



CITY OF ONTARIO
PUBLIC ART PROGRAM ADVISORY
COMMISSION MEETING AGENDA
CITY HALL, COMMUNITY CONFERENCE ROOM
303 EAST B STREET. • ONTARIO, CA 91764
August 3, 2023 • 1:30 PM

CALL TO ORDER

1:30 PM

PLEDGE OF ALLEGIANCE

Click or tap here to enter text.

ROLL CALL

- Latimer Machado Melle Richardson Slatkin
- Porada/City Council Member

STAFF PRESENT

- McAlary, Executive Director of Community Life & Culture Agency
- Kuchek, Museum Arts & Culture Director
- Boganey, Museum Arts & Culture Manager
- Costello, Senior Administrative Assistant

MINUTES

N/A

PUBLIC COMMENTS

1:30 PM

The Public Comment portion of the Board of Trustees meeting is limited to 15 minutes total, with each speaker allowed a maximum of 3 minutes. Additional speakers are allowed 3 minutes each at the end of the meeting. Prior to consideration of old or new business agenda items, speakers will be allowed a maximum of 3 minutes each to comment on that specific item. Under provisions of the Brown Act, the Board of Trustees is prohibited from taking action on oral requests.

NEW BUSINESS

1. **Public Art Program Advisory Commission Bylaws**

That the Public Art Program Advisory Commission consider approving the draft Bylaws for the Public Art Program Advisory Commission.

Attachment: [Draft Bylaws, Public Art Program Advisory Commission](#)

2. **Election, Commission Chair**

That the Public Art Program Advisory Commission nominate and elect a Chair.

3. **Election, Commission Vice Chair**

That the Public Art Program Advisory Commission nominate and elect a Vice Chair.

4. **Artwork Designs, Utility Box Public Art Project**

That the Public Art Program Advisory Commission consider approving the artworks for the eight finalists and two alternates that have been recommended by the Artist Selection Panel for the public art project.

Attachment: [Artwork Designs/Alternates, Utility Box Public Art Project](#)

OLD BUSINESS

Click or tap here to enter text.

STAFF REPORTS

[Introduction to the Public Art Program and Process – Kim Boganey](#)

CITY COUNCIL LIAISON PORADA

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FUTURE AGENDA ITEMS

NEXT PUBLIC ART PROGRAM ADVISORY COMMISSION MEETING

Next meeting:
Thursday, October 5, 2023 at 1:30 PM

ADJOURNMENT

2:30 PM

MOTION TO ADJOURN /



Agenda Report
August 3, 2023

SECTION: STAFF REPORT

Prepared By: Kim Boganey

Action: Report & File

Staff Member Presenting:

Kim Boganey

Approved By: Marissa Kuchek

SUBJECT

Introduction to the Public Art Program, and Process

AGENDA REPORT SUMMARY

On May 17, 2022, the Ontario City Council passed an ordinance which would shift the City's public art endeavors from the development code to the municipal code, thereby formally establishing a public art program that would create a public art advisory committee and include a development fee in support of public art. This includes:

- Empowering a five-member advisory committee to be responsible for ensuring criteria established via the public art program is met for the planning and execution of temporary and public art projects;
- Providing policy for the gift or long-term loans of public art;

- Establishing criteria for developers to either integrate artworks into their commercial or industrial projects, or deposit fee into the City's public art fund, which is to be used toward creating public art; and
- Defining process for City-commissioned and privately created murals.

Kim Boganey will provide an introduction to the public art program, discuss commission expectations and responsibilities, and the process for public art projects.

**BYLAWS
PUBLIC ART PROGRAM ADVISORY COMMITTEE**

**ARTICLE I.
NAME**

This ORGANIZATION SHALL BE CALLED “Public Art Program Advisory Committee,” hereinafter referred to as the “Committee.”

**ARTICLE II.
OFFICES**

Section 1. Principal Office. The principal office for the transaction of the business of the Committee shall be fixed and located at 303 E. B Street, Ontario, California 91764. The Committee may change the principal office from one location to another by amending these bylaws.

