

September 10, 2012

MEETING OF THE FULL ARTS COMMISSION

Monday, September 10, 2012

3:00 p.m.

City Hall Room 416

1 Dr. Carlton B. Goodlett Place

Minutes

Commission President JD Beltran called the meeting to order at 3:05 p.m.

1. Roll Call

Commissioners Present

JD Beltran, President
Gregory Chew
Leo Chow
Charles Collins
Dorka Keehn
Roberto Ordeñana
Jessica Silverman
Barbara Sklar

Commissioners Absent

Sherene Melania, Vice President
John Calloway
Amy Chuang
Cass Calder Smith
Kimberlee Stryker
Rodney Fong, ex officio

President Beltran announced that because of a family medical emergency, Commissioner Sklar could not stay past 4:00 p.m. and without her, there would not be a quorum. Therefore, she explained, she would take action items on the agenda first, and take reports later, if there was time. She added that she would sever items 8 and 9 on the Consent Calendar, having to do with the Street Artist spaces, for separate consideration in response to the request of a member of the public.

2. Approval of Minutes

There was no public comment and the minutes were approved as submitted.

RESOLUTION NO. 0910-12-218: Motion to approve July 2, 2012 Minutes.

3. Consent Calendar

President Beltran called for approval of the Consent Calendar except for items 8 and 9, having to do with Street Artist spaces.

Public Comment:

Ray Hartz of San Francisco Open Government submitted the following written statement:

"Today's agenda is typical of others I have reviewed during Arts Commission meetings. The Consent Calendar has 45 separate items, many with multiple parts. The basis of all action is the recommendation of staff. Part of the Executive Summary of the Civil Grand Jury report of 2011-2012 reads as follows: "The Jury found that the Commission's current make-up of 11 active arts professionals out of the 15 members, as required by the Charter, fosters a focus on arts programming to the neglect of general administration, operations, and finance. Added to that, a lack of sufficient orientation and training of the Commissioners limits their ability to raise questions and make informed evaluations of Commission staff and budgets." I have yet to see any member of the committees vote against the recommendations of staff. I have yet to see any member of the full Commission vote against the recommendations of a committee."

There was no further public comment.

President Beltran commented that frequently, if the Commission or its committees disagree with staff recommendation, they will ask staff to go back and redo the project or rework the recommendation.

Commissioner Collins noted that he was fairly new, and recalled a very lively, informative and wonderful discussion about Bayview Opera House at a recent Community Art, Education and Grants Committee meeting. It helped him better understand the relationships with staff and the community, and he said that he was careful to understand the things he needs to know about. He agreed with President Beltran's comment about the open and clear discussion at the committee level.

President Beltran said that she would have to recuse herself as to item 22, regarding a contract with Scott Minneman on the *Facsimile* art project at Moscone West, and since there were only eight Commissioners present, there would not be a quorum without her, she held over the motion till the next meeting.

President Beltran called for a vote on the remaining Consent Calendar, with the exception of items 8, 9 and 22, as described above. It was approved as follows.

RESOLUTION NO. 0910-12-219:

Approval: RESOLVED, that this Commission does hereby adopt the following items on the Consent Calendar and their related Resolutions:

Approval of Committee Minutes

1. **RESOLUTION NO. 0910-12-220:** Community Arts, Education and Grants Committee Meeting Minutes of July 10, 2012.
2. **RESOLUTION NO. 0910-12-221:** Motion to approve the Street Artists Committee Meeting Minutes of July 11, 2012.
3. **RESOLUTION NO. 0910-12-222:** Motion to approve the Civic Design Review Committee Meeting Minutes of July 16, 2012.
4. **RESOLUTION NO. 0910-12-223:** Motion to approve the Visual Arts Committee Meeting Minutes of July 18, 2012.
5. **RESOLUTION NO. 0910-12-224:** Motion to approve the Visual Arts Committee Meeting Minutes of August 15, 2012.

