



# City of Watsonville

## Meeting Agenda

### Parks & Recreation Commission

*Ana V. Hurtado, District 1*  
*Paul De Worken, District 2*  
*Brando Sencion, District 3*  
*Jessica Carrasco, District 4*  
*Abel Sanchez, District 5*  
*Kristian Flores, District 6*  
*Wayne Hayashibara, District 7*

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Monday, October 7, 2019

6:30 PM

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#### 1. ROLL CALL

#### 2. PLEDGE OF ALLEGIANCE

#### 3. COMMUNICATIONS

*(This time is set aside for members of the general public to address the Parks & Recreation Commission on any item not on the Agenda, which is within the subject matter jurisdiction of the Parks & Recreation Commission. No action or discussion shall be taken on any item presented except that any Commissioner may respond to statements made or questions asked, or may ask questions for clarification. All matters of an administrative nature will be referred to staff. All matters relating to Parks & Recreation Commission will be noted in the minutes and may be scheduled for discussion at a future meeting or referred to staff for clarification and report. Any Commissioner may place matters brought up under Oral Communications on a future agenda. ALL SPEAKERS ARE ASKED TO FILL OUT A CARD & LEAVE IT AT THE PODIUM, ANNOUNCE THEIR NAME AND ADDRESS IN ORDER TO OBTAIN AN ACCURATE RECORD FOR THE MINUTES.*

3.1 Oral Communications from Members of the Public

3.2 Oral Communications and Commissioner Liaison Reports from the Commissioners

3.3 Director's Report

#### 4. CONSENT AGENDA

*All items appearing on the Consent Agenda are recommended actions which are considered to be routine and will be acted upon as one consensus motion. Any items removed will be considered immediately after the consensus motion. The Chair will allow public input prior to the approval of the Consent Agenda.*

**4.1**     [PARKS AND RECREATION COMMISSION SEPTEMBER 16, 2019  
MEETING MINUTES](#)

**Attachments:**     [MINUTES-September 16, 2019](#)

**5. ITEMS REMOVED FROM CONSENT AGENDA**

**6. PRESENTATIONS & REPORTS**

**6.1**     [REPORT ON ENRICHMENT PROGRAMS BY RECREATION  
SUPERINTENDENT IMELDA NEGRETE](#)

**Attachments:**     [Staff Report - Recreation Programs](#)

**7. NEW BUSINESS**

**7.1**     [APPLICATION FOR PUBLIC ART SUBMITTED BY SANTA CRUZ  
METROPOLITAN TRANSIT DISTRICT BY SENIOR ADMINISTRATIVE  
ANALYST FLORES](#)

**Attachments:**     [Staff Report - Santa Cruz Metro Public Art Application](#)  
                              [Attachment A-SC Metro Application](#)  
                              [Attachment B-Preliminary Sketches Mural Community](#)  
                              [Attachment C-Artist Resume.P.DeWorken](#)

- a) Staff Report
- b) Commission Questions & Input
- c) Public Input
- d) Appropriate Action

**8. UNFINISHED BUSINESS**

**8.1**    [RECOMMENDATION OF APPLICATION FEE FOR COMMUNITY INITIATED PUBLIC ART ON PRIVATELY OWNED COMMERCIAL PROPERTY BY SENIOR ADMINISTRATIVE ANALYST FLORES](#)

**Attachments:**        [Staff Report - Public Art Application Fee 10.7.19](#)  
                                 [Attachment A - Comm. Initiated Public Art Guidelines 2019](#)

- a) Staff Report
- b) Commission Questions & Input
- c) Public Input
- d) Appropriate Action

**9. ADJOURNMENT**

**The next Commission meeting will be held on November 4, 2019**



MINUTES  
REGULAR PARKS & RECREATION COMMISSION MEETING

SEPTEMBER 16, 2019

CITY OF WATSONVILLE  
COUNCIL CHAMBERS  
275 MAIN STREET, TOP FLOOR

1. ROLL CALL

COMMISSIONERS: DEWORKEN, HAYASHIBARA, HURTADO, SANCHEZ

COMMISSIONERS ABSENT: CARRASCO, FLORES, SENCION

PCS STAFF:

PARKS & COMMUNITY SERVICES DIRECTOR CALUBAQUIB  
SENIOR ADMINISTRATIVE ANALYST FLORES  
RECREATION SUPERVISOR VIVENZI  
ADMINISTRATIVE ASSISTANT II MOYA  
ADMINISTRATIVE ASSISTANT II DIAZ

2. PLEDGE OF ALLEGIANCE

3. COMMUNICATIONS

3.1 ORAL COMMUNICATIONS FROM THE MEMBERS OF THE PUBLIC – Mr. Emerson addressed the Commission.

3.2 ORAL COMMUNICATIONS AND COMMISSIONER LIAISON REPORTS FROM THE COMMISSIONERS – Commissioner DeWorken, commented on his attendance of the Santa Cruz County Fair and his art work that he was involved with around the community. Commissioner Hayashibara, also commented on how he attended the county fair also entered poetry and placed in the theme of red, white and blue. Hayashibara, also thanked the City for the Commissioners BBQ, was a great chance to talk to others in the City and get to know them.

3.3 DIRECTORS REPORT – Director Calubaquib announced various upcoming Parks & Community Services Department events to the Commission.

4. CONSENT AGENDA

4.1 PARKS AND RECREATION COMMISSION MEETING MINUTES AUGUST 5, 2019

MOTION: It was moved by Commissioner Hurtado, seconded by Commissioner Hayashibara and carried by the following vote to approve the Minutes of the Regular Meeting on August 5, 2019.

AYES: DEWORKEN, HAYASHIBARA, HURTADO, SANCHEZ,

NOES: NONE

ABSENT: CARRASCO, FLORES, SENCION

ABSTAIN: NONE

5. ITEMS REMOVED FROM CONSENT AGENDA – NONE

6. PRESENTATIONS & REPORTS

6.1 2019 SUMMER AQUATICS PROGRAM REPORT – Recreation Supervisor Vivenzi, reported on the 2019 Summer Aquatics Program. Supervisor went over the two components: Swim lessons and recreation swim along with swim lesson operations, budget, and staffing.

Commissioner Hurtado, looked over the number of registrations and noticed the number for beginners is higher than the other lessons. Commissioner Hurtado asked if the quality of the



instruction is the same this year considering the swim lesson scheduled reduced on Fridays. Supervisor Vivienzi clarified that Fridays for those enrolled in the swim lesson where rec days and this did not affect the quality of the program.

Commissioner Hayashibara expressed how important learning to swim.

Commissioner DeWorken asked if swim lessons can be a year round program.

Commissioner Sanchez Suggested a possible collaboration with another location with access to a pool.

Council member Aurelio Gonzalez from district 2 asked questions regarding the aquatics survey and noticed the percentage of 95% on the participants being happy with the program, and the decrease of staff helpfulness was at a 80%, he would like to see that move up. Supervisor Vivenzi gave clarification for the low rates that where due to one instructor and issues where rectified. Council member Gonzalez asked if students that participate in Jr. Guards next year will their hours count for student volunteer hours. Supervisor Vivenzi will need to look into.

