



County of Santa Cruz

DEPARTMENT OF PARKS, OPEN SPACE & CULTURAL SERVICES

979 17TH AVENUE, SANTA CRUZ, CA 95062

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

JEFF GAFFNEY
DIRECTOR

ARTS COMMISSION – AGENDA

Monday, July 6, 2026
4:30 p.m.
Regular Meeting

Live Oak Library Annex/Activity Room
979 17TH 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 May 4, 2026..... Pages 2-3

V. STAFF REPORTS

VI. REGULAR AGENDA

A. Information/Discussion Items

1. New Arts Commissioner Introduction
2. Public Art & Design Guidelines – next steps
3. Arts Council and Museum of Art & History funding

B. Action Items

1. Approve and recommend to Board of Supervisors the draft Percent for Public Art in Private Development - Program and Design Guidelines Pages 4-13

VII. AGENDA / MEETING FOR: September 14, 2026 – 4:30 PM

VIII. ADJOURNMENT



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JEFF GAFFNEY
DIRECTOR OF PARKS

ARTS COMMISSION MINUTES

May 4, 2026 – 4:30 p.m. – 979 17th Ave., Santa Cruz

- I. Called to order: 4:35 p.m. Present: Niven, Phillips, Kroslowitz, McGowen, Miranda, Leclerc, Gonzalez, Rogers
Absent / Excused: none Vacant seats: 2
Staff: Sarah Shea, Kathy DeWild

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

AYES: 8
NOES: 0
ABSTAIN: 0
ABSENT: 0

- III. Oral Communications – None

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

AYES: 8
NOES: 0
ABSTAIN: 0
ABSENT: 0

- V. Staff reports

VI. Regular Agenda

A. Information and Discussion Items

1. Arts Council Annual Report – Exec. Director Jim Brown gave a presentation of 2025 accomplishments and goals for 2026.
2. Museum of Art & History Annual Report – Exec. Director Ginger Shulick Porcella gave a presentation of 2025 accomplishments and goals for 2026.
3. The Percent for Arts in Private Development sub-committee gave their final report and presented a draft program outline and guidelines for the Commission's review and comment.

B. Action Items

1. Selected the 2026 Spotlight Award Recipients: Sally Fuess, Tish Bertino, and Barbara Martin

Motion/Second: McGowen/Kroslowitz

AYES: 8
NOES: 0
ABSTAIN: 0
ABSENT: 0

2. Selected Artist of the Year 2027: Ann Theirmann

Motion/Second: Rogers/Kroslowitz

AYES: 8
NOES: 0
ABSTAIN: 0
ABSENT: 0

3. Appointed Chair and Vice-chair for a term to begin July 1, 2026, and end June 30, 2027: Chair – Niven;
Vice-chair – Kroslowitz
Motion/Second: Phillips/McGowen
AYES: 8
NOES: 0
ABSTAIN: 0
ABSENT: 0

4. Appointed Commissioner McGowen to serve on the Just in Time panel
Motion/Second: Miranda/Kroslowitz
AYES: 8
NOES: 0
ABSTAIN: 0
ABSENT: 0

5. Appointed Commissioner LeClerc to serve on the Live Oak Library Annex/Swim Center exhibits panel
Motion/Second: Kroslowitz/Phillips
AYES: 8
NOES: 0
ABSTAIN: 0
ABSENT: 0

VII. Next meeting date: July 6, 2026 – 4:30 PM.

VIII. Adjournment – 6:20 p.m.
Motion/Second: McGowen/ Kroslowitz
AYES: 8
NOES: 0
ABSTAIN: 0
ABSENT: 0

SANTA CRUZ COUNTY
PERCENT FOR PUBLIC ART IN PRIVATE DEVELOPMENT
PROGRAM AND DESIGN GUIDELINES

Draft 1.2, May 4, 2026

1.0 PURPOSE

These are the guidelines Santa Cruz County utilizes for the purpose of implementing public artworks and programs which are funded by a fee assessed on private development projects.

2.0 VISION AND MISSION

The vision of the public art in private development 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 PROGRAM OVERVIEW

The Public Art in Private Development Program establishes a Public Art Fund to enrich the county's cultural and aesthetic environment through public art initiatives. This program is funded by a fee assessed on private developer construction projects (commercial, industrial, multi-residential or mixed-use), where developers contribute either 2% of the construction cost for on-site public artwork or 1.5% directly to a specific Public Art Fund. Cultural facilities, as defined in Appendix I, are excluded from these fees. The County shall advise the Arts Commission on Public Art Fund allocations and present recommendations for artwork and programmatic goals.