6. **RESOLUTION NO. 0910-12-225:** Motion to approve the Civic Design Review Committee Meeting Minutes of August 20, 2012.

Community Arts, Education and Grants Committee Recommendations (July 10, 2012)

7. **RESOLUTION NO. 0910-12-226:** Motion to authorize the Director of Cultural Affairs to enter into contract with the following teaching artists to work in the WritersCorps program for 2012-2013:
 Sandra Garcia, \$35,500
 Rose Tully, \$35,500
 Roseli Ilano, \$38,500
 Harold Terezon, \$38,500
 Anhvu Buchanan \$40,000
 Minna Dubin \$45,000
 Carrie Leiser Williams \$40,000
 Judith Tannenbaum, \$56,000

Civic Design Review Committee Recommendations (July 16, 2012)

8. **RESOLUTION NO. 0910-12-227:** Motion to approve Phase 1 of the SFMTA Operator Convenience Facilities with the contingency of developing the selected structure, refined color options and presenting more detailed site plans.
9. **RESOLUTION NO. 0910-12-228:** Motion to approve Phase 1 of the Moccasin Control and Server Building.
10. **RESOLUTION NO. 0910-12-229:** Motion to approve Phase 1 of the Washington Square Restroom Replacement.

Visual Arts Committee Recommendations (July 18, 2012)

11. **RESOLUTION NO. 0910-12-230:** Motion to approve an exterior painted mural by Precita Eyes lead artists Yukako Ezoe Onodera and Max Marttila on a retaining wall in the playground area of the Minnie and Lovie Ward Recreation Center 650 Capital Street in the Oceanview District. The painting pictures the community engaged in healthy activities. The mural is sponsored by Rebuilding Together San Francisco.
12. **RESOLUTION NO. 0910-12-231:** Motion to approve Rebar's proposal *Handsignals* for the public artwork for the revised design of McCoppin Hub.
13. **RESOLUTION NO. 0910-12-232:** Motion to approve final designs for interior and exterior artwork pieces and mock-up of interior artwork piece by artist Ron Saunders for the new Bayview Branch Library.
14. **RESOLUTION NO. 0910-12-233:** Motion to approve and accept into the Civic Art Collection the artwork *Plaything of the Wind*, 2012 by Colette Crutcher, commissioned for the Betty Ann Ong Chinese Recreation Center. Fabricated of ceramic tile, crockery, recycled mirrors, grout and cement board, the artwork consists of mosaic panels distributed over two wall areas approximately 7 feet high by 12 feet wide, located on the west wall of the Chinese Recreation Center, in the children's outdoor playground area.
15. **RESOLUTION NO. 0910-12-234:** Motion to approve and accept into the Civic Art Collection the artwork *Active Memory*, 2012 by Shan Shan Sheng, commissioned for the Betty Ann Ong Chinese Recreation Center. Fabricated of Venetian handmade glass and stainless steel, the artwork is suspended in the entry lobby of the Chinese Recreation Center from a ceiling area approximately 8 feet wide by 4 feet deep, with 8 individual strands up to 15 feet

long.