## 6.2 ADOPTION OF DRAFT PARKS AND RECRATION STRATIGIC PLAN

Director Calubaquib discussed the parks master plan that was adopted in 2009 by the Council. Due to the recession, minimal progress was made to this plan. The strategic plan has been revised to provide action plans that are relevant, practical and achievable given our current economic restraints and potential. Director Calubaquib asked the Parks and Recreation Commission recommend for the City Council to adopt the draft version of the strategic plan.

Project Manager Corbin Schneider of Verde Design, Inc. reported on the draft of the Strategic Plan.

Director Calubaquib, discussed the financial plan that is built into the strategic plan and went over deferred maintenance and upgrade needs.

Commissioner DeWorken gave his suggestions and thoughts of including public art in the parks.

Commissioner Sanchez stated he understands that money is a factor but is glad to see there are different financial measures to help fund these plans.

Director Calubaquib asked the Parks and Recreation Commission recommend for the City Council to adopt the draft version of the strategic plan.

MOTION: It was moved by Commissioner Hayashibara, seconded by Commissioner Hurtado and carried by the following vote to give a recommendation for the City Council to adopt the draft version of the strategic plan.

AYES: DEWORKEN, HAYASHIBARA, HURTADO, SANCHEZ,  
NOES: NONE  
ABSENT: CARRASCO, FLORES, SENCION  
ABSTAIN: NONE

## 6.3 P.R.C. WORKPLAN UPDATE: Director Calubaquib went over updates for the P.R.C. meeting, and mentioned they are still planning each sub-committee. Commissioner DeWorken asked to be part of the Events sub-committee.

MOTION: It was moved by Commissioner Hurtado and seconded by Commissioner Sanchez and carried by the following vote to have commissioner DeWorken be part of the Events sub-committee.

AYES: DEWORKEN, HAYASHIBARA, HURTADO, SANCHEZ,  
NOES: NONE  
ABSENT: CARRASCO, FLORES, SENCION  
ABSTAIN: NONE

## 7. UNFINISHED BUSINESS

### 7.1 PUBLIC ART FEES

- A. STAFF REPORT: Senior Administrative Analyst Flores gave an overview on the application process fee for Community Initiated Public Art on privately owned commercial spaces that was tabled from the last meeting on August 5, 2019.

- B. COMMISSION QUESTIONS & INPUT: Commissioners asked questions for clarification.

Commissioner DeWorken stated that as a business person, it is hard to come up with a way to charge for a mural and telling a business owner that they need to pay a \$200 fee to install a mural would not be received well. Commissioner DeWorken stated this could potentially hurt his business. He stated that as a local artist, it would be hard to pay for the fee himself. Commissioner DeWorken stated that as a community member, this would apply to community mural paint days that he raises money for and an added \$200 would be hard. Commissioner DeWorken stated that a potential solution could be to lower the fee to less than \$100 or maybe meet in the middle at \$75 or \$50. Commissioner DeWorken stated that he feels like it will hurt his business and it would be hard.

Commissioner Hurtado stated that she worries that it would deter artists from putting on these projects and thanked Paul for his comments.

Commissioner Hayashibara suggested that maybe scholarships could be available to help people cover the fee.

Commissioner DeWorken stated he works with high school, middle school and elementary school kids and if a kid asked their parents for \$200, it would be a lot. Commissioner DeWorken asked how can we make it so that future artists can participate without having to pay the \$200. Commissioner DeWorken suggested that there be no fee and make it an even playing field for non-profits and others.

Director Calubaquib reminded the Commission that the proposed fee applies only to art projects on private commercial property, visible from the public right of way and does not apply to art in public spaces. Director Calubaquib clarified that if a mural included a business name or logo, it would be considered a sign and would be approved through the sign approval permit process. Director Calubaquib noted that owners of private commercial property choose to install art on their property to beautify their space to attract more business. Director Calubaquib clarified that the fee in most cases would be paid for by the property owner, not the artist. Director Calubaquib stated that Commissioner DeWorken had stated a couple of times that this fee could potentially hurt his business personally and suggested that Commissioner DeWorken consider recusing himself from the decision if he feels like he has a personal financial stake in the matter. Director Calubaquib stated that he would leave that to Commissioner DeWorken to decide because he wears different hats.

Chair Sanchez stated that he also sits on the County Board of Education and that it is tough. He stated that he does not feel that teachers are paid enough, however he has to

balance the budget. Chair Sanchez stated that he sees the need for an application fee because there is a lot of need for deferred maintenance and parks that need help. Chair Sanchez stated that he sees both sides of the argument and likes driving on Beach and Walker to see the murals and that it is a good example of transforming a neighborhood. Chair Sanchez stated that he sees the need for a \$200 application fee, but recommended another option with a lower fee for non-profits or a grant program for those who cannot afford it. He stated that it is challenging because big business may be more able to afford the fee than small businesses, so we need a fee for non-profits or a grant to no discourage businesses from installing public art.

Commissioner Hurtado stated that she agreed with Chair Sanchez and that a flat \$200 fee would not be fair across the board.

Chair Sanchez asked for a motion. Commissioner DeWorken asked the other Commissioners, because the item would affect him personally and business-wise, if they thought he should recuse himself from the decision. Chair Sanchez asked Director Calubaquib that if Commissioner DeWorken recused himself if this would cause the PRC to no longer have quorum for the meeting. Director Calubaquib confirmed this would be the case and that the item could be moved to the next meeting.

Commissioner Hayashibara asked how many applications the City receives per year that the fee would apply to. Director Calubaquib stated that it is difficult to say since the program is being revived after being dormant for close to a decade. Commissioner DeWorken stated that he was approach by La Manzana to paint two murals that will be visible from Main Street and asked if the fee would apply to them. Chair Sanchez asked when the fee would take effect. Director Calubaquib stated that part of the recommendation to the Council could include an effective date. Commissioner DeWorken asked if the fee would apply to the City Civic Center. Director Calubaquib reiterated that the fee only applies to private commercial property, not public spaces like the Civic Center.

Chair Sanchez asked if the Commissioner felt comfortable making a motion today. Chair Sanchez stated that since Commissioner DeWorken is recusing himself, there is no quorum for a vote.

The Commission requests to bring this discussion back to the next Parks and Recreation Meeting.

- C. PUBLIC INPUT: None
  - D. APPROPRIATE ACTION: To discussed in the next Commission Meeting on October 7, 2019
8. ADJOURNMENT  
Meeting ended at 8:46 pm

# City of Watsonville

## MEMORANDUM



**DATE:** June 25, 2019

**TO:** Parks & Recreation Commission

**FROM:** Imelda Negrete, Recreation Superintendent

**SUBJECT:** Report on Enrichment Programs

**AGENDA ITEM:** October 7, 2019 **Commission**

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### **RECOMMENDATION:**

Receive the report on enrichment programs.

### **DISCUSSION:**

The Parks and Community Services Department provides the community with quality recreational opportunities that enhance the quality of life through a wide array of educational and entertainment programs, classes, and trips year round. All these enrichment programs combined provide an opportunity to participate in leisure activities for thousands of residents from Watsonville and surrounding communities. Our programs are held in a variety of parks and facilities, providing a safe space for all to engage. Our adult trips, *Golden Bay Travelers*, are held throughout the year taking participants to a myriad of destinations such as Hearst Castle, Paso Robles for wine tasting, shopping at San Francisco's Union Square and visiting the State Capitol in Sacramento, to name a few. Our goal in providing these opportunities is to promote a healthy lifestyle and strengthen the community through diverse physical, education and cultural programming.

