

## **LACVAC Recommendation #1**

**WHEREAS**, California Vehicle Code 12811 provides a mechanism between the U.S. Department of Veterans Affairs, Department of Motor Vehicles and the California Association of County Veterans Service Officers to acknowledge verification of veteran status;<sup>1</sup>

**WHEREAS**, A veteran may obtain a California driver's license and/or identification card with the word "VETERAN" printed on the card after meeting with a County Veteran Service Officer and submitting proof of such meeting to the Department of Motor Vehicles;

**WHEREAS**, Section 641 of the National Defense Authorization Act for Fiscal Year 2022 provides active-duty service members, military veterans and Gold Star Family members with free lifetime access to national parks and federal recreational lands;<sup>2</sup>

**WHEREAS**, California Public Resources Code Section 5011.5 entitles veterans, under specified criteria, who are also state residents, to a pass which permits free use of all facilities, including boat launching facilities, in units of the state park system;<sup>3</sup>

**WHEREAS**, the City and County of San Francisco passed Ordinance 238-21 on December 14, 2021 which reduces or eliminates fees for admission to and use of certain facilities on park property for veteran and active members of the United States Armed Forces;<sup>4</sup>

**WHEREAS**, the Los Angeles County Veterans Advisory Commission received a briefing from LA County Department of Parks and Recreation and discussed the issue of free veteran access to Parks and Recreation facilities on January 12, 2022;<sup>5</sup> and

**WHEREAS**, the Los Angeles County Veterans Advisory Commission received a briefing from LA County Department of Beaches and Harbors and discussed the issue of free veteran access to Beaches and Harbors facilities on February 9, 2022;<sup>6</sup>

### **THEREFORE, BE IT RESOLVED, ON NOVEMBER 16, 2022:**

Los Angeles County Veterans Advisory Commission recommends that the Los Angeles County Board of Supervisors implement a comprehensive program that provides military veterans with free parking and admission to County-owned or operated public lands. Examples include, but are not limited to, parks, nature centers and gardens, golf courses, recreation areas, fitness, aquatic and outdoor facilities, theatres, stages, museums, and beaches. Veterans would be required to furnish a valid California identification card and/or driver's license with "VETERAN" designation to qualify for such incentives. The Veterans Advisory Commission understands that certain exceptions would be necessary, for example leased events, but encourages the Board to adopt an ordinance bringing the County of Los Angeles closer to existing federal and local government programs regarding free veteran access to public lands.

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<sup>1</sup> [California Vehicle Code 12811](#)

<sup>2</sup> [S. 1065 – National Defense Authorization Act for Fiscal Year 2022](#)


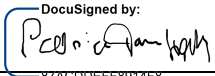
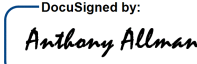
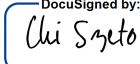
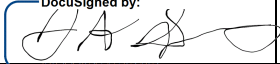
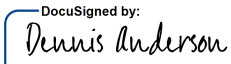
<sup>3</sup> [California Park Resources Code Section 5011.5](#)

<sup>4</sup> [County of San Francisco Ordinance 238-21](#)

<sup>5</sup> [LA County Veterans Advisory Commission meeting on January 12, 2022](#)

<sup>6</sup> [LA County Veterans Advisory Commission meeting on February 9, 2022](#)

## Los Angeles County Veterans Advisory Commission Recommendation Signature Page

<b>SD 1 Commissioner Joe Leal</b>		
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**Los Angeles County  
Veterans Advisory Commission  
Recommendation #2**

**WHEREAS**, on January 3, 2023, the Los Angeles County Veterans Advisory Commission conducted a Special Meeting to discuss concerns raised by a veteran constituent of Supervisorial District 3 regarding Metro’s artist selection for the “Westwood / VA Hospital” Station as part of the Purple Line Extension Project;<sup>1</sup>

**WHEREAS**, on January 18, 2023, the Los Angeles Times published “Veterans claim anti-vet bias in Metro’s choice of muralist for a new VA station” outlining Metro’s controversial selection of artist Sandow Birk;<sup>2</sup>

**WHEREAS**, on the same day, the Los Angeles County Veterans Advisory Commission conducted a Regular Meeting and received a briefing by Metro officials regarding artist selection and station naming for the “Westwood / VA Hospital” Station;<sup>3</sup>