16. **RESOLUTION NO. 0910-12-235:** Motion to approve the San Francisco International Airport Artist Selection Panel's recommendation of Val Britton, Adriane Colburn, James Melchert, and Catherine Wagner to develop proposals for the Non-Secure Connector at the San Francisco International Airport, and authorization to pay a proposal fee to each of \$3,250.
17. **RESOLUTION NO. 0910-12-236:** Motion to approve the San Francisco International Airport Artist Selection Panel's recommendation for the artist team Merge to develop a proposal for a light sculpture at Boarding Area E at the San Francisco International Airport, and authorization to pay a proposal fee of \$3,250.
18. **RESOLUTION NO. 0910-12-237:** Motion to approve the San Francisco International Airport Artist Selection Panel's recommendation for the artist Eric Staller to develop a proposal for the Children's Area at Boarding Area E at the San Francisco International Airport, and authorization to pay a proposal fee of \$1,500.
19. **RESOLUTION NO. 0910-12-238:** Motion to approve public art program outline for Arelious Walker Stair Replacement Program.
20. **RESOLUTION NO. 0910-12-239:** Motion to recommend to the full Commission, at the request of San Francisco Recreation and Parks, the de-accession from the Civic Art Collection of Johanna Poethig's *Flying Dragon-Snake-Monkey-Bird*, 1988 (Accession #1988.41) located at Father Alfred Boeddeker Recreation Center Clubhouse 295 Eddy Street.
21. **RESOLUTION NO. 0910-12-240:** Motion to approve, at the request of San Francisco Recreation and Parks, the destruction of Johanna Poethig's *Flying Dragon-Snake-Monkey-Bird*, 1988 (Accession # 1988.41) following the expiration of a 90-day notice period in which the artist or a party authorized by the artist is given opportunity to remove and relocate the artwork.

Executive Committee Recommendations (July 23, 2012)

22. **RESOLUTION NO. 0910-12-241:** Motion to authorize the Director of Cultural Affairs to enter into a draft Memorandum of Understanding between the Arts Commission and the Public Utilities Commission ("PUC") regarding the use of PUC art enrichment funds for artworks, community-based arts programs, and capital improvements to the Cultural Centers.
23. **RESOLUTION NO. 0910-12-242:** Motion to approve recommendations to award 58 grants totaling \$235,475 in the 2011-2012 cycle of Individual Artist Commission grants to the following individuals, and to authorize the Director of Cultural Affairs to enter into grant agreements with each for the amounts listed:
 - Annie Danger, \$5,060
 - Anthony Williams, \$10,000
 - Benjamin Levy, \$8,100
 - Dave End, \$8,100
 - Deborah Slater, \$7,700
 - Elizabeth Stephens, \$10,000
 - Erling Wold, \$10,000
 - Francis Wong, \$9,500
 - Guillermo Gómez-Peña, \$10,000
 - Idris Ackamoor, \$8,100
 - Jacob Felix Heule, \$8,100
 - Jewlia Eisenberg, \$7,700
 - Jon Jang, \$9,500

Lenora Lee, \$8,100
 Leticia Hernandez, \$7,315
 Lily Cai, \$8,100
 Lisa Gray-Garcia, \$8,100
 Marcus Shelby, \$10,000
 Mica Sigourney, \$8,100
 Monique Jenkinson, \$10,000
 Nathaniel Justiniano, \$8,100
 Sara Shelton Mann, \$10,000
 Sascha Jacobsen, \$8,100
 Scott Wells, \$10,000
 Sean Dorsey, \$10,000
 Todd Brown, \$10,000
 Weishan Liu, \$7,700

24. **RESOLUTION NO. 0910-12-243:** Motion to authorize the Director of Cultural Affairs to enter into a contract with Heyday, for an amount not to exceed \$25,500, to publish, produce, promote, market and distribute the San Francisco Arts Commission book tentatively titled *Arts of the City: A Cultural History of San Francisco*; the Arts Commission shall have the right to purchase copies from Heyday at a discount as long as the book is in print.

Visual Arts Committee Recommendations (August 15, 2012)