Like many of our activities, registrations for our enrichment programs is done through our online registration process or in person at our Customer Service Office.

Enrichment programs are advertised through various outlets, but primarily via social media and Watsonville's Fun Guide, our recreation activity guide that is produced twice a year and distributed via the US Postal Service.

Enrichment programs and classes rely heavily on talented independent instructors. Instructors are given the *Instructor Handbook*, which outlines prerequisites needed in order to offer programs through our Department. Classes taught by independent instructors include our Musical Me classes, which also include the Canta y Baila Conmigo; Hip Hop; Play-Tek LEGO Engineering; a variety of sports clinics for youth provided by National Academy of Athletics; and most recently, Castillo's Shotokan Karate-Do. Attendance for these programs ranges from 8 to 15 participants, averaging about 11 students.

Our adult trips destinations are planned with feedback collected from participants. Our most popular trips include a visit to Alcatraz and Hearst Castle, averaging 16 attendees.

For every aspect of our enrichment programs, we focus on creating recreational and learning opportunities that not only bring friends and families together to have fun and build lasting memories, but also allow them to experience something exciting and new.

**FINANCIAL IMPACT:**

Expenses for enrichment programs are included in the adopted Fiscal Year budget.

**ATTACHMENTS:**

None

**City of Watsonville**  
**Parks and Community Services Department**

**M E M O R A N D U M**



**DATE:** October 3, 2019

**TO:** Parks and Recreation Commission

**FROM:** Adriana Flores, Sr. Administrative Analyst

**SUBJECT:** Approve Application for Public Art Submitted by Santa Cruz Metropolitan Transit District

**AGENDA ITEM:** October 7, 2019

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**RECOMMENDATION:**

Staff recommends that the Parks and Recreation Commission approve the Application for Public Art, submitted by the Santa Cruz Metropolitan Transit District, for a mural project entitled "Community," located at 475 Rodriguez Street.

**DISCUSSION:**

*The Project*

The project consists of a mural at the Santa Cruz Metropolitan Transit District station property located at 475 Rodriguez Street. The artist is Paul De Worken, in conjunction with members of the community. The background of the mural will show the time before sunset to just before nightfall using soft, light colors. The foreground of the mural will be images that each represent a community that make up Watsonville. These images will be in bright detailed colors.

*The Artist*

Paul De Worken is a local Watsonville artist with over ten years experience creating and teaching art in the community. Various works from Mr. De Worken are displayed throughout the community including local schools, businesses and in the downtown area. Mr. De Worken strives to "make art that is community connected and that makes people happy".

*Project Process*

The artist will primer the wall and then the art will be outlined onto the wall. After this, the painting process will begin and continue until finished.

*Project and Facility Maintenance*

The expected life span of the mural is between 20 to 25 years. The artist has committed to maintain the mural if it becomes damaged in any way, although he states he may require some financial assistance to do so.

### Proposed Design

The Property Owner has submitted an Application (Attachment A) for Public Art Review for the “Community” Mural Project located at 475 Rodriguez St. along with preliminary sketches of the mural project (Attachment B). The Artist’s resume was also submitted along with photos of previous work (Attachment C).

### **FINANCIAL IMPACT**

None.

### **ATTACHMENTS:**

Attachment A: Application for Public Art Review-SC Metro Transit District

Attachment B: Preliminary Sketches of Mural “Community”

Attachment C: Artist Resume-Paul DeWorken



# CITY OF WATSONVILLE PUBLIC ART PROGRAM APPLICATION FOR PUBLIC ART REVIEW



Date: 9/23/19 Project Location: 475 RODRIGUEZ

<b>Applicant Name:</b> <u>SANTA CRUZ METROPOLITAN</u> <u>TRANSIT DISTRICT</u>	<b>Applicant is the (check one):</b> <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Artist <input type="checkbox"/> Business Owner <input type="checkbox"/> Other: _____
<b>Property Owner Name (if other than applicant):</b> <u>SAME</u>	<b>Business Name (if applicable):</b> <u>SAME</u>

**APPLICANT'S SIGNATURE:** By signing below I certify that the information provided in this application is true and correct; and I have read and understand the Application Submittal Requirements; I accept and will abide by the qualifications, terms and conditions set forth in this application, the City of Watsonville's Public Art Policies, and by the Parks and Recreation Commission; and to the best of my knowledge, there are no current code enforcement issues on this property. SD

Name: ALEX CLIFFORD, CEO/GENERAL MANAGER Tax ID#: 94-2376658  
 Address: 110 VERNON ST. SANTA CRUZ, CA, 95060 Phone #: 831/426-6080  
 Signature: *[Signature]* Date: 9/23/19

**NOTE:** If artwork/project to be installed on private property and applicant is other than property owner, then the owner(s) must sign below. Attach additional sheets if necessary.

**PROPERTY OWNER (S)' SIGNATURES** (attach additional sheets if necessary): By signing below I/We certify that the information provided with this application is true and correct and I/We are the owner(s) of the property located at the above mentioned project address and to the best of my/our knowledge, there are no current code enforcement issues on this property; I/We have read and understand the Application Submittal Requirements; I/We authorize the applicant listed above to apply for Commission approval and complete the work that is approved and will accept and abide by the conditions set forth in this application, the City of Watsonville's Public Art Policies, and by the Parks and Recreation Commission; and I/We hereby consent to the performance of the work at the project address listed above.

Name: \_\_\_\_\_ Tax ID#: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Tax ID#: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SUBMIT** your completed application and required materials to the Parks and Community Services Department at the address below (emails and faxes will not be accepted). Materials submitted with the application will not be returned. Artwork will be viewed by the public and must be appropriate in nature. You will be notified of the date and time the Commission will meet to review your submittal. Your attendance at the meeting is not required but is highly recommended. If you need help with the application or have questions, contact Adriana Flores at (831) 768-3240.



Title of Mural : Community

Materials that will be used: Acrylic Paint, Projector for outline, Rollers and Brushes, A couple of step stools and low seat carts.

Colors that will be used: The colors I plan to use will be vibrant outdoor acrylic house paint. The background of the piece will show a nice transition from just before sunset to just before night fall. These colors will be soft and lightly painted. Then in the foreground all of the images in the design each represent a community that makes Watsonville. Those images will be in very bright detailed colors.

The instillation process: We will primer the wall after it is cleared of shrub and debris, we will project the image to the wall to get our outline in. Then we will begin the painting process until it is finished.

The expected life span of this mural is more than 20 to 25 years.

Maintenance plan: I the artist will maintain the mural if it is tagged or damaged. I will require some financial assistance in maintaining the mural.

Artist: Paul De Worken and members of the community!!!

