**ARTICLE III.
PURPOSE**

Section 1. Purpose. The powers and responsibilities of the Committee are delineated under Chapter 33 (Public Art Program) of Title 5 of Volume I of the Ontario Municipal Code, as may be amended from time to time. The purpose of the Committee is to ensure that the criteria set by the Public Art Program have been met to integrate public art into Ontario’s environment as a mechanism for enhancing the City’s commercial vitality and economic stability. The Committee will also ensure that public art is used to enrich the community aesthetic and built urban environment by making available to the public a diverse collection of artworks throughout Ontario.

**ARTICLE IV.
MEMBERS**

Section 1. Members. The Committee shall consist of five (5) members, which shall be appointed by the Mayor of the City of Ontario, California, and confirmed by the City Council of the City of Ontario according to Section 5-33.03 of the Ontario Municipal Code, as may be amended from time to time.

Section 2. Appointment. The process for appointment to the Committee shall be as follows. A call for applications will be sent out for interested appointees. Community Life & Culture staff will review the applications received and determine whether the applicants meet the basic requirements from Section 1 of Article IV hereinabove. Community Life & Culture staff will then present the qualified candidates to the City Council for their review and nomination. The Mayor shall appoint the members of the Committee, subject to ratification by a vote of the entire City Council.

Section 3. Term. Committee members shall serve a term of four (4) years. A person may serve multiple terms.

Section 4. Removal. The Committee may recommend to City Council that a member may be removed, that a vacancy be declared, and that the position be filled within sixty (60) days. The City Council may remove a Committee member at any time upon a majority vote.

Section 5. Vacancy. Vacancies shall be filled by appointment of the Mayor of the City of Ontario for the unexpired term of office.

Section 6. Residency Change. Any Committee member changing residence from City of Ontario limits shall immediately notify the Museum, Arts & Culture Director.

Section 7. Powers. The Committee shall ensure that all criteria established by the Public Art Program have been complied with. The Committee shall review all requests for the installation of public art, examining proposals for public safety, weather resistance, balance with the Program, public response, proper lighting, public accessibility, installation methods, proportion, composition, the artist's previous experience, art training, and exhibition record. Committee support shall be provided by the Museum, Arts & Culture Director.

ARTICLE V. OFFICERS

Section 1. Officers and Terms: The officers of the Committee shall be a Chair, a Vice-Chair, and such other officers as may be elected by majority vote from among the members of the Committee at the January Committee meeting. Officers shall hold offices for one (1) year and may be elected for a maximum of two (2) consecutive years within a three-year period.

Section 2. Chair: The Chair shall preside at all meetings of the Committee, authorize calls for any special meetings, appoint all sub-committee members, serve as ex-officio voting member of all sub-committees, move or second a proposal before the Committee, and generally perform all duties associated with that office.

Section 3. Vice Chair: In the event of the absence or disability of the Chair, the Vice Chair shall assume and perform the duties and functions of the Chair.

Section 4. Secretary: A staff member of the Museum, Arts & Culture Department shall be the Committee Secretary. The Secretary shall call the roll and record votes taken by the Committee.

Section 5. Vacancies: A vacancy occurring among the officers of the Committee may be filled by a majority vote of the Committee acting at any regular or special meeting of the Committee.

Section 6. Removal and Resignation: Any officer may be removed, with or without cause or prior notice, by a majority vote of the Committee at any time. Any officer may resign at any time by giving written notice to the Committee. Any resignation shall take effect at the date of the receipt of that notice or at any later time specified in that notice; and, unless otherwise specified in that notice, the acceptance of the resignation shall not be necessary to make it effective. Removal or resignation of an officer position does not affect the status of an individual as a member of the Committee.

**ARTICLE VI.
COMMITTEES AND PANELS**

Section 1. Artist Selection Panels: The Committee may create three (3) – seven (7) member Artist Selection panels to serve in selecting art or artists for public art projects. Each panel shall consist of at least one member of the Committee, along with non-Committee members. Such panels shall serve as an advisory panel only and shall submit all of its findings and recommendations to the Committee for further action. Such panels shall be considered discharged upon completion of the purpose for which it was appointed and after the final report made to the Committee.

Section 2. Other Advisory Committees: The Chair or the Committee may designate other special or advisory committees. Such advisory committees shall report to and be responsible to the Chair and the Committee, and the Committee may direct, limit, or control such advisory committees by resolution at any special or regular meeting.