25. **RESOLUTION NO. 0910-12-244:** Motion to approve the following additional arts professionals as potential panelists for the Central Subway Public Art Projects Selection Panels:
- Joseph Becker, Assistant Curator of Architecture and Design, San Francisco Museum of Modern Art
 Timothy Anglin Burgard, Ednah Root Curator of American Art, de Young Museum
 Jennifer Dunlop Fletcher, Acting Head of Architecture and Design, San Francisco Museum of Modern Art
 Kendal Henry, Faculty at School of the Visual Arts (New York City) and former Manager of Arts Programs at the Metropolitan Transportation Authority (MTA) Arts for Transit
 Constance LeWallen, adjunct curator at University of California, Berkeley Art Museum and Pacific Film Archive
 Marc Pally, Artistic Director, Glow (Los Angeles) and independent curator
 Karen Tsujimoto, former Senior Curator of Art, Oakland Museum
 Connie Wolf, Director, Iris & B. Gerald Cantor Center for Visual Arts at Stanford
26. **RESOLUTION NO. 0910-12-245:** Motion to amend Resolution No. 0604-12-166 due to a clerical error, to increase the honorarium amount of \$1,200 each for artists Randy Colosky, Val Britton and Rachel Mica Weiss to \$2,000 for each artist. This reflects an \$800 increase in each honorarium, with a total increase of \$2,400.
27. **RESOLUTION NO. 0910-12-246:** Motion to approve the painted mural entitled *Play in 14 Languages* by Renee McKenna for the exterior west wall of the South Sunset Clubhouse at Vicente Street and 40th Avenue. The mural is sponsored by Art in Every Classroom, Inc. and supported by the San Francisco Recreation and Parks Department.
28. **RESOLUTION NO. 0910-12-247:** Motion to approve, at the request of the San Francisco Recreation and Parks, the destruction of Johanna Poethig's *Flying Dogs*, located at Father Alfred Boeddeker Recreation Center Clubhouse 295 Eddy Street, following the expiration of a 90 day notice period in which the artist or a party authorized by the artist is given opportunity to remove and relocate the artwork.
29. **RESOLUTION NO. 0910-12-248:** Motion to approve the final designs for *Transform. Reveal. Challenge. Expand. Imagine. Celebrate.* poster series by artist Julie Chang for the Art

on Market Street Program 2012-2013, which includes a total of 36 posters installed in 18 bus shelters on Market Street between Embarcadero and 8th streets from October 8, 2012 to January 4, 2013.

30. **RESOLUTION NO. 0910-12-249:** Motion to approve the proposed light “honey color” patina as shown in the material sample presented at the August 15, 2012 Visual Arts Committee meeting for the *Chairs* project by Primitivo Suarez-Wolfe for the Church and Duboce streetscape.
31. **RESOLUTION NO. 0910-12-250:** Motion to approve the final design proposal for the glass History Panels to be installed on the exterior façade of the Bayview Branch Library.
32. **RESOLUTION NO. 0910-12-251:** Motion to approve the new location and landscape design surrounding Beniamino Bufano’s *Peace*, 1939 (Accession # 1956.3) at 800 Brotherhood Way.
33. **RESOLUTION NO. 0910-12-252:** Motion to approve designs developed by Marissa Mossberg for the ArtIMPACT 3rd Street Kiosk Poster Series to support National Arts in Education Week based on reformatting the text into the negative space. Exhibition will be displayed in 15 shelter kiosks from the 3rd Street/T-Line (Embarcadero) to and including the Carroll Street stations from September 13 to December 31, 2012.
34. **RESOLUTION NO. 0910-12-253:** Pending approval by the Airport Art Steering Committee, motion to approve revised artwork locations and conceptual design approach for Amy Ellingson’s artwork for San Francisco International Airport’s Boarding Area E in Terminal 3 and to use option two as the basis for conceptual design.
35. **RESOLUTION NO. 0910-12-254:** Motion to approve mock-up of exterior artwork piece by artist Ron Saunders for the new Bayview Branch Library.
36. **RESOLUTION NO. 0910-12-255:** Motion to approve artist Adriane Colburn for the design, fabrication, transportation and installation of an artwork for Daggett Park, as recommended by the Daggett Park Artist Selection Panel.
37. **RESOLUTION NO. 0910-12-256:** Motion to authorize the Director of Cultural Affairs to enter into a contract with Adriane Colburn for the design, fabrication, transportation and installation of an artwork for Daggett Park in an amount not to exceed \$192,780.
38. **RESOLUTION NO. 0910-12-257:** Motion to approve Memorandum of Understanding between the San Francisco Arts Commission and Electric Works on the sale of limited edition prints featuring the Coit Tower murals as a fundraiser for ArtCare.

