

UNOFFICIAL MINUTES
CULTURAL ARTS COMMISSION CITIZEN ADVISORY COMMITTEE
SPECIAL MEETING – dA Center for the Arts
MONDAY, APRIL 8, 2019

CALL TO ORDER: The Cultural Arts Commission Citizen Advisory Committee was called to order at 4:45 p.m. by Chairperson Joshua Swodeck.

FLAG SALUTE: Chairperson Joshua Swodeck. led the flag salute.

ROLL CALL: Roll was taken by Development Services Director Anita Gutierrez.

COMMITTEE MEMBERS PRESENT: Chairperson Joshua Swodeck.; Committee Members Andrew Quinones, Jovani Esparza, Joy McAllister, Nancy Tessier, Chris Toovey and David M. Oliver (arrived at 4:49 p.m.)

COMMITTEE MEMBERS NOT PRESENT: None

STAFF PRESENT: Development Director Anita Gutierrez, Assistant Planner Alina Barron, Senior Planner Ata Khan

ITEM D:
PUBLIC COMMENT:

None

ITEM E:
APPROVAL OF MINUTES:

No minutes for approval.

ITEM F:
NEW BUSINESS:

1. Update on Art in Public Places RFQ – Discussion.

Development Services Director Gutierrez reported staff released the Request for Qualifications (RFQ) for artists to create on on-call list of artists to use Pomona's Art in Public Places funds. She shared they have received 1 application to date and the website www.pomonapublicart.org is live. She stated Assistant Planner Barron will provide additional information. She asked the Advisory Committee and Commission to assist with publicizing the RFQ and reported staff is hosting a workshop tomorrow at the dA from

6:00-8:00 p.m. to answer any questions. She noted all questions will be compiled and put on the website, so that everyone has the benefit of those answers.

Chair Swodeck encouraged his fellow Committee member to take a picture of the flyer and post on social media.

Committee Member Toovey reported an issue with the initial website link sent and shared Assistant Planner Barron sent an alternative link that worked.

Committee Member David Oliver arrived at 4:49 p.m.

Assistant Planner Barron clarified the issue was with the original email blast, however, the linked worked for her as well as when it was typed out new.

Development Services Director Gutierrez replied that maybe the hyperlink was somehow disabled in the initial email.

Assistant Planner Barron replied it could have been for some people, but it worked ok for her.

Development Services Director Gutierrez replied it's probably a technology issue related to email settings disabling the hyperlink. She thanked Chris Toovey for troubleshooting. She stated staff are answering calls and checking the email inbox regularly so if there are any issues staff can troubleshoot immediately. She stated Assistant Planner Alina Barron and Senior Planner Ata Khan are the main contacts on the RFQ and will be running the workshop, as well as, handling the day to day issues.

Assistant Planner Barron encouraged the Committee Members to advertise to the local community and adjacent counties. She reported staff are actively reaching out to regional organizations including; the OC Arts council, Spark OC, the Riverside Arts Council, the L.A. Arts Commission, and the San Bernardino County Arts Commission. She reported staff is also actively contacting schools and universities with Arts programs including California State schools, some University of California schools, and the School of Arts and Enterprise. She encouraged the Committee Members to reach out to their contacts at these organizations and/or schools.

Committee Member Quinones asked if the Pomona Valley Arts Association, located in the Montclair Mall, had been contacted.

Committee Member Oliver asked if the opportunity was open to the Inland Empire at large.

Assistant Planner Barron replied its open to artists in Los Angeles, Orange, San Bernardino and Riverside counties.

Development Services Director Gutierrez stated the artists are being asked to submit their qualifications and the Cultural Arts Citizens Advisory Committee will rate/rank those applicants to establish a list of artists that the City of Pomona can pull from to do projects with the Art in Public Places fund.

Assistant Planner Barron shared there is a separate application for minors with one additional step requiring the applicant have an adult sponsor who is an artist or an art professional. She noted there are

no limitations on how many children one person can sponsor, so a local arts teacher could sponsor multiple students. She stated the minor application has a separate cover sheet, is explained on the website and the sponsor statement includes arts background and the reason for sponsorship.