- 3.1 Private development projects located within Santa Cruz County shall be subject to the following fees:
- a) New construction including commercial, industrial, multi-residential of five or more (5+) units, or mixed-use properties with a construction costs of \$250,000 or greater.
 - b) Renovations or remodeling of a commercial, industrial, multi-residential of five or more (5+) units, or mixed-use properties with a construction cost of \$100,000 or greater.
- 3.2 A budget allowance of 1.5%-2% of total construction costs shall be allocated for works of art for projects subject to these guidelines. Developers have the option of choosing one of the following:
- a) Developer pays in-lieu fee of 1.5% of the construction costs, which will be transferred to a special interest-bearing Public Art Fund account held by the Parks Department.
 - b) Developer contracts artists directly ("direct commission") for an onsite public artwork, allocating 2% of the construction costs.

4.0 DEFINITIONS. (See Appendix I)

5.0 USES OF IN LIEU OF FUNDS

When a developer opts to pay the 1.5% in-lieu of fee, those fees shall be placed in a specific interest-bearing Public Art Fund account. Upon recommendation of Parks and the approval of the Arts Commission, any or all of the pooled funds may be used to provide public artworks or programs in areas of the County with few existing art programs or public artwork. The Arts Commission may also propose projects or programs that would be supported by these funds. All project or program proposals must be approved by the Arts Commission.

5.1 Should a park or other County-owned facility or structure be recommended for a public artwork, proposals must be reviewed by the Parks Department and approved by the Arts Commission. A budget for the project will be determined by Parks staff based on availability of funds in the in-lieu account, then recommended to the Arts Commission for their approval. Parks Art Program staff will gather the project timeline, description, selection criteria, and other information. A public artwork project may be recommended by Parks or by the Arts Commission and approved by the Arts Commission. This method of artist selection may be used to ensure that marginalized artists are represented in the County Art Collection. This will help to level the public art playing field, giving artists new to the field of public art the opportunity to learn the skills it takes to apply for and execute future public art projects with fair compensation. A Call to Artists may be issued, or the Commission may recommend a direct commission for the project. If a Call is issued, a panel will be convened to select the best proposal for review by and approval by the Arts Commission.

5.1.1 For public artworks to be installed at a County park or other County-owned facility or structure (e.g. retaining wall), the approved funds (once the budget is set) will be used as follows:

- a) Eighty percent (80%) will be used by the selected artist for the design, fabrication, installation, and other related costs (insurance, rental of equipment, subcontractors, etc.) of a public artwork.
- b) Ten percent (10%) of the total project funds may be used for coordination of the public art program by Parks Arts Program staff.
- c) Five percent (5%) of the total project funds may be used for program support costs, including identifying plaques, documentation, dedications, artist selection costs, and other project-related purposes.
- d) Five percent (5%) of the total project funds will be moved to a special fund for the maintenance and preservation of County-owned public artworks.

5.1.2 Funds will be used as follows for approved art programs or activities:

- a) Ninety percent (90%) of the total project funds will be used to support direct program costs, including promotions, artist fees, supplies and materials, and similar program-related costs.
- b) Ten percent (10%) of the total project funds may be used for coordination of the public art program by Parks Arts Program staff.

6.0 ARTWORKS

6.1 Eligible Public Artworks:

It is the policy of the County of Santa Cruz that all artworks under the Public Art for Private Development 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, fiber-works, 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) 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) 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).
- f) Commercial signage, trademarks, logos or corporate branding of any kind.

7.0 PROGRAMS

- 7.1 Eligible programs and activities must be conducted within Santa Cruz County and may include, but are not limited to, the following:
- a) Art-related workshops for artists and the general public
 - b) Youth art programs, especially associated with local nonprofit agencies
 - c) Live performances, including theatre, dance, music and experimental sound, poetry and spoken word, and similar performing arts that promote unique cultural identity, history and arts-related innovations.
- 7.2 Ineligible Programs may include, but are not limited to, the following:
- a) Any programs held or organized/hosted by agencies/organizations outside Santa Cruz County
 - b) Sports or athletics games
 - c) Commercial film showings, for-profit film festivals, or similar media broadcasts

