



# County of Santa Cruz

## DEPARTMENT OF PARKS, OPEN SPACE & CULTURAL SERVICES

979 17<sup>TH</sup> AVENUE, SANTA CRUZ, CA 95062

(831) 454-7901 FAX: (831) 454-7940 TDD: (831) 454-7978

JEFF GAFFNEY  
DIRECTOR

### ARTS COMMISSION – AGENDA

Monday, September 8, 2025  
4:30 p.m.  
Regular Meeting

Simpkins Swim Ctr./Live Oak Library Activity Rm.  
979 17<sup>th</sup> Avenue  
Santa Cruz, CA 95062

**I. CALL TO ORDER / ROLL CALL**

**II. AGENDA MODIFICATIONS OR APPROVAL**

- III. ORAL COMMUNICATIONS:** Any person may address the Commission during its Oral Communication period. Speakers must not exceed two (2) minutes in length, or the time limit established by the Chair, and individuals may speak only once during Oral Communications. All Oral Communication must be directed to an item listed on today's Consent Agenda, yet to be heard on Regular Agenda, or a topic not on the agenda that is within the jurisdiction of the Commission. Commission members will not take actions or respond immediately to any Oral communication presented regarding topics not on the agenda but may choose to follow up later, either individually or on a subsequent Commission Agenda. Oral communications will normally be received by the Commission for a period not to exceed thirty (30) minutes. If, at the end of this period, additional persons wish to address the Commission, the Oral Communication period may be continued to the last item on the agenda.

**IV. CONSENT AGENDA**

- a. Approve meeting minutes from July 21, 2025 ..... Pages 2-3

**V. STAFF REPORTS**

**VI. REGULAR AGENDA**

**A. Information/Discussion Items**

1. Santa Cruz Co. Chamber of Commerce – Arts Award Category – subcommittee report

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**B. Action Items**

1. Appoint two Commissioners to serve on the Behavioral Health Bridge Housing Public Art Panel
2. Appoint a Commissioner to serve on the Government Center Exhibits Panel
3. Appoint up to five (5) Commissioners to serve on the Percent for Art in Private Development Subcommittee
4. Appoint up to two Commissioners to provide advisory support to the Santa Cruz County Chamber of Commerce for the establishment of an Arts Award category
5. Review (and may approve) suggested edits to the draft update of the Public Art & Design Guidelines ..... Pages 4-20

**VII. AGENDA / MEETING FOR: Special Meeting – Oct. 6, 2025 – 4:30 PM**

**VIII. ADJOURNMENT**



# County of Santa Cruz

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JEFF GAFFNEY  
DIRECTOR OF PARKS

### ARTS COMMISSION MINUTES

July 21, 2025, 4:30 p.m. – 979 17<sup>th</sup> Ave., Santa Cruz

- I. Called to order at 4:41 p.m. Present: Niven, Phillips, Miranda, Leclerc, Singer, Kroslowitz, Stabile  
Absent / Excused: Rogers, McGowen Vacant seats: 1  
Staff: Sarah Shea, Kathy DeWild

II. Approved Agenda - Motion/Second: Stabile/Phillips

AYES: 7  
NOES: 0  
ABSTAIN: 0  
ABSENT: 2

III. Oral Communications – None

VI. Approved Consent Agenda - Motion/Second: Stabile/Kroslowitz

AYES: 7  
NOES: 0  
ABSTAIN: 0  
ABSENT: 2

V. Staff reports

Shaun Logan completed the mural on the new restroom building at Hidden Beach – it has been well received by the public. The Spotlight Awards exhibition opens August 1 – join the artists for First Friday, 5-7PM on the 5th floor of the County Gov. Ctr. Justin Francavilla is installing the public artwork at Floral Park – the “Life of the Tide Pool Party” features tide-pool dwelling creatures on two bronze sculptures consisting of a bronze-relief plaque and a cast bronze sculpture. Bruce Harman has completed installation of the Green Valley MUP public art project, which features 5 painted concrete monoliths situated by new bus stop; Children from Amesti Elementary created ceramic tiles which art installed along the top edge of each monolith.

Santa Cruz County Parks offers small grants for community partners to provide cultural and recreational programs to communities the department has historically been unable to reach and serve. More information and the application can be found on the Parks website. Applications are due August 15. The department opened the new Valle del Pájaro County Park last week, the first park with a Spanish name in county history. The 10<sup>th</sup> Annual Parks and Rex pool party will be held August 16 from 11AM-4PM at the Simpkins Swim Center. There will be something for everyone to enjoy, including your dog! Registration is not open for dog swim time slots and entry tickets.

VI. Regular Agenda

A. Information and Discussion Items

1. Percent for Arts in Private Development – Commissioners discussed the potential process and timeline, and decided a subcommittee should be formed to begin drafting procedures. The item will be added to the September 2025 agenda.
2. Chamber Arts Award Category – the chair of the subcommittee, Commissioner LeClerc, reported no decision has been made yet.