Civic Design Review Committee Recommendations (August 20, 2012)

39. **RESOLUTION NO. 0910-12-258:** Motion to approve Phase 2 of the San Francisco Groundwater Supply—South Windmill Well Station.
40. **RESOLUTION NO. 0910-12-259:** Motion to approve Phases 2 and 3 of the SFMTA Operator Convenience Facilities located at the terminal of the the #71 line at Hampshire and Cesar Chavez streets and the terminal of the #29 line at Fitzgerald Avenue and 3rd Street. The approval is contingent on presenting additional color options, unifying the materials, reducing the amount of grating and exploring using metal panel on the walls and doors.
41. **RESOLUTION NO. 0910-12-260:** Motion to approve Phase 1 of the Transbay Folsom Streetscape Design with the contingency to create better connections to Oscar Park and to

look into the tree spacing.

Executive Committee Recommendations (August 27, 2012)

42. **RESOLUTION NO. 0910-12-261:** Motion to approve artist honorarium payments for participation in *2 Months of 2 Blocks of Art* to the following artists in the amounts listed:
- Reynaldo Cayetano, Inks of Truth \$500
 - Julian Dash, Holy Stitch \$1,500
 - Natalie Hopner, Conspiracy of Venus \$1,000
 - Isaac Frankle, Shovelman \$500
 - HOK Architects, Central Market Community Benefit District \$1,500
 - Yeye Suárez, Yeye Suárez Ensemble \$1,500
 - Todd Berman \$500
 - Jaden Rose Davies, Solar Flare \$1,000
 - Garrett Kobsef \$1,200
 - Temistocles Fuentes Betancourt, Grupo Experimental Nago \$1,500
 - Caroline Chung, Citizens Jazz \$600
 - Fred Anderson \$1,000
 - Tisha Kahl, Theatre Flamenco of San Francisco \$1,500
 - John Chatman \$600

President Beltran turned to items 8 (to request approval from the Board of Supervisors for a six-month redesignation of space L-2 on Leavenworth and Jefferson) and 9 (to request approval from the Board of Supervisors for a six-month designation of a Street Artist space on Jefferson at Leavenworth).

Public Comment:

David Berbey of SFO Forecast dba Wharf Outdoor said that he had submitted a letter to the Commission and didn't understand how the Consent Calendar worked. He said that this matter was heard by the Street Artists Committee on July 11, but they didn't have all the information at the time. He explained that the proposed space was in front of his store's door, which was opened in March. He explained how having a street artist there impacts his business, and showed a graph of his sales. He said that there were 147 spaces on the wharf, 94 of them within a block, and typically only six or seven are used. He said that the spot in front of his doorway was important to protect his business.

Mike Addario, street artist, said that street artists had been in that location for 38 years, much longer than Mr. Berbey's business, and he knew that when he opened his door. Mr. Addario questioned the numbers Mr. Berbey presented in the absence of an audit. Mr. Addario said that while Mr. Berbey sold lots of imports from China, in front of his store was an American artist doing sketches. He said that construction beginning in October would eliminate many spaces, and that some people didn't want the artists back later. He said there was a much bigger problem.

At the request of President Beltran, Street Artists Program Director Howard Lazar discussed the two motions, showing photos and maps of the area, and discussed the history of the program in the area, specifics of the spaces, including dimensions, Americans with Disabilities Act ("ADA") requirements, and the proposed exemptions to the street artist ordinance requirements. He emphasized that the two motions were only one step in a process, moving the actions to the Board of Supervisors, who would have to approve them before sending them on to the Port Commission. He added that this was only for a six-month period, and the spaces would be reviewed after that time.