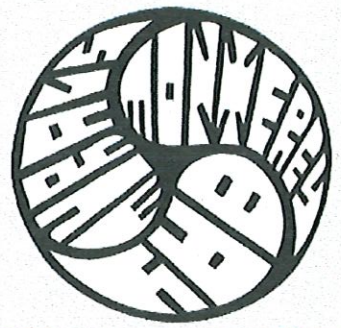


# Paul De Worken

MURALIST

(831) 600-5445

[www.montereybaymurals.com](http://www.montereybaymurals.com)



## Muralist

[www.montereybaymurals.com](http://www.montereybaymurals.com)

<https://www.facebook.com/MBMurals>

## ABOUT ME

My name is Paul De Worken, I am an Artist, Muralist, Art Educator, and Business Owner. As an artist I strive to make art that is fun, safe, and family friendly. I love to make art that is community connected and that makes people happy. I apply these ideas into all my art including my murals, my hope is that the person or persons who will be viewing my art and murals will be happy with it to where they want to see it everyday, or incorporate viewing my art and murals into their daily lives. As an Art Educator I am grateful for the opportunity to work with the youth throughout the Pajaro Valley Unified School District. I believe that when I am teaching I am inspiring the students to want to do good in school and in life through art. Art is used as a relaxation tool for some, while others use it as a tool to express themselves, and as a learning tool. I believe art, making art, and viewing art can help everyone in some form of way in their lives.

P.O. Box 1570

Watsonville, CA. 95077

(831) 600-5445

## EDUCATION

I am and forever will be a student of the arts, just only getting better with time and experience.

\* High School - Watsonville High School, 250 E. Beach Street, Watsonville, CA 95076. (1995-1999)

Obtained my High School Diploma.

\* College - Cabrillo College, 6500 Soquel Drive Aptos CA 95003. (2000-2004)

Obtained my Associates Degree in Liberal Studies with a focus on art and art education.

\* University - California State University of Monterey Bay (C.S.U.M.B.) 100 Campus Center Seaside, CA 93955. (2004-2008)

Obtained my Bachelors Degree in Visual Public Arts with a focus on Art Education and Mural Painting.

## Contact

[montereybaymurals@yahoo.com](mailto:montereybaymurals@yahoo.com) ✉

[www.montereybaymurals.com](http://www.montereybaymurals.com) 🌐

1 (831) 600-5445 📞

@mbmurals 📱

## EXPERIENCE

\* E. A Hall Mural Projects 2016

\* Downtown Watsonville Mural Project 2016

\* Amesti Elementary Mural Project 2015

\* Calabasas Elementary Mural Project 2015

\* Vicky's Produce Mural Project 2014

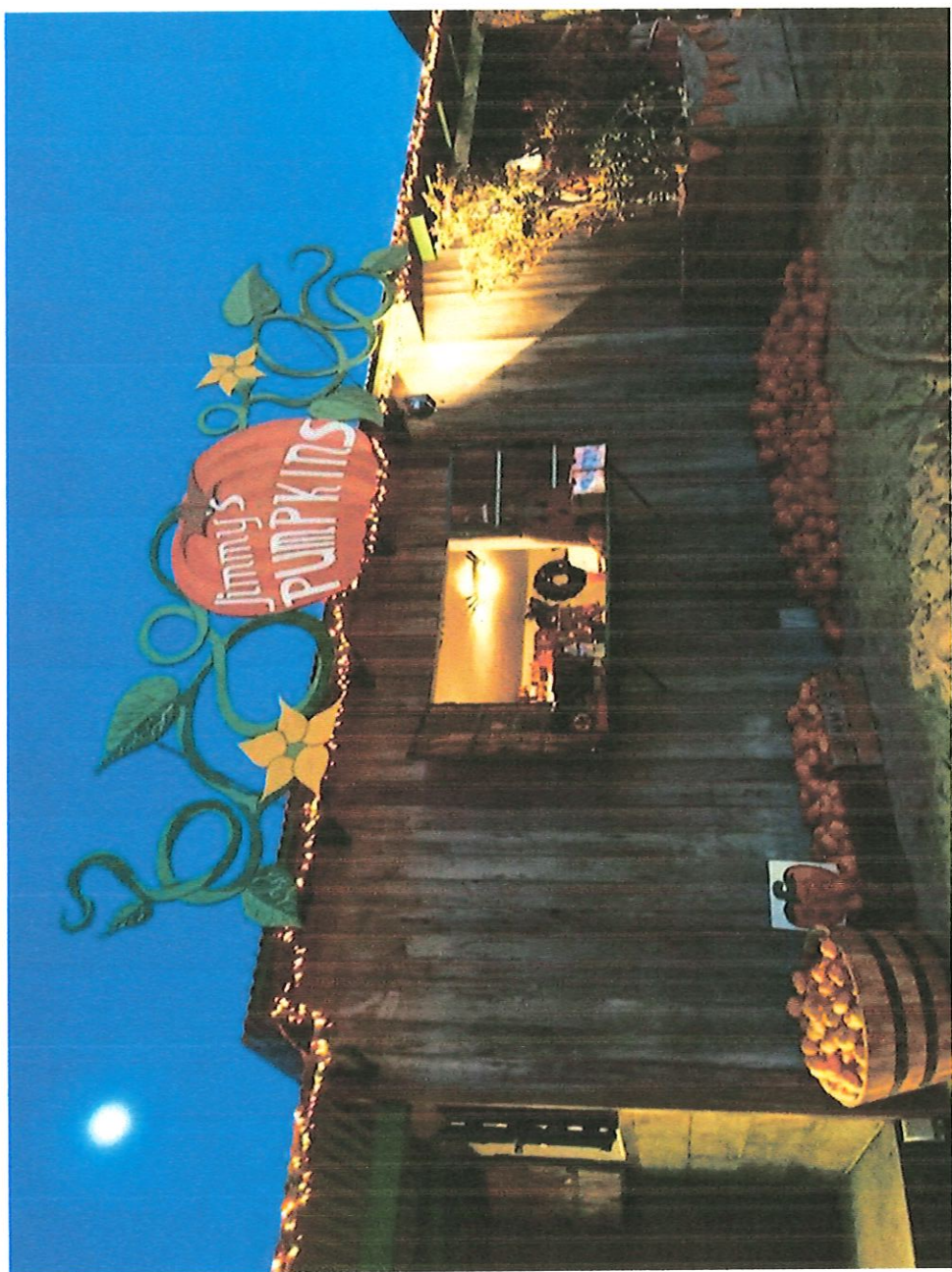
\* Salinas Urban Art Project Utility Box Mural 2014

