

# Art in Public Places Policy & Guidelines Manual

## EXHIBIT A

### 1. INTENT & FORMAT

#### **SEC. 5809-24-B DEFINITIONS**

*“Art in Public Places Policy and Guidelines Manual (or the Manual): A manual approved by resolution of the City Council that contains submittal requirements; guidelines for the selection of artists, artwork and locations for public artworks; and application procedures for the provision of Public Art”*

#### **SEC. 5809-24-H- CRITERIA FOR ARTIST SELECTION, ARTWORK SELECTION, AND GUIDELINES FOR PLACEMENT OF PUBLIC ART**

*“Criteria for the selection of an artist or artist design team, selection of the location for the public artwork and criteria for approval of artwork shall be established in the Manual approved by resolution of the City Council.”*

This is a manual approved by resolution of the City Council of the City of Pomona that is intended to clarify and implement the provisions contained in Section .5809-24 of the Pomona Zoning Ordinance, “Art in Public Places.” Sections of the code have been excerpted in call-out boxes, and then clarified, for ease of reference. The City Council authorizes the City Manager to promulgate minor clarifications to existing policies or guidelines in this Manual as necessary to clarify conformance with Section .5809-24 of the Pomona Zoning Ordinance, in consultation with the Cultural Arts Commission. This includes establishing policies or guidelines as necessary for donations of public artwork or donations of funds for the purpose of providing public artwork.

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## 2. DEFINITION & LOCATION

### SEC. 5809-24-B DEFINITIONS

*“Public Art: Any permanent display of a work of visual art that was specifically designed to be located on a site where it would be accessible to public view on private or public property within the City of Pomona. Public Art may include, but need not be limited to, sculpture, murals, mosaics, fountains, stained glass, and earthworks.”*

The following additional definitions clarify the definition of **Public Art** and are intended to provide guidance on work(s) of art and locations for such work(s).

**Artist:** An individual, collective, non-profit organization, educational institution, or other entity that is qualified to create Work(s) of Art. Youth artists are ages 5 to 25.

**Work(s) of Visual Art:** Any type of original art created primarily for visual perception, temporary or permanent in nature, excluding art as advertisement, mass-produced replicas, or architect-designed elements.

**Permanent Display:** A durable physical surface, or a physical location, to showcase Work(s) of Art that can be accessed by the general public without geographical, physical, legal, or fiscal constraints.

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### 3. ELIGIBLE EXPENSES

#### SEC. 5809-24-F-1-A PLACEMENT OF AN APPROVED PUBLIC ART ON THE PROJECT SITE

*"The Applicant may decide to place an approved Public Art on a private development site. The Public Art, and all eligible expenditures associated with installation of the Public Art (as described in the Manual), shall be in an amount equal to or in excess of the Public Art Allocation."*

#### SEC. 5809-24-F-2-B- USE OF IN-LIEU CONTRIBUTIONS

*"Use of In-lieu Contributions shall comply with the following: i. In-lieu Contributions shall be used for the acquisition and installation of Public Art on public or private property in the City, except that up to 1/3 of the In-lieu Contribution may be used for maintenance of the proposed Public Art or an existing Public Art that is listed on the City's registry of Public Art. ii. In-lieu Contributions may be aggregated with other funds contained in the Public Art Fund for the purpose of providing a single qualifying Public Art project." Procedures for use of In-lieu Contributions to provide Public Art shall be established in the Manual."*

The following additional definitions clarify the phrase "the acquisition and installation of public art."

**Acquisition:** Facilitating the installation of public art by an individual, collective, non-profit organization, educational institution, or other entity.

**Installation:** The necessary steps required to execute and finalize public art.

The following line items may be expended by a private developer for Public Art to be placed on private property, or by the City for the acquisition and installation of Public Art from the Public Art Fund. Percentage thresholds can be applied on an individual basis and/or in establishing an annual Public Art Fund expenditure budget. If a proposed line item is not listed below, it is ineligible, unless otherwise approved by the Cultural Arts Commission.

