

Date: 6/10/2008

Item No. 2
File No. 08024

**SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA PACKET CONTENTS LIST***

Determination of jurisdiction of complaint filed by Michael Addario against the San Francisco Arts Commission for alleged violation of meeting rules. (action item)

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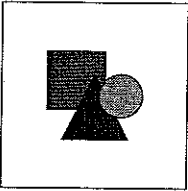
Completed by: Chris Rustom

Date: 6/4/2008

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.



DENNIS J. HERRERA
City Attorney

ERNEST H. LLORENTE
Deputy City Attorney

DIRECT DIAL: (415) 554-4236
E-MAIL: ernest.llorente@sfgov.org

June 4, 2008

Sue Cauthen, Chair
Members of the Complaint Committee

Re: Michael Addario v. Arts Commission (08024)

Dear Chair Cauthen and Members of the Complaint Committee:

This letter addresses the issue of whether the Sunshine Ordinance Task Force ("Task Force") has jurisdiction over the complaint of Michael Addario against the San Francisco Arts Commission

BACKGROUND

Michael Addario who is active with the street artist program claims that the Arts Commission had taken action at its regular scheduled meetings without having first provided and opportunity for the Street Artists Committee or the Street Artist Program to discuss the proposals at the Committee level.

COMPLAINT

On May 8, 2008, Michael Addario filed a complaint against the Arts Commission alleging violations of the Sunshine Ordinance for its failure to provide notice to the Street Artists Committee or the Street Artist Program before it noticed on the Commission Agenda the proposed change in the Committee meeting schedule and the proposed honorarium payment of not more than \$2500 to Rick Elizaga Design for design and creation of the Street Artists Program website. The first complaint was that the committee did not have the opportunity to discuss the change at its own meeting before the proposal was discussed at the full commission level. The second complaint is that there may have been a seriatim meeting of the commission members regarding the honorarium payment prior to the commission meeting.

RESPONSE

The Arts Commission responded with a detailed letter contesting jurisdiction of the Task Force as it relates to the complaints. Since the advisory committee is not an extension of the Commission and there is no requirement that the committee send out notices and agenda for discussion the Commission's proposed change in the Committee's meeting schedule. Further the Commission is not obligated to provide advance notice to the participant of the street artist's program of its proposed payment for work done by an artist beyond what the commission does in noticing its meetings and publicizing its agenda in compliance with the Sunshine Ordinance. The Commission denies any seriatim meeting discussions on the issue of the \$2500 Honorarium.

Letter to the Complaint Committee

Page 2

Date: June 4, 2008

SHORT ANSWER

Based on Complainant's allegation and the applicable sections of the Sunshine Ordinance, which are cited below, the Sunshine Ordinance Task Force *does* have jurisdiction over the allegations. The allegations are covered under (67.3 and 67.4) of the Ordinance. However, there issues as to whether the Commission has a duty to provide notice beyond what it provides under the Sunshine Ordinance. The other issue is whether the committee is a passive meeting body and if it is governed by 67.4 of the Ordinance.

DISCUSSION AND ANALYSIS

Article I Section 3 of the California Constitution as amended by Proposition 59 in 2004, the State Public Records Act, the State Brown Act, and the Sunshine Ordinance as amended by Proposition G in 1999 generally covers the area of Public Records and Public Meeting laws that the Sunshine Ordinance Task Force uses in its work.

The Sunshine Ordinance is contained in the San Francisco Administrative Code Chapter 67. All statutory references, unless stated otherwise, are to the Administrative Code. Section 67.3 provides the definition of a meeting and a policy body. Section 67.3 defines seriatim meetings. Section 67.3(c) provides a definition of passive meeting body: Section 67.4 deals with meeting notice requirements of Passive Meeting Bodies. Section 67.6(e) deals with the conduct of business: time and place of meetings.

In this case, the question is whether the Street Artist Committee is a Passive Meeting Body and if it had a duty to schedule a meeting to discuss the changes in its meeting schedule. The other question is whether the Arts Commission conducted a seriatim meeting in the agendizing of the proposed \$2500 Honorarium. Based on the allegations involving sections of the Ordinance, the Task Force has jurisdiction to hear this case. The Task Force will determine whether the Arts Commission violated the Ordinance.



<complaints@sfgov.org>
05/08/2008 07:05 PM

To <soff@sfgov.org>
cc
bcc
Subject Sunshine Complaint

Submitted on: 5/8/2008 7:05:56 PM

Department: San Francisco Art Commission

Contacted: Luis Cancel, Director of Cluture Affairs

Public_Records_Violation: No

Public_Meeting_Violation: Yes

Meeting_Date: April 7, 2008

Section(s)_Violated:

Description: Recently without notifying the San Francisco Street Artists or having a discussion with members, the full Art Commission voted to change the San Francisco Street Artists monthly committee meetings to every other month (bimonthly.) As stated below:

MEETING OF THE FULL ARTS COMMISSION

Monday, April 7, 2008

3:00 p.m.

City Hall, Room 416

1 Dr. Carlton B. Goodlett Place

Action: Motion to change the schedule of meetings of the Street Artists Committee from monthly to bimonthly, beginning with the meeting of May 14, 2008.

Source: http://www.sfgov.org/site/sfac_page.asp?id=78420

Normality a proposal of the nature would be brought up before the Street Artist Committee for all the members to be notified, and to discuss its ramifications, before being voted on by the commissioners. In addition, this meeting change would be a hardship for any member that had an citation or issue to bring before the committee. With this meeting change a member would have to wait two months to have their case heard.

Moreover, this is not the first time that this has happened under Mr. Cancel short tenure. Only a few months prior the Art Commission tried to slip past without any membership notification a \$2500.00 honorarium to a web designer, of the Street Artists web site when we had already paid \$500.00 for a web site that was never installed. As stated below:

MEETING OF THE FULL ARTS COMMISSION

Monday, February 4, 2008

3:00 p.m.

City Hall, Room 416

1 Dr. Carlton B. Goodlett Place

Street Artists Committee-Alexander Lloyd, Chair

Action: Motion to approve honorarium payment of no more than \$2,500 to Rick Elizaga Design for design and creation of Street Artists Program website.

Source: http://www.sfgov.org/site/sfac_page.asp?id=74559

After the members complained that we were not aware of this they rescinded the proposal and paid for it out of the Art Commission fund. Nevertheless, It would also appear that Mr. Cancel and the Art Commissioners must had held discussions in private, possibly by way of seriatim meetings, on both of these issues, and as such failed to uphold that "deliberations are conducted before the people and that City operations are open to the people's review." and in so doing appear to be in violation of the sunshine ordinance.

The San Francisco Street Artists program is a member-funded city program. San Francisco Street Artists are required to pay the salaries and benefits of two city employees and abide all city rules and regulations, such as; hiring only city approved vendors. The possibility exists that Mr. Cancel being new to San Francisco is not aware of the Sunshine Task Force Ordinance hence he inadvertently and repeatedly violates it.

Would you please investigate this matter to determine if my suspicions are warranted.

Hearing: No

Date: 5/8/2008

Name: Michael Addario

Address: 180 Los Olivos Ave.

City: Daly City

Zip: 94014

Phone: 415 850 7337

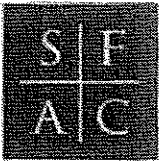
Email: addariophoto@rcn.com

Anonymous: addariophoto@rcn.com 415 850 7337

Confidentiality_Requested: Yes

User Data

Client IP (REMOTE_ADDR) : 76.14.45.219
Client IP via Proxy (HTTP_X_FORWARDED_FOR) :



SAN FRANCISCO ARTS COMMISSION

May 27, 2008

PAULIN NEWCOM
MAYOR

LEIN R. CANCELL
DIRECTOR OF
CULTURAL AFFAIRS

Honorable Members, Sunshine Ordinance Task Force
Chris Rustom, Administrator
Office of the Clerk, Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689

PROGRAMS

RE: Sunshine Ordinance Task Force - #08024 Michael Addario v. Arts Commission

Dear Task Force Members:

The San Francisco Arts Commission (the "Commission") is submitting this response to Complaint #08024, which was submitted on May 8, 2008 and received by the Commission on May 21, 2008. The following is a preliminary response from the Arts Commission, clarifying that the Sunshine Ordinance Task Force (the "Task Force") lacks jurisdiction to hear this complaint, but also summarizing the Commission's compliance with the Sunshine Ordinance and its position that Complaint #08024 is without merit. In the event that there is a hearing on this matter, the Commission reserves the right to provide a more detailed response in advance of the hearing.

In Complaint # 08024, Michael Addario alleges a "Public Meeting Violation" for a Meeting dated "April 7, 2008" and further alleges the following:

Item #1 of the Complaint.

"Recently without notifying the San Francisco Street Artists or having a discussion with members, the full Arts Commission voted [at its April 7, 2008 meeting] to change the San Francisco Street Artists monthly committee meetings to every other month (bimonthly)."

For the reasons discussed below, the Sunshine Task Force lacks jurisdiction over Item #1 of the Complaint and Item #1 is without merit.

The Sunshine Task Force Lacks Jurisdiction over Item #1 of the Complaint

With respect to Item #1, Mr. Addario alleges that the Commission failed to bring the proposed meeting change "before the Street Artist Committee [of the Commission] for all the members to be notified, and to discuss its ramifications, before being voted on by the [full Commission]." The Task force has no jurisdiction to adjudicate this allegation. No provision in the Sunshine Ordinance requires an agency to hear a matter concerning committee meeting schedules or any other item of business at an advisory committee level before presenting the matter to the full commission for consideration and action. Nor does the Sunshine Ordinance impose



CITY AND COUNTY OF
SAN FRANCISCO

distinct or additional notice requirements for participants in the Street Artists Program. Instead, all members of the public, including any street artists, receive notice in accordance with the same standards set forth in the Sunshine Ordinance. Even if the Commission had failed to follow its own procedures for referral of matters to committees – and in fact it did follow its own procedures – the Task Force has no jurisdiction to adjudicate an alleged violation of a Commission's of internal administrative rules or procedures.

Accordingly, because the Task Force lacks jurisdiction to adjudicate this allegation, the Task Force should dismiss this complaint without addressing the merits. Nevertheless, we address the merits below in case the Task Force asserts jurisdiction over Item #1.

Item #1 of the Complaint is Without Merit

Mr. Addario's complaint under Item #1 is without merit. The Commission not only has discretion to discuss and take action upon committee meeting schedule changes, but it has also complied with the Sunshine Ordinance by providing the required public notice and agenda item description for the action item at issue. Specifically, the Commission agenda cited in Mr. Addario's complaint was posted at least 72 hours in advance of the meeting and provided the required notice to members of the public, including Commission members and artists participating in the Street Artists Program. The agenda clearly states: "**Action: Motion to change the schedule of meetings of the Street Artists Committee from monthly to bimonthly, beginning with the meeting of May 14, 2008.**" Mr. Addario does not assert any defect with the timing of the notice or the content of the agenda, instead he simply expresses his concern that the meeting schedule agenda item was not considered at an earlier date, at the committee level. The Commission offered both adequate prior notice and opportunity for the public to attend and comment upon the item. We have attached a copy of the relevant agenda and meeting minutes for your reference. They are also available at:

April 7, 2008 agenda (Committee Reports, Street Artists Committee):
http://sfgov.org/site/sfac_page.asp?id=78420

April 7, 2008 minutes:
http://sfgov.org/site/sfac_page.asp?id=78704

Because the Commission complied with the public meeting and agenda requirements of the Sunshine Ordinance with respect to the issue of changing the scheduling of meetings of the Street Artist Committee, Item #1 of the Complaint is without merit.