\* Watsonville Utility Box Mural Project 2008

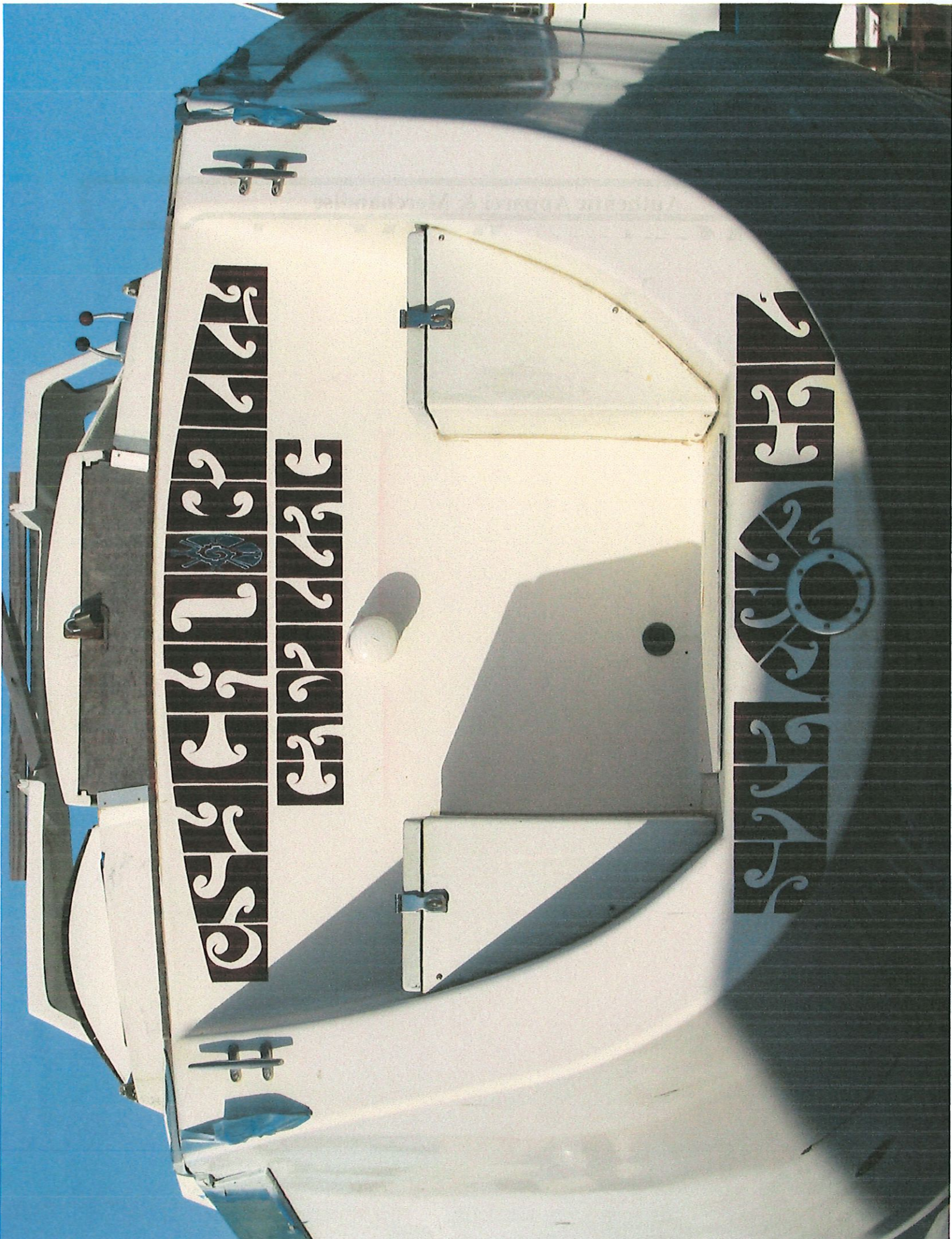
\* Official City of Watsonville City Flag 2008

I work with the Afterschool program as a Certificated Teacher in the After School Program at H. A. Hyde Elementary School. I am also an active Substitute in the Pajaro Valley Unified School District.

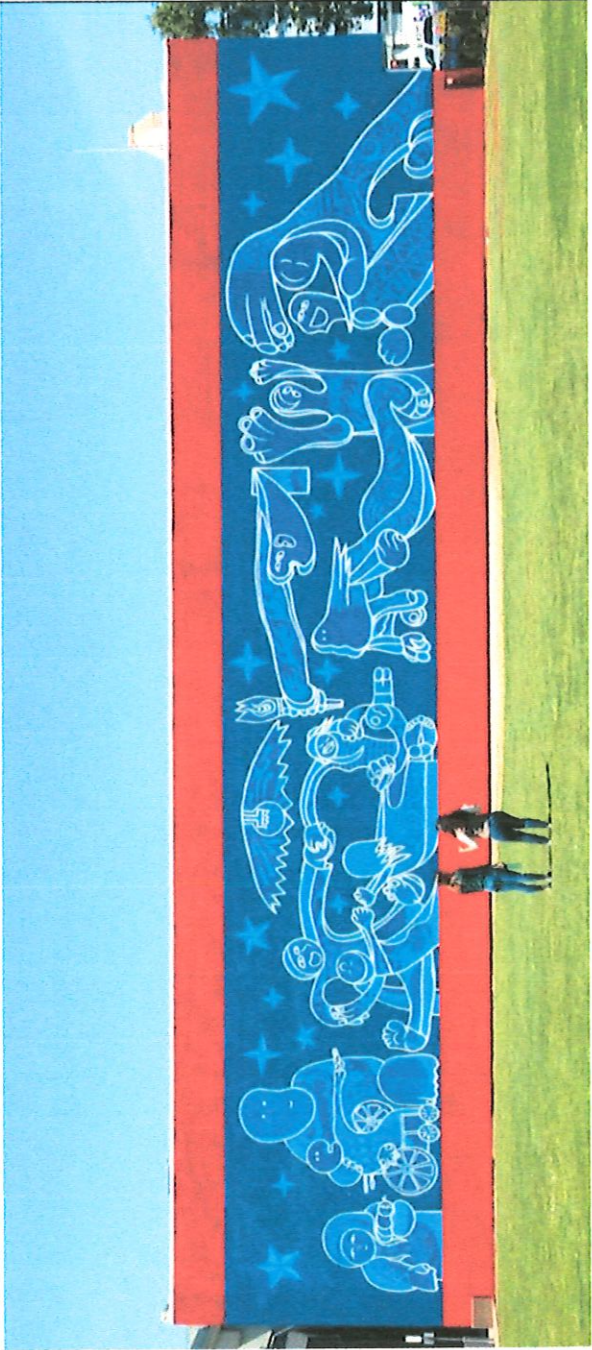




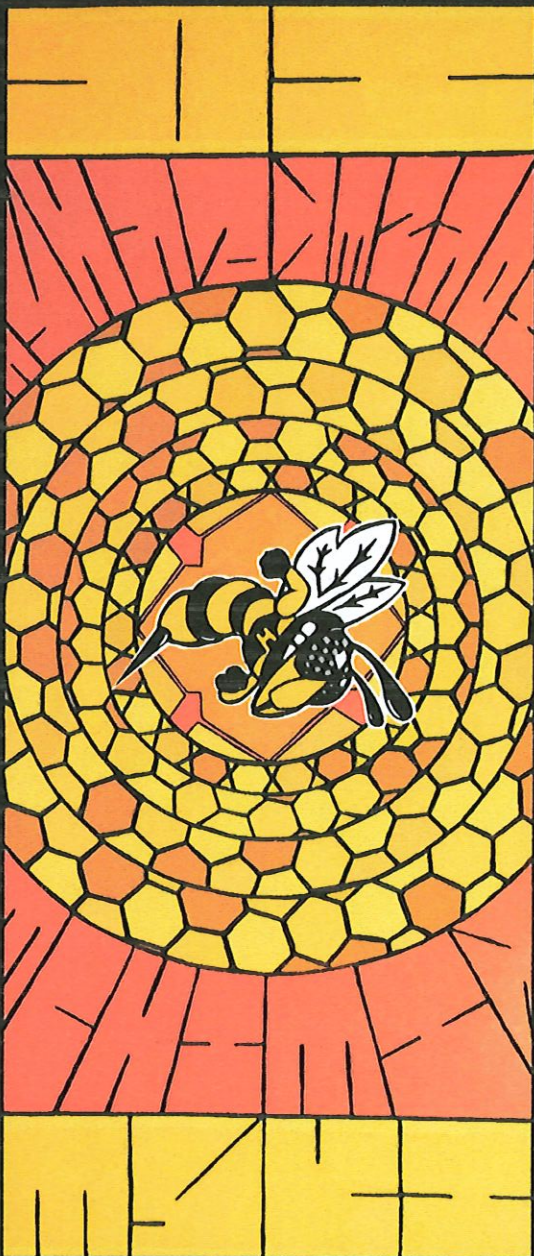








# H.A. Hyde Elementary School



[www.montereybaymurals.com](http://www.montereybaymurals.com)