## **B. Action Items**

1. Voted to approve Micha Scott as Artist of the Year 2026.

Motion/Second: Kroslowitz/Phillips

AYES: 7  
NOES: 0  
ABSTAIN: 0  
ABSENT: 2

2. Appointed two Commissioners, Kroslowitz and Singer, to serve on the live Oak Exhibits Panel.

Motion/Second: Phillips/Miranda

AYES: 7  
NOES: 0  
ABSTAIN: 0  
ABSENT: 2

3. Appointed two Commissioners, Niven and Phillips, to serve on the Pace Trail public art panel.

Motion/Second: Stabile/Miranda

AYES: 7  
NOES: 0  
ABSTAIN: 0  
ABSENT: 2

4. Discussed the current Spotlight Award rating form and application – no vote was taken. This item was tabled to the November meeting agenda.
5. Reviewed and discussed the Legacy Award subcommittee's draft criteria, process and presentation - no vote was taken. This item was tabled to the November meeting agenda.
6. Reviewed and discussed the suggested edits to the Commission-approved Public Art & Design Guidelines – no vote was taken. This item was tabled to the Sept. 8 meeting agenda.

## **VII. Next meeting date: September 8, 2025 – 4:30-6:00 PM. Agenda items may include:**

- Public Art & Design Guidelines
- Percent for Arts in Private Development

## **VIII. Adjournment – 6:10 PM**

Motion/Second: Kroslowitz/Phillips

AYES: 7  
NOES: 0  
ABSTAIN: 0  
ABSENT: 2

# **SANTA CRUZ COUNTY PUBLIC ART AND DESIGN GUIDELINES**

## **1.0 PURPOSE.**

These are the guidelines Santa Cruz County utilizes for the purpose of implementing the public art and design program established by the Santa Cruz County Board of Supervisors.

## **2.0 VISION AND MISSION.**

The vision of the public art program is to: enhance the visual environment of Santa Cruz County, by fostering collaborations between artists and a diverse array of collaborator entities and agencies. Its mission is to promote civic pride, equity and inclusion for all, and a sense of place, while spurring economic vitality for government and its citizens.

## **3.0 DEFINITIONS. (See Appendix I)**

## **4.0 DEVELOPMENT OF ANNUAL PUBLIC ART PLAN.**

- 4.1 When a department envisions a capital improvement project which would be eligible for a public art component the Department Head shall meet with the Director of the County of Santa Cruz Department of Parks, Open Space and Cultural Services (POSCS) or designee, in order to develop a public art project description, budget and timeline for approval by the Board of Supervisors. The timeline shall ensure that the artist is selected and the contract executed before the project architect has finalized conceptual plans.
- 4.2 The Director of POSCS or designee shall present upcoming capital projects to the Arts Commission which will, on an annual basis, create a proposed Public Art Plan. This plan shall include the proposed art projects, budgets, recommendations for the specific approach to art in each of the projects and definition of the artist selection processes for approval by the Board of Supervisors. When possible, the presentation to the Board of Supervisors shall take place during the month of January.
- 4.3 The Arts Commission may, from time to time during the course of the year, recommend to the Board of Supervisors modifications to the Public Art Plan.

## **5.0 USES OF FUNDS.**

Funds, (2% of total construction costs as defined by the Board of Supervisors in the 1991 Ordinance (see Attachment II)) from eligible construction projects shall be allocated for artists design services and the acquisition or commissioning of Public Art Projects.

- a) Up to five percent (5%) of the total funds allocated for a public art project shall be placed in a special account and used for community education activities and program support costs. Funds in this category may be expended for identifying plaques, documentation, , dedications, advertising, artist selection costs, publicity, contracted services and other purposes recommended by the Arts Commission for the administration of the program and approved by the Board of Supervisors in the project budget.
- b) Ten percent (10%) of the total funds allocated for a public art project shall be placed in a

special account to be used for coordination of the public art program by POSCS art and cultural staff

- c) Five percent (5%) of the total funds allocated for a public art projects shall be placed in a special account for maintenance and preservation of art works funded by the Public Art Program.
- d) When total funds allocated for a public art project are at least \$20,000 but no more than \$49,999, one percent (1%) of the total amount shall be placed in a special interest-bearing public art account.

When total funds allocated for a public art project are at least \$50,000 but no more than \$99,999, one and one-half percent (1.5%) of the total amount shall be placed in a special interest-bearing public art account.

When total funds allocated for a public art project are at least \$100,000, two percent (2%) of the total amount shall be placed in a special interest-bearing public art account.

Upon recommendation of POSCS and the approval of the Arts Commission, any or all of the pooled funds may be used to provide public artworks or programs for underserved areas of the County. The Arts Commission may also propose projects that would be supported by these funds.

## **6.0 ARTWORKS.**

### **6.1 Eligible Artworks:**

It is the policy of the County of Santa Cruz that all artworks commissioned or acquired under the public art program be unique and designed by visual artists. Such artworks may include, but are not limited to, the following:

- a) Sculpture: free-standing, wall supported or suspended; kinetic, electronic; in any material or combination of durable materials suitable to the site.
- b) Murals or portable paintings: in any material or variety of materials, with or without collage or the addition of non-traditional materials or means.
- c) Earthworks, fiberworks, neon, glass, mosaics, photographs, prints, calligraphy, any combination of forms of media including sound, literary elements, film, holographic images, and video systems; hybrids of any media and new genres.
- d) Furnishings or fixtures, including but not limited to gates, railings, streetlights, signs, seating, if artist-created as unique elements or limited editions.
- e) Artistic or aesthetic elements of the overall architecture or landscape design if created by a professional artist or a design team that includes a professional visual artist.
- f) Temporary artworks or installations, if such artworks serve the purpose of providing community and educational outreach purposes.
- g) The incremental costs of infrastructure elements, such as sound walls, utility structures,

roadway elements and other items if designed by an artist or design team that included an artist as a co-designer.