Item #2 of the Complaint

“The Arts Commission tried to slip past without any [street artist] membership notification of a \$2500.00 honorarium to a web designer, of the Street Artists web site when we had already paid \$500.00 for a web site that was never installed.”

The Sunshine Task Force Lacks Jurisdiction over Item #2 of the Complaint

Mr. Addario alleges that the Commission’s action to approve a \$2,500 honorarium was taken without special or additional notification to the “membership” of the Street Artists Program, i.e., Street Artists Program certificate holders. But he does not assert that there was improper notice given to members of the public. No provision in the Sunshine Ordinance requires a Commission to provide any supplemental notice to individual participants in a particular program, such as the Street Artists Program. On the contrary, the Sunshine Ordinance provides a standard set of notice and agenda requirements that are designed to give notice to all members of the public, not just those who are involved in an agency’s programs. S.F. Administrative Code Sections 67.6 – 67.7. Because the Sunshine Ordinance does not impose distinct or additional notice requirements for participants in the Street Artists Program regarding Commission meetings or agenda items, the Task Force lacks jurisdiction to adjudicate the allegations in Item #2 of the Complaint.

Accordingly, the Task Force should dismiss this complaint without addressing its merits. Nevertheless, we address the merits below, in case the Task Force asserts jurisdiction over Item #2.

Item #2 of the Complaint is Without Merit.

Moreover, Item #2 of Mr. Addario’s complaint is also without merit. Mr. Addario asserts that this matter was acted upon “without any membership notification [to street artists].” The Commission complied with the Sunshine Ordinance by providing the required 72 hour public notice and detailed agenda description, thereby giving the all members of the public, including street artists, an opportunity to attend and comment upon the proposed action. We have found no evidence of any unlawful meetings or discussions. Nor has Mr. Addario presented any evidence thereof. This matter was brought before the public and the full commission for discussion and action on February 4, 2008. The agenda, which was posted at least 72 hours in advance of the meeting, clearly described the agenda item as follows: **“Action: Motion to approve honorarium payment of no more than \$2,500 to Rick Elizaga Design for design and creation of Street Artists Program website.”** The action was discussed and taken at the public meeting.

A copy of the Commission’s agenda and minutes for the February 4, 2008 meeting are attached and can be found at:

February 4 agenda (Committee Reports, Street Artists Committee, Item 3):
http://sfgov.org/site/sfac_page.asp?id=74559

February 4 minutes:
http://sfgov.org/site/sfac_page.asp?id=74950

In light of the above the Arts Commission contends that this claim is both outside of the jurisdiction of the Task Force and without merit.

Item # 3 of the Complaint.

“After [street artists] complained that we were not aware of [the honorarium] they rescinded the proposal and paid for it out of the Art Commission fund. ...Mr. Cancel [the Director of Cultural Affairs] and the Commissioners must ha[ve] held discussions in private, possibly by way of seriatim meetings, on both of these issues [meeting schedule and honorarium payment], and as such failed to uphold that ‘deliberations are conducted before the people and that the City operations are open to the people’s review.’”

Item #3 of the Complaint is Without Merit.

While the Commission agrees that the Task Force has jurisdiction to review allegations concerning unlawful meetings, Mr. Addario’s allegations are without merit. We have found no evidence of any unlawful meetings or unlawful discussions in connection with either the meeting schedule change or the honorarium payment matters. Nor has Mr. Addario provided any evidence thereof. On the contrary, as noted above, the meeting schedule change and the honorarium payment matters were each brought before the public and the full commission for discussion and action on April 7, 2008 and February 4, 2008, respectively. As noted above under Item #1 and #2, each agenda was posted at least 72 hours in advance of the corresponding meeting with a clearly described agenda item. The action was discussed and taken at the public meeting.

Moreover, the Commission’s honorarium proposal was never “rescinded.” As noted above, there was only a Commission action to issue the honorarium payment. The payment of the honorarium out of Arts Commission funds rather than Street Artists Program funds, in turn, was an administrative and accounting matter determined by myself, as Deputy Director, in consultation with the Director of Cultural Affairs and staff.

In light of the above, Item #3 of the Complaint is without merit.

We understand that Mr. Addario may have wanted to have additional opportunities for input and comment beyond those mandated by the Sunshine Ordinance or may prefer for certain matters to be discussed twice, both at committee and at the full Commission. But preferences regarding when particular matters are

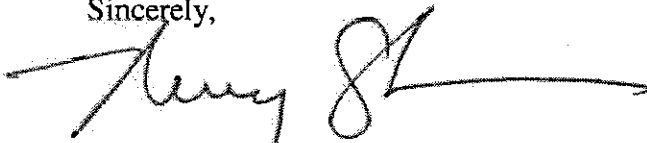
Sunshine Ordinance Task Force
Re: #08024, Addario v. Arts Commission
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considered by the Street Artists Committee of the Commission or how often matters are considered before final action by the full Commission are beyond the subject matter jurisdiction of the Sunshine Ordinance Task Force. As noted above, the Commission has complied with the public meeting and public notice requirements for its agendas and thus the substance of this complaint is also without merit.

We hope this information is helpful.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nancy Gonchar', with a long horizontal flourish extending to the right.

Nancy Gonchar
Deputy Director
San Francisco Arts Commission

cc: Luis R. Cancel, Director of Cultural Affairs
Howard Lazar, Street Artists Program Director
Sharon Page Ritchie, Arts Commission Secretary

MEETING OF THE FULL ARTS COMMISSION

Monday, February 4, 2008

3:00 p.m.

City Hall, Room 416

1 Dr. Carlton B. Goodlett Place

Agenda

1. **Roll Call**

2. **Approval of Minutes**

Action

Motion to approve January 7, 2008 Minutes.

Explanatory document: Draft minutes

3. **President's Report**

Discussion

Current developments and announcements.

4. **Director's Report**

Discussion

Current administrative, budgetary and programming developments and announcements.

5. **Consent Calendar**

The following items are included in the Consent Calendar subject to withdrawal at the request of a Commissioner:

Approval of Committee Minutes

Action

1. Motion to approve the Visual Arts Committee Meeting Minutes of December 6, 2007.
2. Motion to approve the Community Arts, Education and Grants Committee Meeting Minutes of January 8, 2008.
3. Motion to approve the Street Artists Committee Meeting Minutes of January 9, 2008.
4. Motion to approve the Executive Committee Meeting Minutes of January 15, 2008.
5. Motion to approve the Visual Arts Committee Meeting Minutes of January 16, 2008.

**Community Arts, Education and Grants Committee Recommendations
(January 8, 2008)**

Action

6. Motion to approve the recommendation to award one grant totaling \$100,000 for the 2007-2008 International Arts Festival Grant to the following organization and to authorize the Director of Cultural Affairs to enter into a grant agreement for the amount listed:

World Arts West, \$100,000

Explanatory documents: International Arts Festival applicant ranking, panel comments, and bios of the grants review panelists.

7. Motion to approve recommendations to award eighteen grants totaling \$439,500 in the 2007-2008 cycle of Cultural Equity Initiatives Level One grants to the following organizations, and to authorize the Director of Cultural Affairs to enter into grant agreements with each for the amounts listed:

3rd I South Asian Independent Film Festival, \$25,000

ABADA Capoeira San Francisco, \$25,000

Asian Improv aRts, \$15,000

Carnaval San Francisco, \$25,000

Children's Book Press, \$25,000

Chinese Culture Foundation of San Francisco, \$25,000

Chinese Historical Society of America, \$25,000

Fresh Meat Productions, \$25,000

Galeria de la Raza, \$25,000

Gen Taiko, \$25,000

Melody of China, Inc., \$25,000

Oasis for Girls, \$25,000

Purple Moon Dance Project, \$25,000

Queer Women of Color Media Arts Project, \$25,000

Radar Productions, \$25,000

Theatre Rhinoceros, \$25,000

Women's Audio Mission, \$24,500

World Arts West, \$25,000

Explanatory documents: Cultural Equity Initiatives Level One applicant ranking and project descriptions by organization budget size: organizations with budgets up to \$150,000, and organizations with budgets between \$150,000 and \$1 million; and bios of the grants review panelists.

Street Artists Committee Recommendations (January 9, 2008)

Action

8. Motion to approve (1) finding of violation of Street Artists Ordinance by Sua Far Lee for obtaining a selling space from the Arts Commission's street artist lottery

and selling with an expired certificate, and (2) re-issuance of Ms. Lee's certificate.

9. Motion to approve amendments of November 14, 2007 Street Artists Committee minutes, Items 1 and 2.

Executive Committee Recommendations (January 15, 2008)

Action

10. Motion to increase the grant agreement with the Bayview Opera House, Inc., for a total grant not to exceed \$310,399, contingent upon their revised budget submission.
11. Motion to approve the FY 2008-2009 Arts Commission budget submission to the Mayor's Office.
12. Motion to approve the FY 2008-2009 Street Artists budget .

Visual Arts Committee Recommendations (January 16, 2008)

Action

13. Motion to authorize the Director of Cultural Affairs to increase, by an amount not to exceed \$6,000, contract #DPAR08000046 with artists Packard Jennings and Steve Lambert for their Art on Market Street Program kiosk poster series and auxiliary programming. Additional funds are for the printing of a catalog. The revised total contract amount is not to exceed \$17,000.
14. Motion to authorize the Director of Cultural Affairs to enter into contract with Curator Patricia Maloney for her curatorial work on the Arts Commission Gallery exhibition *Make You Notice*, for an amount not to exceed \$5,100.
15. Motion to approve the temporary installation of the sculpture *Koilos Aeionic* by artist Michael Christian on Patricia's Green, sponsored by the Hayes Valley Art Coalition for a period of six months pending approval from the Recreation and Parks Department.
16. Motion to support the concept of placing a memorial bust of former Mayor Adolph Sutro in City Hall, pending Arts Commission approval of the design, the identification of an appropriate location in City Hall, and the raising of funds for all project costs including the maintenance endowment.
17. Motion to approve artist Clare Rojas' proposal for Boarding Area G gateroom wall.
18. Motion to authorize the Director of Cultural Affairs to relocate the *Rabbinoïd* sculpture by Gerald Heffernon from Stern Grove to Esprit Park pending favorable response from community groups in the surrounding vicinity.

19. Motion to approve the final installation of *Blueprints*, two curtain wall artworks, each consisting of a total of 21 insulated glass units, installed in two stair towers on the façade of the new San Francisco Municipal Railway Metro East Vehicle Operations and Maintenance Facility at Illinois and Cesar Chavez Streets by artists Nobuho Nagasawa and Anita Margrill, and to accept the two artworks into the Civic Art Collection.
20. Motion to approve the proposal by artist Owen Smith for the Art on Market Street Program in 2008 and to authorize the Director of Cultural Affairs to enter into contract with Owen Smith for the design of six original artworks and the printing of 24 kiosk poster reproductions, with auxiliary programming, for an amount not to exceed \$18,000.