**City of Watsonville**  
**Parks and Community Services**

**M E M O R A N D U M**



**DATE:** October 3, 2019

**TO:** Parks & Recreation Commission

**FROM:** Adriana Flores, Sr. Administrative Analyst

**SUBJECT:** Recommendation of Application Fee for Community  
Initiated Public Art on Privately Owned Commercial  
Property

**AGENDA ITEM:** October 7, 2019

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**RECOMMENDATION:**

It is recommended that the Parks and Recreation Commission recommend that the City Council to adopt a resolution establishing an application processing fee of \$200 for Community Initiated Public Art on privately owned commercial property.

**DISCUSSION:**

**Background**

This item was previously presented to the PRC during the August 5, 2019 and September 16, 2019 meetings and was tabled for further discussion.

The City's Mural Policy was adopted by the City Council on March 23, 2004, by Resolution No. 66-04 to establish review criteria for murals visible to the public. Modifications to the Mural Policy were approved by the City Council on April 28, 2009, by Resolution No. 84- 09 to include language that would promote the development of more murals as well as other artwork in the City.

In a joint meeting on August 10, 2010, the City Council and Redevelopment Agency approved Public Art Program Guidelines, which establish criteria for artwork, including murals, installed on exterior public spaces or private spaces visible from public property or rights of way. As part of the Guidelines, a Public Art Committee was established to develop an annual Public Art Plan and \$50,000 was appropriated from the Redevelopment Agency to support its execution. In 2011, the Committee recommended a Two-Year Public Art Plan for the City and on June 28, 2011, in a joint meeting, the City Council and Redevelopment Agency approved the plan.

On February 1, 2012, the City of Watsonville Redevelopment Agency was dissolved pursuant to the Dissolution Act, Assembly Bill X1 26(ABX1 26) enacted on June 28, 2011. With the dissolution of the Redevelopment Agency, the funds appropriated for the Pubic Art Plan and the Public Art Committee were also dissolved. Since that time there has not been an approving

body for art projects in the City.

The Parks and Community Services Department (PCS) has been tasked with re-establishing the Public Art Program and to establish guidelines for approval of art projects in the City. The Public Art Program will be implemented in two phases, separating art projects in relation to their proposed funding sources and locations:

Phase	Funding Source	Location
Phase 1: Community Initiated Public Art Projects	Fully privately funded: <ul style="list-style-type: none"><li>• private investment</li><li>• donations</li><li>• grant funding</li></ul>	Public Spaces, City Buildings and Rights-of-Way OR Privately owned commercial spaces visible from public spaces or rights of way
Phase 2: City Initiated Public Art Projects	Partially City Funded OR Fully City Funded	Public Spaces, City Buildings and Rights-of-Way

On July 9, 2019, the City Council approved the guidelines and application process for Phase 1 of the Public Art Program: Community Initiated Public Art Projects (Attachment A) and designated the PRC as the approving body for public art applications.

### **Application Fee**

The City Council directed staff to present the application fee for Community Initiated Public Art Projects installed on privately owned commercial property to the Parks and Recreation Commission for a recommendation on the amount. The Parks and Recreation Commission (PRC) acts in an advisory capacity to the Council only. Once the PRC approves a recommended fee, staff will present this recommendation to the City Council for final adoption.

It is proposed that the application processing fee be established at \$200 for Community Initiated Public Art on privately owned commercial spaces. On March 23, 2004, the Council adopted an application fee of \$200 for proposed murals in public and private spaces. On April 22, 2009, the Council adopted new application fees for proposed murals in the amount of \$25 for non-profits and \$100 for all other parties. The proposed \$200 fee would re-instate the fee adopted in 2004 and help to partially cover the cost associated with the processing of applications and materials, preparation of reports and public noticing. This fee would apply to all public art projects (including murals) proposed on privately owned commercial spaces only and would increase annually by the Consumer Price Index.

This application fee applies to the following types of community initiated public art only:

Type of Project:	Community Initiated Public Art
Location of Project:	Privately Owned Commercial Property, visible from the public spaces or rights of way ONLY
Project Funding:	Fully Privately (not City funded) Funded
Fee paid by:	Applicant, typically the Property Owner

This fee would **not** apply to art that is:

- Located on publicly owned properties, including, but not limited to public parks and trails, schools, medians, rights of ways or sidewalks
- Located on private residential properties

- Located on or within privately owned commercial property not visible from public spaces or rights of way
- Publically (City) funded

In comparison, the current permit fee for businesses to put up a sign at their commercial site is set at \$323. The proposed \$200 fee would re-instate the art application fee adopted in 2004 and would help to partially cover the cost associated with the processing of applications and materials, preparation of reports and public noticing. The minimum cost incurred by the City for staff time alone is currently estimated to be approximately \$255, with larger projects likely far exceeding this cost.

### **Next Steps**

Staff will bring Parks and Recreation Commission's recommendation regarding the application fee for Community Initiated Public Art on privately owned commercial spaces to the City Council for consideration.

### **STRATEGIC PLAN:**

The proposed guidelines support the Council's Strategic Plan goal of Economic Development and downtown revitalization to work with the community on beautification projects.

### **FINANCIAL IMPACT:**

The proposed application fee of \$200 would partially cover the cost associated with the processing of applications and materials, preparation of reports and public noticing for public art projects (including murals) proposed on privately owned commercial spaces. The fee shall be adjusted on July 1st of each year in accordance with the Consumer Price Index (CPI) for the San Francisco Bay Area for the preceding April-to-April period.

### **ATTACHMENTS:**

Attachment A: Community Initiated Public Art Guidelines

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COMMUNITY INITIATED ART GUIDELINES**



**I. PURPOSE OF PUBLIC ART PROGRAM**

To promote, support and increase the creation of public art displays within the City of Watsonville to provide an opportunity for personal and community reflection, promote the City's attributes and enhance its image for the enjoyment and benefit of the residents, businesses, employees and visitors.

**II. OVERVIEW OF PROGRAM**

This program provides a process for approval of Community Initiated Public Art Projects that:

1. Will be fully privately funded through private, donation or grant funding (excluding in-kind contributions from the City), and
2. Are proposed to be installed on public spaces, City buildings and rights-of-way **OR** private commercially owned spaces visible from public property or rights of way.

Community initiated public art projects where a commercial property owner, artist, member of the public, a neighborhood group or other community organization and/or private donor, may submit proposed installations and/or public acquisitions of unsolicited Works of Art. These projects shall be funded through grants or private funding/donations only (no City funds will be utilized, other than in-kind services, where applicable).