Public Comment:

Mr. Hartz said he didn't understand what was being proposed, and he doubted that

Commissioners did either. He asked about the Committee handing this matter, and said that he agreed that numbers can be manipulated. He compared this to a landlord-tenant dispute, where the landlord decides not to do maintenance for two years, then ask for a passthrough of costs after doing all the maintenance in the third year. He recommended sending the motions back to the Committee, or continuing them.

Mr. DeCaigny said that there were many complex elements involved with the street artist ordinance and the tension between street artists and local businesses. In this case, he said, we have lost some spaces and are trying to replace them. He explained that the matter was heard at the Street Artists Committee, in great detail, including much of what Commissioners heard today. He said that the information from Mr. Berbey was new, and he would have to be taken at his word. He said that the Commission's role was to make a recommendation to the Board of Supervisors, who would have a full hearing on the matter. It would then go to the Port Commission, who would also hold an open hearing. He said that the recommendation included an exemption of the ten-foot limit, but the space was within half a foot of that limit.

Commissioner Chew, Street Artists Committee Chair, agreed completely with Mr. DeCaigny. He said that the Committee had looked for the best feasible solution for the business owner as well as the artists, and to meet the requirements of the ADA and the Port Commission.

Commissioner Chow asked why the proposal was for temporary spaces. Mr. Lazar explained that this provided a trial period, with the reassurance that if there were problems, the spaces would not be renewed.

Commissioners asked about the time-sensitivity of the vote. Mr. DeCaigny said that when spaces are unavailable, some street artists are unable to earn an income from their work.

After some Commissioners expressed reservations and asked further questions, President Beltran tabled the two motions for future consideration. She noted Mr. Berbey's offer to provide further information.

As the other Committees had no action items, President Beltran moved immediately to the Street Artists Committee Report.

4. Committee Reports and Committee Matters

1. Executive Committee

1. There was no report from the Committee.

2. Civic Design Review Committee—Cass Calder Smith, Chair

1. There was no report from the Committee.

3. Community Arts, Education and Grants Committee

1. There was no report from the Committee.

4. Street Artists Committee—Gregory Chew, Chair

1. Commissioner Chew reported that the Committee would meet later that week. He presented the motion below.

Public Comment:

Mr. Addario said that the Civil Grand Jury had said bringing people back into the Street Artists Program without rescreening was a problem, and he alleged that 20% of the artwork being sold was not handmade. He said that it was difficult and sometimes costly to remove someone from the program, and that perhaps the Commission should

consider eliminating the practice.

In response to questions from Commissioner Keehn, Mr. Lazar explained that all of the artists have to make the work that they sell, and that this group of fifteen artists had unwittingly allowed their permits to expire. In one case, he said, there was a family emergency, and in another, everything was stolen from the artist. He added that in general, if there were a problem, or if the license lapsed for a long time, the artist would be rescreened.

He explained that the Street Artists Advisory Committee watches each artist making their work, and that they go out on weekends to see that the artists are actually selling the work they've demonstrated, and he does the same during the week. He said that if any of the Committee members, or any of the street artists, make a complaint about someone selling unauthorized work, he issues a written warning. The artist can then be reviewed by the Street Artists Committee, and can lose his or her license for weeks or months, and in extreme cases the license can be revoked. He added that the artist can go to the Board of Appeals.

Mr. Berbey said that at least 20% of the artists he saw were selling goods from China, some of the same items in his store, and he questioned the effectiveness of enforcement. He said the spaces are for true artists.

Mr. Lazar added that anyone was welcome to attend the Street Artists Committee meetings.

There was no further public comment.

The motion was approved as follows.

2. **RESOLUTION NO. 0910-12-262:** Motion to approve requests by former certificate-holders for priority issuance of certificate with waiver of re-screening of wares: Maria Cisneros, Jimothy Hoang, Napoleon Paz, Florence Hori, Hugo Espinoza, Rikki Romero, Willie McDaniel, Birgitt Helleman, David Beatty, Michael Johnson, Henry Jiao, Shawn Harris, Nicole Yong-Cowan, Jian Liang Zhao, Tom Kubik.