Civic Design Review Committee Recommendations (January 28, 2008)

Action

21. Motion to approve Phases 1 and 2 of the Alameda Siphon No. 4 Project—Chemical Injection Control and Electric Shed Buildings.
22. Motion to approve Phases 1 and 2 of the Roselle Crossover Improvements Project—Valve Vault and Generator Buildings.

6. Committee Reports

1. Executive Committee—P.J. Johnston, Chair

1. **Discussion:** Report from Chair of Executive Committee regarding activities of the Committee and the Program.

2. Civic Design Review Committee

1. **Discussion:** Report from Chair of Civic Design Review Committee regarding activities of the Committee and the Program.

3. Community Arts, Education and Grants Committee

1. **Discussion:** Report from Community Arts, Education and Grants Committee regarding activities of the Committee and the Program.
2. **Action:** Motion to approve the following individuals as grants application review panelists for Cultural Equity Grants:

Wilma Bonet, Independent Playwright, Actor, Director
Dr. Anthony Brown, Artistic Director, Asian American Orchestra
Sabina Chen, Executive Director, Chinese Culture Center
T. Kebo Drew, Development and Events Manager, Queer Women of Color Media Arts Project
Laura Elaine Ellis, Executive Director, African and African American Performing Arts Coalition
Joseph Jennings, Music Director, Chanticleer

Angela Mattox, Associate Performing Arts Curator, Yerba Buena Center for the Arts

Chad Sweeney, Independent Writer and Co-editor, Parthenon West Review

Michelle Tea, Artistic Director, Radar Productions

Torange Yeghiazarian, Artistic Director, Golden Thread Productions

Explanatory documents: Cultural Equity Grants Biographies of Grants Application Review Panelists

4. **Street Artists Committee—Alexander Lloyd, Chair**

1. **Discussion:** Report from Chair of Street Artists Committee regarding activities of the Committee and the Program.
2. **Action:** Motion to approve requests by former certificate-holders for priority issuance of certificate with waiver of re-screening of wares: Ravit Maman, Ed Handelman, Aihua Zhang, Ann Garsson, Norma Hanley, Kevin McCarthy.
3. **Action:** Motion to approve honorarium payment of no more than \$2,500 to Rick Elizaga Design for design and creation of Street Artists Program website.

5. **Visual Arts Committee—Jeannene Przyblyski, Chair**

1. **Discussion:** Report from Visual Arts Committee regarding activities of the Committee and the Program.
2. **Action:** Motion to approve the installation of *Blueprints*, an artwork by the artist team of Nobuho Nagasawa and Anita Margrill, consisting of two large graphic curtainwalls installed on the exterior of stair towers on the Municipal Railway Metro East Vehicle Operations and Maintenance Facility at 601 – 25th Street, at Cesar Chavez and Illinois Street.
3. **Action:** Motion to accept into the Civic Art Collection *Blueprints*, an artwork by the artist team of Nobuho Nagasawa and Anita Margrill, consisting of two curtainwalls (each 36 feet high and 19 feet wide), and each on the exterior of two stair towers, with each curtainwall comprised of 21 individual insulated glass units, with two laminated tinted blue glass panels on the interior and two clear glass panels on the exterior laminated with a white line mechanical engineering drawing (each curtainwall with a different drawing) extended over the entire surface of each curtainwall, installed at the Municipal Railway Metro East Vehicle Operations and Maintenance Facility, located at 601 – 25th Street at Cesar Chavez and Illinois Street.
4. **Action:** Motion to approve the indefinite extension of the *Flor del Sol* mosaic paving installation by artist Jennifer Alexander at Juri Commons

subject to the agreement of the Recreation and Park Department with the explicit understanding that the Arts Commission shall have no responsibility for the maintenance of the work.

7. **New Business**
Discussion
8. **Reports and Announcements**
Discussion
9. **Public Comment**
Discussion
10. **Adjournment**
Action

1/30/08 spr

Notices

Explanatory documents are available for public inspection and copying at the Arts Commission office, 25 Van Ness Avenue, Suite 240, San Francisco, CA 94102, during regular business hours. Info: Sharon Page Ritchie, 415/252-2591.

Public comment in regard to specific items will be taken before or during consideration of the item.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code sections 2.100-2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102, telephone 415/252-3100, fax 415/252-3112 and [website](#).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Frank Darby by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415-554 7724; by fax at 415-554 7854; or by email at sotf@sfgov.org.

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, <http://www.sfgov.org/sunshine/>

MEETING OF THE FULL ARTS COMMISSION

Monday, February 4, 2008

3:00 p.m.

City Hall Room 416

Minutes

President Johnston called the meeting to order at 3:09 p.m.

1. Roll Call

Commissioners Present

P.J. Johnston

Maya Draisin

Leonard Hunter

John Kriken

Alexander Lloyd

Jeannene Przyblyski

Lawrence Rinder

Dede Wilsey

Dwight Alexander

Commissioners Absent

Sherene Melania

Sherri Young

Pop Zhao

2. Approval of Minutes

The following Resolution was moved, seconded, and unanimously adopted:

RESOLUTION NO. 0204-08-023 : APPROVAL OF MINUTES ADOPTED

RESOLVED, that this Commission does hereby approve the Minutes of the Meeting of January 7, 2008.

NOTE: ALL ADOPTIONS ARE UNANIMOUS UNLESS OTHERWISE NOTED.

3. President's Report

President Johnston reminded the Commission that he had spoken at some length at their January meeting about Mr. Cancel's extensive background in the arts, administration and business. He welcomed Mr. Cancel with great excitement, enthusiasm and hope to his first Commission meeting. President Johnston said that the Executive Committee and search firm Ralph Andersen & Associates had produced an incredible array of talented and highly qualified applicants, and had done a great job of selecting the most outstanding candidate. He introduced Mr. Cancel.

4. Director's Report

Director of Cultural Affairs Luis Cancel thanked President Johnston, and the Executive Committee, for the great opportunity to join so many passionate advocates for the arts in San Francisco. He recalled that on his first visit to San Francisco some twenty-five years ago, he said to himself, "I could live here." He added that for a native New Yorker, this was a "big deal." From the outset, he felt a connection with the city, and has visited many times, participating in the cultural life of the city. He has been a staunch fan of San Francisco, remembering the San Francisco Museum of Modern Art before its grand new facility was built, and appreciating the de Young Museum in its extraordinary new home. Now he will be able to enjoy the city as a resident, and he is very grateful to the Commission for giving him this opportunity to serve the people of San Francisco.

He reported that as he told people in New York that he was coming to San Francisco as Director of Cultural Affairs, they said "Wow!" Over and over, they expressed a deep feeling of goodwill and appreciation for the city; he said that the reaction wouldn't have been the same if he were going to, for example, St. Petersburg. He believes that the community can feel pride in that success, and that the Arts Commission is charged with continuing to support and build the city's reputation. He looks forward to spreading that goodwill and reputation, along with his colleagues in the Office of Economic Development and the Convention and Visitors Bureau, ensuring that the City is investing properly. At the end of the day, he said, the Hotel Tax investments in the arts help to provide funds that enable the City to meet its obligations for public safety, education and many other needs.

In his first meeting with the Mayor and all the department heads, he said to them that he looked forward to working with them in a collegial way to be sure that the arts agenda is being addressed in economic development and in all areas of City government. Citing the research of Americans for the Arts, he explained to them that although San Francisco is fourteenth in the nation in population, the city is fifth in the concentration of arts businesses, second in arts businesses per capita, and fourth in the number of arts jobs per capita. He added that the arts are an important driver for other employment in the city, as well. He pledged to continue to seek out this kind of information to share with his colleagues in government, to reinforce for them why the arts are important to all of the City's business.

Mr. Cancel said that he was honored to join a fantastic staff at the Arts Commission, and he has been very impressed with their enthusiasm, skill and dedication. He wanted to particularly single out Deputy Director Nancy Gonchar who did double duty for nine months, serving as Interim Director of Cultural Affairs. He looks forward to working with all of the staff in the months and years ahead.

Mr. Cancel noted that the City's public art is very strong. He reported that the Public Art Program is holding public meetings and events on several projects, including Central Subway on Tuesday, February 16 at Yerba Buena; and a panel discussion on Art on Market Street with artists Packard Jennings and Steve Lambert on February 4. He added that the Commission will be hearing a great deal about other major initiatives, including

the Transbay Terminal and the San Francisco Airport.

Before discussing the Arts Commission Gallery, Mr. Cancel interjected that although his own background and training is in the visual arts, he loves all of the arts. His wife, Regina Miranda, is a contemporary dancer and choreographer, and he said that he has been thoroughly indoctrinated into dance. He reported that on January 18, over 300 people had attended the opening of the Gallery's current exhibit, *Reconciling America*. He announced the upcoming reception for the current City Hall exhibit of Ann Meredith's photographs, *Tall in the Saddle*, on February 13.

An important question for Mr. Cancel is how to find the resources to meet the City's and the Commission's responsibilities. He reported that he had met with the heads of the Cultural Centers; these long-occupied City-owned buildings have extensive capital needs. He noted that he and Ms. Gonchar had recently taken it upon themselves to participate in a capital funding hearing at City Hall, where some of the projects under discussion were many millions of dollars, and it might have been easy for the committee to cut the Arts Commission's comparatively small projects. He vowed to raise the Arts Commission's capital needs in the discourse of City capital expenditures. He explained that there are ways to structure the Cultural Centers projects under federal tax law to allow for private-sector partnerships encouraged by the sale of tax credits. Arguing that the City and the nonprofits are "leaving money on the table" when they don't take advantage of such laws, he said that he will be exploring exactly how to do this.

Finally, he said that he knew everyone had seen the gloomy economic news, and heard that every City agency was mandated to find ways to reduce its budget. He is in conversation with the administration to see how the Arts Commission will meet the reduction target, or whether the agency will be able to avoid some of the cuts. Mr. Cancel said that the agency will do its best to cooperate with the overall City budget process, but will strongly make the case that the Arts Commission is a net revenue generator for the City, and it is counterproductive to cut too much from its budget.

President Johnston thanked Mr. Cancel, saying that it was great to have him here and that he looked forward to working together. President Johnston was particularly interested in working on the Cultural Centers, which he cited as just one example of the new ideas and energy Mr. Cancel brings to the Arts Commission.

5. Consent Calendar

Agenda item 4 was severed from the Consent Calendar because the minutes of the Executive Committee meeting of January 15, 2008 had not been distributed.

Agenda item 12 was severed from the Consent Calendar at the request of President Johnston and referred back to the Street Artists Committee for further discussion.

Agenda item 19 was severed from the Consent Calendar for further clarification.

President Johnston confirmed that the budget was still very much a work in progress,

agreeing with Mr. Cancel that the Commission would not quietly accept cuts that are penny-wise and pound-foolish.