## 6.2 Ineligible Artworks.

- a) “Art objects” that are mass produced or of standard manufacture, such as playground equipment, fountains or statuary elements, unless incorporated into an artwork by a project artist.
- b) Reproductions, by mechanical or other means, of original works of art, except in the cases of film, video, photography, printmaking or other media arts.
- c) Decorative, ornamental, architectural or functional elements which are designed by the building architect, as opposed to elements created by an artist commissioned for that purpose.
- d) Landscape architecture and landscape gardening except where these elements are designed by a professional visual artist and/or are an integral part of the artwork by the artist.
- e) Art projects proposed by galleries or artists’ agents.
- f) Specifically excluded are artworks done by students under the supervision of art instructors or done to satisfy course requirements; artworks by the design architect (or other relevant professionals or members of the project design firm); and works by artists who are members of, or related to (immediate family), staff or members of the Arts Commission or the artist selection panel for the project.

## 7.0 RESPONSIBILITIES.

### 7.1 The Board of Supervisors shall:

- 7.1.1 Review and may approve the annual Public Art Plan proposed by the Arts Commission.
- 7.1.2 Appropriate public art funds as part of the annual plant acquisition budget process, and direct departments to place the funds into a non-interest-bearing public art fund account at the appropriate time.
- 7.1.3 Review and may approve recommendations from the Arts Commission for selection of artist(s) for Public Art projects.
- 7.1.4 Review and may approve contracts for the purchase of design services and artworks.
- 7.1.5 Review and may approve revisions to public art policies and guidelines.

### 7.2 The Arts Commission shall:

- 7.2.1 Manage the public art program, including recommending rules, regulations, policies and guidelines, consistent with the 1991 public art ordinance established by the Board of

Supervisors.

- 7.2.2 Monitor the overall development of the County art program, including ensuring that applications from Santa Cruz-based and regional artists are solicited in the program and ensuring that the program is reflective of the community's cultural diversity.
- 7.2.3 Provide a reporting mechanism for regular surveys of the condition of the collection and make recommendations for the care and maintenance of the art works as needed.
- 7.2.4 Review and may approve the annual Public Art Plan (see Appendix I) and present the plan to the Board of Supervisors.
- 7.2.5 Appoint up to two Arts Commissioners to serve on art selection panels.

Panels shall be coordinated by POSCS staff and be composed, in most cases, of at least five but not more than seven voting members including: one to two members of the community, one to two members of the Arts Commission, two artists or arts professionals (designer, curator, collector, public art administrator, etc.), and one representative from the County department at which the project will be located. The artist selection panel may also include one or more non-voting advisors, including (a) the project architect, (b) the project manager, and c) other persons deemed appropriate by the Arts Commission. The composition of each Artist Selection Panel will depend on the nature of each project and site.

- 7.2.6 Develop a concise written charge to each artist selection panel which:

- a) Outlines the objectives and parameters.
- b) Defines a selected approach for the artwork.
- c) Defines the method to be used for artist selection.
- d) Determines whether the project should be a design collaboration.

- 7.2.7 Review and may approve the recommendations of the artist selection panel and make recommendations to the Board of Supervisors for the Board's selection of an artist.
- 7.2.8 Periodically review and recommend changes in the public art ordinance, policies, guidelines and procedures to the Board.

- 7.3 The County Department(s) with an eligible capital improvement project shall:

- 7.3.1 Meet with POSCS arts program staff to discuss the project (prior to the architect selection process) which is eligible for public art treatment and participate in the Public Artist selection process to determine recommendations to the Board of Supervisors.
- 7.3.2 Include information about the Public Art Component for a project during the Architect Selection process.

- 7.4 The Artist Selection Panel shall:

- 7.4.1 Respond to the charge of the Arts Commission, outlining how the selection of the artist(s) or artwork meets the criteria for the project.

- 7.4.2 Review the credentials, prior work, proposals and other materials submitted by artists for the project.
- 7.4.3 Be sensitive to the public nature of the project and the community where it is sited, as well as the need for cultural diversity in the public art program.
- 7.5 POSCS staff shall manage all aspects of the public art program
- 7.6 Conflicts of Interest

Artists (or members of their immediate families or business partners) serving as members of the Arts Commission may not be commissioned under, or receive any direct financial benefit from, any County public art project during the term of their tenure on the Commission. This restriction shall extend for a period of one year following Commission membership and shall extend indefinitely for any specific projects which were reviewed or otherwise acted upon during the artist's membership on the Commission. An artist serving on an Artist Selection Panel may not be considered for that project, but may be eligible for other projects. Members of the Artist Selection Panels must declare any conflict of interest and abstain from voting if a conflict of interest arises.

