

BOARD OF COMMISSIONERS

RENATA SIMRIL
PRESIDENT

LUIS SANCHEZ
VICE PRESIDENT

FIONA HUTTON
MARIE LLOYD
BENNY TRAN

TAKISHA SARDIN
BOARD SECRETARY
(213) 202-2640



KAREN BASS
MAYOR

JIMMY KIM
GENERAL MANAGER

MATTHEW RUDNICK
EXECUTIVE OFFICER

CATHIE SANTO DOMINGO
ASSISTANT GENERAL MANAGER

CHINYERE STONEHAM
ACTING ASSISTANT GENERAL MANAGER

BRENDA AGUIRRE
ACTING ASSISTANT GENERAL MANAGER

(213) 202-2633

Sent via Email: Board@NHNENC.org

June 27, 2024

Zaid Diaz-Arias, President
North Hollywood Northeast Neighborhood Council
PO Box 15515
North Hollywood, CA 91615

RE: RESPONSE TO CORRESPONDENCE REGARDING THE DEPARTMENT OF RECREATION AND PARKS' PROPOSED PUBLIC ART POLICY

Dear North Hollywood Northeast Neighborhood Council,

The Department of Recreation and Parks (RAP) is in receipt of your letter, dated May 15, 2024, detailing your concerns regarding RAP's proposed Public Art Policy.

See below RAP's responses to the various items discussed in your Letter.

ITEM 1:

The drafted RAP Public Art Policy aims to specifically address unsolicited, community-driven art proposals from outside entities for the installation of public artwork, murals, monuments, and memorial plaques on City parkland. As mentioned in RAP's report to the Facility Repair and Maintenance Commission Task Force, the stewardship and display of public art is not within the Department's primary goals and mission. Within RAP, there is no official group or designated staff member whose sole responsibility is monitoring public art on RAP property. The comprehensive review, evaluation, and processing of public art requests is a time-consuming assignment. The purpose of the application fee is to cover a small portion of RAP staff's costs and to elicit serious applicants and proposals. After conducting diligent cost analysis factoring in the time internally processing the applications, sending proposed installations through the proper Maintenance, Planning and Construction channels for approval, including approval from our Board of Commissioners, as well as issuing the Right-of-Entry permit for the installation, it was determined that a reasonable estimated cost for processing a Public Art Application is approximately \$2,000. Therefore, RAP has determined that \$500 is a reasonable fee, especially given it only covers a fraction of the overall estimated cost.



ITEM 2:

Since 2014, RAP has required the submission of a signed Artist Waiver as part of its consideration of a proposed public art installation. The language in the Artist Waiver is consistent with the language of previous Artist Waivers and is consistent with what may be required by the Department of Cultural Affairs when they commission an art installation or incorporate a piece into the City's Permanent Art Collection. RAP has worked closely with the City Attorney to develop the appropriate language for Artist Waiver.

RAP is currently working on incorporating RAP's available data regarding public art installations into a new geographic information system. However, lack of recording keeping for previous installations or unauthorized installations continues to be a challenge for current RAP staff.

Under the proposed Policy, it is envisioned that RAP staff will contact the artist or entity identified as responsible for maintenance of the installation per the Public Art Application if there are any issues with the art during the installation period. If at that time, the issues are not resolved by the artist or entity then RAP will remove the installation. RAP needs to retain the right to remove, alter or modify any artwork at any time for any reason.

ITEM 3:

Although Public Art can be beneficial for local communities and the City, and can serve a recreational purpose, the installation, maintenance, display, and preservation of Public Art is not directly within RAP's current mission or staff expertise. That being said, RAP parkland has become a repository for memorial plaques and other monuments that have limited or no connection to the parks in which they are located and the maintenance, upkeep, and repair of Public Art requires an ever-increasing amount of staff time and resources and RAP does not have the resources necessary to take on the burden of maintaining unsolicited public art.

The purpose of this Policy is to protect RAP's assets, define RAP's role in the Public Art realm and the goals for the Public Art, and establish guidelines and procedures for proposed art. As mentioned in Item 1 and 2, RAP faces many challenges conserving these pieces with the resources currently available. In RAP's annual budget, there are no designated funds for the installation or conservation of public art. The maintenance and repair of art work also it not within the expertise of RAP staff. Additionally, it is important to clarify that, per the proposed Policy, maintenance does not necessarily need to be solely the responsibility of the artist. There are multiple examples of artwork that is commissioned and maintained by the entity who is funding the art installation rather than the artist.

ITEM 4:

RAP has been operating without a Public Art Policy. The drafting of this proposed Policy is a direct response to the challenges RAP has faced as a result of unsolicited public art requests. This new Policy will hopefully set a standard and clearly establish RAP's role in the City's Public Art sector and will protect the department's assets. The draft version of the Policy was made available to the public at a regularly noticed public meeting.

Thank you for your comments and insights regarding the draft Public Art Policy. RAP truly appreciates the input and feedback. RAP looks forward to discussing this Policy with you more in depth at an upcoming North Hollywood Northeast Neighborhood Council meeting.

If you have any questions regarding this correspondence, please contact Meghan Luera, of my staff, at (213) 202-2669 or meghan.luera@lacity.org.