Commissioner Rinder asked about the item for funding Bayview Opera House. Ms. Nemzoff explained that the amount approved by the Executive Committee was full funding for the remainder of the current fiscal year. Commissioner Rinder asked whether the presence of the item on the Consent Calendar signified that the Executive Committee was satisfied with the Opera House's progress. President Johnston replied that the Committee had held a long meeting, and that he was not just satisfied and relieved that the Opera House had made significant progress, but overjoyed at the change in their commitment and focus. He said that the SWA landscape project in October was a watershed moment, in conjunction with the physical upgrades and the work of Cultural Center Facilities Manager Tom Petersen. He explained that the Opera House board and staff matched that effort with greatly increased programming, not just as a center but as a cultural center. He added that he was relieved, and that at the 120-day mark, it was by no means certain that the Opera House would meet its goals.

Commissioner Przyblyski added that many Commissioners and staff had watched the situation with anxiety and concern. She said that the Committee had heard a great deal of public comment at its last meeting, and that the Opera House's progress was a testament as well to the really hard work done by President Johnston and Ms. Nemzoff; she commended them for it.

Vice President Draisin seconded the favorable opinion of the Opera House's progress, saying that it was important that the Commissioners know about it. She agreed that there had been an incredible amount of public testimony, and emphasized that the Opera House's new budget actually moved money from operations to programming.

President Johnston noted that not all of the speakers at the Committee's meeting were specifically affiliated with the Opera House, but they wanted to speak out. He highlighted the fact that the interim director, Vernon Grigg, moved money from operations into programming, noting that although it was a relatively small amount, it signaled a huge change in direction. President Johnston added that the final speaker at the Committee meeting was a board member who reminded his fellow board members that they would have to continue their work in this new direction. President Johnston explained that Mr. Grigg is a former Deputy District Attorney and board member at the Opera House, who came to a point where he felt he either had to leave the board or do the more difficult thing and step up to change the Center's direction.

Ms. Nemzoff explained that Mr. Grigg was out of town, but that the Opera House was represented by board secretary Felipe Paris and general manager Lark Leet. She briefly mentioned the Opera House's new collaboration with resident artist Joanna Haigood, the dinner and a movie events, and a summer program in the works. She agreed that the new focus was really pragmatic, with lots of hands-on programming.

The remaining items were approved as follows.

RESOLUTION NO. 0204-08-024:

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. 0204-08-025:** Motion to approve the Visual Arts Committee Meeting Minutes of December 6, 2007.
2. **RESOLUTION NO. 0204-08-026:** Motion to approve the Community Arts, Education and Grants Committee Meeting Minutes of January 8, 2008.
3. **RESOLUTION NO. 0204-08-027:** Motion to approve the Street Artists Committee Meeting Minutes of January 9, 2008.
4. **RESOLUTION NO. 0204-08-028:** Motion to approve the Visual Arts Committee Meeting Minutes of January 16, 2008.

**Community Arts, Education and Grants Committee Recommendations
(January 8, 2008)**

5. **RESOLUTION NO. 0204-08-029:** Motion to approve the recommendation to award one grant totaling \$100,000 for the 2007-2008 International Arts Festival Grant to the following organization and to authorize the Director of Cultural Affairs to enter into a grant agreement for the amount listed:

World Arts West, \$100,000

6. **RESOLUTION NO. 0204-08-030:** Motion to approve recommendations to award eighteen grants totaling \$439,500 in the 2007-2008 cycle of Cultural Equity Initiatives Level One grants to the following organizations, and to authorize the Director of Cultural Affairs to enter into grant agreements with each for the amounts listed:

3rd I South Asian Independent Film Festival, \$25,000
ABADA Capoeira San Francisco, \$25,000
Asian Improv aRts, \$15,000
Carnaval San Francisco, \$25,000
Children's Book Press, \$25,000
Chinese Culture Foundation of San Francisco, \$25,000
Chinese Historical Society of America, \$25,000
Fresh Meat Productions, \$25,000
Galeria de la Raza, \$25,000
Gen Taiko, \$25,000
Melody of China, Inc., \$25,000
Oasis for Girls, \$25,000
Purple Moon Dance Project, \$25,000

Queer Women of Color Media Arts Project, \$25,000
Radar Productions, \$25,000
Theatre Rhinoceros, \$25,000
Women's Audio Mission, \$24,500
World Arts West, \$25,000

Street Artists Committee Recommendations (January 9, 2008)

7. **RESOLUTION NO. 0204-08-031:** Motion to approve (1) finding of violation of Street Artists Ordinance by Sua Far Lee for obtaining a selling space from the Arts Commission's street artist lottery and selling with an expired certificate, and (2) re-issuance of Ms. Lee's certificate.
8. **RESOLUTION NO. 0204-08-032:** Motion to approve amendments of November 14, 2007 Street Artists Committee minutes, Items 1 and 2.

Executive Committee Recommendations (January 15, 2008)

9. **RESOLUTION NO. 0204-08-033:** Motion to increase the grant agreement with the Bayview Opera House, Inc., for a total grant not to exceed \$310,399, contingent upon their revised budget submission.
10. **RESOLUTION NO. 0204-08-034:** Motion to approve the FY 2008-2009 Arts Commission budget submission to the Mayor's Office.

Visual Arts Committee Recommendations (January 16, 2008)

11. **RESOLUTION NO. 0204-08-035:** Motion to authorize the Director of Cultural Affairs to increase, by an amount not to exceed \$6,000, contract #DPAR08000046 with artists Packard Jennings and Steve Lambert for their Art on Market Street Program kiosk poster series and auxiliary programming. Additional funds are for the printing of a catalog. The revised total contract amount is not to exceed \$17,000.
12. **RESOLUTION NO. 0204-08-036:** Motion to authorize the Director of Cultural Affairs to enter into contract with curator Patricia Maloney for her curatorial work on the Arts Commission Gallery exhibition *Make You Notice*, for an amount not to exceed \$5,100.
13. **RESOLUTION NO. 0204-08-037:** Motion to approve the temporary installation of the sculpture *Koilos Aeionic* by artist Michael Christian on Patricia's Green, sponsored by the Hayes Valley Art Coalition for a period of six months pending approval from the Recreation and Parks Department.
14. **RESOLUTION NO. 0204-08-038:** Motion to support the concept of placing a memorial bust of former Mayor Adolph Sutro in City Hall, pending Arts Commission approval of the design, the identification of an appropriate location

in City Hall, and the raising of funds for all project costs including the maintenance endowment.

15. **RESOLUTION NO. 0204-08-039:** Motion to approve artist Clare Rojas' proposal for Boarding Area G gateroom wall.
16. **RESOLUTION NO. 0204-08-040:** Motion to authorize the Director of Cultural Affairs to relocate the *Rabbinoid* sculpture by Gerald Heffernon from Stern Grove to Esprit Park pending favorable response from community groups in the surrounding vicinity.
17. **RESOLUTION NO. 0204-08-041:** Motion to approve the proposal by artist Owen Smith for the Art on Market Street Program in 2008 and to authorize the Director of Cultural Affairs to enter into contract with Owen Smith for the design of six original artworks and the printing of 24 kiosk poster reproductions, with auxiliary programming, for an amount not to exceed \$18,000.

Civic Design Review Committee Recommendations (January 28, 2008)

18. **RESOLUTION NO. 0204-08-042:** Motion to approve Phases 1 and 2 of the Alameda Siphon No. 4 Project—Chemical Injection Control and Electric Shed Buildings.
19. **RESOLUTION NO. 0204-08-043:** Motion to approve Phases 1 and 2 of the Roselle Crossover Improvements Project—Valve Vault and Generator Buildings.

6. Committee Reports

1. Executive Committee—P.J. Johnston, Chair

1. President Johnston reported that the previous discussion on the Consent Calendar covered what he had intended to report for the Executive Committee. Additionally, the Committee received a brief report from Ms. Gonchar on the budget. He promised to keep the Commission updated on budget developments. The Committee wanted to wait for Mr. Cancel's arrival before fleshing out the details of the budget and the requested cuts.

2. Civic Design Committee—Jeannene Przyblyski, Interim Chair

1. Emphasizing her interim status as Committee Chair, Commissioner Przyblyski reported that the Committee was in something of a holding pattern, still awaiting Mayoral appointments. She reported that the main building of San Francisco General Hospital will be rebuilt. The Committee had a very productive discussion with the design team on the architectural direction, what the Committee will be looking for in the façade and how it greets people. The project is mandated to be completed by 2013, although it may have to be extended. The Committee also reviewed some small utility buildings.

President Johnston explained that the Commission is waiting for the

Mayor to fill three vacancies, and announced that he had appointed Topher Delaney to the landscape architecture seat. President Johnston rejoined the Community Arts, Education and Grants Committee, and he was hopeful that the vacancies would be filled soon. He acknowledged the stress caused by not having the full complement of Commissioners.

3. Community Arts, Education and Grants Committee—Maya Draisin, Chair

1. Vice President Draisin reported that the Committee continued its discussions on the Native American Cultural Center, hearing quite a bit of public testimony. She said that there was a great deal of interest in funding the Native arts community, more than the general Native community. She reported that Ms. Nemzoff and Cultural Equity Grants Program Director San San Wong were working on a one-time solution to get funding back to the community this fiscal year through the granting process, and then looking at a longer-term solution for future years.

She presented the following motion.

2. **RESOLUTION NO. 0204-08-044:** Motion to approve the following individuals as grants application review panelists for Cultural Equity Grants:

Wilma Bonet, Independent Playwright, Actor, Director
Dr. Anthony Brown, Artistic Director, Asian American Orchestra
Sabina Chen, Executive Director, Chinese Culture Center
T. Kebo Drew, Development and Events Manager, Queer Women of Color Media Arts Project
Laura Elaine Ellis, Executive Director, African and African American Performing Arts Coalition
Joseph Jennings, Music Director, Chanticleer
Angela Mattox, Associate Performing Arts Curator, Yerba Buena Center for the Arts
Chad Sweeney, Independent Writer and Co-editor, Parthenon West Review
Michelle Tea, Artistic Director, Radar Productions
Torange Yeghiazarian, Artistic Director, Golden Thread Productions

4. Street Artists Committee—Alexander Lloyd, Chair

1. Commissioner Lloyd offered congratulations on the new Street Artists website, and reported that the “blue book” of the Program’s rules is being revised in preparation for posting on the website.

He reported that he had appeared before the Board of Appeals in the case of a street artist appealing the Committee’s suspension of his license. Commissioner Lloyd explained that the Committee had suspended the artist’s license after giving him a second chance. The Board of Appeals

gave the artist a three-month trial period, an outcome better than the Committee had hoped for.

Commissioner Lloyd presented the following motion.

2. **RESOLUTION NO. 0204-08-045:** Motion to approve requests by former certificate-holders for priority issuance of certificate with waiver of re-screening of wares: Ravit Maman, Ed Handelman, Aihua Zhang, Ann Garsson, Norma Hanley, Kevin McCarthy.

Commissioner Lloyd presented the following motion, explaining that the honorarium to be paid came from Arts Commission general funds and not from the Street Artists Program budget.

