



## Legislation Text

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**File #:** 23-0008, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Mark Leyman, Parks and Recreation Director  
Melissa McCollum, Senior Recreation Manager  
Eilen R Stewart, Cultural Arts Manager

**SUBJECT:**

Approval of a Purchase of "Circles" Sculpture by CJ Rench, and Allocate \$25,000 from the Public Art Trust Fund (Parks and Recreation Director Leyman).

**A) APPROVE**

**B) ALLOCATE FUNDS FROM PUBLIC ART TRUST FUND**

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**RECOMMENDATION:**

The Cultural Arts Commission recommends City Council approve the purchase of the sculpture "Circles" by artist CJ Rench, currently installed in Polliwog Park, and allocate \$25,000 from the Public Art Trust Fund.

**FISCAL IMPLICATIONS:**

Funding necessary for the sculpture purchase is \$25,000. The current balance in the Public Art Trust Fund (PATF) is \$2,243,999 with \$1,239,337 in allocated funds and \$1,004,662 in unallocated funds. Based on PATF program guidelines, \$124,259 of the unallocated balance is set to expire in December of 2023.

The Public Art Trust Ordinance became effective December 18, 2002. It sets aside a 1% development fee on residential properties of four or more units and every commercial and industrial building project with building valuation exceeding \$500,000. The funds are restricted to art projects.

**BACKGROUND:**

On December 18, 2018, City Council approved the installation of the artwork "Circles" by artist CJ Rench in Polliwog Park as part of the Sculpture Garden program. The sculpture was slated to remain in that location for two years, ending its loan period in August of 2021. An honorarium of \$12,000 was paid to the artist for the loan of the artwork.

Due to challenges presented by the COVID-19 pandemic and the artist's schedule, the artwork was not collected at the end of the loan period and has remained in the same location. No additional funds were awarded to the artist in association with this extended term of the artwork loan. On

January 11, 2022, City Council approved a work plan for the Cultural Arts Commission (CAC) that included researching the possibility of purchasing this artwork and permanently installing it in its current location.

#### **DISCUSSION:**

The artwork has been embraced by the public during its time in Polliwog Park, serving as a place to rest, a photo spot, and a play structure. The Cultural Arts Commission recommends making this artwork a permanent landmark of Polliwog Park.

This sculpture was created to be a temporary artwork participating in multiple Sculpture Garden programs around Southern California and being refinished by the artist in between installations. As such, the artwork has sustained damage to the painted surface in the marine climate of Manhattan Beach. Staff has consulted with the artist and he is willing to recreate this artwork using stainless steel and appropriate paint to survive this climate.

If City Council approves the purchase of this artwork, the artist will create a new identical piece suited to the Manhattan Beach climate. The current artwork will remain in place until such time that the new one is complete. The artist will then replace the existing piece with the new one. Additionally, the current artwork has suffered vandalism damage to its lighting and USB charger components. In order to avoid this issue in the future, staff recommends omitting these components on the new artwork. This would not alter the look of the piece as these components are hidden from view.

#### **PUBLIC OUTREACH:**

This item has been reviewed by City Council at the January 11, 2022, joint Council Commission meeting as well as at the September 19, 2022, Cultural Arts Commission meeting.

#### **ENVIRONMENTAL REVIEW:**

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that there is no possibility that the activity may have a significant effect on the environment; therefore, pursuant to Section 15061(b)(3) of the State CEQA Guidelines the activity is not subject to CEQA.

Thus, no environmental review is necessary.

#### **LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

#### **ATTACHMENT:**

1. Agreement - CJ Rench
2. PowerPoint Presentation