## **8.0 SELECTION OF ARTISTS**

Selecting the "appropriate" artist, whether to create a discreet artwork or to participate in a design collaboration, is the single most important decision in the public art process. Special care must be taken in all aspects of artist selection in order to ensure the best possible public art project, taking into account the goals of the project, the community served, the nature of the site, and the other members of the design team.

- 8.1 Eligibility Requirements: for each project will be established by the Arts Commission.
  - 8.1.1 Artists will be selected on the basis of their qualification(s) as demonstrated by past work, appropriateness of the proposal to the particular project and site, and its probability of successful completion. During the artist recruitment and selection process every effort will be made to include recruitment of Santa Cruz County-based artists.
  - 8.1.2 Selection of artists will be without regard or discrimination against applicant for employment because of race, color, religion, national origin, ancestry, physical or mental disability, medical condition, marital status, sex, sexual orientation, age (over 40), veteran status, or any other non-merit factor.
  - 8.1.3 Selections will involve commissioned work by living artists. In general, the purchase of existing works will not be considered, unless there are extraordinary circumstances that make this approach advisable for a particular project.
  - 8.1.4 In the selection of the artist, it is a goal to provide for as broad a representation of different artists and art forms as possible, as well as to provide public art that reflects the County's cultural diversity.
- 8.2 Selection of Artists

The method of selection shall be an open competition. During an open competition any artist may



submit credentials or proposals, subject to any requirements established by the art selection panel. Calls for Artists will be sufficiently detailed to permit artists to determine whether their work is appropriate to the project under consideration. Requests for proposals will be issued announcing the open competition via press releases, social media posts, POSCS website, and other methods. In addition, lists will be kept and used for artists wishing to be informed of such opportunities. Local organizations and educational institutions such as Arts Council Santa Cruz County, the Museum of Art and History, the Santa Cruz Art League, Mountain Arts Center, and Pajaro Valley Arts will be informed and encouraged to notify their memberships and students of such competitions. In the artist selection process, no funds will be expended to provide travel expenses for artists submitting proposals.

### 8.3 Criteria for Selection of Artists or Artworks.

- 8.3.1 Quality - the highest priority is the design capability of the artist(s) and the inherent quality of the artwork(s).
- 8.3.2 Media - all art forms may be considered, subject to any recommendations or requirements set by POSCS staff in coordination with the involved department.
- 8.3.3 Style - artworks of all styles should be considered for the County Public Art Program.
- 8.3.4 Nature - artworks should be appropriate in scale, materials, form and content for the immediate social and physical environments with which they relate.
- 8.3.5 Permanence - consideration should be given to structural and surface integrity, permanence, and protection of the artwork against theft, vandalism, weathering, excessive maintenance and repair costs.
- 8.3.6 Elements of design - consideration should be given to the fact that public art is a genre that is created in a public context and that must be judged by standards that embrace factors other than the aesthetic, including public participation, social and political attitudes, and functional considerations. Public art may also serve to establish focal points; terminate areas; modify, enhance or define specific spaces; establish identity; or address specific issues of urban design.
- 8.3.7 Public liability - artworks should be examined for unsafe conditions or factors that may bear on public liability.
- 8.3.8 Diversity - the Public Art Program should strive for diversity of style, scale and media.

## 9.0 RESPONSIBILITIES OF SELECTED PUBLIC ARTIST

- a) Within the terms of the contract, the artist shall Guarantee and maintain the artwork against all defects of material or workmanship for a period of one (1) year following installation.
- b) Within the terms of the contract, the artist shall provide POSCS staff with detailed drawings of the installation of the artwork and with detailed instructions regarding routine and long-term maintenance of the artwork.

- c) Within the terms of the contract, all repairs and restorations which are made to the artwork within the lifetime of the artist shall have the mutual agreement of the County and the artist, and to the extent practical, the artist shall be given the opportunity to accomplish such repairs at a reasonable fee.

## **10.0 PROVISION FOR REVIEW AND AMENDMENT.**

These guidelines are subject to review and revision by the Arts Commission at least every five (5) years from the most recent Board of Supervisors' approval of recommended revisions.

## **APPENDIX I**

### **DEFINITIONS.**

- 1) Public art: a reflection of how we see the world; it is a part of our public history, part of our evolving culture and our collective memory. It reflects and reveals community values, enhances our environment, transforms a landscape, heightens our awareness, or questions our assumptions. It may be tangible or intangible (permanent or ephemeral?), conventional or unconventional. Situated in public sites, this art is there for everyone, a form of collective community expression that can define "place." Not all art will appeal to all people. Every public art project is an interactive process between multiple, diverse entities and agencies intended to enhance, rather than limit, the artist's involvement and the viewer's response
- 2) Public Art Plan: a prioritized list of public art projects, with budgets and recommended design approach, updated on an annual basis by the Arts Commission in consultation with community groups and the County agencies anticipating capital improvement projects. This plan is to be presented annually to the Board of Supervisors for review and approval.
- 3) Artwork: work in a variety of media produced by visual artists which may include non-visual elements. The public art program should encompass the broadest possible range of expression, media and materials. Works may be permanent or temporary, functional or non-functional.
- 4) Artist Design Services: services by visual artists to develop designs for artworks or other architectural, landscape or urban design elements, either individually or as a member of a project design team.
- 5) Digital Art: An artistic work or practice that uses digital technology as part of the creative or presentation process.
- 6) New Media: All types of contemporary art created, edited, or broadcast by new media technology. This includes works created with computer animation, virtual reality, video games, robotics, biotechnology and 3D printing, as well as what falls under the types of digital art.