3. **RESOLUTION NO. 0204-08-046:** Motion to approve honorarium payment of no more than \$2,500 to Rick Elizaga Design for design and creation of Street Artists Program website.

Finally, Commissioner Lloyd noted that the Committee would revisit its budget discussion at its next meeting.

In response to a question, he said that the artist who had made the appeal previously discussed was Manuel Loli.

5. **Visual Arts Committee—Jeannene Przyblyski, Chair**

1. Commissioner Przyblyski reported that the Committee had reviewed several projects. She explained that the motion regarding *Blueprints* (Agenda item 19) had been severed from the Consent Calendar because it was determined that the language needed to be more specific. The two motions below reflect the appropriate language.

Commissioner Przyblyski said that the Central Subway project is at an exciting stage. The Committee had serious discussions with the architect about spaces which may be available for artwork within the project.

She reported that the temporary artwork installations at Patricia's Green have been so successful that the community would like to have public art there all the time. The Committee is also looking forward to artwork being installed at Lake Merced. She said that the Committee will be working with the Planning Commission on revising the legislation on how public art funds are allocated in the downtown C3 zone.

Commissioner Przyblyski presented the following motions.

2. **RESOLUTION NO. 0204-08-047:** Motion to approve the installation of *Blueprints*, an artwork by the artist team of Nobuho Nagasawa and Anita Margrill, consisting of two large graphic curtainwalls installed on the

exterior of stair towers on the Municipal Railway Metro East Vehicle Operations and Maintenance Facility at 601 – 25th Street, at Cesar Chavez and Illinois Street.

3. **RESOLUTION NO. 0204-08-048:** Motion to accept into the Civic Art Collection *Blueprints*, an artwork by the artist team of Nobuho Nagasawa and Anita Margrill, consisting of two curtainwalls (each 36 feet high and 19 feet wide), and each on the exterior of two stair towers, with each curtainwall comprised of 21 individual insulated glass units, with two laminated tinted blue glass panels on the interior and two clear glass panels on the exterior laminated with a white line mechanical engineering drawing (each curtainwall with a different drawing) extended over the entire surface of each curtainwall, installed at the Municipal Railway Metro East Vehicle Operations and Maintenance Facility, located at 601 – 25th Street at Cesar Chavez and Illinois Street.

President Johnston said that, as a former Muni employee, he was excited about this project.

Before presenting the following motion, Commissioner Przyblyski explained that it was intended to address a temporary artwork by Juri Commons. The community has enjoyed it so much that they want to keep it, but the piece was never designed to be permanent. This motion is intended to allow the community to enjoy the artwork for its natural lifetime, but to explicitly state that the Arts Commission takes no responsibility for maintaining it.

4. **RESOLUTION NO. 0204-08-049:** Motion to approve the indefinite extension of the *Flor del Sol* mosaic paving installation by artist Jennifer Alexander at Juri Commons subject to the agreement of the Recreation and Park Department with the explicit understanding that the Arts Commission shall have no responsibility for the maintenance of the work.

7. Public Comment

There was no further public comment.

8. New Business

There was no further new business.

9. Reports and Announcements

Saying that his predecessor, Stanlee Gatti, was much superior in his ability to raise money for worthy projects, President Johnston reminded everyone of his invitation to a fundraiser for the Black Film Festival at 1300 Fillmore. He noted that there have been some wonderful changes in the area.

Mr. Lazar thanked Commissioner Lloyd for his remarks at the Board of Appeal hearing. He said that the Arts Commission had been dealing with Mr. Loli's case for two years,

and that without Commissioner Lloyd's participation, the Board would have given Mr. Loli a "blank check" instead of the probationary license.

10. Adjournment

There being no further business, the meeting was adjourned at 3:58 p.m.

2/28/08 spr

MEETING OF THE FULL ARTS COMMISSION

Monday, April 7, 2008

3:00 p.m.

City Hall, Room 416

1 Dr. Carlton B. Goodlett Place

Agenda

1. **Roll Call**
2. **Approval of Minutes**
Action
Motion to approve March 3, 2008 Minutes.
Explanatory document: Draft minutes
3. **President's Report**
Discussion
Current developments and announcements.
4. **Director's Report**
Discussion
Current administrative, budgetary and programming developments and announcements.
5. **Consent Calendar**
The following items are included in the Consent Calendar subject to withdrawal at the request of a Commissioner:

Approval of Committee Minutes

Action

1. Motion to approve the Community Arts, Education and Grants Committee Meeting Minutes of March 11, 2008.
2. Motion to approve the Civic Design Review Committee Meeting Minutes of March 17, 2008.
3. Motion to approve the Executive Committee Meeting Minutes of March 18, 2008.
4. Motion to approve the Street Artists Committee Meeting Minutes of March 20, 2008.

Community Arts, Education and Grants Committee Recommendations (March 11, 2008)

Action

5. Motion to transfer funds from the Hotel Tax Fund in the amount of \$5,000 to Grants for the Arts for the San Francisco Mayor's Working Group on American

Indian Concerns, to support a feasibility study for the development of an American Indian Community and Cultural Center.

Civic Design Review Committee Recommendations (March 17, 2008)

Action

6. Motion to approve Phase 1 of the Camp Mather Visitor's Center with the recommendation that the designers consider additional skylights and consider the balance of bicycle-friendly roads versus permeable paving.
7. Motion to approve Phase 1 of the San Francisco General Hospital Rebuild Project with the stipulation that the Committee would like to see a revised design for Phase 2 that is more humane and that expresses the City's commitment to take care of people where they need it.
8. Motion to approve Phase 3 of the James Rolph Clubhouse and Playground Renovation.

Executive Committee Recommendations (March 18, 2008)

Action

9. Motion to approve recommendations to award forty-eight grants totaling \$596,750 in the 2007-2008 cycle of Organization Project Grants (OPG) to the following organizations, and to authorize the Director of Cultural Affairs to enter into grant agreements with each for the amounts listed:

509 Cultural Center/Luggage Store, \$15,000
Afro Solo, \$15,000
American Indian Film Institute, \$12,000
Arab Cultural Center, \$12,000
Arab Film Festival, \$12,000
Army of Lovers, \$7,150
ArtSpan, \$12,000
Asian American Women Artists Association, \$7,600
Asian Pacific Islander Cultural Center (APICC), \$12,000
Campo Santo, \$15,000
Charming Hostess, \$12,000
Cuba Caribe, \$12,000
Cypress Performing Arts Association, \$12,000
Dancing Tree, \$12,000
Dandelion Dance Theater, \$12,000
Deborah Slater Dance Theater, \$12,000
Del Sol Performing Arts Organization, \$12,000
Distortion 2 Static, \$12,000
Door Dog Music Productions, \$15,000
Erika Shuch Performance Project (ESP Project), \$15,000
EXIT Theatre, \$15,000

Femina Potens, \$12,000
Global Women Intact, \$12,000
Intersection for the Arts, \$12,000
Joe Goode Performance Group, \$15,000
Kid Serve Youth Murals, \$12,000
La Pocha Nostra, \$12,000
Litquake, \$12,000
Living Word Project, \$12,000
Manilatown Heritage Foundation, \$12,000
Out of Site: Center for Arts Education, \$12,000
Poor Magazine, \$12,000
Precita Eyes Muralists Association, Inc., \$12,000
Root Division, \$12,000
SAFEhouse, \$12,000
San Francisco Black Film Festival, \$12,000
San Francisco Camerawork, \$12,000
San Francisco Hip Hop DanceFest, \$15,000
San Francisco International Arts Festival, \$12,000
San Francisco Live Arts, \$12,000
San Francisco Shakespeare Festival, \$12,000
Scott Wells and Dancers, \$12,000
ShadowLight Productions, \$12,000
Sixth Street Photography Workshop, \$15,000
Small Press Traffic Literary Arts Center, \$12,000
Stepology, \$12,000
The Playwrights Foundation, \$15,000
Yerba Buena Arts and Events, \$12,000

Explanatory documents: Organization Project Grants applicant ranking by organizational budget size and project descriptions by discipline groups (Visual, Literary, and Media Arts; and Performing Arts), and biographies of the grants review panelists.

Visual Arts Committee Recommendations (March 31, 2008)

Action

10. Motion to approve an amendment to increase the budget for Scott Donahue's contract #POAR04000098 for the design, fabrication and installation of artworks for the Richmond Branch Library by an amount not to exceed \$1,000, for a new contract total amount not to exceed \$36,000, for additionally required engineering services regarding the safety of the artwork.
11. Motion to acknowledge, accept with gratitude, and expend a gift of \$2,000 from Friends of Duboce Park, and \$1,500 from Hal Fischer and an anonymous donor, for the fabrication and installation of an artwork designed by Susan Schwartzberg and Michael Davis of a quotation from Harvey Milk on the east-facing wall of the Harvey Milk Center for Recreational Arts.

12. Motion to approve revised design in bronze for Cliff Garten's sculptural handrails at Laguna Honda Hospital.
13. Motion to authorize the Director of Cultural Affairs to enter into an agreement with Cliff Garten for \$238,108 to fabricate, transport and install 604 linear feet of bronze sculptural handrails at Laguna Honda Hospital.
14. Motion to rescind resolution 1001-07-278 approving location proposal for the Harvey Milk Memorial sculpture on a south-facing wall in the Van Ness lobby of City Hall pending approval of the site by the Harvey Milk City Hall Memorial Committee and the City Hall Preservation Advisory Committee.
15. Motion to approve the placement of the Harvey Milk memorial bust in the Board of Supervisors Ceremonial Rotunda in City Hall.
16. Motion to approve the final design proposal and budget submitted by Maya Lin for the suspended wire landscape sculpture to be fabricated from marine grade stainless steel tubing approximately 5/8 inches in diameter to be installed in the exterior West Terrace of the Academy of Sciences for an amount not to exceed \$275,000 including fabrication, transportation and installation.
17. Motion to approve final project proposal and authorization for the Director of Cultural Affairs to enter into an agreement with artist Maya Lin for an amount not to exceed \$27,000 for installation of a suspended wire landscape sculpture in the exterior West Terrace of the Academy of Sciences targeted for August, 2008.
18. Motion to authorize payment of an additional honorarium in the amount of \$250 each to artists Wang Po Shu, Walter Kitundu, and Charles Sower to submit a revised proposal for the Randall Museum public art project.
19. Motion to approve a project of the Community Arts and Education Program for an exhibition in kiosks on Market Street of posters submitted by the San Francisco Unified School District to be installed in April, 2008.

6. Committee Reports

1. **Executive Committee—P.J. Johnston, Chair**
 1. **Discussion:** Report from Chair of Executive Committee regarding activities of the Committee and the Program.
2. **Civic Design Review Committee—Jeannene Przyblyski, Chair**
 1. **Discussion:** Report from Chair of Civic Design Review Committee regarding activities of the Committee and the Program.
3. **Community Arts, Education and Grants Committee—Maya Draisin, Chair**
 1. **Discussion:** Report from Community Arts, Education and Grants Committee regarding activities of the Committee and the Program.

