

CAC RESOLUTION NO. 2019-XX

A RESOLUTION OF THE CULTURAL ARTS COMMISSION OF THE CITY OF POMONA APPROVING A MODIFICATION TO FINAL DESIGN PLAN FOR THE INSTALLATION OF A MURAL LOCATED WITHIN THE CHILDREN’S ROOM OF THE POMONA PUBLIC LIBRARY TO INCREASE THE BUDGETED AMOUNT FROM \$19,712.22 TO \$20,000.00 TO ACCOUNT FOR THE INSTALLATION OF A PLAQUE AS REQUIRED BY THE ART IN PUBLIC PLACES PROGRAM AND RECOMMENDING EXECUTION OF AN AMENDMENT TO AN EXISTING AGREEMENT BETWEEN THE CITY OF POMONA AND THE ARTIST, ATHENA HAHN TO REFLECT THE MODIFICATION.

WHEREAS, the City of Pomona is dedicated to preserving and building on the inventory of existing public art within the community;

WHEREAS, the City Council established the Art in Public Places Program (“AIPP”) that includes both a public art for private development component and a public acquisitions and donations component, codified as Section .5809-24—Public Art for Private Development in the Pomona Zoning Ordinance, and further adopted through the AIPP Policy and Guidelines Manual (“AIPP Manual”);

WHEREAS, the City of Pomona established a Public Art Fund, which is an interest-bearing account that is managed by the City Manager, or designee, into which public art funds, including donated funds, in-lieu funds and/or public art grant funds are deposited;

WHEREAS, the Cultural Arts Commission (“CAC”), in an effort to facilitate the expeditious pursuit of public art citywide, established by Request for Qualifications an Artist Shortlist, representing artists and non-profit organizations from the City of Pomona and Los Angeles, Riverside, San Bernardino, and Orange Counties, from which future qualifying public art projects in the City of Pomona may be pursued;

WHEREAS, on June 24, 2019, the CAC approved the release of a Request for Proposals (“RFP”) to all artists on the Artist Shortlist for a mural to be placed within the Children’s Room of the Pomona Public Library, which was subsequently released on June 25, 2019;

WHEREAS, on July 17, 2019, an ad-hoc committee of the CAC’s Citizen’s Advisory Committee (“CACCAC”) evaluated nine proposals submitted in response to the RFP;

WHEREAS, on July 22, 2019, the CACCAC selected a finalist, Athena Hahn, and requested the selected applicant to submit a Final Design Plan for CAC consideration;

WHEREAS, on August 26, 2019, after conducting a public hearing, the CAC approved a Final Design Plan submitted by Athena Hahn and recommended the City Manager execute an agreement between the City of Pomona and Athena Hahn;

WHEREAS, the AIPP Manual requires identification of artwork with a plaque placed in a location near the artwork piece and the original Design Plan did not include the cost for this requirement;

WHEREAS, a modification to the Final Design Plan, along with an amendment to the existing agreement between the City of Pomona and the Artist, Athena Hahn, are required to account for the installation of a plaque in the Children's Room of the Pomona Public Library;

WHEREAS, the proposed modification to the Final Design Plan meets the guidelines set forth in the AIPP Manual and complies with Section .5809-24—Public Art Requirement for Private Development of the Pomona Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Cultural Arts Commission of the City of Pomona as follows:

SECTION 1. Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), this action as defined is Categorically Exempt, under Section 15301, Class 1 exemption for existing facilities, in that the project involves minor alterations of an existing public structure. Therefore, no further environmental review is required.

SECTION 2. If any part, provision, or section of this resolution is determined by a court or other legal authority with jurisdiction over the subject matter of this resolution to be unenforceable or invalid, the remainder of the entirety of this resolution shall not be affected and shall continue in full force and effect. To this end, the provisions of this resolution are severable.

SECTION 3. Based on consideration of the whole record before it, public comment, and evidence made part of the public record, the Cultural Arts Commission hereby finds that the action is in accordance with Section .5809-24—Public Art Requirement for Private Development and conforms to the guidelines of the AIPP Manual.

SECTION 4. The Cultural Arts Commission hereby approves a modification to the Final Design Plan for the installation of a mural in the Children's Room of the Pomona Public Library to increase the budgeted amount from \$19,712.22 to \$20,000.00 to account for the installation of a plaque as required by the Art in Public Places Program.

SECTION 5. The Cultural Arts Commission further recommends that the City of Pomona, under the delegated authority of the City Manager, subsequently administer the provisions of an amendment to the existing agreement between the City of Pomona and the artist, Athena Hahn, to increase the contracted amount from \$19,712.22 to \$20,000.00 and to add the installation of a plaque as a budgeted line item, with the understanding that costs exceeding this budgeted amount for the installation of the plaque will be borne by the City of Pomona.

SECTION 6. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

APPROVED AND ADOPTED THIS 28TH DAY OF AUGUST 2019.

JOSHUA SWODECK
CULTURAL ARTS COMMISSION
CHAIRPERSON

ATTEST:

ANITA D. GUTIÉRREZ, AICP
CULTURAL ARTS COMMISSION SECRETARY

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

AYES:
NOES:
ABSENT:
ABSTAIN:

Pursuant to Resolution No. 76-258 of the City of Pomona, the time in which judicial review of this action must be sought is governed by California Code of Civil Procedure Section 1094.6.