**WHEREAS**, during the briefing, Metro shared that it had contacted Metro’s Veterans Program, the U.S. Department of Veterans Affairs and Los Angeles County Department of Military Affairs about the [Call to Artists – 2020 Artist Pool Request for Qualifications \(RFQ\)](#);<sup>4</sup>

**WHEREAS**, Metro did not quantify the number of engagements with veterans community stakeholders regarding the Call to Artists – 2020 Artist Pool RFQ;

**WHEREAS**, it is the opinion of the Los Angeles County Veterans Advisory Commission that sharing information internally or with other government agencies tasked with serving veterans does not constitute meaningful outreach to the Los Angeles veterans community;

**WHEREAS**, Metro claimed it “sent emails to the Purple/D Line project stakeholder e-blast list of nearly 8,000 people” regarding the artist solicitation;<sup>5</sup>

**WHEREAS**, after reviewing past emails of the Purple/D Line project stakeholder list<sup>6</sup>, the Los Angeles County Veterans Advisory Commission found no notices regarding the Call to Artists – 2020 Artist Pool RFQ.<sup>7</sup>

**WHEREAS**, of the over 1,500 respondents, Metro could not quantify the number of veteran applicants to the Call to Artists – 2020 Artist Pool RFQ;<sup>8</sup>

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<sup>1</sup> [LACVAC Special Meeting on January 3, 2023](#)

<sup>2</sup> [LA Times. “Veterans claim anti-vet bias in Metro’s choice of muralist for a new VA station.” January 18, 2023.](#)

<sup>3</sup> [LACVAC Regular Meeting on January 18, 2023](#)

<sup>4</sup> [LACVAC Regular Meeting on January 18, 2023 at 49m 34s](#)

<sup>5</sup> Id

<sup>6</sup> Note: Purple Line stakeholder list defined as emails originating from purplelineext@metro.net

<sup>7</sup> Note: Metro shared it had attended the U.S. Department of Veterans Affairs Veterans Creative Arts Festival on [3/4/20](#). Metro also shared notices regarding the Veterans Legacy Art Project solicitation, independent of the Call to Artists – 2020 Artist Pool RFQ, on [6/4/21](#), [8/20/21](#) and [8/23/21](#).

<sup>8</sup> [LACVAC Regular Meeting on January 18, 2023 at 1hr 4m 33s](#)

**Los Angeles County  
Veterans Advisory Commission  
Recommendation #2**

**WHEREAS**, on May 3, 2022, Metro published a press release announcing results of the Sections 2 & 3 artist selection process;<sup>9</sup>

**WHEREAS**, none of the artists selected for the “Westwood / VA Hospital” Station are veterans;<sup>10</sup>

**WHEREAS**, of the 10-person community-based peer review panel for Sections 2 & 3, only one member was identified as a veteran and another as a veteran family member;<sup>11</sup>

**WHEREAS**, after reviewing weekly updates of the Purple/D Line project stakeholder list since the May 3, 2022 artist selection announcement, the Los Angeles County Veterans Advisory Commission found no notices provided to the public regarding opportunities to participate in Metro commissioned art projects related to the “Westwood / VA Hospital” Station;<sup>12</sup>

**WHEREAS**, on December 7, 2022 at 6:35pm, Metro Art sent an email announcement for an artist engagement event less than 24 hours prior to start time (and the event was limited to 50 attendees);<sup>13</sup>

**WHEREAS**, as of January 27, 2023, Metro Art’s calendar of events tagged as relevant to the Purple (D Line) Extension Transit Project included community engagement events for artist Sandow Birk but no other events for artists associated with the “Westwood / VA Hospital” station or other stations along the Purple D Line;<sup>14</sup>

**WHEREAS**, it is the opinion of the Los Angeles County Veterans Advisory Commission that public art commissioned by Metro must be conducted in a way that is fully transparent and accessible to the communities of Los Angeles;

**WHEREAS**, the Los Angeles County Veterans Advisory Commission submits that veterans are the primary stakeholder audience concerning the “Westwood / VA Hospital” station;

