



**CITY OF MODESTO
CULTURE COMMISSION
Held via Teleconference
(To access meeting, please see instructions below)
Wednesday, January 5, 2022 at 3:30 p.m.**

*Please Note: In order to respond to COVID-19, and pursuant to the Governor’s Executive Order N-29-20, the City will hold this meeting via teleconference and Committee Members will be calling in.

*Roll Call – Culture Commission

Julie Scherer, Chair
Patrick Cavanah, Vice Chair
Dewey Bedford
Eduardo Flores
Rebecca Harrington
Monica Valencia
Lacy Vincent

The City of Modesto is now offering the ability to view and participate in Commission and Committee meetings via telephonic conferencing via “Zoom” video conferencing computer technology. The meeting may be accessed through the use of Zoom using the following options:

- Enter the following link into an Internet Browser <https://us02web.zoom.us/j/86945970570>,
- Enter the following link into an Internet Browser <https://zoom.us/> and using the Webinar ID 869 4597 0570
- Password 84326

To use Zoom, please visit: <https://zoom.us/> and either sign-up for a free Zoom account or continue as a guest. Once you have downloaded the app onto your mobile device, joined from your web browser, or downloaded the Zoom software on your computer you will be ready for the upcoming Commission and Committee meeting.

Joining the Committee meeting via Telephone

If you don’t have a smart phone or computer to access the meeting via Zoom, you can participate by phone, by calling 1-877-853-5257 (Toll Free) or 1-888-475-4499 (Toll Free) and enter the Webinar ID 869 4597 0570.

Providing Public Comment on Zoom and by Telephone

The Commission and Committee Chairmen will request public comment during the Public Comment periods on the meeting agendas and during each Regular Calendar Item on the Agenda. Once the Chair has announced the public comment period, please do one of the following.

USING A COMPUTER OR SMART PHONE APP:

- Click on the “Raise Hand” feature in the webinar controls. This will notify City staff that you have raised your hand.

- City staff will unmute your microphone when it is your turn to provide public comment.
- A prompt will appear to confirm you would like to be unmuted and then you will have three minutes to provide public comment.
- Once your public comment has ended, you will be muted again.

USING A REGULAR PHONE (not using a computer or smart phone APP):

- Dial *9 (star 9), this will notify City staff that you have “raised your hand” for public comment.
- City staff will unmute your microphone when it is your turn to provide public comment.
- You will hear “you are unmuted” and then you will have three minutes to provide public comment.
- Once your public comment has ended, you will be muted again.
- If your phone is unmuted, and you are unable to be heard, the host may ask that you Dial *6 to toggle mute on/off in Zoom.

Additional Zoom resources/support

Please visit Zoom’s website support page on helpful tips to prepare for the meeting:
<https://support.zoom.us/hc/en-us/categories/201146643>

AGENDA

(NOTE: Any and all of the following agenda items are subject to action being taken by the Culture Commission.)

I. CALL TO ORDER – Via Teleconference (ZOOM)

II. APPROVAL OF MINUTES

ACTION: Consider approving the minutes of the November 3, 2021 meeting.

III. WRITTEN COMMUNICATIONS

None.

IV. OLD BUSINESS

- A. Alternate City Flag Review of Application and Rules
- B. Review of Mellis Family dedication plaque verbiage
- C. Landmark Preservation Committee – Representative Update and 2022 Representative Selection

V. NEW BUSINESS

- A. Culture Commission Annual Report

VI. ORAL COMMUNICATIONS

These may be presented only by interested persons in the audience. Under State law, Committee members may respond to matters being presented under this item only as follows:

- A. Briefly respond to statements made or questions asked.
- B. Ask a question for clarification.
- C. Provide a reference to staff or other resources for factual information.
- D. Request staff to report back at a subsequent meeting.
- E. Finally, a Committee member or the Committee itself may take action to direct staff to place a matter of business on a future agenda.

VII. MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the Culture Commission and staff, upon determination by a majority vote that an emergency exists, as defined by State law, or by a 2/3 vote that [1] there is a need to take immediate action and [2] that the need for action came to the Committee's attention after the agenda was posted.)

VIII. CURRENT AND UPCOMING CULTURAL EVENTS

Downtown Modesto Art Walk – 3rd Thursday of the Month – 6:00-8:00 p.m. –

<http://modestoartwalk.com>

Event Media Sites:

<http://www.modestoview.com/catoratory/event-calendar>

<https://www.galloarts.org>

<http://www.thestate.org>

<http://visitmodesto.com/calendar/default.asp>

IX. ADJOURNMENT

The next scheduled Culture Commission meeting will be held via teleconference on Wednesday, February 2, 2022 at 3:30 p.m.

NOTE: Copies of this agenda are on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the Office of the City Clerk, Tenth Street Place, 1010 Tenth Street, Modesto. A copy of this agenda may be obtained in the Office of the City Clerk.