Section 3. Reports: All panels and advisory committees shall make a progress report to the Committee at each of its regular meetings.

**ARTICLE VII.
MEETINGS**

Section 1. Place of meeting. Regular meetings of the Committee shall be held at the Community Conference Room located at City Hall, or other designated room at City Hall. If no rooms are available at City Hall on a given day, regular meetings may be held at any place within Ontario that has been designated by written consent of all members of the Committee. Special meetings of the Committee may be held either at City Hall or another place so designated. The Committee shall cause a proper record of its proceedings to be kept. Said meetings shall be held in accordance with all applicable state laws with respect to open meetings and public notice requirements.

Section 2. Date and time. Regular meetings of the Committee shall be held every other month on a date and at an hour to be set by the majority vote of the Committee.

Section 3. Special meetings. Special meetings of the Committee for any purpose or purposes shall be called at any time by the Chair, or, if they are absent or unable or refuses to act, by the Vice Chair of the Committee, or by two members of the Committee.

Section 4. Compliance with the Brown Act. All Committee meetings shall be open to the public and subject to the Ralph M. Brown Act (also referred to as the “Brown Act”) found at California Government Code Section 54950 et seq. Section 5. Notices. The agenda shall be available to the general public and shall be posted at least seventy-two (72) hours before a regular meeting and twenty-four (24) hours before a special meeting.

Section 6. Public Comments. Public participation at regular, adjourned, and special meetings shall be limited to the “Public Comment” section of the Agenda and to the time the Committee discusses specific action items listed on the Agenda. The Public Comment portion of the Committee meeting is limited to fifteen (15) minutes total, with each speaker allowed a maximum of three (3) minutes. Additional speakers are allowed 3 minutes each at the end of the meeting. Prior to consideration of old or new business agenda items, speakers will be allowed a maximum of 3 minutes each to comment on that specific item. Under provisions of the Brown Act, the Committee is prohibited from taking action on oral requests.

Section 7. Quorum. A majority of the Committee shall constitute a quorum for the transaction of business.

Section 8. Required vote. Every act or decision done or made by a majority of the Committee present at a meeting duly held at which a quorum is present is the act of the Committee. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of Committee members, if any action taken is approved by at least a majority of the required quorum of such meeting.

Section 9. Minutes. Minutes of the meetings of the Committee shall be recorded and filed with the City Clerk, City Manager, and Museum, Arts & Culture Director.

Section 10. Attendance at Meetings: Faithful and prompt attendance at all meetings of the Committee and conscientious performance of the duties required of members shall be a prerequisite to continuing membership on the Committee. In the event that a Committee member must be absent from a meeting, the member shall contact the Committee Chair or appropriate Museum, Arts and Culture staff member before the meeting to advise the Committee of the absence. If any Committee member is absent from regular or special meetings for three consecutive meetings without prior notification to the Committee Chair or appropriate Museum, Arts and Culture staff member, the Committee member shall be deemed to have resigned from the Committee. In such instance, the Committee Chair shall notify the Mayor of a vacancy and request that a replacement be appointed.

Section 11. Compensation. Committee members shall receive monthly compensation at an amount set by the City Council for attendance at each publicly noticed meeting of the Committee, including publicly noticed workshops and briefings.

ARTICLE VIII. PARLIAMENTARY AUTHORITY

The current edition of Rosenberg’s Rules of Order shall be the authority on all questions of parliamentary law unless in conflict with these bylaws or with the laws of the State of California.

ARTICLE IX. INDEMNIFICATION

To the fullest extent permitted by law, the Committee shall indemnify each of its agents against expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in

connection with any proceedings arising by reason of the fact that any such person is or was an agent of the Corporation. For purposes of this Section, an “agent” of the Committee includes, without limitation, any person who is or was a member, officer, or employee of the Committee.

**ARTICLE X.
AMENDMENTS**

These bylaws may be amended at any regular meeting by an affirmative vote of a majority of the Committee, provided that the amendment has been submitted in writing at least thirty (30) days prior to the date of any such meeting, or at the previous regular meeting. Inconsequential changes to the bylaws that do not require advanced vetting by legal counsel and/or City staff, such as scheduling dates, times, and locations of meetings, may be introduced and adopted at the same meeting, provided that revisions to the bylaws were included on the agenda for that meeting.