**WHEREAS**, Metro has inappropriately identified the station location as “Westwood,” a name that does not conform to the public’s perception of Westwood’s boundaries or The City of Los Angeles Westwood Neighborhood Council Map;<sup>15</sup>

**WHEREAS**, Metro is currently constructing the “Westwood / VA Hospital” station on land donated to the federal government in 1888 “to locate, establish, construct, and permanently

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<sup>9</sup> [Metro. “L.A. Metro announces artists commissioned to create site-specific artwork for the Purple \(D Line\) Extension Transit Project.” May 3, 2022.](#)

<sup>10</sup> [LACVAC Regular Meeting on January 18, 2023 at 1hr 4m 10s](#)

<sup>11</sup> [LACVAC Regular Meeting on January 18, 2023 at 1hr 3m 57s](#)

<sup>12</sup> [Exhibit A: Weekly updates of the Purple/D Line project stakeholder list from May 3, 2022 – January 23, 2023](#)

<sup>13</sup> [Metro Art email newsletter from December 7, 2022](#)

<sup>14</sup> [Exhibit B: Metro Art Calendar of Events from May 3, 2022 – January 31, 2023](#)

<sup>15</sup> [Exhibit C: City of Los Angeles Westwood Neighborhood Council Map](#)

**Los Angeles County  
Veterans Advisory Commission  
Recommendation #2**

maintain a branch” of the National Home for Disabled Volunteer Soldiers west of the Rocky Mountains;<sup>16</sup>

**WHEREAS**, the 50<sup>th</sup> Congress first bestowed the name “Pacific Branch” in reference to the property while appropriating \$90,000 to maintain and enlarge the facility in 1888;<sup>17</sup>

**WHEREAS**, on November 19, 2014, the “Pacific Branch” was listed on the U.S. Department of the Interior National Park Service National Register of Historic Places (NRIS Reference Number: 14000926);<sup>18 19</sup>

**WHEREAS**, on June 22, 2022, the Veterans and Community Oversight and Engagement Board (VCOEB) voted to adopt a recommendation to the U.S. Secretary of Veterans Affairs requesting that Metro “refer to the planned Metro Station on campus as the ‘Pacific Branch / VA Hospital’ station.”<sup>20</sup>

**WHEREAS**, the Los Angeles County Veterans Advisory Commission joins the VCOEB in requesting that Metro rename the station “Pacific Branch / VA Hospital” in an attempt to raise awareness of the VA campus’ unique history as the Pacific Branch of the National Home for Disabled Volunteer Soldiers.

**THEREFORE, BE IT RESOLVED, ON FEBRUARY 15, 2023:**

Los Angeles County Veterans Advisory Commission recommends that the Los Angeles County Board of Supervisors, acting in their official capacity as permanent members of the Los Angeles County Metropolitan Transportation Authority Board of Directors, take a leadership role in advocating for the following reform efforts:

1. Metro will hire or contract a third party with cultural competency in both the military veteran community and arts development to assist with public outreach for the duration of the “Westwood / VA Hospital” station construction.
2. Metro Art will adopt a new policy that incorporates public scoping meetings prior to engaging in artist selection by community-based peer review panels. The scoping meetings should be conducted on a station-by-station basis giving various communities an opportunity to provide ideas that best represent their unique cultural identity. Public comments can be incorporated into existing artist selection procedures<sup>21</sup> with the goal of producing conceptual art submissions that resonate with communities served by Metro.

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<sup>16</sup> [Transcription of recorded deed between John P. Jones and Arcadia B. Baker and NHDVS. March 3, 1888.](#)

<sup>17</sup> [Statutes at Large of the United States of America from December 1887 to March 1889, etc.](#)

<sup>18</sup> [NPS National Register of Historic Places Listing Record: West Los Angeles Veterans Affairs Historic District](#)

<sup>19</sup> [NPS website. “Pacific Branch: Los Angeles, California.”](#)

<sup>20</sup> [Reading and discussion of Recommendation 17-03 at the 17<sup>th</sup> VCOEB meeting](#)

<sup>21</sup> [Note: Call to Artists – 2020 Artist Pool – Review Process guidelines state: “When short-listed, artists will be provided relevant project information and a stipend to present proposals for evaluation by a community-based peer review panel](#)