These guidelines are not intended to address art projects or proposals that will utilize City funds. Artwork proposals or projects utilizing City funds are subject to and must follow the City Initiated Public Art Guidelines.

The Parks and Recreation Commission will be the responsible entity for approving specific artwork/projects and may, from time to time, seek outside expertise to assist with its decisions.

Specific submittal requirements for proposed artwork/projects will be included with the application packet provided by the Parks and Community Services Department. All completed applications and application fee are to be submitted to the Parks and Community Services Department for initial review and recommendation to the Parks and Recreation Commission. Proposals of artwork/projects on Commercial Private Property or Public Spaces, as defined under IV below, which do not receive Commission approval, may be appealed to the City Council if rejected by the Commission.

**III. PURPOSE OF PROGRAM GUIDELINES**

Artwork is intended to attract attention, represent free artistic expression and be consistent with first amendment protections. Since most artwork is generally located in high visibility areas, criteria, standards and procedures are deemed necessary and appropriate. The purpose of the City of Watsonville Community Initiated Art Guidelines is to:

1. Establish standards and procedures for reviewing artwork installed on exterior public spaces, rights-of-way, **OR** privately owned commercial spaces visible to the public (private spaces) or interior areas of City buildings, as defined under IV below; and
2. Provide general guidance for the selection, installation and management of community initiated and funded public art projects. Details and specifications for artwork/projects will be included in written agreements between the City of Watsonville and other parties.

These guidelines are not intended to apply to events containing an art component. However, should the event result in the creation and installation of permanent artwork in exterior public or private spaces or rights-of-way or interior areas of City buildings, as defined under IV below, the entity in charge of approving the event shall be responsible for coordinating approval of the artwork with the Parks and Recreation Commission.

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**IV. DEFINITIONS**

**Public Art** - City Ordinance 506-80 C-M defines “Art, public” as “art that is so located as to be visible to persons in public places, such as, but not limited to, streets, sidewalks, and parks, and which does not contain characteristics of an advertising sign or identify or draw attention to a business, profession, or industry, to the type of products sold, manufactured, or assembled, or to the type of services or entertainment offered or available on the premises or in the City” (Watsonville Municipal Code 14-18.086).

**Staff** - Employees of the City of Watsonville Parks and Community Services Department

**Proposal** - Suggested idea for artwork or project

**Project** - Activity designed to carry out the goal of the program

**Artwork** - Tangible creation, including, but not limited to Murals, Themed art sculptures, Art Displays in Vacant Storefronts, Utility Box Wraps and/or Paintings, Art in the Park Events, Sidewalk Art, Large life-like figures

**Theme** - Idea with a central focus

**Permanent** - Artwork that is fixed and changeless

**Public Spaces** - Exterior areas or buildings owned by the City of Watsonville

**City Buildings** - Interior areas, visible to the public, of buildings owned by the City of Watsonville

**Rights-of-way** - Exterior public or private parcel or easement utilized for the purpose of public vehicular and/or pedestrian movement, including CALTRANS (California Department of Transportation) rights-of-way, within the City limits

**Private Spaces** - Exterior areas or buildings on privately-owned commercial property which is clearly visible to the general public from public areas such as streets, sidewalks, or other public thoroughfares.

**V. ROLES AND RESPONSIBILITIES**

**A. City Council (Council) shall:**

1. Consider appeals of proposed non-City funded artwork/projects on public or private spaces, as defined under IV above, rejected or approved by the Parks and Recreation Commission.

**B. Parks and Recreation Commission (Commission) shall:**

1. Periodically review and make modifications, as necessary, to these guidelines used to implement and administer the Program;
2. Review and approve or reject artwork/projects through public meetings to obtain input from the community;

**C. Parks and Community Services Department Staff shall:**

1. Oversee and manage the ongoing operation of the Public Art Program;
2. Propose, review and make recommendations to the Commission regarding all artwork/projects that meet the Program criteria;
3. Present appeals to the City Council for proposed artwork/projects that are rejected by the Commission;

**D. Other City Departments shall:**

1. Provide assistance as needed to implement the Public Art Program and complete the approved artwork/projects. The types of assistance that may be provided may include but are not limited to: technical advice, assistance with permits, policy enforcement and coordinating events and installations.

**E. Artists interested in collaborating with the City on artwork/projects shall:**

1. Submit all materials requested on the application
2. Conduct necessary research, attend meetings, make presentations, and make



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site visits when necessary;

3. Work closely with Staff and others involved in the artwork/project;
4. Execute and complete the work, including installation and permits, as stipulated in the contract/agreements(s) to be entered into by the City, artist and/or property owner, if located in City buildings;
5. Perform conservation and repairs to artwork/project as stipulated in the contract/agreement;
6. Grant the City of Watsonville, Council and its agents ownership and non-exclusive, unlimited and irrevocable license to the artwork for reproduction and promotional uses or other uses as stipulated in the contract/agreement (copyright shall remain with the artist);
7. Provide insurance as stipulated in the contract/agreement; and
8. Adhere to all other conditions of the contract/agreement.

**F. Property Owners and others interested in collaborating with the City on artwork/projects shall:**

1. Submit all materials requested on the application;
2. Conduct necessary research, attend meetings, make presentations, and make site visits when necessary;
3. Work closely with Staff and others involved in the artwork/project;
4. Ensure that the work is executed and completed, including installation, as stipulated in the contract/agreement(s) to be entered into by the City, property owner, and artist;
5. Ensure that restoration and repairs to artwork/projects are performed as stipulated in the contract/agreement. Property owners must maintain compliance with the Visual Rights Act of 1990 and the California Arts Preservation Act;
6. Provide insurance as stipulated in the contract/agreement; and
7. Adhere to all conditions of the contract/agreement.

**VI. APPLICATION PROCESS**

1. **Initiation** – Artwork/projects may be initiated in several ways, including but not limited to:
  - a. **Proposed Projects/Artwork** – Artists, property owners, and/or others interested in collaborating on a public artwork/project may submit proposals for consideration.
  - b. **Gifts/Donations of Artwork** - The City of Watsonville appreciates the generous and innovative spirit in which gifts, unsolicited loans, and unsolicited works of art are proposed. The City has a responsibility to consider the resources required for the maintenance, preservation, protection, and appropriate display of all works of art included in the Public Art Collection and to ensure an open and public process when considering the inclusion of new works of art into the City of Watsonville Art Collection. Donated artwork may be considered and will be reviewed using the same process as any other artwork.
2. **Application** - Artist, property owner and/or others interested in collaborating on a public artwork/project submits proposal for public art and/or associated gift or donation to the Parks and Community Services Department. The application form and fee will be due at the time of submission to the PCS Department for initial screening and evaluation, using the considerations and eligibility requirements in Section VII below. Applications will be routed to the Community Development Department for review.
3. **Parks and Recreation Commission Review** - The Commission will approve or reject proposals based on the established considerations within these Guidelines.
4. **Appeals** - If applicable, City Council will consider appeals for artworks/projects not approved by Parks and Recreation Commission.

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**VII. ARTWORK/PROJECT CONSIDERATIONS, ELIGIBILITY REQUIREMENTS AND STANDARDS**

All projects and artwork considered through the City of Watsonville Public Art Program, shall be reviewed utilizing the following considerations, eligibility requirements and standards.