Posted pursuant to Government Code Section 54954.2 on _____, at _____ by _____ on the bulletin board at Tenth Street Place.



City of Modesto
CULTURE COMMISSION
Wednesday, November 3, 2021
3:30 PM
Held via Teleconference

MINUTES

I. CALL TO ORDER/ROLL CALL

The meeting called to order by Chair Julie Scherer at 3:37 PM.

Commissioners Present: Julie Scherer, Chair, Patrick Cavanah, Vice Chair, Dewey Bedford and Monica Valencia

Commissioners Absent: Lacy Vincent, Rebecca Harrington, Eduardo Flores

Staff Present: Marco Sepulveda, Valerie Garcia

Public Present: None

II. APPROVAL OF MINUTES

ACTION: Motion (Cavanah/Valencia) 4/0 approving of the minutes of the October 6, 2021 meeting.

III. WRITTEN COMMUNICATIONS

None.

IV. OLD BUSINESS

A. Landmark Preservation Committee – Representative Update
Vice Chair Cavanah reported there has not been a meeting since the last update. Next month's agenda will include a vote on the Culture Commission Landmark Preservation Committee Representative for 2022.

V. NEW BUSINESS

A. Culture Commission Scope Review
Marco Sepulveda reviewed the Culture Commission Bylaws and Public Art Ordinance in the Modesto Municipal Code attachments in the agenda packet. Commissioners elected to add this item to the next agenda in order to have more time for review and feedback.

VI. ORAL COMMUNICATION

None.

VII. MATTERS TOO LATE FOR THE AGENDA

- A. Chair Scherer requested to add an update to the Alternate City Flag on the next agenda.
- B. Chair Scherer requested to add an RFP for a 150th year celebration commemorative mural on the next agenda.
- C. Chair Scherer and Marco Sepulveda requested to add the Culture Commission annual report on the next agenda.

VIII. CURRENT AND UP-COMING CULTURAL EVENTS

None.

IX. ADJOURNMENT

The meeting was adjourned at 3:57 PM. The next scheduled Culture Commission meeting will be held via teleconference on Wednesday, December 1, 2021 at 3:30 p.m.

City of Modesto Culture Commission
January 5, 2022
Alternate City Flag Project

CREATION OF UPDATED CITY OF MODESTO FLAG PROPOSAL:

To create an updated version of Modesto's City Flag that will harbor enthusiasm, unification and positivity in the after wake of COVID-19

PROCESS:

The Culture Commission will create a marketing campaign and promote and distribute information to the public for submission for this updated flag design. There will be a submission form available on the City's website. Submissions must be made by: _____. The Culture Commission subcommittee will review these entries and bring a selection of entries to the full Culture Commission for consideration. Once a selection is made, a recommendation will be sent to Council.

It is up to the discretion of the Culture Commission to request alteration or modification to a winning flag concept.

DESIGN CONSIDERATIONS:

- Basic design (can flag be clearly identified from a distance)
- Symbolism (what's the meaning behind the flag design)
- Please limit colors to 3 or less
- No words
- Design must be original

DISCLOSURES:

- Unknown is the possible need to update flag design again in the future
- All submission documents will not be returned
- At this time, there is no monetary compensation for winning design concept
- Winning flag design will have all copy rights forfeited to the City of Modesto
- City of Modesto reserves the right to modify the design concept

REVIEW OF CONTEST DOCUMENTS:

- Flag Design Contest Rules
- Flag Design Contest Application



CITY OF MODESTO

CITY FLAG

DESIGN CONTEST

The City of Modesto and Modesto Culture Commission is proud to sponsor the City of Modesto City Flag Design Contest (the “Contest”) to commemorate the beauty and unique heritage of Modesto. Substantially as described in these rules, and by participating, each participant agrees as follows:

1. **VOID WHERE PROHIBITED.** All federal, state, and local regulations apply.
2. **ELIGIBILITY:** The Contest is open to all legal U.S. residents, regardless of age, residing within the City of Modesto limits. Individuals under the age of 18 must provide parental consent to participate in the contest. City of Modesto employees, Culture Commission members, and judging panel members, their immediate family members and household members are not eligible to participate or win. The term “immediate family members” includes spouses, parents, siblings, grandparents, children, grandchildren and cohabiting significant others.
3. **CONTEST PERIOD:** The contest will begin on Saturday, October 1, 2016 and will run through Saturday, December 31, 2016.
4. **PARTICIPATION:** No purchase is necessary to enter this contest. To participate, create and submit an original work of art to serve as the Modesto City Flag, artwork must be received by Friday, December 30, 2016 at 5:00 pm PST (the “Submission Deadline”). Individuals may submit up to two (2) entries.
5. **FINALIST SELECTION:** Immediately after the Submission Deadline has passed, the panel of judges will review the eligible submissions from all entries received and select up to three (3) contest finalists in its sole discretion, and recommend the grand prize winner to the City Council. The panel of judges will consider the following factors based on the principles of “Good Flag, Bad Flag – How to Design a Great Flag: 1) Keep it simple, 2) Use meaningful symbolism, 3) Use of two to three basic colors, 4) No lettering or seals, and 5) Be distinctive or related.