**Los Angeles County  
Veterans Advisory Commission  
Recommendation #2**


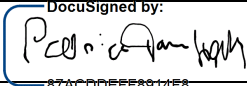
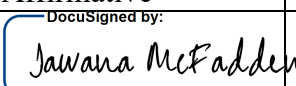
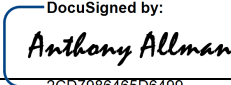
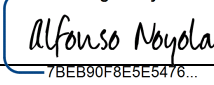
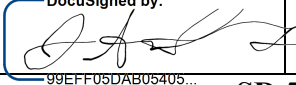
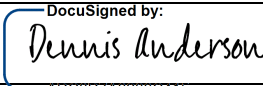
3. Metro Art will adopt a new policy that all opportunities to participate in Metro commissioned art projects, including artist-directed community engagement events, will be distributed to the public stakeholder list for each line at least 14 days in advance.
4. Any Metro Art projects that have been completed, or in the process of being installed, should be subject to a review based on proposed Recommendations 2 & 3 above.
5. Metro will work with veterans community stakeholders to identify and schedule opportunities for additional artist engagement events.<sup>22</sup>
6. Metro will donate any completed art projects for the “Westwood / VA Hospital” station to the Los Angeles County Department of Military and Veterans Affairs, VA West Los Angeles Medical Center, any of the Permanent Supportive Housing programs on campus or any other veteran serving organizations.<sup>23</sup>
7. Metro will brief all final conceptual renderings prior to production of art for the “Westwood / VA Hospital” Station to the following veteran groups (at a minimum): VCOEB, Los Angeles Regional Community Veteran Engagement Board, The California Veterans Board, Los Angeles County Veterans Advisory Commission and the City of Los Angeles Mayor’s Military Veteran Advisory Council.
8. Metro Art will create a paid artist-in-residence program exclusively for veterans that aims to enable veteran artists to become qualified for inclusion in Metro, and other public agency, artist pools. Veteran artists will have an opportunity to showcase their art, or artworks, in an annual rotating exhibit at Bob Hope Patriotic Hall where it will be moved to the “Westwood / VA Hospital” station once it becomes operational.
9. Metro will rename the “Westwood / VA Hospital” station “Pacific Branch / VA Hospital” or begin the public engagement process to announce a new station name by November 11, 2023.
10. Metro will initiate a new selection process to identify an artist with cultural sensitivity to the often traumatized and vulnerable veteran population that will receive care at VA West Los Angeles. Sandow Birk's prior exhibit "Depravities of War" demonstrates this artist is, in fact, culturally biased against U.S. troops and veterans. Metro’s current selection runs the risk of exposing veterans to re-traumatization, and it is the Commission's urgent recommendation a new artist is selected to replace Sandow Birk.

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<sup>22</sup> [LACVAC Regular Meeting on January 18, 2023 at 1 hr 8m](#)

<sup>23</sup> [LACVAC Regular Meeting on January 18, 2023 at 58m](#)

## Los Angeles County Veterans Advisory Commission Recommendation Signature Page

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## Commissioner Szeto

1. Please provide a breakdown of targeted outreach activities to the veteran community regarding artist solicitation for interior station art at Westwood/VA Hospital Station.

The Artist Call for the 2020 Metro Artist Pool was targeted to artists, including veterans who are artists, to be used for all Metro art opportunities across the region for up to 5 years, including the Westwood/VA Hospital Station. See list attached.

2. Who provided veteran representation on the artist review panel?

A ten-person art panel of community stakeholders, which included a veteran and a veteran's family member, selected the artists for the Wilshire/Rodeo, Century City/Constellation, Westwood/UCLA and Westwood/VA Hospital Stations.

The veteran representative was artist, Michael Amescua, appointed in consultation with the VA.

3. Please provide a list of organizations that have been consulted specific to the artist solicitation for interior station art at the Westwood/VA Hospital Station?

See attached list (same as Question #1). Public engagement for the art in the station is ongoing. Recent past events with the interior stations artists have included an art making workshop for veteran residents at VA whose artwork will be included in the final artwork design for the station, read more:

<https://thesource.metro.net/2022/07/29/vaworkshop-metroart/>

An “urban sketching workshop” in the local area followed by an online artist talk, both in collaboration with the Brentwood Art Center, who provide free arts programming to veterans at the West LA VA.