Development Services Director Gutierrez stated staff purposeful left “arts professional” vague for interpretation reasons and staff can bring any questions to the Advisory Committee for a determination.

Assistant Planner Barron encourage the Committee Members to take a pile of flyers on their way out.

2. Establish an Artist RFQ Review Subcommittee – Discussion.

Development Services Director Gutierrez reported the Review Subcommittee will need three members. She reported those members will be responsible for rating the artist submissions and establishing a recommendation to the Cultural Arts Commission to create an Artists List. She stated there will be a series meetings and review time will depend on how many applications. She estimated the time commitment to be a couple of days. She noted the RFQ includes the criteria the artists will be judged on.

Senior Planner Khan reported the RFQ evaluation criteria is as follows; 1) Fine Arts Experience, 2) Public Art Experience, 3) Community Engagement (Approach) and 4) Project Management Experience. He spoke about prioritizing the in lieu funds, as well as, reviewing and judging public art. He reported at the April 22, 2019 meeting, staff will bring forward hypothetical examples of public art and case studies, so the Committee can evaluate if projects are compliant with the Arts Manual.

Development Services Director Gutierrez stated the main purpose of this Review Subcommittee will be to rate artists and provide opinions on their qualifications and if someone should be included on the list. She clarified Senior Planner Khan is talking about starting the conversation about what will be considered an art project and funded by the City of Pomona. She stated staff will be run the Advisory Committee through different scenarios and discuss if those projects qualify as Art in Public Places.

Committee Member McAllister commented she signed up a long time ago to be a public artist and is going to apply again.

Development Services Director Gutierrez asked what the Advisory Committee how they feel about Committee Members or Commission Members applying to be artists. She spoke about the need to have three people on the Review Subcommittee from the Advisory Committee to evaluate artists. She stated if an Advisory Committee Member applies, they can't be a part of the Review Subcommittee and may have to recuse themselves from future conversations about art projects.

Chair Swodeck suggested pulling out any Advisory Committee Member or Cultural Arts Commissioner applications to be reviewed by the Advisory Committee as a whole. For example, if Committee Member Joy McAllister submits her application, it would automatically go to the Advisory Committee for a vote, instead of being discussed by the Review Subcommittee. He noted at that time Committee Member McAllister would recuse herself from the Advisory Committee meeting. He noted this would allow Committee Member McAllister to still bring the value of her experience into the Review Subcommittee.

Development Services Director Gutierrez asked the Committee Members what would happen if four Committee Members wanted to apply.

Chair Swodeck replied the bulk of the applications would still go through the Review Subcommittee and the exceptions would be handled as a group.

Development Services Director Gutierrez asked if that scenario would be true for Commissioners who wanted to apply.

Chair Swodeck confirmed a Commissioner who is not on the Advisory Committee would not be on the Review Subcommittee.

Development Services Director Gutierrez replied right.

Chair Joshua Swodeck replied the elected Review Subcommittee will handle what it needs to and any applications that come from Advisory Committee Members or Commissioners will be set aside and voted on individually with the artist/applicant recusing themselves. He noted it would be a limited number of votes, but still allow the wealth of experience within the Review Subcommittee.

Development Services Director Gutierrez asked about the potential conflict of interest for Commissioners and Committee Members include on the artist list when there is an RFI for a project.

Chair Swodeck replied if that artist decides to apply for the project it would be the same as what has been have done in the past, just like Committee Member Chris Toovey did the other day.

Development Services Director Gutierrez replied they would recuse themselves. She stated her concern is if three Commissioners and four Committee members were all interested in the same project. She noted the Brown Act requires a quorum to decide on something and that is four members. She stated once the list of artists is finalized, projects will be identified, staff will issue RFI's with the specifics and those artists will get to say if they are interested by reply with a budget and idea. She asked what would happen if more than a quorum of the Committee Members or the Commissioners must recuse themselves because they are all interested in that one project.

Committee Member McAllister commented she doesn't think that is going to happen.

Committee Member Oliver suggested an internal goal that only one Committee Member or Commissioner an apply for a project.

Committee Member McAllister agreed that's a good idea. She commented the job of the Review Subcommittee right now is to take all this information and make evaluations so a mural or project isn't involved at all right now.