In addition, the panel of judges will select up to three (3) finalists and two (2) honorable mentions in its sole discretion for entries by students under eighteen years of age.

The finalists' submissions may be posted on the City of Modesto's web page at www.modestogov.com and/or on the City's social media pages. Modesto residents will have an opportunity to weigh in on their favorite flag online, the outcome of which may be a factor (but not the sole factor) in the City of Modesto's City Council's final determination of the Contest grand prize winner. By entering a submission, participants agree to the City of Modesto's use of their name, age, on the City's Modesto website and Facebook page, as well as the display of their artwork and information pertaining to their submission without additional consideration.

6. **WINNER SELECTION:** The Modesto City Council has the sole discretion to select the grand prize winning design as the official City flag, or to decline to do so. The City may cancel the contest at any time in its discretion. The office of the Mayor and Council will notify the winner by mail. If it is determined that the candidate is not eligible to participate or receive a contest prize, in the City Council's sole judgment and discretion, another candidate may be selected.
7. **ARTWORK CRITERIA:** Artwork must use the 8.5" x 11" template provided with the entry form, although the artwork size does not necessarily have to be the exact size of the page. Entrants must also include a reduced-size version at 1" x 1.5" as indicated on the entry form. Artwork submitted by electronic mail must include the entry form and should be in JPEG or PDF format. The Modesto Culture Commission will accept artwork in color, black & white, paper, or digital format. Work should not be matted. **Entries will not be returned.**

Artwork should, as far as possible, follow the conventions of good flag design as outlined in the following document:

https://portlandflag.files.wordpress.com/2014/09/2013_gfbf_final_web.pdf

More information on flag design is available in the following video:

http://www.ted.com/talks/roman_mars_why_city_flags_may_be_the_worst_design_ed_thing_you_ve_never_noticed?language=en

ARTWORK MUST BE ORIGINAL and, except as expressly indicated in these Rules, cannot be based upon, derived from, or include in any way, in whole or in part, the protected work of any third party or in any way infringe upon a third party's proprietary or other rights.

Indemnification: As a condition to being allowed to participate in the Contest, participants agree to indemnify and hold harmless the City of Modesto, Modesto Culture Commission and their employees, members and agents from any and all

claims, damages, costs and expenses (including reasonable attorneys' fees) arising out of any submission that violates the terms of this provision or in any way infringes or allegedly infringes upon the proprietary or other rights of any third party. If a submission is based upon, derived from, or includes in any way, in whole or in part, the work of any third party, the participant must include with their submission proof of ownership in or a license to use such third-party work. Failure to comply with this provision will result in immediate disqualification from the Contest.

8. Submissions: Artwork will be accepted in person at the City of Modesto at 1010 Tenth Street, Suite 3300, Modesto, CA 95354, by U.S. Mail to City of Modesto, PO Box 642, Modesto, CA 95354, or by e-mail to modestoflagcontest@modestogov.com. Entries must be accompanied by a completed entry form. All entries must be received by Friday, December 30, 2016 at 4:30 pm PST. Late, incomplete or ineligible submissions will not be considered. Entries may be displayed at the City of Modesto main lobby from January 16, 2017 through February 10, 2017.

9. Prize: The grand prize winner will receive an honorarium payment of five-hundred dollars (\$500.00), which payment shall constitute a "buyout" of all rights in and to the original artwork by the City of Modesto.

As a condition to receiving the prize, the winner must complete and sign a Winner's all liability in connection with winner's participation in the Contest, acceptance of the prize, the use or non-use of the prize, and any third-party claims of infringement related to the winner's submission. The Winner's Affidavit will further confirm that the winner has transferred to the City of Modesto all rights in and to the artwork, the City of Modesto shall thereafter own the artwork exclusively, including all copyrights in it, and that the winner has assigned all such ownership rights to the City of Modesto.

Proper identification is required to claim the prize. All prizes are awarded "as is." Prizes are nontransferable and cannot be exchanged or sold.

The first place finalist, under eighteen years of age, will receive two complimentary tickets to a local event or show. Additional prizes may be awarded to second and third place winners under eighteen years of age, as well as any honorable mentions.

10. Taxes: All State, Local, Federal and or other taxes, duties, tariffs, title fees, licensing fees, or other fees for prizes awarded become the sole responsibility of the winner.