## **ATTACHMENT II**

### **A PROGRAM TO PROVIDE PUBLIC ART IN THE DEVELOPMENT OF CERTAIN COUNTY CONSTRUCTION PROJECTS - COUNTY OF SANTA CRUZ**

#### **I. PURPOSE**

It is a goal of the County of Santa Cruz to expand, within available resources, the public's experience with public Arts and to make available to County residents artwork of the highest quality that will in turn enhance the quality of life in Santa Cruz County and to help create a more visually pleasing and humane environment.

#### **II. DESCRIPTION**

In acknowledgment of this goal, it shall be the policy of the county to include consideration of the provision of public art in the design and development of any County capital building project in excess of \$100,000 for buildings located in highly visible public areas or areas regularly frequented by or accessible to the general public. In addition, funding for public art shall be considered for any remodeling project of an existing building in excess of \$100,000 when the purpose of the project is to enlarge or improve the space in the building regularly frequented by the general public of which is located in a highly visible area and which is constructed by or for the County of Santa Cruz.

Eligible projects shall be considered for the Percent for the Arts budget allowance as part of the County's annual budget cycle, and included on the Commission's annual Public Art Plan. If approved, a budget allowance of 2% of total construction costs shall be allocated for works of art for projects subject to this policy. For any County construction project involving jails or detention facilities, a budget allowance of 1.5% of the total construction costs shall be allocated for works of art. Allocations for Parks project shall be required at the 2% level.

If eligible projects are recommended to be excluded from the Percent for the Arts allocation, the basis for this shall be included in the budget recommendations.

If during budget hearings, or thereafter, the Board of Supervisors approves an eligible project and sets aside an amount for public art, a separate line item shall be established to track expenditures for this purpose.

#### **III. EXCLUSIONS**

Projects not deemed eligible for this program include:

- (a) Historic buildings as designated from time to time by the County or by the State or Federal government.
- (b) Projects wherein a financing source by statute or regulation preclude such uses.
- (c) Projects involving only remodeling for maintenance purposes, such as roof repairs, elevator repairs and communications systems, or remodeling of interior office spaces which are not regularly frequented by the public.
- (d) Projects requiring reconstruction or rebuilding because of a Presidentially-declared disaster.
- (e) Affordable housing projects unless the policy can be applied without rendering the project infeasible.

# SANTA CRUZ COUNTY PUBLIC ART AND DESIGN GUIDELINES

## 1.0 PURPOSE.

These are the guidelines Santa Cruz County utilizes for the purpose of implementing the public art and design program established by the Santa Cruz County Board of Supervisors.

## 2.0 VISION AND MISSION GOALS.

The vision goals of the public art program is are to: enhance the visual environment ~~for the citizens~~ of Santa Cruz County, by fostering collaborations between artists and a diverse array of collaborator entities and agencies. Its mission is to promote civic pride, equity and inclusion for all, and a sense of place, while spurring economic vitality for government and its citizens to integrate the design work of artists into the development of County public works projects, and to promote tourism and economic vitality of the County through the enhancement of public spaces.

## 3.0 DEFINITIONS. (See Appendix I)

## 4.0 DEVELOPMENT OF ANNUAL PUBLIC ART PLAN.

- 4.1 When a department envisions a capital improvement project which would be eligible for a public art component the Department Head shall meet with the Director of the County of Santa Cruz Department of Parks, Open Space and Cultural Services (POSCS) or designee, in order to develop a public art project description, budget and timeline for approval by the Board of Supervisors. The timeline shall ensure that the artist is selected and the contract executed before the project architect has finalized conceptual plans.
- 4.2 The Director of POSCS or designee shall present upcoming capital projects to the Arts Commission which will, on an annual basis, create a proposed Public Art Plan. This plan shall include the proposed art projects, budgets, recommendations for the specific approach to art in each of the projects and definition of the artist selection processes for approval by the Board of Supervisors. When possible, the presentation to the Board of Supervisors shall take place during the month of ~~August~~ January.
- 4.3 The Arts Commission may, from time to time during the course of the year, recommend to the Board of Supervisors modifications to the Public Art Plan.

## 5.0 ~~5.0~~ USES OF FUNDS.

### ~~5.1~~ 5.1 ~~Inclusions.~~

a) Funds, (~~1-2%~~ 2% of total construction costs) as defined by the Board of Supervisors in the 1991 Ordinance (see Attachment II)) from eligible construction projects ~~may shall~~ be allocated for artists design services and the acquisition or commissioning of Public Art Projects.

a) Up to five percent (5%) of the total funds ~~from allocated for a public art projects shall be placed in a special account may be allocated and used~~ for community education activities

and program support costs. Funds in this category may be expended for identifying plaques, documentation, ~~public amenities~~, dedications, advertising, artist selection costs, publicity, contracted services and other purposes recommended by the Arts Commission for the administration of the program and approved by the Board of Supervisors in the project budget.