DRAFT

THESE BYLAWS ARE HEREBY ADOPTED AND SHALL BECOME EFFECTIVE THIS
___ DAY OF _____, 202_.

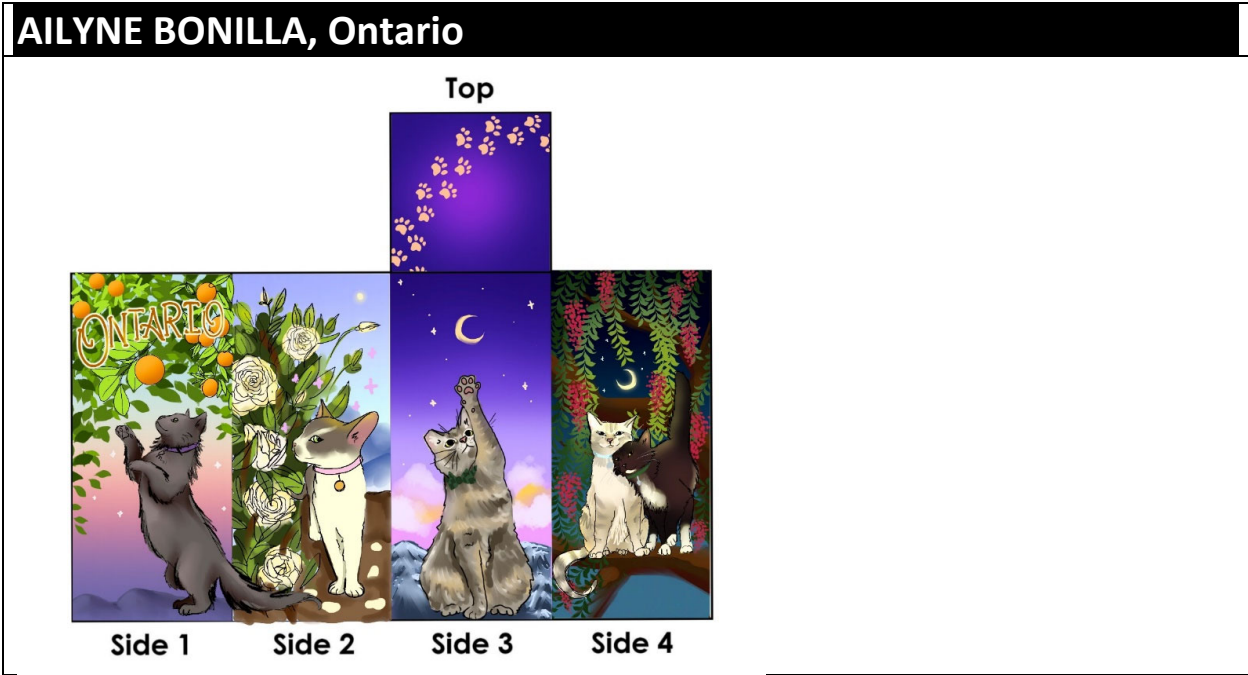
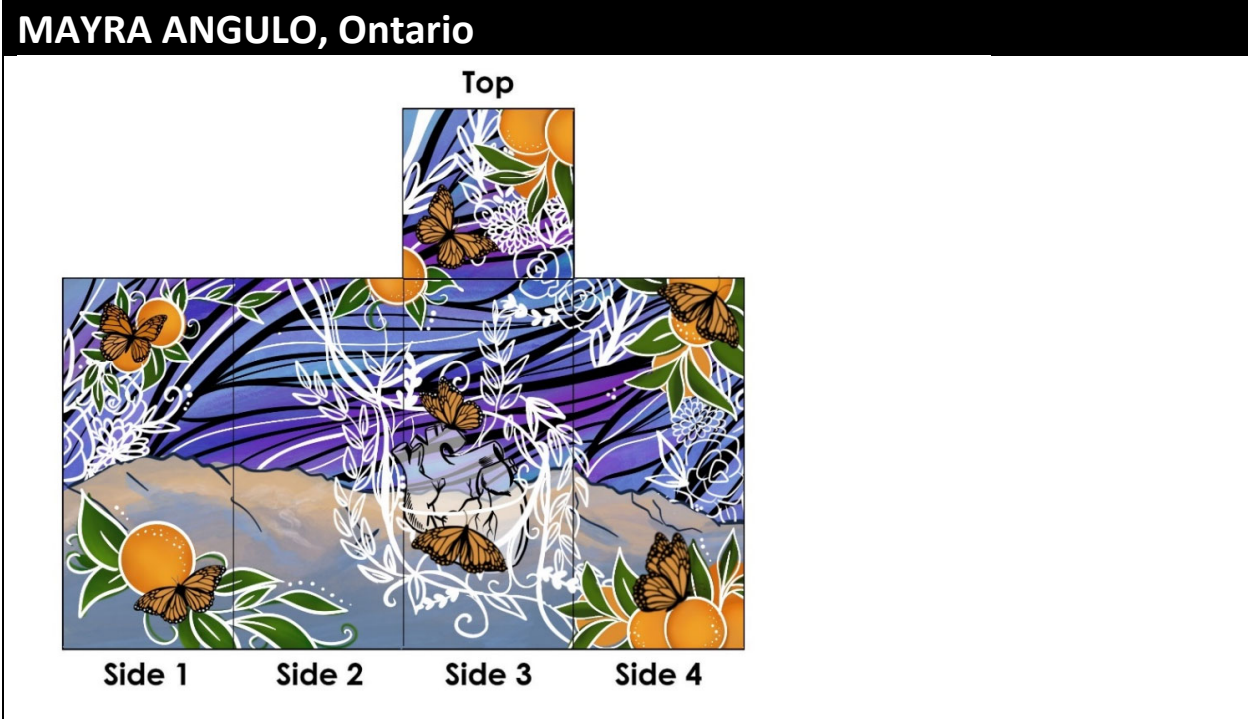
Chair, Public Art Program Advisory Committee