Committee Member Toovey agreed the beginning task for the subcommittee is to put together a list of artists that are qualified for RFQ's.

Senior Planner Khan stated Development Services Director Gutierrez was just anticipating when it does happen.

Committee Member Quinones stated he is going to fill out the artist application and so are Committee Members Joy McAllister and Chris Toovey.

Committee Member Toovey commented a fast track makes it easier to choose.

Development Services Director Gutierrez confirmed the Cultural Arts Citizens Advisory Committee is saying they are ok with Committee members and Commissioners applying and the process will be that those applications will go to the main body (Cultural Arts Citizens Advisory Committee) to decide, with that Committee Member/Commissioner recusing themselves from that vote. She continued once the arts list is established a rule may be established to limit the number of Committee Members/Commissioners that can apply per project.

Senior Planner Khan clarified on the three representatives of the Review Subcommittee are being entrusted to make a recommendation to the Advisory Committee, because of the Brown Act.

Committee Member Esparza Asked if the RFQ's, RFI's, and RFP's will be rated on a point system so it's fair.

Development Services Director Gutierrez replied yes; staff are developing a rubric based upon the categories set forth in the RFQ.

Committee Member McAllister asked if images being presented with the artist applications.

Senior Planner Khan replied applications include a two-page application form, resume, letters of reference and up to 15 portfolio images limited to 100-word captions.

Committee Member McAllister asked if an artist who does mural and sculpture should apply separately.

Senior Planner Khan replied that is part of the evaluation, the rubric states it must qualify as public art; permanent artwork. He noted if somebody submits 15 examples of temporary artwork, that will be weighed again somebody submitting 15 examples of permanent artwork.

Development Services Director Gutierrez replied that's a great workshop question. She stated if an artist has different mediums and that can be shown within a 15-page portfolio, one application should suffice. She noted if an artist does so many types that 15 examples isn't enough, staff would ask that artist to present the full breadth of work.

Senior Planner Khan commended the process is not intended to be burdensome on the applicant and staff really want it to be inviting to apply to be on the list.

Committee Member Toovey stated he read through the four pages of application criteria and it was helpful, however, he couldn't get was the application itself. He spoke about the percentages of the criteria and his overall experience with the online application.

Senior Planner Khan replied he will investigate putting a hyperlink in the PDF directly to the application form. He asked the Committee Members to consider the length the artist list will be good for because an expiration has not been specified and it will be important to consider how frequently the City goes back out the community. He suggested one to three years.

Development Services Director Gutierrez suggested leaving the expiration date open until the Advisory Committee has looked at the list and learned how this RFQ went. She noted the Committee can always come back to this later.

Committee Member Quinones suggested up to five years.

Committee Member Oliver asked when the application process closes.

Development Services Director Gutierrez replied May 16, 2019. She noted staff opened it March 21, 2019.

Senior Planner Khan reported there is only one applicant so far and in his experience with non-profit grants management most applications will come in the last three days.

Committee Member Tessier asked if there was a minimum number of applications and if they didn't get a certain amount of the qualified artists qualified would they extend the deadline.

Development Services Director Gutierrez replied that is within the Advisory Committee's purview. She stated she will add this item to the April 22, 2019 agenda and staff will provide an update on the RFQ, including the number of applications received. She stated at that time the Advisory Committee can decide if they want to extend the deadline. She asked who's would be interested in being on the Review subcommittee.

Committee Member Tessier stated she doesn't plan on applying so she'd be happy to be a member.

Development Services Director Gutierrez confirmed Joy McAllister and Nancy Tessier are interested.

Chair Swodeck commented he doesn't mind being on the Review Subcommittee, however, wants to give space for somebody else if they are interested.

Committee Member Oliver (a.k.a. Judah) stated he would like to be involved.

Development Services Director Gutierrez confirmed the three interested Committee Members are Joy McAllister, Nancy Tessier and David Oliver.

Motion by Chair Swodeck, seconded by Committee Member Quinones, carried by a unanimous vote (7-0-0-0), to elect Joy McAllister, Nancy Tessier and David Oliver to the Review Subcommittee.