~~b) Ten percent (10%) of the total funds allocated for a public art project shall be placed in a special account to be used for coordination of the public art program by POSCS art and cultural staff~~

~~b)~~

~~c) Five percent (5%) of the total funds allocated for a from public art projects may shall be allocated and placed in a special account for maintenance and preservation of art works funded by the Public Art Program.~~

~~d) When total funds allocated for a public art project are at least \$20,000 but no more than \$49,999, one percent (1%) of the total amount shall be placed in a special interest-bearing public art account.~~

~~When total funds allocated for a public art project are at least \$50,000 but no more than \$99,999, one and one-half percent (1.5%) of the total amount shall be placed in a special interest-bearing public art account.~~

~~When total funds allocated for a public art project are at least \$100,000, two percent (2%) of the total amount shall be placed in a special interest-bearing public art account.~~

~~e) Upon recommendation of POSCS and the approval of the Arts Commission, any or all of the pooled funds may be used to provide public artworks or programs for underserved areas of the County. The Arts Commission may also propose projects that would be supported by these funds.~~

## 6.0 ARTWORKS.

### 6.1 Eligible Artworks:

It is the policy of the County of Santa Cruz that all artworks commissioned or acquired under the public art program be unique and designed by visual artists. Such artworks may include, but are not limited to, the following:

- a) Sculpture: free-standing, wall supported or suspended; kinetic, electronic; in any material or combination of durable materials suitable to the site~~materials~~.
- b) Murals or portable paintings: in any material or variety of materials, with or without collage or the addition of non-traditional materials or means.
- c) Earthworks, fiberworks, neon, glass, mosaics, photographs, prints, calligraphy, any combination of forms of media including sound, literary elements, film, holographic images, and video systems; hybrids of any media and new genres.
- d) Furnishings or fixtures, including but not limited to gates, railings, streetlights, signs, seating, if artist-created as unique elements or limited editions.

- e) Artistic or aesthetic elements of the overall architecture or landscape design if created by a professional artist or a design team that includes a professional visual artist.
- f) Temporary artworks or installations, if such artworks serve the purpose of providing community and educational outreach purposes.
- g) The incremental costs of infrastructure elements, such as sound walls, utility structures, roadway elements and other items if designed by an artist or design team that included an artist as a co-designer.

## 6.2 Ineligible Artworks.

- a) “Art objects” ~~which-that~~ are mass produced or of standard manufacture, such as playground equipment, fountains or statuary elements, unless incorporated into an artwork by a project artist.
- b) Reproductions, by mechanical or other means, of original works of art, except in the cases of film, video, photography, printmaking or other media arts.
- c) Decorative, ornamental, architectural or functional elements which are designed by the building architect, as opposed to elements created by an artist commissioned for that purpose.
- d) Landscape architecture and landscape gardening except where these elements are designed by a professional visual artist and/or are an integral part of the artwork by the artist.
- ~~e) — Services or utilities necessary to operate and maintain an artwork over time.~~
- ~~f) —~~ Art projects proposed by galleries or artist’s agents.
- ~~g)f) —~~ Specifically excluded are artworks done by students under the supervision of art instructors or done to satisfy course requirements; artworks by the design architect (or other relevant professionals or members of the project design firm); and works by artists who are members of, or related to (immediate family), staff or members of the Arts Commission or the artist selection panel for the project.

## 7.0 RESPONSIBILITIES.

### 7.1 The Board of Supervisors shall:

- 7.1.1 Review and may approve the annual Public Art Plan proposed by the Arts Commission.
- 7.1.2 Appropriate public art funds as part of the annual plant acquisition budget process, and direct departments to place the funds into ~~the-a~~ non-interest-bearing public art fund account at the appropriate time.
- 7.1.3 Review and may approve recommendations from the Arts Commission for selection of artist(s) for Public Art projects.

- 7.1.4 Review and may approve contracts for the purchase of design services and artworks.
- 7.1.5 Review and may approve revisions to public art policies and guidelines.
- 7.2 The Arts Commission shall:
  - 7.2.1 Manage the public art program, including recommending rules, regulations, policies and guidelines, consistent with the 1991 public art ordinance established by the Board of Supervisors.
  - 7.2.2 Monitor the overall development of the County art program, including ensuring that applications from Santa Cruz-based and regional artists are solicited in the program and ensuring that the program is reflective of the community's cultural diversity.
  - 7.2.3 Provide a reporting mechanism for regular surveys of the condition of the collection and make recommendations for the care and maintenance of the art works as needed.
  - 7.2.4 ~~Review and may approve~~ Develop the annual Public Art Plan (see Appendix I) and present the plan to the Board of Supervisors.
  - 7.2.5 Appoint up to two Arts Commissioners to serve on art selection panels ~~Establish a pool of artist selection panelists and constitute artist selection panels.~~