Marissa Kuceck, Museum, Arts & Culture Director

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ONTARIO UTILITY BOX PUBLIC ART PROJECT, Artist Finalists/Alternates

FINALISTS



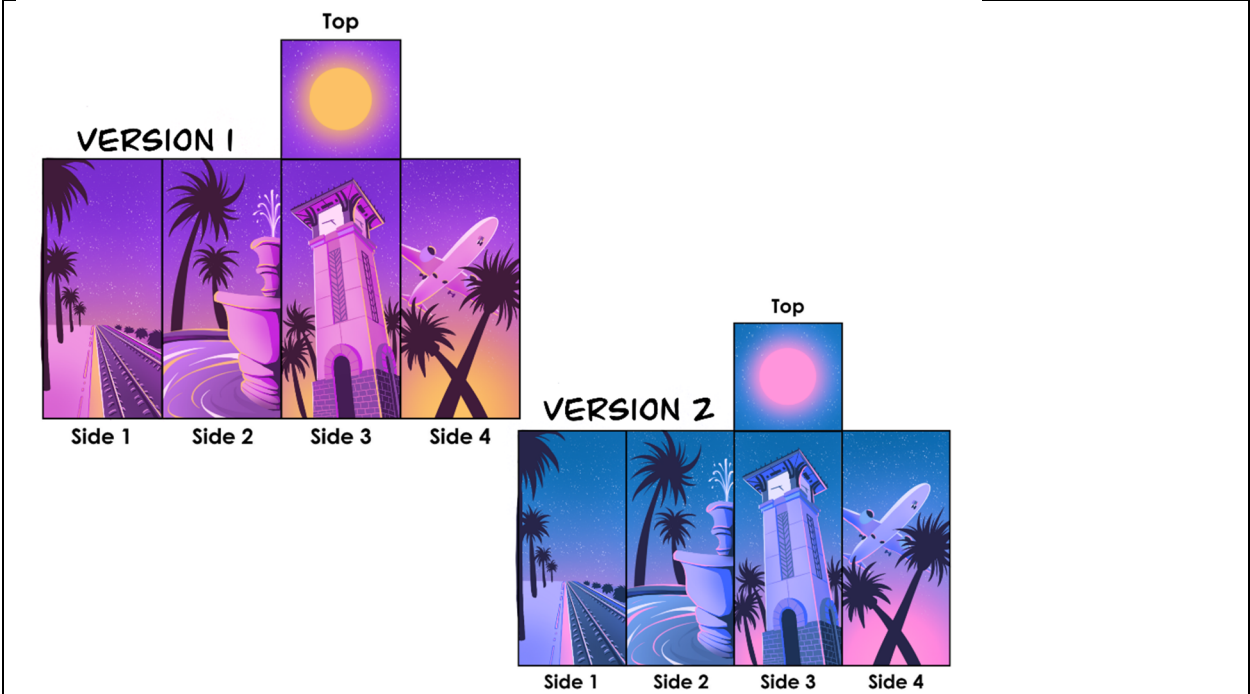
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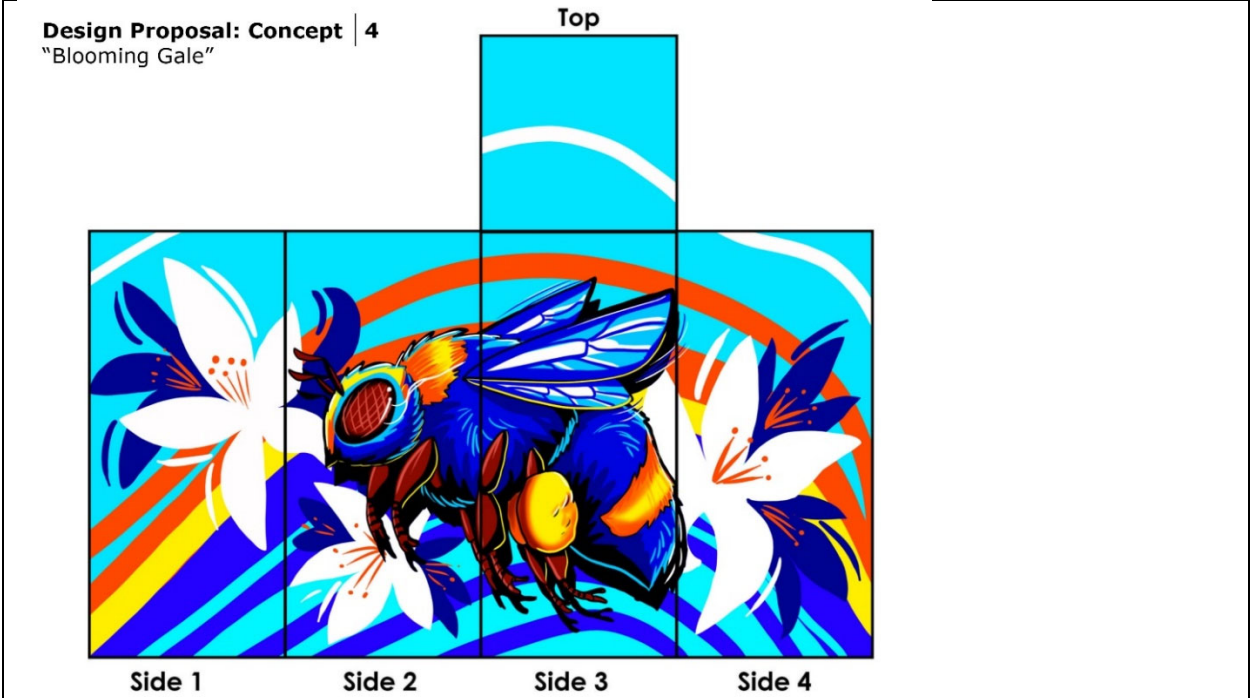
KATIE DINH, Chino



