore; unanimously carried

5. **MAKE A RECOMMENDATION TO THE CITY COUNCIL REGARDING A REQUEST FOR APPROVAL OF AN ART MURAL APPLICATION BY FUNKEY BAR, INC. FOR AN EXISTING MURAL ON THE COMMERCIAL BUILDING AT 340 NORTH PALM CANYON DRIVE IN ACCORDANCE WITH THE GUIDELINES SET FORTH BY SECTION 5.81 OF THE MUNICIPAL CODE AND SECTIONS 93.20.00 & 93.20.03 OF THE PALM SPRINGS ZONING CODE.**

RECOMMENDATION: Review Art Mural Application #15-002 and Adopt a Resolution of the Public Arts Commission Making a Recommendation to City Council for Consideration.

Chair Rowe – The Funkey Bar, Inc. mural has gone before the Architectural Advisory Committee; approval was granted to move forward to Planning Commission under the mural ordinance; Planning Commission also approved as a mural.

Chair Rowe – The Public Arts Commission has a very small role in this process. In other cities the mural art programs are attended to by Public Arts Commissions. In this case, the commission that will decide on the murals existence (or not) will be the Planning Commission; the only thing they are seeking from the arts commission is input and comment on the appropriateness of the proposed art.

Chair Rowe spoke on the topic of artwork and copyright law in regards to artist and owner.

Chair Rowe – Input to the Planning Department/Commission would be to consider the really strong language we use on the Public Arts Commission for all the other artwork in the City. On the appropriateness of the mural; when the language is strong in any kind of mural ordinance it provides protections for the length of the mural as well. We've all been living with this mural for two years; there are people that love it and people that find it offensive, but that is what happens in art. My personal feeling is that it is up, it is with us, it is part of us right now; It's a controversial piece; do not have a problem with the appropriateness of the art.

Commissioner Edmundson – Agrees with Chair Rowe; would add that pursuant to completing the project application and its acceptance by the City that we would recommend accepting the mural; Commissioner Edmundson considers this art; will reference the City's municipal code 5.81.010(A) – states that the municipal code is specifically to encourage artistic expression and fostering a sense of community pride; feels this piece does that; so I would say yes, I approve.

Commissioner Ruttan – Agrees; it is a polarizing piece; have heard strong comments on both sides; probably the most concerning [to me] is the depiction of Native Americans, but it states it's referencing them, however, thinks it is more of a cautionary tale of how we go forward with murals. Would like the arts commission to have more input in terms of narrative about the murals, what the artist is representing, how it speaks to the City, but that's for the future, this piece exists. Commissioner Ruttan thinks the commission needs to deal better with things as we move forward; does not see how they can do much retroactively in this situation, were it different, the outcome might be different.

Commissioner Sheffer – should probably concentrate on what can be done better in the future. The word “appropriateness” of the proposed art should be a broad definition that has to do with the materials and artist protection; especially the idea that it might be altered which is such an issue on public art (this piece is on private property) but in the process of applying the owners need to show they have thought of those things. Something could be the most appropriate image but inappropriately done, i.e., language in the ordinance regarding lighting, how far it can stick out, etc. We should suggest that that’s where our expertise is, more than just the image itself. Perhaps our recommendation to the Planning Commission could be that the word “appropriate”, include materials, protections; that it is appropriate for public art.

Commissioner Sand – Agrees with what fellow commissioners have stated so far; agrees with Chair Rowe very strongly that hopefully moving forward that more detailed language can be flushed out. This is a brand new ordinance, and as has been pointed out, we’re processing two items retroactively, so it’s new, so as with anything new you start with what you start with and then you grow as your needs show themselves. These are all very good ideas and thoughts and hopefully these suggestions will go back to Planning and they will take them into consideration. Since we are retroactively making comments, Commissioner Sand spoke briefly regarding maintenance; the maintenance plan that has been submitted is very brief, would suggest that they ask for a more detailed plan with many of the items that have been suggested (the mural is sealed with UV refracting clear coat protection so the mural will not fade due to sun and is power washed every month or so); at some point if it comes down to the City maintaining the artwork, if it is not maintained by the owner, we would be at a loss if we had to get our own conservator; need a detailed plan that will protect the City.

It fulfills our requirements per the Public Arts Ordinance 1479, quoted “*in addition to beautifying, the arts can sensitize and humanize, can provide social involvement, and can assist in education, personality development, and community well-being*” ... it has certainly provided social involvement.