In addition to the station artworks, community-based arts organization Piece by Piece has been hosting a series of hands-on art workshops engaging veterans and community members that recently received national recognition, read more:

<https://thesource.metro.net/2022/11/11/veteranslegacyworkshops/> and <https://art.metro.net/artworks/veteranslegacy/>

Upcoming: Metro will be holding a *Meet the Artists* event for the Westwood/VA Hospital Station and members of the public will have a chance to respond to the artworks in progress.



Sign up for Metro Art's at [Metro.net/art](https://metro.net/art) to stay up to date with artist opportunities, workshops and public programs.

### **Commissioner McFadden**

1. Was there consideration to have military members (or veteran service members) participate in the nomination?

A ten-person art panel of community stakeholders, which included a veteran and a veteran's family member, selected the artists for the Wilshire/Rodeo, Century City/Constellation, Westwood/UCLA and Westwood/VA Hospital Stations.

The veteran representative was artist, Michael Amescua, appointed in consultation with the VA.

2. For this station specifically, could it be adjusted to support a community member that meets the veteran/service-member requirements?

There is no requirement for the artist to be a veteran/service member. The Westside Purple (D Line) Extension Project is federally funded and the artist selection was open to all people legally authorized to work in the United States.

Metro has worked with veterans and veterans' service organizations to ensure that the artwork at the Westwood/VA Hospital Station is reflective of the local environment, considering the people and places that will be served and connected by the future station. Artworks for the station include an abstract artwork reflective of the environment around the station, a collage of iconic architecture and natural flora that includes artworks by veterans created through a mentorship process, a panoramic landscape of the history of the area that includes historic and present-day buildings on the VA campus, and monumental scale portraits of veterans honoring their pre-military, military and post-military lives.

3. What was the criteria used to select Mr. Birk? Was his previous works taken into consideration?

The station artwork proposals included a design concept and preliminary community engagement plan. The art panel evaluated the proposals based on artistic merit and relevance to the station. The highest-ranking proposals were recommended for the commissions.

Birk submitted images of his recent public art commissions; he did not include artworks from his private gallery art portfolio. The *Depravities of War* series from 2007 was not in his application.

4. Can we establish a review board, counsel, etc. to consider the artist for this station

Currently, the artists are under contract and artworks are underway to meet the project delivery schedule. Metro will be holding a Meet the Artists event for the Westwood/VA Hospital Station and members of the public will have a chance to respond to the artworks in progress. If there are concerns about the artwork designs, Metro will work with the public and the artist to address these concerns.

### Commissioner Allman

1. Metro's press release from May 3, 2022 included individuals as part of the artist review panel for the Purple (D Line) Extension Transit Project. Which of the following panelists served in the U.S. Armed Forces? See highlighted name.
  - a. Arthur Lewis, Creative Director, United Talent Agency Artist Space;
  - b. Anna Sew Hoy, Chair, UCLA School of the Arts and Architecture, Department of Art;
  - c. Cate Thurston, Associate Curator, The Skirball Cultural Center;
  - d. Connie Butler, Chief Curator, The Hammer Museum at UCLA;
  - e. Jean Tardy-Vallernaud, Founding Chair, Century City Arts Council;
  - f. Ken Gonzales-Day, artist;
  - g. LeRonn P. Brooks, Associate Curator, The Getty Research Institute;
  - h. Michael Amescua, artist;
  - i. Stephanie Vahn, Chair, Beverly Hills Arts and Culture Commission; and
  - j. Thao Nguyen, Art and Design Agent, Creative Artists Agency.
2. Have any of the following artists selected for art projects at the Westwood/VA Hospital station served in the U.S. Armed Forces?
  - a. Sandow Birk
  - b. Victoria Fu + Matt Rich
  - c. Francesco Simeti
  - d. Eloy Torrez

No, there is no requirement for the commissioned artist to have served in the U.S. Armed Forces. The Westside Purple (D Line) Extension Project is federally funded and the artist selection was open to all people legally authorized to work in the United States.

3. How many artists were identified as veterans in the initial pool of applicants for consideration?

There is no requirement for the commissioned artist to have served in the U.S. Armed Forces. The Westside Purple (D Line) Extension Project is federally funded and the artist selection was open to all people legally authorized to work in the United States.