4. **Street Artists Committee—Alexander Lloyd, Chair**

1. **Discussion:** Report from Chair of Street Artists Committee regarding activities of the Committee and the Program.
2. **Action:** Motion to approve requests by former certificate-holders for priority issuance of certificate with waiver of re-screening of wares: Barbara Zerbe, Canute Davis, Linda Pedersen, Michael Jamison, Salih Inci.
3. **Action:** Motion to change the schedule of meetings of the Street Artists Committee from monthly to bimonthly, beginning with the meeting of May 14, 2008.

5. **Visual Arts Committee—Jeannene Przyblyski, Chair**

1. **Discussion:** Report from Visual Arts Committee regarding activities of the Committee and the Program.
2. **Action:** Motion to approve clay models of the bust and the three memorial panels for the Harvey Milk City Hall Memorial Bust sculpture.

7. **New Business**

Discussion

8. **Reports and Announcements**

Discussion

9. **Public Comment**

Discussion

10. **Adjournment**

Action

4/3/08 spr

Notices

Explanatory documents are available for public inspection and copying at the Arts Commission office, 25 Van Ness Avenue, Suite 240, San Francisco, CA 94102, during regular business hours. Info: Sharon Page Ritchie, 415/252-2591.

Public comment in regard to specific items will be taken before or during consideration of the item.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code sections 2.100-2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102, telephone 415/252-3100, fax 415/252-3112 and website.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Frank Darby by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415-554 7724; by fax at 415-554 7854; or by email at sotf@sfgov.org.

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, <http://www.sfgov.org/sunshine/>

MEETING OF THE FULL ARTS COMMISSION

Monday, April 7, 2008

3:00 p.m.

City Hall Room 416

Minutes

President Johnston called the meeting to order at 3:08 p.m.

1. Roll Call

Commissioners Present

P.J. Johnston

Maya Draisin

Ninive Calegari

Leonard Hunter

Sherene Melania

Lawrence Rinder

Dede Wilsey

Pop Zhao

Commissioners Absent

Topher Delaney

John Kriken

Alexander Lloyd

Jeannene Przyblyski

Sherri Young

Christina Olague

2. President's Report

President Johnston introduced Commissioner Ninive Calegari, newly appointed by the Mayor to fill the spot vacated by Janice Mirikitani. President Johnston said that he was excited to welcome Commissioner Calegari, founder of 826 Valencia, which introduces young people to literature and writing in thought-provoking and new ways. He added that with this appointment, the Mayor helped move the Commission closer to its vision of community activism and excellence.

Commissioner Calegari said that she had previously been a public school teacher, credentialed in both social studies and art, and she looks forward to working with the Arts Commission.

President Johnston asked Commissioners to calendar May 22, 2008 for the formal installation of the Harvey Milk bust in City Hall. He noted that after much discussion and negotiation with the various constituencies, the Mayor, the Board of Supervisors, the Visual Arts Committee of the Arts Commission, and the City Hall Preservation Advisory Commission have agreed that the bust will be installed in the Board of Supervisors'

Rotunda. This is directly opposite the Mayor's Rotunda, where busts of former Mayors Moscone and Feinstein are located. The Milk bust will be the first on this side of the building. President Johnston noted the historic connection between these two Mayors and Supervisor Milk, and the fact that he is the first Supervisor who did not also serve as Mayor to be honored with a bust. Drawing Commissioners' attention to the photo of the bust shown at this meeting, President Johnston agreed that the piece was beautiful, and would be an asset to the City Hall experience. This location also means that no other busts will need to be displaced.

President Johnston introduced Joey Cain, Co-Chair of the Harvey Milk City Hall Memorial Committee. He explained that this May 22 would have been Harvey Milk's 78th birthday. He said that the ceremony would include local officials and people who knew Milk. Several young people have been chosen to do the actual unveiling, in the spirit of Milk's quote which appears on the pedestal: "I ask for the Movement to continue because my election gave young people out there hope. You've gotta give 'em hope." Mr. Cain explained that there would be a sit-down event from 7:00 to 8:00 p.m., with speakers to be announced soon. The Gay Men's Chorus will perform; the Chorus's first performance was on the night of the assassination. Mr. Cain described the three bronze bas-reliefs placed around the pedestal. They depict Milk as a Navy officer; Milk riding in the 1978 Gay Freedom Day Parade; and the candlelight march on the night of his assassination. On behalf of the Memorial Committee, Mr. Cain said that he was glad to have been able to work with the Arts Commission, noting that this was the first time a private group partnered with the Commission.

President Johnston advised that the Commission still had two vacant seats, although the Mayor's office was close to filling them. He plans to announce changes in Committee assignments once those seats are filled. In the meantime, he appointed Commissioner Calegari to the Community Arts, Education and Grants Committee.

President Johnston asked Commissioners to make it a priority to attend their Committee meetings and the full Commission meeting. Acknowledging that they are all busy people, and that service on the Commission can be time-consuming, he noted that it is often difficult to achieve a quorum. For the benefit of newer Commissioners, he explained that the bylaws were amended a few years ago to remove the requirement that Commissioners serve on at least two Committees, as a concession to the time constraints of Commissioners. In light of that, he urged Commissioners to commit to attending their Committee meetings. He noted that even when a meeting has a quorum, but other Commissioners are absent, it can be difficult to review or explain to them later the sometimes difficult discussions held in their absence. With the new appointments coming from the Mayor's office, and the energy of the new Director of Cultural Affairs, President Johnston called on the Commissioners to do their part and participate fully.

President Johnston also called for attention to the current sensitive and important period in the development of the Commission's collaboration with the San Francisco Unified School District in the implementation of the Arts Education Master Plan. Citing the City Charter mandate to foster arts education, he emphasized the need to continue working

actively with the School District. The Community Arts, Education and Grants Committee continues to monitor the plan's implementation, and President Johnston suggested a possible report to the full Commission in the coming months.

He added that he would like to return to the practice of having program staff make presentations to the full Commission at meetings, explaining that Commissioners benefit from knowing what's happening in areas outside their own Committees.

3. **Director's Report**

Director of Cultural Affairs Luis R. Cancel reported that the gap between the City's budget needs and its funds has continued to grow. The Mayor has directed departments to cut an additional 8% from their budgets, specifically targeting personnel. Mr. Cancel suggested that this tactic, applied to agencies with large personnel budgets, will yield savings to carry forward. He and Deputy Director Nancy Gonchar were able to advocate that, in small agencies such as the Arts Commission, an 8% cut in personnel significantly erodes service to the public. They have submitted two budget proposals, and have been asked by the Mayor's office to keep them confidential, because of the sensitive nature of personnel actions. The proposals will, however, both preserve staff and meet the Mayor's priorities. Mr. Cancel added that it appears that the State legislature will be late in adopting a budget, and until the State budget is adopted, the City's budget cannot be finalized.

Mr. Cancel added that the Mayor has expressed his continued support for the Cultural Voucher initiative, and wants to present that in the next fiscal year.

Mr. Cancel turned to the Cultural Centers as the focus of his report. He directed the Commissioners' attention to the posters announcing the Neighborhood Arts Program's 40th anniversary celebration. At this milestone, he wanted to review both what has been accomplished and what can be improved. He reported that he and Community Arts and Education Program Director Judy Nemzoff met with the City Attorney's office to discuss revisions of the leases with the Cultural Centers, noting that the previous leases expired in 1997. The goal is to work closely with the boards and staff of the Centers to help them take the necessary steps to build stability for the communities they serve, to find private capital support, and to allow for long-term leases-forty years or more-which would facilitate taking advantage of federal tax laws. He explained that this would create a greater opportunity for the Arts Commission to have the appropriate oversight to ensure that the public interest is protected over the long term.

Commissioners discussed the advantages and challenges of private funding for the Centers, and the relative merits of short-term and long-term leases. In response to a question, Mr. Cancel explained that the leases are not at fair market rates, but one dollar per year. For decades, there has been a close relationship between the organizations running the Cultural Center programming and the Arts Commission, and President Johnston emphasized the historic role of the City in their establishment. Commissioner Wilsey voiced the objections some potential private donors might raise, challenging the community, the neighborhood and the City to support the Centers and demonstrate their

success before seeking private funding.

The Commission and Mr. Cancel discussed the examples of the Bayview Opera House and the Native American Cultural Center as instances where the Commission acted assertively to exercise its oversight. Adding that in most cases things at the Cultural Centers are working well, he concluded that this would be an appropriate topic for the coming annual planning process.

Mr. Cancel then turned to the Neighborhood Arts Program's fortieth anniversary festival, with events in a variety of venues from April 21 through May 3, 2008. He mentioned panel discussions on "Mapping Survival: Creating Something out of Nothing" and "The Money and the Madness"; "Unveiling the Future" at the Bayview Opera House, featuring music, dance and poetry performances, along with remarks by the Mayor and Bayview Supervisor Sophie Maxwell; and the culminating half-day celebration bash on May 3, featuring a reunion of founding members of the program, and helping nonprofits to connect with resources. Mr. Cancel referred Commissioners to the festival's poster and program for more detailed information.

Mr. Cancel reported on the dedication of the Abraham Lincoln Brigade Memorial at Justin Herman Plaza on March 30, 2008, presided over by the Mayor. The onyx and steel monument was designed by the late Ann Chamberlain and Walter Hood. Mr. Cancel noted that the project has been underway for eight years, and he thanked Deputy Director Nancy Gonchar and Public Art Program Director Jill Manton for working tirelessly to help make the monument a reality.

Mr. Cancel reported on the current Art on Market Street poster series, referring Commissioners to the accompanying catalogue, "Wish You Were Here: Postcards from Our Awesome Future." Ms. Manton added that this was the third of the 2007 poster series, created by Steve Lambert and Packard Jennings. They interviewed urban planners, asking what they would design if they didn't have to worry about budgets, bureaucracies, politics or physics!

Noting that the planning process begun at the Commission's retreat in 2007 is important for healthy organizations, Mr. Cancel reported that he has begun a series of meetings with Arts Commission staff at each level. He expects to invite Commissioners to some of these meetings to discuss policy, culminating in an annual planning meeting on Friday, November 21, 2008.

Mr. Cancel reported that several sculptures by the Spanish artist, Manolo Valdés, will be temporarily installed at the Civic Center, with an opening on Tuesday, April 29, 2008. He thanked Commissioner Lloyd for his help in securing private-sector donations to cover 90% of the costs, and he thanked Commissioner Draisin for her help in getting the opening event onto the Mayor's schedule. Mr. Cancel added that Ms. Manton is working with Grants for the Arts to secure an additional \$10,000 to help close the funding gap for the installation.

Finally, Mr. Cancel reported that the Gallery's new show, *Make You Notice*, has had positive reviews. He announced a brown-bag lunch talk by the curator on April 15, 2008. He also reported that the Gallery is actively preparing for a major audio art installation by Bill Fontana, scheduled for the end of January, 2009, and has been awarded an NEA grant of \$25,000 to help pay for the installation.

President Johnston called for public comment; there was none. He encouraged Commissioners to participate in the Neighborhood Arts Festival events, adding that the Bayview Opera House is looking great, and that the story of the International Hotel and Manilatown (site of "The Money and the Madness") is fascinating.