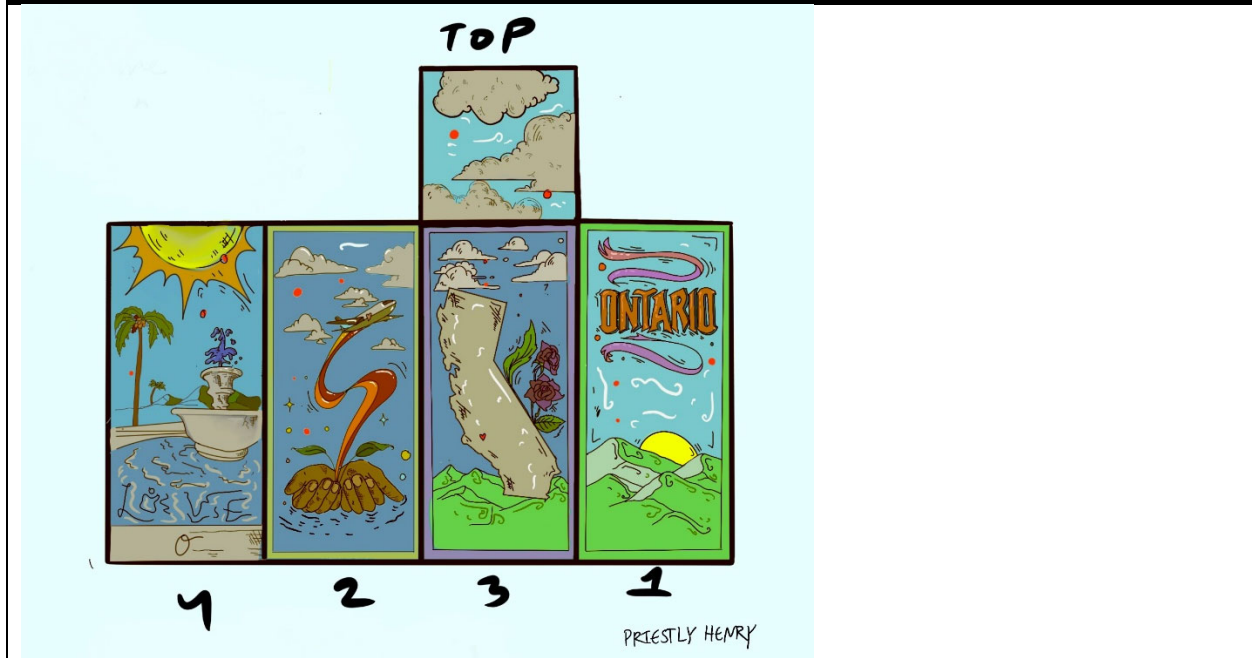
JESSICA FLORES, Ontario



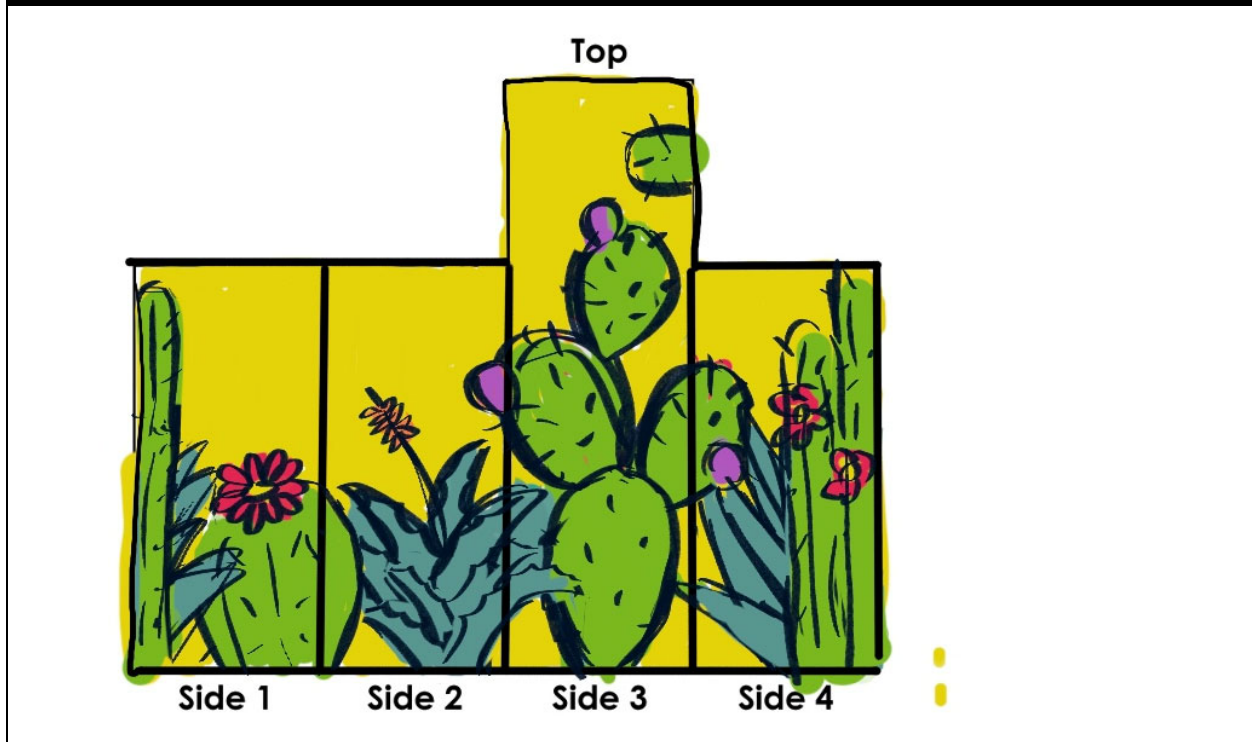
VANESSA GOMEZ, Victorville