8.0 RESPONSIBILITIES

8.1 County Staff:

- a) Planning/CDI staff shall notify the Parks Arts Coordinator when a new development triggers construction (building) permit fees, which option was selected by the developer, and the total fees collected for the in-lieu Public Art Fund or to be allocated for Developer-led (direct commission) public artwork.
- b) Parks staff shall coordinate with Planning/CDI regarding transfer of funds to the Public Art Fund.
- c) Parks staff shall provide regular reports to the Arts Commission regarding upcoming private development projects, budgets, timelines, and proposed art works.
- d) Parks staff shall ensure communications between the Arts Commission, POSCS and other County agencies as needed.
- e) Parks staff shall ensure that artworks and programs align with the program guidelines.
- f) Parks Arts Program staff shall coordinate public art projects and programs funded by in-lieu fees.

8.2 The Arts Commission shall:

- a) Appoint up to three Arts Commissioners to serve in an advisory capacity for Developer-elected Percent in Private Development public art projects, ensuring adherence to established guidelines. The Arts Commission may approve or convey recommendations for improvements to the proposed art project.
- b) Periodically review and consider projects and programs proposed by Parks staff and Arts Commission members.

- c) Independently propose and may approve public artworks or programs.
- d) Periodically review and recommend changes in these policies, guidelines and procedures.

9.0 PROVISION FOR REVIEW AND AMENDMENT.

These guidelines are subject to review and revision by the Arts Commission at least every five (5) years.

APPENDIX I

DEFINITIONS.

- 1) **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.
- 2) **Construction Costs:** The total estimated cost to build or renovate a structure—including labor, materials, and built-in fixtures—as stated on the official building permit or project contract.
- 3) **Cultural Facility:** Any facility that is open to the public and dedicated to publicly accessible artistic or cultural uses, including but not limited to live theatres and performance spaces; museums, art galleries and exhibition spaces; artist studio spaces; arts and cultural education facilities; or other similar facilities as determined appropriate by the Santa Cruz County Arts Commission. Excluded are sports facilities, concert venues, movie theaters and similar commercial spaces.
- 4) **Developer / Owner:** Any person or entity that is financially and legally responsible for the planning, development or maintenance and operation of any project subject to these guidelines.
- 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.
- 7) **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

ATTACHMENT I

The Arts Commission recommends that the following “Public Art in Private Development Guidelines for Developers” be made available as a resource guide.

PUBLIC ART IN PRIVATE DEVELOPMENT: GUIDELINES FOR DEVELOPERS

The Public Art in Private Development Program establishes a Public Art Fund to enrich the county’s cultural and aesthetic environment through public art initiatives. This fund is supported by private developer construction projects (commercial, industrial, multi-residential or mixed-use) of \$250,000+ for new construction or \$100,000 for renovations/remodels. Developers will have two options: to contribute either 2% of the construction costs for directly commissioned, on-site public art OR contribute 1.5% of the construction costs directly to a specific Public Art Fund. Cultural facilities, such as dedicated arts and cultural facilities, are excluded from these fees.

When a Developer opts to pay the 1.5% in-lieu fee, Developer must submit the payment before the Final Certificate of Occupancy is issued. Once paid, the developer shall have no further obligations regarding site-specific artwork.

A Developer may opt to budget 2% of construction costs and to directly commission the creation and installation of site-specific public art. In this case, a Developer’s responsibilities are to:

- Be sensitive to the public nature of the project and the community where it is sited.
- Inform their development and design teams about the County’s requirements and expectations for public art at the earliest possible stage of their project.
- Meet with the Parks Department’s Arts Program Coordinator to discuss requirements, expectations, options and resources at the earliest possible stage of their project, and how the selection of the artist(s) or artwork meets the criteria for the project.
- Submit a Preliminary Application for Public Art, including detailed drawings of the installation of the artwork, in a timely manner prior to applying for a Building Permit.
- Contract with the artist(s) and oversee the fabrication and installation of artwork.
- Submit a Final Application for Public Art, including a maintenance budget and plan for the artwork, prior to the Building Permit being issued. It is recommended that all repairs and restorations which are made to the artwork within the lifetime of the artist shall have the mutual agreement of the Developer and the artist, and to the extent practical, the artist shall be given the opportunity to accomplish such repairs at a reasonable fee or right of first refusal.
- Obtain all necessary permits for the artwork, which may be separate from the permits for the project that triggered the public art requirement.