Commissioner Chew presented the following motions, which were approved.

3. **RESOLUTION NO. 0910-12-263:** Motion to approve re-issuance of former certificate number (#5700) to street artist Jonovan (currently #8594).
4. **RESOLUTION NO. 0910-12-264:** Motion to approve honorarium payment of \$200 each plus cost of materials to David Campos and Drew Flores for assisting Program Director in repainting spaces in the Fisherman's Wharf area.
5. **RESOLUTION NO. 0910-12-265:** Motion to ratify approval of certificate issued to Florence Hori on August 8, 2012.

5. Visual Arts Committee

1. There was no report from the Committee.

5. Director's Report

Director of Cultural Affairs Tom DeCaigny reminded everyone that there was no meeting in August, and he knew that all of the Commissioners had received the Civil Grand Jury Report. He reported

that he was working closely with staff, with the City Attorney's office and with other City departments to prepare a response. He recalled that the report was already underway when he accepted the position as Director, and he was grateful to the Civil Grand Jury for their investigation. He expected to issue the agency's response by the deadline at the end of September.

Mr. DeCaigny explained what the Civil Grand Jury was, and noted that they became aware of the Arts Commission through a New York Times article on the Civic Art Collection. He explained that the Board of Supervisors would review the recommendations and the response to the report.

Mr. DeCaigny said that much of the report focused on governance within the agency, and said that the agency was correcting problems and was now in a much better position. He explained that the Executive Committee was now reviewing financial reports quarterly, and was reviewing his performance as Director of Cultural Affairs. He reminded the Commission that at a previous Executive Committee meeting, he had reported that the agency has now implemented eight of the twelve recommendations of the Controller's Office review within six months. He added that the Deputy Director position has been reinstated, and this is a crucial position for governance.

Mr. DeCaigny reported that there has been a longtime focus on the Civic Art Collection, which has been desperately short on resources. He said that he was thrilled to have recently hired Jennifer Doyle Crane to work on the collection, and that an additional person would soon be hired to work on completing the inventory of the collection. He said that the agency has taken other steps to insure proper staffing and resources for the collection, though he expects it will always be a struggle to keep up with this world-class collection, with the challenges of weather, graffiti and budgets.

Turning to the Cultural Centers, Mr. DeCaigny praised their world-class programming, and reported that last year they secured the largest capital commitment in over a decade. He added that staff is engaging community partners to properly care for and recognize the centers.

Mr. DeCaigny reported that the Street Artists Program recently celebrated its 40th anniversary.

He reported that Kate Patterson has been appointed Director of Communications, and this should make agency communication clearer to the public and to other City staff; there was not a single point person before this.

He reported that the Civil Grand Jury also mentioned the Commission's 80-year relationship with the San Francisco Symphony. He compared the City's budget set-aside for the Symphony to those for the Library, the Police Department and others.

He asked if Commissioners had questions about this high-level summary; they did not. He reiterated that he would be submitting a full written response in a few weeks, and would review that at the coming meetings of the Executive Committee and the full Commission.

Mr. DeCaigny reported that the six-month follow-up of the Controller's review noted eight of the twelve recommendations met and closed, and good progress on the remaining four. He reported that personnel reviews for all staff were underway, and he hoped to have closed all four of the recommendations within the year.

He reported that the organizational chart has been restructured effective September 1, partly to streamline the number of people reporting directly to him. The Street Artists Program now reports to Deputy Director Rebekah Krell, and she will attend all of the Committee's meetings. Mr. DeCaigny added that he will continue to meet frequently with Ms. Krell.