1. **Artwork/Project Considerations** - All proposals will be evaluated using the considerations listed below.
  - i. General Considerations – The following will be used when evaluating, selecting and recommending artwork/projects and will include but may not be limited to:
    1. Artist's qualifications, experience, and ability;
    2. Suitability of the proposed artwork/project;
    3. Conservation/repair needs and availability of funding to meet those needs;
    4. Technical feasibility; and
    5. Expenses, if any, required from the City.
  - ii. Site/Placement Considerations – May include public or private spaces, rights-of-way or City buildings, as defined under IV above. The following will be used when evaluating and selecting site/placement and will include, but may not be limited to:
    1. Availability of suitable location for the artwork/project;
    2. Public safety and liability issues;
    3. Accessibility for conservation and repair; and
    4. Visibility and accessibility to public
2. **Eligibility Requirements** - Artwork/projects, including donated artworks, that are ineligible for consideration under the Program may include but are not be limited to those that:
  1. Do not meet the criteria established for the Program;
  2. Carry restrictions or conditions not established by or in keeping with the Program;
  3. Contain advertising;
  4. Do not meet the Standards for artwork/projects listed below; and/or
  5. May have ownership, fraud, or authenticity issues.
3. **Standards** - Standards for Artwork/projects in public or private spaces, rights-of-way or City buildings, as defined under IV above include, but are not limited to the following:
  1. Nudity. Artwork containing nudity may be permissible, unless a) it would constitute obscene matter and lacks serious literary, artistic, political or scientific value, and/or b) promotes sexual violence against an individual or group.
  2. Violence. Artwork may be excluded if it promotes or condones violence against an individual or group or its graphic quality would be objectionable to the target audience; and
  3. Partisan political statements. Artwork may be excluded if it contains partisan political statements.

**VIII. ACCESSION OF ARTWORK/PROJECTS TO THE CITY OF WATSONVILLE ART COLLECTION**

Accessioned artworks shall be of distinctive artistic merit and aesthetic quality and will enhance the diversity of the City of Watsonville Art Collection. Accessioned artwork shall be appropriate in and for its site, scale, material, form, and content for both its immediate and general social and physical environment. Accessioned artwork shall be reasonably durable against theft, vandalism, weather, and excessive maintenance costs.

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Accession implies the responsibility by the City of Watsonville to preserve, protect, and display the artwork for the public benefit, as well as a work's permanency within the City of Watsonville Art Collection, providing that the work retains its physical integrity, identity, and authenticity.

Accessioned artwork will be acquired without restrictions as to its future use and disposition, except with respect to copyrights and certain clearly defined residual rights contained in agreements with artists. Artwork will be accessioned into the City of Watsonville Art Collection only upon completion of all facets of the commissioning or purchasing agreement.

Each accessioned work will be documented to the fullest extent possible, including artist's last known address and, when available, photographs.

The artist's or legal owner's signed agreement transferring title for the artwork and clearly defining the rights and responsibilities of all parties will accompany every accessioned work and shall be in the documented records of the work. The artist's copyrights will be maintained in accordance with applicable law.

## **IX. DEACCESSION OF ARTWORK/PROJECTS FROM THE CITY OF WATSONVILLE ART COLLECTION**

The process for the removal, sale, relocation, and/or disposal of public works of art in the City of Watsonville Art Collection, including removal of the artwork from its public site may be considered for deaccession only under the following conditions:

1. Security - the condition or security of the artwork cannot be reasonably guaranteed.
2. Theft - all stolen artworks will be documented through an official police report and a report prepared by the agency responsible for the site of loss.
3. Inauthentic - the work is discovered to be inauthentic, fraudulent, or stolen.
4. Damage beyond repair - the work has been damaged beyond repair, damaged to the extent that it no longer represents the artist's intent, or damaged to the extent that the expenses of restoration and repair is found to exceed current market value of the artwork. In the event the artwork is damaged, staff will prepare a report that documents the original cost of the artwork, estimated market value, and the estimated cost of repair.
5. Loss of site - Every attempt will be made to find a suitable location for every artwork in the City's art collection; however, lack of siting or proper storage could merit deaccessioning.
6. Site alteration - for site-integrated artwork, if the site for which a piece of artwork was specifically created is structurally damaged or otherwise altered so that it can no longer accommodate the work, or if the piece is made publicly inaccessible by a change in its surrounding environment such as new construction or demolition, that artwork may be considered for deaccession.
7. Temporary acquisition - the artwork was purchased as a semi-permanent acquisition and the city's obligation is terminated.
8. Safety - the artwork endangers public safety.
9. Excessive representation - the work is duplicative, or excessive in a large holding of work of that type or of that artist.
10. Aesthetic value - the work has not withstood the test of time. It has been professionally determined to lack aesthetic or artistic value to justify its continued upkeep and storage within the City's art collection.

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In the event that works of art are threatened by any of the above criteria, staff will prepare a recommendation for deaccession of artwork from the City's Art Collection for review, evaluation, and action by the Parks and Recreation Commission and the City Council.

It is the obligation of the Parks and Recreation Commission to ensure that all disposals with regard to the City's Art Collection be formally and publicly conducted and adequately documented.

Artists whose work is being considered for deaccession shall be formally notified by mail using the current address of record originally provided by the artist.

All artwork under consideration for deaccession will be accompanied by a staff report that includes:

- a) Reasons for the suggested deaccession.
- b) Accession method, cost, and current market value.
- c) Documentation of correspondence with the artist.
- d) Photo documentation of site conditions (if applicable).
- e) Official police report (if applicable).
- f) Permanent record of the artwork's inclusion in City's Art Collection, and reasons for its removal, shall be maintained in a deaccessioned collection file, and will be kept as a separate section of the City's Art Collection records.

The artwork, or its remains, shall be disposed of by the Parks and Community Services Department staff or its agents upon deaccession action. The artist will be given the opportunity to purchase the artwork, or its parts, before disposal by sale (in accordance with the California Royalty Act), donation, trade, or destruction.

The Parks and Recreation Commission will deaccession artwork from the City's Art Collection by approval of a resolution; however, the City Manager is authorized to remove artwork from the collection if the value of the art is equal to or less than his purchasing authority.

The Parks and Recreation Commission's action regarding deaccessioned artwork will be transmitted to the City Manager's Office.

No current member of the Parks and Recreation Commission or Staff to the commission or any member or staff who has served on or for the Commission within the most recent two years from the date of consideration of deaccession shall be allowed to bid and/or purchase a deaccessioned artwork.

## **X. SPECIAL PROCEDURES FOR HISTORIC SITES AND PROPERTIES**

When public art is part of a designated local historic site or property undergoing remodeling, or public art is considered for a designated local historic site or property, the following tasks and procedures are necessary:

1. The Scope of Work for Public Artists shall be developed with the input of Parks and Community Services Department Staff.
2. Public artists shall research the historical, architectural, cultural and social character of the site or property to develop an understanding of the historical context.
3. Public artists shall work with Parks and Community Services Department Staff, as necessary, to identify principles that balance preserving and reinforcing the prominent features of a site or property with adding vital new public art component(s).
4. Public art designated for a local historic site or property will be reviewed by the Parks and

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Recreation Commission using the same process as any other artwork.