Expectations for Public Art Installed On-Site:

- The selected artwork shall meet the definition of Artwork, as defined in the program guidelines and the artist should demonstrate artistic excellence, originality, and experience with projects of similar scope.
- The artwork shall meet the definition of Public Art, as defined in the program guidelines and be appropriate for the selected site, in regard to scale, siting, media and appearance.
- The art proposal should demonstrate feasibility in terms of budget, safety, durability, operation, maintenance, security and siting.
- The artwork should be a fixed asset of the property.
- The artwork should not create a safety hazard or public nuisance.
- The artwork value shall be at least 2% of the construction costs for the development as shown on the building permit valuation. Construction costs reported for compliance with public art requirements must reflect the same costs provided on all applicable building permit applications. The cost of services or utilities necessary to operate or maintain the artwork over time is not included in calculating the artwork’s value.

- The proposed artwork shall comply with all zoning regulations prescribed by the County of Santa Cruz, including zoning regulations for the proposed development project, permitted uses for the zone, applicable entitlements for the use, and development standards including, but not limited to, height, parking, and setbacks. Entitlements for the proposed artwork if applicable, shall be submitted concurrently with site plans and any required entitlements for the development project.

Selection of Artists by the Developer:

Selecting the 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.

- 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.
- Every effort shall be made to include recruitment of Santa Cruz County-based artists to support a broad range of artists and art forms, and to reflect the County's cultural diversity.
- Selections will involve commissioned work by living artists. The purchase of existing works will not be considered.
- Selection of artists will be without regard or discrimination and conform to Santa Cruz County's equal opportunity employment policies.

Public Art in Private Development Guidelines for Developers

The Public Art in Private Development Program is funded by a fee assessed on private development construction projects (commercial, industrial, multi-residential or mixed-use), where developers contribute either 2% of the construction cost for on-site public artwork or 1.5% of the construction cost is paid directly to a specific Public Art Fund. *Please note the project valuation reported for compliance with public art requirements must reflect the valuations provided on all applicable building permit applications.*

The fee is triggered by:

- New construction including commercial, industrial, multi-residential of five or more (5+) units, or mixed-use properties with a construction cost of \$250,000 or greater.
- Renovations or remodeling of a commercial, industrial, multi-residential of five or more (5+) units, or mixed-use properties with a construction cost of \$100,000 or greater.

Developers have the option of choosing one of the following:

- a) Developer pays an in-lieu fee of 1.5% of the construction cost, which will be transferred to a special interest-bearing Public Art Fund account held by the Parks Department.
- b) Developer contracts artists directly (“direct commission”) for an onsite public artwork, allocating 2% of the construction cost.

Should a developer choose option “a,” their responsibility is to:

- pay the 1.5% in-lieu fee before the Final Certificate of Occupancy is issued.

Should a developer choose option “b,” their responsibility is to:

- Inform their development and design teams about the County’s requirements and expectations for public art at the earliest possible stage of their project.
- Meet with the Arts Coordinator to discuss requirements, expectations, options and resources at the earliest possible stage of their project.
- Submit a Preliminary Application for Public Art in a timely manner, prior to applying for a Building Permit.
- Present artist selection and concept to the Arts Commission “public art in private development pane” for review and feedback
- Submit a Final Application for Public Art before the Building Permit is issued.
- Contract with artist.
- Obtain all necessary permits for the artwork, which may be separate from the permits for the project that triggered the public art requirement.
- Oversee fabrication and installation of artwork.
- Provide a maintenance covenant for the artwork.

Expectations for Public Art Installed On-Site:

- The selected artist shall meet the definition of Artist, as defined in the attached appendix, and demonstrate artistic excellence, originality, and experience with projects of similar scope.
- The artwork shall be easily visible to the public, located in a prominent location that allows the art to be visible from a public right of way at least during business hours.
- The artwork shall meet the definition of Public Art, as defined in the attached appendix, and be appropriate for the selected site, in regard to scale, siting, media and appearance.
- The art proposal should demonstrate feasibility in terms of budget, safety, durability, operation, maintenance, security and siting.
- The artwork should be a fixed asset of the property.
- The artwork should not create a safety hazard or public nuisance.
- The artwork value shall be at least 2% of the construction costs for the development as shown on the building permit valuation.
- Eligible public art expenditures conform to those allowed (attached?)

Note: Need to create appendix/definitions to attach.

Public Art in Private Development Process Flow Chart for Developers