Sincerely,

JIMMY KIM
General Manager

A handwritten signature in black ink, appearing to read 'CSD' or similar initials, written in a cursive style.

CATHIE SANTO DOMINGO
Assistant General Manager

JK/CSD/NC:ar

Attachments

- 1) Letter from North Hollywood Northeast Neighborhood Council dated May 15, 2024

Cc: Jennifer Clark, NHNENC, jclark@nhnenc.org
RAP Board of Commissioners
Reading File



North Hollywood Northeast Neighborhood Council

May 15, 2024

To the Board of Recreation and Park Commissioners,

We applaud the efforts of the Board and Facility Repair And Maintenance Commission Task Force to solve a long-standing problem of the maintenance and restoration of public art on Recreation and Parks land throughout Los Angeles. Reviewing your proposed RAP Public Art Policy for temporary art as put forth in the May 2 meeting, the North Hollywood Northeast Neighborhood Council urges the **Board of Recreation and Park Commissioners and Facility Repair and Maintenance Commission Task Force** to reconsider the Drafted Policy in favor of a more equitable one.

Our concerns lie mainly on four points:

- 1) **Section VIII., Procedures for Temporary Installations, Number 1:** Any Applicant proposing a Temporary Installation must complete and submit a Public Art Application form (Application), along with an application fee of \$500.
- 2) **Section VIII., Procedures for Temporary Installations, Number 4:** The Application must include a signed Artist Waiver, which is included in the Application,(Exhibit B) in order to be considered complete.
- 3) **Section IV., General Public Art Guidelines, Number 2:** RAP shall bear no financial responsibility for the installation, maintenance or removal of any Public Art without exception. If any piece or portion of Public Art is vandalized or stolen, RAP shall be under no obligation to repair or replace the artwork. The Applicant shall treat Public Art with an anti-graffiti coating unless RAP determines that such treatment is unnecessary or infeasible for a particular installation.
- 4) **Section III., RAP and Public Art, Number 2b:** Public Art should create opportunities for community engagement and building for the park and its surrounding community. The creation and/or installation of any Temporary Installation on RAP property shall involve (1) community input via survey, community meeting, Neighborhood Council and/or Park Advisory Board; and (2) a community event commemorating the creation and/or installation of the artwork.

On the first point:

\$500 to simply submit an application that may, by your own admission, be rejected, is exorbitant. If the Department of Recreation and Parks is interested in reaching a varied set of artists and community



North Hollywood Northeast Neighborhood Council

groups, then you must understand how this will diminish artists' and groups' abilities to participate. If the review of the applications and approval by the staff are truly that far outside of the RAP staff's purview, then this is a conversation worth having about what department's responsibility public art is; however, charging artists \$500 per application simply to pay your staff to review these applications seems outlandish, and arbitrary.

On the second point:

Asking artists to waive their Federal and State of California rights so the RAP can manage their land is not the root of the problem. Based on the summary included from the Task Force meeting, the root of the problem is a lack of appropriate record-keeping for the public art installations across the RAP land. Working to build and maintain a database for the Department, in addition to working together with the DCA and CAC to maintain any joint ventures, will allow the RAP with the information it needs to communicate with artists as needed when determining an artworks' needs, whether it be maintenance or removal. We suggest that you modify the following language in the waiver from "In accordance with the waiver set forth above, Artist agrees that the City has the absolute right to change, modify, destroy, remove, relocate, move, replace, transport, repair or restore the [describe the artwork/project: mural, sculpture, etc. and medium] ("Artwork")" to include a requirement that RAP will attempt to contact said artist for a set time period and with proof of such due diligence, and that after than time period has passed with no response from the artist, then they will have the absolute right to do all that is stated to the installation in that section.

On the third point:

It is impossible to understand the financial responsibility of maintaining a public piece of artwork, and to put that burden on an artist is unrealistic, both financially and logistically. As the RAP staff is regularly in the parks and public spaces, it's practical to assign this responsibility of oversight to the RAP. Again, if this is outside the bounds of the abilities of the staff, then other solutions that don't involve pushing costs to local artists need to be explored. This additional cost is an additional deterrent for installations to go through proper channels given that the RAP staff already are removing art that has been installed without RAP approval at their own cost.

On the fourth point:



North Hollywood Northeast Neighborhood Council

The additional focus to utilize Public Art in community engagement and building is one we fully support. We appreciate the proposal that Neighborhood Councils and/or Park Advisory Boards (PABs) might be involved in the creation and/or installation of the temporary art. However, there was no input asked for from these community groups for the creation of this policy. Our recommendation is that the PABs and Neighborhood Councils be sent a survey now asking for input.

Again, the NHNENC firmly believes in the mission of the Department of Recreation and Parks, while equally valuing the importance of public art. We know that many of the city's departments are underfunded (simply look to the unpaid labor of the 99 neighborhood councils as an example). But we urge you to find a solution that does not add multiple layers of burden to any artist simply wanting to enrich their community.

Thank you for your consideration.

Sincerely,

The North Hollywood Northeast Neighborhood Council

X

Zaid Diaz-Arias

President

North Hollywood Northeast Neighborhood Council

Official Use Only

Date of Board Vote: May 15, 2024

Board Vote Count: Aye: 7 Nay: 0 Abstain: 1

Motion Status: Passed X Failed _____ Other _____