11. Odds: Odds of winning depend on a number of factors including the number of eligible entries received.

12. All City of Modesto and judging panel decisions regarding the submissions, the prize, the selection of the finalists and winner, and the interpretation of these rules shall be final. Each participant, by virtue of entering the Contest, agrees to accept the City of Modesto and the City Council's decisions as final and binding.
13. All entrants and winners agree that the City of Modesto and Modesto Culture Commission, their employees, members and agents shall have no liability for any injury, misfortune, or damage to either persons or property incurred by entering, participating in, winning, or losing any contest and/or by the use or non-use of any prize received in connection with this contest.
14. The City of Modesto and the Modesto Culture Commission are not responsible for any incorrect or inaccurate information entered by website users, and assumes no responsibility for any error, omission, interruption, deletion, defect, delay in operation or transmission, communications line failure, theft or destruction or unauthorized access to its website. The City of Modesto and the Modesto Culture Commission are not responsible for any mechanical telephone error, failure or omission, lost or misdirected mail or faxes, neglect on the part of the U.S. Postal Service or other mail carrier, or e-mail service disruptions.
15. All participants, finalists and winners agree to give the City of Modesto, its licensees, affiliates, successors, and assigns the irrevocable and unrestricted right to use, re-use, broadcast, or publish their name, city of residence, photo, video tape, film or any other likeness, including portraits and pictures, in whole or in part, as part of a composite, retouched or distorted in character or form, and winner's voice, recorded or live, for any reason the City of Modesto deems necessary without compensation, unless prohibited by law. All winners release, discharge, and agree to save harmless the City of Modesto, its directors, agents and representatives from any and all claims they may have against the City of Modesto in connection with the taking, production, or the use of winners' name, city of residence, any photo, video tape, film or any other likeness, including portraits and pictures, in whole or in part, as part of a composite, retouched, or distorted in character or form and without restrictions as to any changes, transformations or alterations, and including winners' voices, recorded or live. All winners further acknowledge that the City of Modesto owns or will own exclusively any photographs of such winners used for such purposes, including the copyrights in them, regardless of the form in which they have been or may be produced and used, and all winners assign all such ownership rights to the City.



Modesto Flag Design Contest

ENTRANT INFORMATION (Required)

Name: _____

Age: _____

Mailing Address: _____

Home Phone: _____

Mobile Phone: _____

Email Address: _____

School (if applicable): _____

Entrants under age 18:

I understand that the City of Modesto may use my child's name, age, and photo along with his or her artwork for publicity purposes, as described in the contest rules.

Parent or Guardian signature _____

Date: _____

ARTWORK CRITERIA

- Artwork must use the attached 8.5" x 11" template, although the artwork size does not necessarily have to be the exact size of the page.
- Artwork must also be reproduced in the 1" x 1.5" box below.
- Artwork submitted by electronic mail must include the entry form and should be in JPEG or PDF format.
- Label the top edge with "TOP" to show vertical or horizontal orientation
- Adhere to the following "Good Flag, Bad Flag" Guidelines
 1. Keep it simple
 2. Use meaningful symbolism
 3. Use 2-3 basic colors
 4. No lettering or seals
 5. Be distinctive or be related



Please describe how your flag represents the City of Modesto (150 words or less):

Entries will be accepted in person at the City of Modesto at 1010 Tenth Street, Suite 3300, Modesto, CA 95354, by U.S. Mail to City of Modesto, PO Box 642, Modesto, CA 95354. Entries will be accepted by e-mail to modestoflagcontest@modestogov.com. Electronic entries should be submitted in JPEG or PDF format. All entries must be received by XXXXX 4:30 pm PST. Late, incomplete or ineligible submissions will not be considered.

I have read and understand the contest rules.

Signature _____

Date _____

CANCELLED

**City of Modesto Culture Commission
January 5, 2022
Mellis Family Memorial Plaque Proposed Wording**

IN HONOR OF THE MELLIS FAMILY

The Mellis Family came to the Modesto area in 1915. The father, Dan Mellis was a founding member of the Greek Orthodox Church of Annunciation and a City of Modesto Councilmember from 1951-1954. He and his children were public servants and dedicated community leaders that contributed to growth in the City of Modesto.

Judge George Mellis was the youngest Superior Court Judge appointed in Stanislaus County in 1959. He served as Stanislaus County Democratic Chairman and was instrumental in reconstructing the California educational system and creating new fair housing laws.

Tom Mellis co-founded the SOS Club and in 1941, helped bring the world-renowned California Invitational Relays to Modesto. He was President of the Pacific Association of AAU sports, a group providing children of all races the opportunity to excel in athletics.

Asineth Mellis was a Modesto City Schools administrator and counselor. She was recognized in 1985 by the House of Representatives for excellence in teaching. Her commitment gave many students the opportunity to attend college who otherwise would not have been able.

PAVILLION DEDICATED 2021

CANCELLED