Mr. DeCaigny was pleased to report that MIG has been hired as strategic planning consultant, one of six competitive bids and three finalists. He announced that the agency's annual report is near completion, and he showed an example of the district fact sheets. In response to the City's environmental priorities, it will be published online rather than printed. There will be a two-page fact sheet for each supervisorial district, giving a high-level overview of all program activities in the district.

Finally, he reported that posters for the Third Street T Line, on National Arts in Education Week, September 9-15, would be going up in the next couple of days.

President Beltran congratulated Arts Education Program Manager Tyra Fennell on the posters.

Public Comment:

Mr. Hartz submitted the following written statement:

“I have observed that many San Francisco boards and commissions like to take credit for all that goes well and evade responsibility for that which does not. While this may be very human it is not the basis for good government. This Civil Grand Jury report and the Financial Management Review conducted by the City Controller raise serious issues related to the operations of the Arts Commission. Many matters can be broken into factors of "content" and "process." Content is what is being done, while process is how it is done. In this case "content" is art and "process" is all the rest. While members of the Arts Commission are very experienced in the "what," it has been made clear by these reports that there is a need to improve the "how!" In their consideration of these matters I would encourage the members to accept any input that might help.”

There was no further public comment.

6. President's Report

President Beltran made no report, in the interest of time.

7. Public Comment

Mr. Hartz submitted the following written statement:

“The Sunshine Ordinance, Brown Act, and California Public Records Act (CPRA) all exist to protect the rights of the citizens of this City and State to participate in the workings of government. The members of the Arts Commission and all of it's various committees, have a legal responsibility to work with citizens wishing to do so. This is also a moral responsibility to recognize that any citizen has the right to comment upon anything agreed to regarding public art paid for with public monies. Going forward this can be a respectful relationship or a contentious one. The choice really is that of the members of this commission. Going forward, I intend to participate as I see fit. I will also work to educate the members as to where I feel they are failing in their responsibilities as regards open-government matters. Like it or not, the public is here to stay!”

Commissioner Sklar left the meeting at 4:25, so there was no longer a quorum. President Beltran allowed the remaining members of the public who wished to comment to do so.

Mr. Addario discussed the Fisherman's Wharf street artist spaces, proposals by the Port and others to reduce or eliminate spaces, and the artists' efforts to keep them. He played a recorded message about relocating the artists away from Port property, and he recommended that the Street Artists Program should be “divorced” from the Arts Commission.

Mr. Berbey questioned Mr. Addario's playing the recording without permission. He asked why, if certain spaces were not economically viable, they were still there, and said there were 78 unused spaces.

President Beltran said that she would defer the rest of the agenda items to the next meeting and asked if there was any further general public comment.

Mr. Hartz referred to the Sunshine Ordinance and the Brown Act, and said the Commission had a moral responsibility to recognize public comment. He said that he intended to continue to participate as he saw fit and to encourage others. He said that this was no longer a public meeting, and the Commission was in violation of the law, that the minute Commissioner Sklar left, the Commission was officially done.

Mr. Addario agreed with Mr. Hartz, and said there was an issue with concealment within the Arts Commission, that pulling back the curtain revealed malfeasance. He said that the Commission should be posting correspondence as the Department of Recreation and Parks does. He said that he didn't want to go to the Sunshine Ordinance Task Force any longer, that they were useless and the board had been purged. He said that the artists were promised online licensing, but it has never happened. He said that over \$2,000,000 has been paid in license fees since 2000, and said that it was time for a divorce, and to let the artists go.

President Beltran said that she was not deferring the agenda items for the Commissioners' convenience, but that they spent the time on exactly what they are supposed to do: they went into detail, looking carefully at what's going on.

Commissioner Collins asked about the vacancies on the Commission. President Beltran said that the Mayor's office is carefully reviewing potential appointments, and was hopeful they will be made soon.

There was no further public comment.

8. New Business and Announcements

There was no further new business or announcements.

9. Adjournment

There being no further business, the meeting was adjourned at 4:44 p.m.

9/28/12 spr