#### A. Acquisition

- a. (up to 20%) Administration Fees, that may include, but are not limited to, individuals, collectives, non-profit organizations, or other qualified professionals working specifically on an individual project or program within the Public Art Fund.
- b. (up to 5%) Stipends for Artists asked to provide additional conceptual renderings or revisions of proposed artwork.

#### B. Installation

- a. The work of art itself.
- b. Transportation, installation, and exhibition.
- c. Lighting.
- d. Identification.

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- e. Permits, insurance coverage.
- f. Other materials integral to the creation of the work of art.
- C. Maintenance, up to 33%

## 4. ARTIST SELECTION

### SEC. 5809-24-H- CRITERIA FOR ARTIST SELECTION, ARTWORK SELECTION, AND GUIDELINES FOR PLACEMENT OF PUBLIC ART

*"Criteria for the selection of an artist or artist design team, selection of the location for the public artwork and criteria for approval of artwork shall be established in the Manual approved by resolution of the City Council."*

#### A. Calls for Artists

Artists, including youth artists, will be selected for funding from the Public Art Fund through the Call for Artists process. Calls for Artists may be for the acquisition or installation of public art, or both. Calls for Artists will be open to any prospective Artist and will specify criteria specific to the project. The Cultural Arts Commission may establish a pre-qualified list of artists to expedite future funding, and may also invite specific artists to submit proposals, though in no event should a Call for Artists be limited to inviting only a single artist.

Artists are required to submit the following to the City of Pomona as part of a response to a Call for Artists (additional items may be requested as needed):

1. Current resume or organizational history.
2. Portfolio of past work(s) of art.
3. Narrative statement on their understanding of the spatial and cultural context of the proposed location, ability to meet deadlines and budget constraints, and any experience with displaying works of art for access by the general public.

#### B. Review of Submittals

The following criteria will be used by the Cultural Arts Commission and - selecting a submittal by an Artist for the acquisition and/or installation of Public Art funded by the Public Art Fund (additional criteria may be added as needed):

1. The Artist's experience in the creation of works of art on display in public.
2. The Artist's willingness to engage in the spatial and cultural context of their surroundings in the creation of the work of art.
3. The Artist's ability to meet deadlines and budget constraints.

#### C. Award

Selected submittals will be awarded Public Art Fund dollars, either through a direct award, or through an award agreement (sample included as **Attachment A**), depending on the amount

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of the award, and at the discretion of the Development Services Director. Agreements shall include a disbursement schedule and reporting requirements. All awards shall be approved by Resolution. Artists requested to revise their submittals may be issued a stipend to cover expenses related to the preparation of such revisions.

## 5. ADVISORY COMMITTEE

**The primary duties of the Advisory Committee shall include:**

1. Review and approval of the Conceptual Design Plan application for the placement of public art on private property by a private applicant.
2. Review and recommendation to Commission for Original Artwork Murals.
3. Review and recommendation to Commission for Calls for Artists, as needed.

The Advisory Committee shall be formed as an ad-hoc committee of the Cultural Arts Commission, by the Cultural Arts Commission.

### Formation:

The Ad-hoc Advisory Committee shall consist of four community members who have a background as an artist or arts professional, consisting of a minimum of five years experience. All members of the Advisory Committee shall reside in or own a business in the City, or be on the board or an employee of a non-profit organization based in the City of Pomona.

### Convening the Committee:

The Ad-hoc Advisory Committee shall be convened as needed to fulfill one or more of the Primary Duties outlined above. The convening will be facilitated by a City Staff member at City Hall, or equally publicly accessible location. City Staff will issue Minutes for all ad-hoc Advisory Committee meetings, which shall be reported out and approved at the next scheduled Cultural Arts Commission meeting.

### Appointment and Term:

The Cultural Arts Commission shall form the Ad-hoc Advisory Committee. At no point should the Ad-hoc Advisory Committee convene with fewer than three members and shall not consist of more than four members. The Ad-hoc Committee Application Process shall be conducted every 12 months. If a vacancy arises within the 12 month period, the Cultural Arts Commission shall select replacements from the application pool.

Other City staff, as may be appropriate, shall serve as resource persons to the Advisory Committee as deemed appropriate by the City Manager or her/his designee.