4. **Approval of Minutes**

The following Resolution was moved, seconded, and unanimously adopted:

RESOLUTION NO. 0407-08-074: APPROVAL OF MINUTES ADOPTED

RESOLVED, that this Commission does hereby approve the Minutes of the Meeting of March 3, 2008.

NOTE: ALL ADOPTIONS ARE UNANIMOUS UNLESS OTHERWISE NOTED.

5. **Consent Calendar**

Item 17 on the Consent Calendar below was corrected to reflect the proper information about the artist and location of the project. The corrected Consent Calendar was approved as follows.

RESOLUTION NO. 0407-08-075:

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. 0407-08-076:** Motion to approve the Community Arts, Education and Grants Committee Meeting Minutes of March 11, 2008.
2. **RESOLUTION NO. 0407-08-077:** Motion to approve the Civic Design Review Committee Meeting Minutes of March 17, 2008.
3. **RESOLUTION NO. 0407-08-078:** Motion to approve the Executive Committee Meeting Minutes of March 18, 2008.
4. **RESOLUTION NO. 0407-08-079:** Motion to approve the Street Artists Committee Meeting Minutes of March 20, 2008.

**Community Arts, Education and Grants Committee Recommendations
(March 11, 2008)**

5. **RESOLUTION NO. 0407-08-080:** Motion to transfer funds from the Hotel Tax Fund in the amount of \$5,000 to Grants for the Arts for the San Francisco Mayor's Working Group on American Indian Concerns, to support a feasibility study for the development of an American Indian Community and Cultural Center.

Civic Design Review Committee Recommendations (March 17, 2008)

6. **RESOLUTION NO. 0407-08-081:** Motion to approve Phase 1 of the Camp Mather Visitor's Center with the recommendation that the designers consider additional skylights and consider the balance of bicycle-friendly roads versus permeable paving.
7. **RESOLUTION NO. 0407-08-082:** Motion to approve Phase 1 of the San Francisco General Hospital Rebuild Project with the stipulation that the Committee would like to see a revised design for Phase 2 that is more humane and that expresses the City's commitment to take care of people where they need it.
8. **RESOLUTION NO. 0407-08-083:** Motion to approve Phase 3 of the James Rolph Clubhouse and Playground Renovation.

Executive Committee Recommendations (March 18, 2008)

9. **RESOLUTION NO. 0407-08-084:** Motion to approve recommendations to award forty-eight grants totaling \$596,750 in the 2007-2008 cycle of Organization Project Grants (OPG) to the following organizations, and to authorize the Director of Cultural Affairs to enter into grant agreements with each for the amounts listed:

509 Cultural Center/Luggage Store, \$15,000
Afro Solo, \$15,000
American Indian Film Institute, \$12,000
Arab Cultural Center, \$12,000
Arab Film Festival, \$12,000
Army of Lovers, \$7,150
ArtSpan, \$12,000
Asian American Women Artists Association, \$7,600
Asian Pacific Islander Cultural Center (APICC), \$12,000
Campo Santo, \$15,000
Charming Hostess, \$12,000
Cuba Caribe, \$12,000
Cypress Performing Arts Association, \$12,000
Dancing Tree, \$12,000
Dandelion Dance Theater, \$12,000
Deborah Slater Dance Theater, \$12,000
Del Sol Performing Arts Organization, \$12,000
Distortion 2 Static, \$12,000
Door Dog Music Productions, \$15,000

Erika Shuch Performance Project (ESP Project), \$15,000
EXIT Theatre, \$15,000
Femina Potens, \$12,000
Global Women Intact, \$12,000
Intersection for the Arts, \$12,000
Joe Goode Performance Group, \$15,000
Kid Serve Youth Murals, \$12,000
La Pocha Nostra, \$12,000
Litquake, \$12,000
Living Word Project, \$12,000
Manilatown Heritage Foundation, \$12,000
Out of Site: Center for Arts Education, \$12,000
Poor Magazine, \$12,000
Precita Eyes Muralists Association, Inc., \$12,000
Root Division, \$12,000
SAFEhouse, \$12,000
San Francisco Black Film Festival, \$12,000
San Francisco Camerawork, \$12,000
San Francisco Hip Hop DanceFest, \$15,000
San Francisco International Arts Festival, \$12,000
San Francisco Live Arts, \$12,000
San Francisco Shakespeare Festival, \$12,000
Scott Wells and Dancers, \$12,000
ShadowLight Productions, \$12,000
Sixth Street Photography Workshop, \$15,000
Small Press Traffic Literary Arts Center, \$12,000
Stepology, \$12,000
The Playwrights Foundation, \$15,000
Yerba Buena Arts and Events, \$12,000

Visual Arts Committee Recommendations (March 31, 2008)

10. **RESOLUTION NO. 0407-08-085:** Motion to approve an amendment to increase the budget for Scott Donahue's contract #POAR04000098 for the design, fabrication and installation of artworks for the Richmond Branch Library by an amount not to exceed \$1,000, for a new contract total amount not to exceed \$36,000, for additionally required engineering services regarding the safety of the artwork.
11. **RESOLUTION NO. 0407-08-086:** Motion to acknowledge, accept with gratitude, and expend a gift of \$2,000 from Friends of Duboce Park, and \$1,500 from Hal Fischer and an anonymous donor, for the fabrication and installation of an artwork designed by Susan Schwartzberg and Michael Davis of a quotation from Harvey Milk on the east-facing wall of the Harvey Milk Center for Recreational Arts.

12. **RESOLUTION NO. 0407-08-087:** Motion to approve revised design in bronze for Cliff Garten's sculptural handrails at Laguna Honda Hospital.
13. **RESOLUTION NO. 0407-08-088:** Motion to authorize the Director of Cultural Affairs to enter into an agreement with Cliff Garten for \$238,108 to fabricate, transport and install 604 linear feet of bronze sculptural handrails at Laguna Honda Hospital.
14. **RESOLUTION NO. 0407-08-089:** Motion to rescind resolution 1001-07-278 approving location proposal for the Harvey Milk Memorial sculpture on a south-facing wall in the Van Ness lobby of City Hall pending approval of the site by the Harvey Milk City Hall Memorial Committee and the City Hall Preservation Advisory Committee.
15. **RESOLUTION NO. 0407-08-090:** Motion to approve the placement of the Harvey Milk memorial bust in the Board of Supervisors Ceremonial Rotunda in City Hall.
16. **RESOLUTION NO. 0407-08-091:** Motion to approve the final design proposal and budget submitted by Maya Lin for the suspended wire landscape sculpture to be fabricated from marine grade stainless steel tubing approximately 5/8 inches in diameter to be installed in the exterior West Terrace of the Academy of Sciences for an amount not to exceed \$275,000 including fabrication, transportation and installation.
17. **RESOLUTION NO. 0407-08-092:** Motion to approve final project proposal and authorization for the Director of Cultural Affairs to enter into an agreement with artist John Melvin for an amount not to exceed \$27,000 for installation of a temporary art project at Lake Merced targeted for August, 2008.
18. **RESOLUTION NO. 0407-08-093:** Motion to authorize payment of an additional honorarium in the amount of \$250 each to artists Wang Po Shu, Walter Kitundu, and Charles Sower to submit a revised proposal for the Randall Museum public art project.
19. **RESOLUTION NO. 0407-08-094:** Motion to approve a project of the Community Arts and Education Program for an exhibition in kiosks on Market Street of posters submitted by the San Francisco Unified School District to be installed in April, 2008.

6. Committee Reports

1. Executive Committee—P.J. Johnston, Chair

1. President Johnston reported that the Committee held a long and intense discussion regarding the work begun at the Community Arts, Education and Grants Committee, regarding Organizational Project Grants and the grant panel review process in general. He noted that sometimes an organization or an artist will contest the panel's recommendation not to

fund them, or an elected official may wish to intervene on behalf of an artist or organization. Upon review, the Committee agreed that the panel's decisionmaking process was above reproach. Ultimately, in this case, the Committee agreed to fund the organizations listed in Resolution No. 0407-08-084 above.

The Committee began a discussion about how and whether to account for factors outside of a strictly dispassionate review of applicants, such as fairness in distributing Arts Commission funding across the City's neighborhoods; whether a small difference in scores should mean that one organization is fully funded while another is not funded; what is the appropriate role of Commissioner discretion and whether there should be any grantmaking reflecting their priorities; and whether Commissioners should sit on grants review panels as they do on public art panels.

Mr. Cancel pointed out that these are the kinds of policy questions that should be part of the planning process. Commissioner Rinder agreed with the Committee's decision to affirm the panel process, and mentioned another granting organization with which he is familiar, where there is also a small amount of discretionary funding available. President Johnston noted that he has always believed an arm's-length relationship is appropriate; he noted that Commissioner Przyblyski made some interesting comments on Commissioners being involved in the review process from the beginning. He also thought that Supervisor Mirkarimi made an interesting point about elements external to the panel process. Commissioner Draisin mentioned that the panel's role did not encompass an overarching view of all of the Commission's grantmaking.

2. Civic Design Committee—Jeannene Przyblyski, Interim Chair

1. Commissioner Hunter reported that the Committee held a short meeting, reviewing three projects. The first, a visitors' center at Hetch Hetchy, was a nice little log cabin, which the Committee liked better than the "tin sheds" that often serve this function. This is a joint project with the National Park Service. The project sparked a discussion of an issue often considered by the Committee, of sustainability, in this case, the use of permeable paving and improving natural light.

A second project, by Recreation and Parks in the Mission District, had only minor changes.

The largest project, at over \$100,000,000, is San Francisco General Hospital. The Committee raised many issues and questions, pointing out that it is a major building in the City's portfolio, and one that any and all residents are likely to experience at some time. He promised that it will have a great deal of the Committee's attention in the months and years to come.

3. **Street Artists Committee—Alexander Lloyd, Chair**

1. In the absence of Commissioner Lloyd, Commissioner Melania reported that the Committee had held a lively meeting, discussing the possibility of using some of the temporary holiday spaces on a more permanent, year-round basis. Several street artists in attendance became increasingly argumentative. When order could no longer be maintained, Commissioner Lloyd adjourned the meeting early. Later, a fistfight broke out between some of the artists outside the meeting room. Program Director Howard Lazar will work with the artists to help them set up a committee to discuss issues among themselves, and then bring them to the Street Artists Committee.

Noting that the Committee's meeting schedule change has the support of staff, and that in practice, meetings are often cancelled, President Johnston presented the following motions.

2. **RESOLUTION NO. 0407-08-095:** Motion to approve requests by former certificate-holders for priority issuance of certificate with waiver of re-screening of wares: Barbara Zerbe, Canute Davis, Linda Pedersen, Michael Jamison, Salih Inci.
3. **RESOLUTION NO. 0407-08-096:** Motion to change the schedule of meetings of the Street Artists Committee from monthly to bimonthly, beginning with the meeting of May 14, 2008.

4. **Visual Arts Committee—Jeannene Przyblyski, Chair**

1. Commissioner Hunter directed the attention of the Commissioners to the bust of Harvey Milk displayed onscreen at the meeting, noting that people who have seen all three of the three finalists say that this sculpture not only looks like Milk, it feels like him. President Johnston thanked Mr. Cain for doing most of the legwork and fundraising; thanked Public Art staff, particularly Public Art Program Senior Project Manager Susan Pontious and Ms. Manton for making the project happen; and thanked City Hall Docent Ellen Schumer for helping to ensure the amicable resolution of the question of where to locate the bust.