Development Services Director Gutierrez stated staff will contact the Review Subcommittee members in the next few weeks about scheduling meetings. She asked that they let staff know if there is anything, they want to begin in terms of the evaluation process. She stated Assistant Planner Barron and Senior Planner Khan will be the main contacts. She noted staff will be heavily involved and because it is not a Brown Act meeting there is flexibility to work around schedules.

ITEM G:
STAFF COMMUNICATION:

Development Services Director Gutierrez reported she was officiall appointed as the Director of Development Services by City Council last Monday. She shared it was Senior Planner Khan's first day back from paternity leave for his second child, a son. She commented there are a lot of exciting things happening and has a great team.

ITEM H:
COMMITTEE COMMUNICATION:

Committee Member Esparza sked what is going on with Pomona Beautification Day, any murals coming up?

Development Services Director Gutierrez replied she has not received any applications.

Committee Member Esparza replied he submitted two; one for his building.

Development Services Director Gutierrez asked if it was a mural. She stated if so, the item needs to come through Cultural Arts.

Committee Member Esparza replied he submitted the application through Beautification Day and stated there might be a break because they were supposed to link.

Development Services Director Gutierrez stated she spoke with Yesenia about painting trashcans at Cesar Chavez Park, which is not really a mural. She stated she requested the artist bring the project to Cultural Arts as a discussion item, so that way the Cultural Arts Commission and Advisory Committee could be involved and know what's happening. She confirmed Committee Member Esparza was still doing the project.

Committee Member Quinones replied yes, as far as he knows.

Development Services Director Gutierrez stated a mural on a wall has requirements. She asked if it would be up for five years.

Committee Member Esparza replied yes, maybe longer.

Development Services Director Gutierrez replied it may be too late for this year. She spoke about having better discussions with Pomona Beautification about temporary Beautification Day projects turning into long-term mural projects which need to follow the City's art guidelines.

Committee Member Toovey spoke about there being several artists involved with projects that were partnerships between the City Vehicle Parking District and Parks and Recreation who were put into the Public Art Registry. He stated the Public Art Registry is supposed to list artwork that was owned by the City of Pomona, but there are four categories now to provide an idea of the selection of artwork. He stated some amendments need to be considered for what goes into the registry from now on. He shared the artwork from the Outside Gallery Program between Vehicle Parking District and the Downtown Center for Cal Poly disappeared two years ago and suddenly showed up last year, refreshed painted and re-bolted. He noted there was also a great mosaic in cask concrete in a beautiful rustic frame street that disappeared that he finally tracked it down. He suggested adding this item to the Advisory Committee's list because the City has some liability and it becomes complicated.

Committee Member Quinones asked about doing a temporary art piece on the wall that was up only displayed for a month-two months with an agreement to paint over it.

Development Services Director Gutierrez replied that wouldn't be defined as a mural, because it is not permanent, but is it something the Cultural Arts Commission would like to see.

Committee Member Quinones commented this is something that we need to clarify. He stated Pomona Beautification has existed for 13 years now and it doesn't look like it is going away. He stated with more interest in Arts there need to be some sort of amendment within the guidelines for temporary art.

Development Services Director Gutierrez replied it may not need to be an amendment, as an Art Commission or Advisory Committee they could create guidelines for temporary art. She shared Senior Planner Khan and herself have been speaking about other types of temporary art for the Downtown Plan to activate spaces. She spoke about not knowing the process if someone wants to paint a utility cabinet. She suggested guidelines that include the item coming before the Cultural Arts Commission and/or staff for a quick check in.

Chair Swodeck if there was a permit to paint the side of his building white.

Development Services Director Gutierrez replied no.

Chair Swodeck confirmed from a legal perspective that the City does not have a permit for painting the side of a building.

Development Services Director Gutierrez replied in some areas may the Corridor Specific Plan may specify colors.

Senior Planner Khan stated it would be part of the design guidelines.

Chair Swodeck Joshua spoke about having one more meeting before Pomona Beautification Day to show the Cultural Arts Commission because technically there is not a permit for temporary. He stated he wouldn't want to be fined and so he would want to make sure there were some sort of legal protection for the artist. He asked what that would look like and how to make that happen for the multiple projects.