Information on whether an artist has served in the U.S. Armed Forces was not collected for the Artist Pool solicitation.

4. Did Metro, or the artist review panel, take into consideration previous exhibits from prospective artists that were not submitted as part of the application process?

No, to ensure Metro procurements are fair and equal, the panel can only review the submitted materials.

5. What is the process to name a Metro Station?

Metro's station naming process/policy is here: <https://www.metro.net/about/station-naming/>

6. What is the process to rename a Metro Station? Has Metro ever renamed a station in its history, before or after the station reaches operational status?

Marlon Walker, Manager, Metro Construction Relations, is looking into this and will respond when he has further information.

7. Does Metro have the authority to modify Metro-commissioned artwork selections prior to or after installation? If so, under what conditions?

Currently, the artists are under contract and artworks are underway to meet the project delivery schedule. Metro will be holding a *Meet the Artists* event for the Westwood/VA Hospital Station and members of the public will have a chance to respond to the artworks in progress. If there are concerns about the artwork designs, Metro will work with the public and the artist to address these concerns.

8. What was the total art budget for the Purple Extension Transit Project? Please provide a breakdown by station and percentage of budget expenditures to date.

Artist contracts for for the Wilshire/Rodeo, Century City/Constellation, Westwood/UCLA and Westwood/VA Hospital Stations range from \$70,000 to \$149,000 depending on the scope and scale of the artwork opportunity.

Please see the Metro Art Program Policy on the Metro Art at [Metro.net/art](https://metro.net/art) for more information.

9. Why was the Brentwood Art Center event “Conversations on Art: Sandow Birk” limited in capacity when it was a virtual streaming event? Was Metro aware of the limited capacity prior to the event and, if so, why did not advocate for a more open forum?

The artist collaborated with the Brentwood Art Center, a local arts and culture institution who provides free arts programming to veterans at the West LA VA. The Brentwood Art Center hosted the event and capped attendance as they typically do for their virtual artist talks. The event was recorded and posted online.

10. Controversial images from Mr. Birk’s “Depravities of War” exhibit no longer appear on the artist’s website or have been edited. Has Metro communicated (email, phone, video conference, etc) with Mr. Birk at all since December 9, 2022? If so, did Metro suggest that the artist alter or censor his work?

Metro was unaware the artist had made changes to his website until viewing the recording of the January 3, 2023 Veterans Advisory Commission Meeting where it was brought up.

11. What is the review process before finalizing production of art commissioned by Metro? Are there drafting or production schedules outlined in the artist’s contract? If so, can you please provide the current schedule for Westwood/VA Hospital station?

The Westside Purple (D Line) Extension Project schedule is online:  
<https://www.metro.net/projects/westside/>

Currently, the artists are under contract and artworks are underway to meet the project delivery schedule. Metro will be holding a Meet the Artists event for the Westwood/VA Hospital Station and members of the public will have a chance to respond to the artworks in progress. If there are concerns about the artwork designs, Metro will work with the public and the artist to address these concerns.

**Commissioner Anderson**

1. Did Metro consider the media optics, nationally and in Los Angeles, if Mr. Birk's earlier work came to light? In other words, has anyone in selection, taking into consideration the nominated artists "Depravities of War" public art display, asked themselves "How would this look on Fox News?" Or, even the Los Angeles Times, and then, Fox News.

Birk submitted images of his recent public art commissions, he did not include artworks from his private gallery art portfolio. The *Depravities of War* series from 2007 was not in his application.

2. Did the artist selection panel consider the potential for traumatizing veterans by selecting an artist whose body of work attempts to illustrate commonality between military veterans ("Hero") and suicide bombers ("Hero 2")?

The art panel did not review this body of work in the artist's application.

3. I add that in the Brentwood Art Center presentation the artist's choices of a Navy dirigible ("USS Los Angeles") and the old Pueblo of Los Angeles to be risible as a theme aligned with what the artist called a military audience. Really?

Metro will be holding a Meet the Artists event for the Westwood/VA Hospital Station and members of the public will have a chance to respond to the artworks in progress. If there are concerns about the artwork designs, Metro will work with the public and the artist to address these concerns.