Panels shall be coordinated by POSCS staff ~~appointed by the County Arts Commission~~ and be composed, in most cases, of at least five but not more than seven voting members including: one to two members of the community, one to two members of the Arts Commission, two artists or arts professionals (designer, curator, collector, public art administrator, etc.), and one representative from the County department at which the project will be located. The artist selection panel may also include one or more non-voting advisors, including (a) the project architect, (b) the project manager, and c) other persons deemed appropriate by the Arts Commission. The composition of each Artist Selection Panel will depend on the nature of each project and site.
  - 7.2.6 Develop a concise written charge to each artist selection panel which:
    - a) Outlines the objectives and parameters.
    - b) Defines a selected approach for the art-work.
    - c) Defines the method to be used for artist selection.
    - d) Determines whether the project should be a design collaboration.
  - 7.2.7 Review and may approve the recommendations of the artist selection panel and make recommendations to the Board of Supervisors for the Board's selection of an artist.
  - 7.2.8 Periodically review and recommend changes in the public art ordinance, policies, guidelines and procedures to the Board.
- 7.3 The County Department(s) with an eligible capital improvement project shall:
  - 7.3.1 Meet with POSCS arts program staff ~~the Arts Commission~~ to discuss the project (prior to the architect selection process) which is eligible for public art treatment and participate in the Public Artist selection process to determine recommendations to the Board of Supervisors.

7.3.2 Include information about the Public Art Component for a project during the Architect Selection process.

7.4 The Artist Selection Panel shall:

7.4.1 Respond to the charge of the Arts Commission, outlining how the selection of the artist(s) or artwork meets the criteria for the project.

7.4.2 Review the credentials, prior work, proposals and other materials submitted by artists for the project.

7.4.3 Be sensitive to the public nature of the project and the community where it is sited, as well as the need~~necessity~~— for cultural diversity in the public art program.

7.5 POSCS staff shall manage all aspects of the public art program

7.5.6 Conflicts of Interest

Artists (or members of their immediate families or business partners) serving as members of the Arts Commission may not be commissioned under, or receive any direct financial benefit from, any County public art project during the term of their tenure on the Commission. This restriction shall extend for a period of one year following Commission membership and shall extend indefinitely for any specific projects which were reviewed or otherwise acted upon during the artist's membership on the Commission. An artist serving on an Artist Selection Panel may not be considered for that project, but may be eligible for other projects. Members of the Artist Selection Panels must declare any conflict of interest and abstain from voting if a conflict of interest arises.

## 8.0 SELECTION OF ARTISTS

Selecting the “appropriate” artist, whether to create a discreet artwork or to participate in a design collaboration, is the single most important decision in the public art process. Special care must be taken in all aspects of artist selection in order to ensure the best possible public art project, taking into account the goals of the project, the community served, the nature of the site, and the other members of the design team.

8.1 Eligibility Requirements: for each project will be established by the Arts Commission.

8.1.1 Artists will be selected on the basis of their qualification(s) as demonstrated by past work, appropriateness of the proposal to the particular project and site, and its probability of successful completion. During the artist recruitment and selection process every effort will be made to include recruitment of Santa Cruz County-based artists.

8.1.2 Selection of artists will be without regard or discrimination against applicant for employment because of race, color, religion, national origin, ancestry, physical or mental disability, medical condition (~~cancer-related~~), marital status, sex, sexual orientation, age (over 40), veteran status, or any other non-merit factor.

8.1.3 Selections will involve commissioned work by living artists. In general, the purchase of existing works will not be considered, unless there are extraordinary circumstances that



make this approach advisable for a particular project.

- 8.1.4 In the selection of the artist, it is a goal to provide for as broad a representation of different artists and art forms as possible, as well as to provide public art that reflects the County's cultural diversity.

## 8.2 Selection of Artists

The method of selection shall be an open competition. During an open competition any artist may submit credentials or proposals, subject to any requirements established by the art selection panel. Calls for ~~entries~~ Artists will be sufficiently detailed to permit artists to determine whether their work is appropriate to the project under consideration. Requests for proposals ~~Press releases~~ will be issued announcing the open competition via press releases, social media posts, POSCS website, and other methods. In addition, lists will be kept and used for artists wishing to be informed of such ~~offerings opportunities~~. Local organizations and educational institutions such as ~~the Cultural Arts Council Santa Cruz County~~, the Museum of Art and History, the Santa Cruz Art League, Mountain Arts Center, and the Pajaro Valley Arts Council, and the Art Departments of UCSC, Cabrillo and San Jose State, Aptos High School, Soquel High School, San Lorenzo Valley High School, Harbor High School, Watsonville High School, and Renaissance High School, will be informed and encouraged to notify their memberships and students of such competitions. In the artist selection process, ~~No~~ funds will be expended ~~on advertising outside Santa Cruz County or~~ to provide travel expenses for artists submitting proposals.

## 8.3 Criteria for Selection of Artists or Artworks.

- 8.3.1 Quality - the highest priority is the design capability of the artist(s) and the inherent quality of the artwork(s).
- 8.3.2 Media - all art forms ~~of visual arts~~ may be considered, subject to any recommendations or requirements set by POSCS staff in coordination with the involved department, the artist selection panel or the Arts Commission.
- 8.3.3 Style - artworks of all ~~schools, styles, and tastes~~ should be considered for the County Public Art Program.
- 8.3.4 Nature - artworks should be appropriate in scale, materials, form and content for the immediate social and physical environments with which they relate.
- 8.3.5 Permanence - consideration should be given to structural and surface integrity, permanence, and protection of the artwork against theft, vandalism, weathering, excessive maintenance and repair costs.
- 8.3.6 Elements of design - consideration should be given to the fact that public art is a genre that is created in a public context and that must be judged by standards that embrace factors other than the aesthetic, including public participation, social and political attitudes, and functional considerations. Public art may also serve to establish focal points; terminate areas; modify, enhance or define specific spaces; establish identify identity; or address specific issues of urban design.
- 8.3.7 Public liability - artworks should be examined for unsafe conditions or factors that may bear on public liability.