PRIESTLY HENRY, San Bernardino

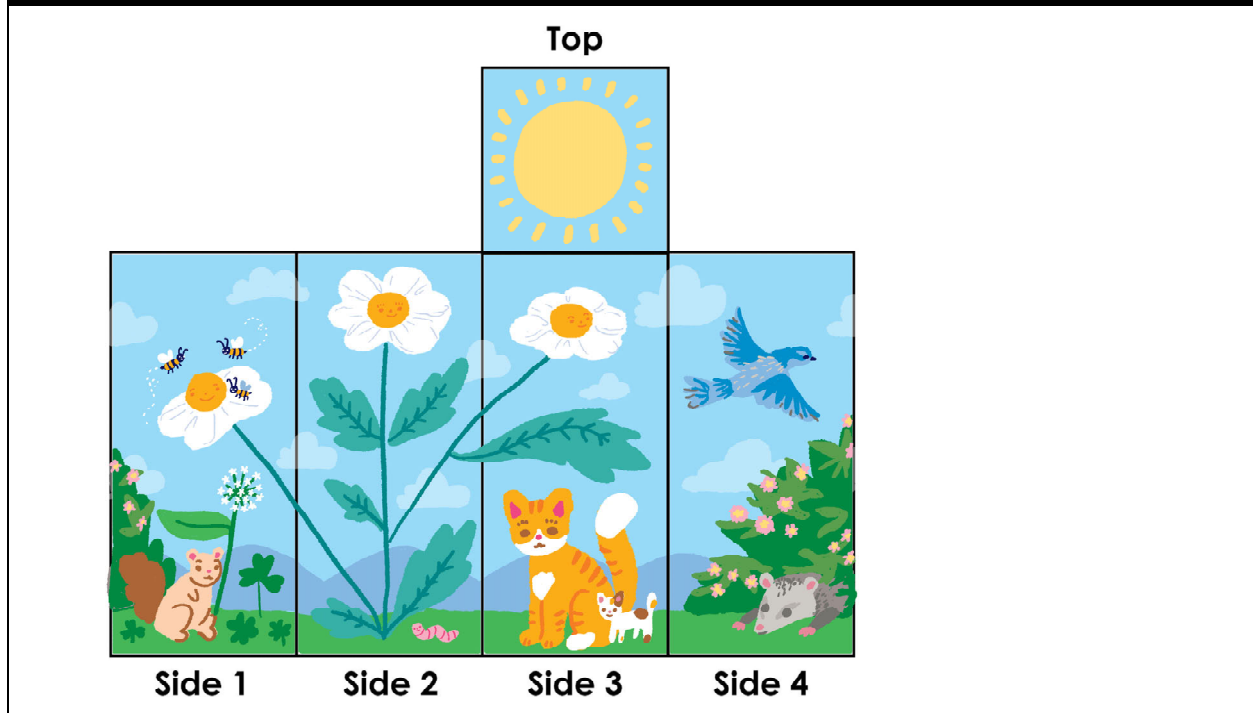


VERONICA OLMOS, Ontario



ALTERNATES

Eva Grello-Nakas, Ontario



Pechez Sepehri, Alta Loma

