

**APPROVED**

REPORT OF GENERAL MANAGER

NO. 13-103

DATE April 17, 2013

APR 17 2013

C.D. 15

**BOARD OF RECREATION  
& PARK COMMISSIONERS**

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: DENKER AND TORRANCE POCKET PARK – INSTALLATION OF MURAL

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
V. Israel \_\_\_\_\_

K. Regan \_\_\_\_\_  
\*M. Shull ms  
N. Williams \_\_\_\_\_

[Signature]  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve the installation of a mural, as described in the Summary of this Report, at Denker and Torrance Pocket Park; and
2. Authorize the Department to issue the appropriate Right-of-Entry permit.

SUMMARY:

Denker and Torrance Pocket Park is a 0.15 acre pocket park located at 1490 West Torrance Boulevard, in the Harbor Gateway community of Los Angeles. This pocket park is part of the 50 Parks Initiative and is being developed with site furnishings, playground equipment, irrigation and landscape and lighting.

Sharefest Community Development (Sharefest) is a non-profit organization which leverages a community's assets through creation of working coalitions with city leaders, schools, businesses and the faith community. Sharefest focuses on mentoring youth to develop leadership skills, fostering volunteerism in the community through service projects at specific points of influence including schools, parks and community programs, and establishing working coalitions referenced above.

Sharefest hosts an annual 'work day' - a community building day where thousands of volunteers are mobilized into the community to work on projects designed to meet tangible needs. Projects include painting, cleaning, planting, refurbishing, and beautifying schools, parks and public facilities all at no cost to project recipients.

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Workday 2013 will be held on May 4, 2013. Sharefest has proposed to install a mural at Denker and Torrance Pocket Park. The proposed design is attached hereto as Exhibit A. The design was conceived through an interactive process where children at 186<sup>th</sup> Street elementary school participated in a design competition. Those proposed designs were then compiled by a Sharefest staff muralist into a mural entitled 'The Seasons' and presented to the local community. The design features park appropriate features such as landscape, children, animals and adults. Sharefest anticipates more than one hundred (100) volunteers assisting with the installation of this mural.

The mural will be painted onto the interior (park-facing) side of the park perimeter wall and will cover the expanse of the wall. Anti-graffiti coating will be applied over the mural, when completed, to protect it from vandalism. Sharefest has signed a release waiver, attached hereto as Exhibit B, which at a minimum allows the Department of Recreation and Parks (Department) to remove or replace the mural at its own discretion if vandalized or not maintained to the Department's satisfaction. This will also be delineated in the Right-of Entry permit which will also provide for the mural's removal if it is not maintained. Removal of the mural is subject to the provisions of Federal and State law that require notice to artists prior to physical defacement, mutilation, alteration or destruction of works of fine art (17 U.S. Code 106A; California Civil Code section 987).

Department staff supports this mural application since, according to the Project for Public Spaces, 'research suggests that painting multi-colored designs or murals on surfaces will discourage graffiti, thereby making tagging more difficult. Such mural projects, especially when they involve local artists and high school students, have solved many graffiti problems.'

The mural design will also require approval by the Cultural Heritage Commission.

Staff has determined that the subject project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article VII, Section 1, Class 1 (1) of the City CEQA Guidelines.

The Council District 15 and Pacific Region management and staff support this project at Denker and Torrance Pocket Park.

### FISCAL IMPACT STATEMENT:

This project will not have a fiscal impact on the Department's General Fund as the mural will be funded through volunteer efforts and Sharefest.

This Report was prepared by Melinda Gejer, City Planning Associate, Planning, Construction and Maintenance Branch.

Exhibit A

Denker and Torrance Pocket Park Mural



Exhibit B

**Artist Waiver for Murals**

*Waiver of Proprietary Rights for Artwork Placed upon City Property*

The provisions of this paragraph shall apply to modify Artist's rights of attribution and integrity as set out in the Visual Artists Rights Act, 17 U.S.C. §§106A and 113(d) ("VARA"), the California Art Preservation Act, Cal. Civil Code §§ 987 and 989 ("CAPA"), and any rights arising under United States federal or state law or under the laws of another country that convey rights of the same nature as those conveyed under VARA and CAPA, as against the City of Los Angeles ("City") and its agents.

The City has the absolute right to change, modify, destroy, remove, relocate, move, replace, transport, repair or restore the [describe the artwork/project: mural, sculpture, etc. and medium]:

Denker Torrance Pocket Park Mural designed by 186th St. School students

Entitled [title of work]: The Seasons

And located at [identify site, including interior location if applicable]:

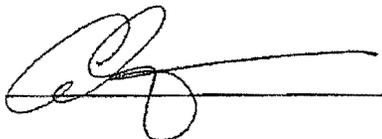
Torrance Blvd. and Denker

In whole or in part, in City's sole discretion.

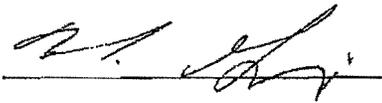
Artist's Address for Notice:

Sharefest Community Development | 3480 Torrance Blvd. Suite 110 | Torrance, CA 90503

Artist bears the sole responsibility for providing the City with any changes to the Artist's Address for Notice. Notice of changes must be mailed to the Department of Recreation and Parks, Planning, Construction and Maintenance Branch, 221 N. Figueroa Street, Suite 100, Los Angeles, CA 90012.

  
\_\_\_\_\_  
Artist Signature/Date

4/10/13

  
\_\_\_\_\_  
Recreation and Parks Signature/Date

4/16/13