8.3.8 Diversity - the Public Art Program should strive for diversity of style, scale and media.

## 9.0 RESPONSIBILITIES OF SELECTED PUBLIC ARTIST

### ~~9.1~~ — Artist

- a) Within the terms of the contract, the artist shall Guarantee and maintain the artwork against all defects of material or workmanship for a period of one (1) year following installation.
- b) Within the terms of the contract, the artist shall provide ~~the POSCS staff Arts Commission~~ with detailed drawings of the installation of the artwork and with detailed instructions regarding routine and ~~extraordinary long-term~~ maintenance of the artwork.
- c) Within the terms of the contract, all repairs and restorations which are made to the artwork within the lifetime of the artist shall have the mutual agreement of the County and the artist, and to the extent practical, the artist shall be given the opportunity to accomplish such repairs at a reasonable fee.

## 10.0 PROVISION FOR REVIEW AND AMENDMENT.

These guidelines are subject to review and revision by the Arts Commission at least every five (5) years from the most recent Board of Supervisors approval of recommended revisions. ~~and approval by the Board of Supervisors.~~

## APPENDIX I

### DEFINITIONS.

- 1) ~~Public art: a reflection of how we see the world; it is a part of our public history, part of our evolving culture and our collective memory. It reflects and reveals community values, enhances our environment, transforms a landscape, heightens our awareness, or questions our assumptions. It may be tangible or intangible (permanent or ephemeral?), conventional or unconventional. Situated in public sites, this art is there for everyone, a form of collective community expression that can define “place.” Not all art will appeal to all people. Every public art project is an interactive process between multiple, diverse entities and agencies intended to enhance, rather than limit, the artist’s involvement and the viewer’s response~~
- 1)2) Public Art Plan: a prioritized list of public art projects, with budgets and recommended design approach, updated on an annual basis by the Arts Commission in consultation with community groups and the County agencies anticipating capital improvement projects. This plan is to be presented annually to the Board of Supervisors for review and approval.
- 2)3) Artwork: work in a variety of media produced by visual artists which may include non-visual elements. The public art program should encompass the broadest possible range of expression, media and materials. Works may be permanent or temporary, functional or non-functional.
- 4) Artist Design Services: services by visual artists to develop designs for artworks or other architectural, landscape or urban design elements, either individually or as a member of a project design team.
- 5) Digital Art: An artistic work or practice that uses digital technology as part of the creative or

presentation process.

- 6) New Media: All types of contemporary art created, edited, or broadcast by new media technology. This includes works created with computer animation, virtual reality, video games, robotics, biotechnology and 3D printing, as well as what falls under the types of digital art.

3)

## **ATTACHMENT II**

### **A PROGRAM TO PROVIDE PUBLIC ART IN THE DEVELOPMENT OF CERTAIN COUNTY CONSTRUCTION PROJECTS - COUNTY OF SANTA CRUZ**

#### **I. PURPOSE**

It is a goal of the County of Santa Cruz to expand, within available resources, the public's experience with public Arts and to make available to County residents artwork of the highest quality that will in turn enhance the quality of life in Santa Cruz County and to help create a more visually pleasing and humane environment.

#### **II. DESCRIPTION**

In acknowledgment of this goal, it shall be the policy of the county to include consideration of the provision of public art in the design and development of any County capital building project in excess of \$100,000 for buildings located in highly visible public areas or areas regularly frequented by or accessible to the general public. In addition, funding for public art shall be considered for any remodeling project of an existing building in excess of \$100,000 when the purpose of the project is to enlarge or improve the space in the building regularly frequented by the general public of which is located in a highly visible area and which is constructed by or for the County of Santa Cruz.

Eligible projects shall be considered for the Percent for the Arts budget allowance as part of the County's annual budget cycle, and included on the Commission's annual Public Art Plan. If approved, a budget allowance of 2% of total construction costs may-shall be allocated for works of art for projects subject to this policy. For any County construction project involving jails or detention facilities, a budget allowance of 1.5% of the total construction costs may-shall be allocated for works of art. Allocations for Parks project shall be required at the 2% level.

If eligible projects are recommended to be excluded from the Percent for the Arts allocation, the basis for this shall be included in the budget recommendations.

If during budget hearings, or thereafter, the Board of Supervisors approves an eligible project and sets aside an amount for public art, a separate line item shall be established to track expenditures for this purpose.

### III. EXCLUSIONS

Projects not deemed eligible for this program include:

- (a) Historic buildings as designated from time to time by the County or by the State or Federal government.
- (b) Projects wherein a financing source by statute or regulation preclude such uses.
- (c) Projects involving only remodeling for maintenance purposes, such as roof repairs, elevator repairs and communications systems, or remodeling of interior office spaces which are not regularly frequented by the public.
- (d) Projects requiring reconstruction or rebuilding because of a Presidentially-declared disaster.
- (e) Affordable housing projects unless the policy can be applied without rendering the project infeasible.