

Chapter 12.80 PUBLIC ART PROGRAM

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12.80.010 INTENT AND PURPOSE.

The city council of the city of Santa Cruz accepts responsibility for expanding the opportunities for its citizens to experience public art and for enhancing economic and community vibrancy in public spaces. The city further recognizes the substantial economic benefits to be gained through the aesthetic enhancement of its public spaces. A program is hereby established to:

- Direct the inclusion of works of art in public spaces throughout the city and/or the design services of artists in certain city capital improvement projects;
- Provide staff to assist and advise the city on matters pertaining to public art;
- Engage artists to help beautify and enliven the city; and
- Implement the public art master plan adopted by city council September 1998, as it may be amended from time to time, to the extent that the master plan is consistent with the provisions of this municipal code.

(Ord. 2013-12 § 1 (part), 2013: Ord. 98-12 § 1 (part), 1998).

12.80.020 DEFINITIONS.

As used in this chapter the following terms shall have the following definitions:

- (a) “Total eligible capital spending” shall mean total capitalized project expenditures, excluding land and vehicle acquisitions and projects funded through gas tax revenue.
- (b) “Public art” includes original works of art in any medium created for placement in public places, or integrated projects where the artwork is a part of the underlying architecture, landscape design or site. This term does not include items of standard manufacture.
- (c) “Annual public art plan” means a prioritized list of public art projects to be approved by the city council concurrent with the adoption of the annual CIP budget, and developed by the public art coordinator in coordination with the various city departments and in consultation with the arts commission.
- (d) “Public art coordinator” shall mean the person responsible for the day-to-day implementation of this chapter. The coordinator may be a contract consultant, a permanent city staff person if authorized by the city council, or the city manager or designee.

(Ord. 2013-12 § 1 (part), 2013: Ord. 2009-06 § 1, 2009: Ord. 2007-06 § 1, 2007: Ord. 2000-02 § 1, 2000: Ord.

98-12 § 1 (part), 1998).

12.80.030 FUNDING.

(a) Annual appropriations for public art shall be calculated by fund as one percent of an average of the most recent three-year total eligible capital spending.

(b) Once appropriated by the city council, public art moneys shall be transferred by the city manager or his or her designee into a designated public art fund. In addition to receiving moneys for city public art, this fund shall also be authorized to accept gifts, grants and donations made to the city for works of art. The fund balance shall be automatically carried over from year to year unless specifically terminated by the city council. Expenditures from this fund shall be made in accordance with the annual public art plan through appropriations approved by council for public art projects.

(c) The city manager may recommend that city council exclude a specific capital improvement project, or a portion thereof, from the provisions of this chapter when the total cost of the project exceeds five million dollars and financing and/or construction complexities of the project do not meet the general intent of this chapter. The arts commission will be notified of any such recommendation prior to its presentation to city council.

(d) The moneys appropriated under this chapter may be used for artist design services, for the development of design concepts and models, for the selection, acquisition, purchase, commissioning, placement, installation, exhibition, or display of artworks. Artworks may be temporary, rotating, performative, or permanent, integral to the architecture or incorporated into a city construction project. Integration of artists' design concepts into project architecture should be ensured, insofar as is feasible, by the concurrent selection of the artist(s) with the architect or project designer.

(e) Unless restricted by the city council, or any applicable laws, regulations or conditions, moneys generated under this chapter may be pooled by the council and expended for any public art project, subject to inclusion in the annual public art plan. There shall be no general requirement that moneys be expended on the specific projects that generated the moneys. Pooled moneys may be used as seed money for artists' fees to initiate partnerships with private and other public entities to provide public art and aesthetic enhancements in the city.

(f) An amount up to twenty-five percent of the public art funding allocation shall be set aside in a separate account within the public art fund for program administration activities as may be deemed appropriate. The arts commission will advise the city on deaccessioning and rotating artworks as needed.

(Ord. 2013-12 § 1 (part), 2013: Ord. 98-12 § 1 (part), 1998).

12.80.040 PUBLIC ART PROGRAM ADMINISTRATION.

(a) The public art coordinator shall work with the various city departments to develop the annual public art plan, which shall be created in consultation with the arts commission. In developing this plan, ongoing and new capital improvement projects and relevant potential partnerships and community initiatives may be reviewed for their appropriateness for public art. The annual public art plan shall describe proposed public art projects for the upcoming year, including project type, budget location, partners and recommended approaches. This plan will be reviewed and amended as appropriate by the

arts commission prior to submittal to the city council for final approval. The annual public art plan shall be submitted to the city council concurrently with the annual city budget. Mid-year and public art projects with budgets under twenty thousand dollars are not subject to inclusion in the public art plan provided they have arts commission and department approval, and subject to the availability of funds.

(b) The arts commission shall have responsibility for guiding the public art program. The arts commission shall be consulted in the development of the annual public art plan, work with staff to set curatorial priorities, provide input to form selection panels for public art projects, review proposals, recommend artworks and artists, and monitor the progress of public art projects.

(Ord. 2013-12 § 1 (part), 2013: Ord. 98-12 § 1 (part), 1998).

The Santa Cruz Municipal Code is current through Ordinance 2014-03, passed March 11, 2014.

Disclaimer: The City Clerk's Office has the official version of the Santa Cruz Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.