Chair Rowe recapped: All commissioners provided input and comments for the Planning Department; some of those comments were regarding aesthetics; it is a polarizing piece, etc.; some comments were encouraging the planning department to look at the language before they go into an agreement with the mural, perhaps insert some sort of language that we have for the other art in the City. Commissioner Sheffer whatever the process is, perhaps an expansion of the language of the mural ordinance is needed.

MOTION: by Commissioner Edmundson, second by Commissioner Sheffer, makes this motion that speaks for the Arts Commission stating that we pass onto the City Council our recommendation that the Planning Department accept the Mountain Charmers mural application; unanimously carried

MOTION: by Commissioner Sand, second by Commissioner Ruttan, that the Public Arts Commission makes comments back to the Planning Department as recorded in the Minutes of the Thursday, April 9, 2015 Public Arts Commission meeting on Item No. D5; unanimously carried

E. SUBCOMMITTEE REPORTS

6. Bridge Projects
Discuss South Palm Canyon and East Palm Canyon Bridge Projects and Recommend Artists for Consideration.

Subcommittee and Staff have been working to provide a short list of artists to be approached by the consultants to see if they are interested in doing the aesthetics for the East Palm Canyon bridge

project. The artists are Jim Isermann, Cliff Garten, Jake Clausen and Gordon Huether; the consultants will get in touch with the individual artists to see if they are interested in participating. Staff briefly showed websites on the suggested artists.

There was a brief discussion regarding the benefits of having a local artist/fabricator; maybe an educational component could also be added.

Staff will advise the commission when she hears back from the consultants.

COMMISSIONER COMMENTS/REPORTS/REQUESTS:

Commissioner Edmundson – Excited to see the development of legislation regarding public murals for our city; eager to see where City Council moves forward with this; want to encourage more members of our community to become involved in public art.

Commissioner Ruttan – wanted to comment on Ms. Henning’s hard work since our last meeting, we selected and she helped curate a photography show at the Library; It’s very, very good, the work is wonderful, I recommend you all see it. Also, participated in Family Fun Day at the Library, a very fun day; a lot of enthusiasm.

Commissioner Sheffer – happened to speak to Councilmember Foat; she asked if we would take a look at the art in and around City Hall since the whole resurfacing project is getting done, just to see if we are happy with all the art that is outside; and she mentioned perhaps something inside as you go into Council Chamber to call attention to the fact that the City supports art and owns art. Councilmember Foat mentioned the statue of Mayor Bogert, but it wasn’t clear if she wanted it moved; she might think it would have a better placement; a request from Council to maybe make some changes? Commissioner Sheffer would like this Agendized.

Commissioner Sand – thanked Ms. Henning for all of her diligent, hard work and Commissioner Ruttan and other commissioners for the efforts on subcommittees, etc.; thanked Ms. Henning for all the great materials to be prepared for today’s meeting, it was a great labor of love; thank you for sharing the updated bulletin on the artists Barones’ project “R. HERO”, it’s exciting to see more pieces moving east and west and other places outside of our little valley. Would like to have the Rainmaker fountain put on the Agenda (is it recycled water) you can tell me at the next meeting; would also like to discuss other water features in the City and the possibility of them being replaced with public art. Staff will add this item to the Agenda.

Chair Rowe – no comments

REPORTS OF STAFF:

1. John F. Kennedy Sculpture Removal as Part of the E. Tahquitz Canyon Way Median Project

This piece is scheduled to be removed on Tuesday, April 14 (to storage at the City yard); we will need to look at relocation sites for this piece.

2. 2016 Annual Juried Art Show

This item will be on next month’s Agenda; please start thinking about possible themes and the items that we will need to be addressing. Commissioner Sheffer stated that since this is the 30th anniversary of the Public Arts Ordinance, maybe it can be incorporated into the art show.

3. Spring 2015 Library Exhibition Update, Earth Matters Artist Talk and Reception

Please mark your calendars for April 22, 5:30 p.m., at the Palm Springs Library; the artists participating in the exhibition will be doing an artist talk. Please attend if you can.

ADJOURNMENT: The Public Arts Commission adjourned at 2:53 p.m. to its Regular Meeting on Thursday, May 14, 2015, at 2:00 p.m., Palm Springs City Hall, Large Conference Room, 3200 E. Tahquitz Canyon Way, Palm Springs, California.

Adjournment unanimously approved by a Motion of the City of Palm Springs Public Arts Commission this 9th Day of April; unanimously carried.

Approved by a Motion of the Public Arts Commission this 9th Day of April 2015.

APPROVED 5-14-15

ORIGINAL SIGNED DOCUMENT ON FILE IN CITY CLERK'S OFFICE

Paula J. Sweat
Economic Development Program Assistant