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# CITY OF POMONA COUNCIL REPORT

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September 18, 2023

To: Honorable Mayor and Members of the City Council

From: James Makshanoff, City Manager

Submitted By: Anita D. Gutierrez, Development Services Director

**SUBJECT: APPROVAL OF AN AMENDMENT TO THE ART IN PUBLIC PLACES  
MANUAL TO REVISE THE FORMAT OF THE CULTURAL ARTS  
CITIZEN ADVISORY COMMITTEE**

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## **RECOMMENDATION:**

It is recommended that the City Council adopt the following resolution:

**RESOLUTION NO. 2023-163 – A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN  
AMENDMENT TO THE ART IN PUBLIC PLACES POLICY AND  
GUIDELINES MANUAL**

## **EXECUTIVE SUMMARY:**

This proposed amendment is being brought forward based upon input from the Cultural Arts Commission, the Citizens Advisory Committee (“Committee”), and staff over the past five years. The recommended change would reformat the Committee to an Adhoc Committee to be convened on an as-needed basis. The amendment will significantly streamline the review of public art proposals while directly centering local artist reviews in future Call for Artist processes.

## **FISCAL IMPACT:**

There will be no fiscal impact associated with the approval of this amendment.

## **PREVIOUS RELATED ACTION:**

On December 5, 2011, the City Council adopted Section .5809-24 of the Pomona Zoning Ordinance establishing the Art in Public Places Program (“AIPP”) and Resolution No. 2011-150 adopting the AIPP Manual. On March 5, 2012, the City Council adopted Resolution 2012-350 to clarify the Citizen’s Advisory Committee eligibility requirements. On June 21, 2021, the City

Council adopted Resolution 2021-1495, comprehensively updating procedures in the Art in Public Places Manual.

## **DISCUSSION:**

The Art in Public Places Program was established by the City in 2011. It was accompanied by an Art in Public Places Manual that established additional procedures and criteria that were called out in the ordinance. The AIPP Manual has since been updated twice. Staff and the Cultural Arts Commission have identified opportunities for further improvement of the Art in Public Places Program by modifying the makeup and format of the Committee.

This proposed change is a culmination of both Commission feedback and the Planning Division's experiences staffing the Committee over the past five years. The staff has struggled to establish a clear role for artists on the Committee, as the Committee also consists of three Council-appointed Cultural Arts Commissioners, and the procedure for recommending approval often can become a duplicative process that requires more staffing and resources, and can create confusion among the local artist community.

Staff believes that the intent of the Committee, as identified in the AIPP Manual, should remain intact but that establishing a new procedure for seeking local artist input would dramatically improve the Public Art Fund project and program identification process.

The current ordinance refers to an "Advisory Committee of the Commission," which is responsible for reviewing Conceptual Design Plans for original artwork and Original Artwork Murals.

The AIPP Manual further outlined details for this committee, as follows (from Attachment 1):

*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.*
- 2. Making recommendations to the Cultural Arts Commission on use of public art projects for acquiring and locating public art on a property through the Call for Artists process.*

*Members of the Advisory Committee shall be appointed by the Cultural Arts Commission as follows: Appointment and terms of office:*

- 1. The Advisory Committee shall consist of the following seven voting members*
  - a. Three members of the Cultural Arts Commission;*
  - b. Four community members at least three of whom have a background as an artist or arts professional*
- 2. All members of the Advisory Committee shall reside in or own a business in the City, or be employed in the City, or be on the board or active member of a non-profit organization based in the City of Pomona.*
- 3. The terms of office for members of the Advisory Committee shall be for a two-year period.*

*4. Any vacancy that occurs before expiration of a term shall be appointed by the Cultural Arts Commission for the unexpired portion of the term.*

*5. The Advisory Committee shall appoint a chairperson.*

*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*

As neither the Ordinance nor Manual requires the Committee to be a separate, Brown Act hearing body, Staff recommends that this Committee format be modified to be executed as an Ad-Hoc Advisory Committee of the Cultural Arts Commission, consisting of four local artists, with the primary duties consisting of Conceptual Design Plan review, Original Artwork Mural review, and Call for Artists review. The Cultural Arts Commission would remain responsible for reviewing and approving applications annually for artists to join this Committee.

On June 26, 2023, the Cultural Arts Commission considered Staff recommendations as presented herein to modify the Committee, and unanimously agreed to the changes and to make a recommendation to the City Council, with an emphasis added that Staff should, to the best of their ability, make the Committee meeting dates publicly known and accessible, if requested. This recommendation is reflected in the redlined changes (Attachment 2).

Prepared by:  
Ata Khan, Planning Manager

Attachment No. 1 – Draft Resolution 2023-163 Approving Amendment  
Attachment No. 2 – Proposed AIPP Manual Amendment (Exhibit A, Changes in RED)