Commissioner Rinder asked about the images on the pedestal; Commissioner Hunter confirmed that they had been reviewed and approved at the Committee meeting.

Directing Commissioners' attention to Resolution No. 0407-08-091, approved on the Consent Calendar, Commissioner Hunter reported that the Committee had spent a great deal of time discussing the Maya Lin landscape sculpture. It is modeled on the Bay's contours, and will be an installation unique to San Francisco. He thanked Ms. Manton for yeoman duty on this project.

Commissioner Hunter reported that Ms. Pontious did a great job presenting the General Hospital project to the Committee. He explained that the art for this project will be different from that at Laguna Honda, where the art is intended to be enlivening. At General Hospital, with its emphasis on treating trauma and on short-term care, the art should be more meditative and healing. Commissioner Hunter noted that this project will cost a great deal, and that the art will be an important addition to the City's collection.

Commissioner Hunter reported that the Committee also discussed several temporary art projects. The current Art on Market Street poster series is a result of artists asking city planners to "think outside the box." The John Melvin work at Lake Merced as part of the Temporary Art in Natural Settings project, balloons strapped to trees, floating over the lagoon like a cloud, is a site-specific piece working with optical issues rather than narrative; the temporary nature is part of the experience, rather than collectability. The Valdés sculpture installation is a collaboration with a New York gallery; the Committee is exploring such collaborations as another way to facilitate temporary projects.

Commissioner Hunter presented the following motion:

2. **RESOLUTION NO. 0407-08-097:** Motion to approve clay models of the bust and the three memorial panels for the Harvey Milk City Hall Memorial Bust sculpture.

5. **Community Arts, Education and Grants Committee-Maya Draisin, Chair**

1. Vice President Draisin reported that the Committee had focused on two areas at its last meeting: the Organizational Project Grants discussed above, and the Native American Cultural Center. Cultural Equity Grants Program Director San San Wong reported that the Mayor's office was working on a feasibility study for a Native center. She worked with the San Francisco Foundation to receive a matching grant to include an arts component in the feasibility study. President Johnston thought that working with the Mayor's office to inject the arts agenda in this project is a very good development.

7. **Public Comment**

Rosemary Cleese, the granddaughter of Mayor Angelo Rossi, spoke. She said that she hadn't realized she was opening a discussion for so many people regarding the location of memorial busts in City Hall. She was glad that this allowed for the Harvey Milk bust to be placed where the Committee wanted to see it. She thanked Ms. Manton, James Haas, Commissioner Przyblyski, Susan Goldstein and Mike Farrah for being so responsive. She said that she would like to be involved in any future policy discussions of where art is placed in the magnificent City Hall. President Johnston thought that both the Arts Commission and the City Hall Historic Preservation Commission should discuss this,

perhaps as a joint committee, along with the Mayor's office.

Ms. Cleese added that she would like to see Mayor Rossi's bust moved back to where his cronies and mentors are. President Johnston acknowledged the many competing viewpoints about where each of the sculptures should be placed, and that he would like to see all the interested parties work collaboratively. He thanked her for coming to the meeting.

8. New Business

There was no further new business.

9. Reports and Announcements

Commissioner Hunter announced that Ms. Nemzoff was working with the San Francisco Unified School District on a series of posters that will go into the Market Street kiosks shortly. Ms. Nemzoff added that there will be a few large signed copies available.

Commissioner Zhao announced that he is working on a 13km artwork in Beijing and will miss several Commission meetings because he will be out of the country for several weeks.

Commissioner Melania announced that her company, Presidio Dance Theater, would hold its tenth anniversary gala on May 23.

10. Adjournment

There being no further business, the meeting was adjourned at 4:45 p.m.

4/30/08 spr/vk



<addariophoto@rcn.com>
06/02/2008 03:04 PM

To soft@sfgov.org
cc
bcc
Subject Atten: Chris Rustom Complaint # 08024

History: This message has been forwarded.

June 2, 2008

Re: SOFT Complaint # 08024 - Michael Addario v. SF Arts Commission

Dear Members of the Sunshine Ordinance Task Force,

This letter is in response to a May 27, 2008 letter submitted by the San Francisco Arts Commission in regards to SOFT complaint # 08024. I also reserved the right to present additional evidence when a hearing is scheduled regarding this complaint.

Background of the San Francisco Street Artist Program

The San Francisco Street Artists (SFSA) program is comprised of approximately 370 members; some as young as 18 to a large contingent of senior citizens well into their 70's. The membership includes men, women, straight, gay and transgender. Artists from every country in the world, of all colors, shapes, sizes and political stripes make up this eclectic group. Although the SFSA program is a city program, it is unique that it does not receive any funds from the city of San Francisco, is funded entirely from membership licensing dues, fully funds two city employee as staff, and is structured that the members lack any voting rights to directly steer their program, set policy, or advance their agenda.

Moreover, most SFSA program members are financial disadvantaged; some with compounding physical handicaps. One artist after having surgery to remove a tumor from his brain, is deaf, and reads lips to communicate with fellow members and customers. Another member is hearing impaired from birth. In addition we have ten disabled veterans in our program that the membership fully subsidizes their licensing. There is also a large Asian and Hispanic segment that has limited English language skills and survives by having fellow Street Artists translate rules, regulation and requirements for them. Some members are new immigrants to this country, who were traumatized by repressive regimes; and are hesitant and suspicious of any government authorities or their actions.

In addition, the San Francisco Street Artist program is under the administration of the San Francisco Art Commission and two art commissioners sit on the San Francisco Street Artist Program Committee board. Historically, all matters of a significant nature were heard at the SFSA program committee level before proceeding to the Full Arts Commission board for voting.

Although, SFSA members, at their own expense and initiative created two computer email trees; this means of communication only reaches approximately 35% of the members due to the lack of some member's computer access.

Additional Hardships imposed on SFSA members by Resolution 0407-08-096

In spite of the personal hardships several artists face, many members take a

keen interest in the SFSA program; its direction, and continual survival. Resolution 0407-08-096 would add another barrier to member's rights by stripping away half the amount of time and access that members, and the public, have to express their views or state their grievances before the SFSA program committee. In addition, Resolution 0407-08-096 could perceivably double the amount of time that a member cited with an infraction, or requested a new certificate, was able to have their case heard before the SFSA committee, thus depriving the member's and the public's right of due process in a timely manner.

Allegation: The San Francisco Art. Commission neglected to properly notify, receive input, and or criticism, from San Francisco Street Artists, regarding Resolution No. 0407-08-096

SOTF SEC.67.3. DEFINITIONS.

(b) "Meetings" shall mean any of the following:

(3) Any other use of personal intermediaries or communications media that could permit a majority of the members of a policy body to become aware of an item of business and of the views or positions of others members with respect thereto, and to negotiate consensus thereupon.

April 7, 2008
MEETING OF THE FULL ARTS COMMISSION
Monday, April 7, 2008
3:00 p.m.
City Hall Room 416

Minutes

President Johnston called the meeting to order at 3:08 p.m.

1. Street Artists Committee-Alexander Lloyd, Chair
1. In the absence of Commissioner Lloyd, Commissioner Melania reported that the Committee had held a lively meeting, discussing the possibility of using some of the temporary holiday spaces on a more permanent, year-round basis. Several street artists in attendance became increasingly argumentative. When order could no longer be maintained, Commissioner Lloyd adjourned the meeting early. Later, a fistfight broke out between some of the artists outside the meeting room. Program Director Howard Lazar will work with the artists to help them set up a committee to discuss issues among themselves, and then bring them to the Street Artists Committee.

Noting that the Committee's meeting schedule change has the support of staff, and that in practice, meetings are often cancelled, President Johnston presented the following motions.

2. RESOLUTION NO. 0407-08-095: Motion to approve requests by former certificate-holders for priority issuance of certificate with waiver of re-screening of wares: Barbara Zerbe, Canute Davis, Linda Pedersen, Michael Jamison, Salih Inci.
3. RESOLUTION NO. 0407-08-096: Motion to change the schedule of meetings of the Street Artists Committee from monthly to bimonthly, beginning with the meeting of May 14, 2008.

Source: http://www.sfgov.org/site/sfac_page.asp?id=78704

Please note above that "meeting schedule change has the support of staff" is a direct admission that staff had knowledge of - and their support of - Resolution No. 0407-08-096, and appears that a prima facie case can be made that staff was in discussion with members of the Art Commission about this issue. Nevertheless, these discussions were not held in public and this issue was never brought before the membership of the SFSA program or discussed at any SFSA program committee meeting.

Moreover, the Art Commission did not employ a good faith attempt to inform the majority or any member of the SFSA program of the existence and vote on Resolution No. 0407-08-096. In addition the Art Commission neglected to notify members in a timely manner and historical means of communications between the SFSA program office and the SFSA membership were not maintain or applied. Unlike traditional past changes to the program the Full Arts Commission bypassed the SFSA program committee for a hearing. In addition, in this incident, the Art Commission neglected to employ any public announcement that the membership would have been alerted to, when abundant ways of conveyance were available to them.

The Art Commission neglected to notify SFSA members of the propose Resolution No.0407-08-096 by NOT employing the following means that were used in the past and readily available to the San Francisco Art Commission and SFSA program staff:

- 1.) Email
- 2.) Justine Herman Plaza Google group
- 3.) San Francisco Street Artists Google group
- 4.) United States Postal Service
- 5.) Posting on Utility Poles at Street Artist Locations
- 6.) Phone
- 7.) Leaflets
- 8.) Notifying verbally any San Francisco Street Artist
- 9.) Notifying verbally any SFSA Lottery Committee Members
- 10.) Publishing in a local Newspapers
- 11.) Posting notice in areas where Street Artists would congregate
- 12.) Listing it in a agenda prior to the month that the item would be heard
- 13.) Notifying members in SFSA committee meeting a month prior to the vote would be taken
- 14.) Notifying members to submit written comments prior to the Resolution No. 0407-08-096 to be voted on

Furthermore, it would appear that in violation to SOTF Sec.67.16 the posted San Francisco Arts Commission's April 7, 2008 minutes are deficient. (...The minutes shall state the time the meeting was called to order, the names of the members attending the meeting, the roll call vote on each matter considered at the meeting) Said minutes, exclude a roll call indicating which San Francisco Arts Commissioner(s) voted for the Resolution No. 0407-08-096 and who dissented. Furthermore, the minutes do not inform the public or SFSA membership whether Resolution No. 0407-08-096 passed or failed.

In conclusion, it would appear that the San Francisco Art Commission made a calculated and concerted effort to shield the San Francisco Street Artists Program membership of the existence, and of the ramifications inherent with the passage of Resolution No. 0407-08-096. Therefore, I believe complaint # 08024 has merit - is under the Sunshine Ordinance Task Force jurisdiction - and request a hearing to bring the matter forward, to be adjudication before the honorable members of the Sunshine Ordinance Task Force.

Sincerely,

Michael Addario
San Francisco Street Artist #6075