Development Services Director Gutierrez replied by creating some type of minor or temporary permit that is signed.

Committee Member Toovey mentioned people being upset over the Dia de los Puercos mural because it hadn't had Cultural Arts Commission review. He suggested a simple document like the artist mural portion of the arts manual, stating what can't be in public.

Development Services Director Gutierrez replied it's good to discuss on what the City should define as public art.

Committee Member Toovey stated Linda Lowry did that limited contract for the Wallflowers project and suggested something like that.

Development Services Director Gutierrez confirmed Committee Member Toovey was referring to the revocable license. She stated that was issued to use City of Pomona property.

Committee Member Oliver asked about the limitations and definition of Cultural Art.

Development Services Director Gutierrez replied public art is not just defined as murals, it can be sculpture too and hasn't yet been fully defined.

Chair Swodeck clarified public art as defined for the in lieu fund has very specific rules, however, the on Cultural Arts Commission and Advisory Committee can be advocates for all types of arts; performing arts, poetry, and music. He noted the City just can't use the in lieu funding to pay for any of that.

Committee Member Oliver asked what the difference is.

Committee Member Quinones replied if the City of Pomona to pay for his mural then he'd have to follow strict guidelines.

Committee Member Oliver as if the in lieu funds could be used for a citywide poetry program in the schools.

Development Services Director Gutierrez replied it must be physical permanent art.

Senior Planner Khan stated the in lieu fee requirements outline that if a private developer is building 10 or more units of housing or their building is valued at more than \$750,000 it triggers that 1% of that project must be spent on public art. He shared the developer can either pay a fee to the City of Pomona or provide art on their project. He clarified that is where public art is defined that it must be publicly accessible and permanent.

Committee Member Quinones suggested asking a councilmember for some discretionary funds for a poet laureate within the schools or looking for grant funding and using this body to pass through for performing arts.

Committee Member Esparza expressed concern that he turned in his application to Pomona Beautification over a week ago, prior to this meeting and it is not on the agenda. He asked what will happen to the other people who turned in projects.

Development Services Director Gutierrez asked if Committee Member Esparza been given the approval.

Committee Member Esparza replied they told him it's good to go.

Development Services Director Gutierrez replied then your good to go.

Committee Member Esparza stated he doesn't want a fine and is doing this because he wants to be a part of the community and have people come paint at his location.

Development Services Director Gutierrez replied he is not going to get fined, its not a code violation. She commented if it not a permanent art mural it wouldn't require a mural permit, so it is an example of the type of project that Pomona doesn't have a system for yet.

Committee Member Tessier asked if the Advisory Committee could vote to keep the temporary mural if they love it and want it to stay.

Senior Planner Khan replied yes that is something that can happen, permanency comes through the mural permit.

Assistant Planner Barron commented retroactive mural permits come in a lot.

Committee Member Esparza asked if he could get something signed off from staff.

Chair Swodeck replied that this is a recorded meeting and with public minutes if needed from a legal perspective.

Development Services Director Gutierrez stated she will follow up with Commissioner Camacho-Gonzalez on the application.

Committee Member Quinones stated he will be doing a project at Cesar Chavez Park to beautify the trash cans with symbols from the UFW (United Farm Workers). He shared he will be filling out the artist application. He asked about the location of a piece quilt he did 10 years ago that was hanging in City Hall for six years. He stated he lent it to the City, not donated it and only has one picture.

Development Services Director Gutierrez requested Committee Member Quinones send that pictures and staff will follow up.

Committee Member McAllister asked about getting an application at the workshop.

Development Services Director Gutierrez replied Senior Planner Khan replied will have them available and encouraged Committee Member McAllister to come to the workshop with just ideas. She stated they are accepting in person applications, as well as, online.

ADJOURNMENT:

Chairperson Joshua Swodeck. adjourned the meeting at 5:35 p.m. to the regularly scheduled meeting of April 22, 2019 in the dA Center for the Arts.

Anita D. Gutierrez, AICP
Development Services Director

Jessica Thorndike, Transcriber

The minutes of this meeting are filed in the Planning Division of City Hall, located 505 South Garey Avenue, Pomona, CA, 91766.