

## **INTRODUCTION**

This policy applies to all mural projects that are funded in whole or in part by the City. This policy outlines the three tiers of mural funding and approval procedures used by the Santa Cruz City Arts Program. Criteria for the approval of a mural project increase as the funding level increases, noting that all projects on public property are required to follow the Tier Three requirements for public involvement and consultation process.

The Santa Cruz Mural Program is overseen by the Santa Cruz Arts Commission.

## **HISTORY**

The former Redevelopment Agency began placing murals in downtown alleys in 1994, which expanded in 2007 to include the entire Merged and Eastside Redevelopment Areas. Through a matching grant model, murals were encouraged in Redevelopment Project Areas on both public and private property for the purpose of historical identification, district identification and unification, to mitigate graffiti and generally to help create a sense of place.

Murals installed before 2007 are referred to as “Vintage Murals” for purposes of this policy. Vintage Murals are those which are maintained by the City of Santa Cruz and have been accessioned into the Public Art Collection.

In 2007, the former Redevelopment Agency began requiring that private property owners maintain murals funded by the City through a signed agreement. While the City does inventory and document these murals and includes them in educational and outreach materials, they are not accessioned into the City of Santa Cruz public art collection.

In 2015, the Santa Cruz Arts Commission sought to establish a clearer review process tied proportionally to a mural project’s impact and intent—creating the resulting policy as follows.

## **IMPORTANCE OF MURALS IN SANTA CRUZ**

- Murals contribute to a vital public art program, attracting tourism and enhancing the visitor experience;
- Murals enhance the built environment, typically for a modest investment;
- Murals are a key part of California and Santa Cruz history and have been made by indigenous groups including Native Americans, Latinos, and Chicanos for centuries;
- The mural making process can be a valuable community experience by involving a variety of participants in the planning and installation process;

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- Nationally and globally, and across many cultures, mural making has become a popular form of self-expression;
- Murals may enhance and bring attention to local businesses, providing an economic benefit. (Note: a mural may not use letters, words, numerals, figures, emblems, logos or any parts or combinations thereof to advertise goods, services or merchandise. Commercial signs are permitted through the City's Planning Department.)

### **WHAT**

Mural projects may include 2D and 3D artworks, both pre-designed and site-specific, and either mounted to or created directly on an exterior building façade.

Murals funded and supported by the Santa City Arts Program may be maintained for between 5-10 years depending on the designated "tier" and the further subject to the determinations of the selection panel, Arts Manager, and Commission. The issue of the lifespan of a mural is addressed in greater detail under each of the tiers of the mural policy, described herein.

Murals are considered temporary works of art. This ensures that murals will continue to look as their artists and designers intended, and it also ensures opportunities for new murals and mural artists that reflect the changing perspectives and styles of the community. With the exception of Vintage Murals, murals installed as part of the Santa Cruz City Arts Program are not subject to deaccessioning procedures, though they are still subject to removal procedures. Vintage Murals are subject to both the deaccessioning procedures and removal procedures outlined in this policy.

### **WHERE**

Where may murals be placed? Murals that are funded by the Santa Cruz City Arts Program may be placed on public buildings and facilities such as parks, retaining walls, and other City-owned infrastructure. With the appropriate contractual agreements, the City may also fund murals which are to be placed on private property.

## **WHO**

Who can propose mural projects? Anyone can propose a mural project, including property owners, artists, organizations, neighborhood associations, and government agencies. Ideas for murals will be accepted from anyone, provided they address and meet the criteria laid out in the Santa Cruz Mural Policy and Procedures.

The City reserves the right to hold and review proposals within certain time windows (e.g. annually or twice annually.) The City may also make specific requests for proposals with prescribed application deadlines. The schedule of review and the number of mural projects funded by the City will depend on the funding available per fiscal year.

Note: All applicants are strongly encouraged to meet with the Arts Manager prior to submitting a mural application. To inquire about mural application deadlines and process please contact the City Arts Manager at [murals@cityofsantacruz.com](mailto:murals@cityofsantacruz.com)

## **MURAL ARTIST REGISTRY**

The City's Economic Development Department maintains a list of qualified mural artists, intended to be a tool to help match interested and experienced artists with proposed or potential mural projects. The Mural Artist Registry may also be used for purposes of advertising calls for submission/RFQs/RFPs.

The Mural Artist Registry is intended as a resource. Those seeking funding for a mural project are not required to use any artist on the registry, but they will need to demonstrate that the project they are proposing meets the review criteria laid out within the Santa Cruz Mural Policy and Procedures. The Santa Cruz Arts Commission will advise the Arts Program Manager regarding the outreach process for the Mural Artist Registry. Administrative procedures that are used to implement or administer City Arts Programs (e.g. application forms) do not require Arts Commission approval.

## **ARTIST CONTRACT**

Artists working on mural projects funded by the City must execute a contract with the City that specifies the scope of work; responsibilities; warranties; compensation; artists' rights; waiver of artists' rights; copyright; termination clause; insurance, and other provisions as deemed necessary or appropriate. A waiver of the artists' rights under the Visual Artists Rights Act (VARA) and the California Art Preservation Act (CAPA) is mandatory for all City funded art projects, including murals.

### **MURAL PROJECT APPLICATION**

- 1) At least one month prior to submitting an unsolicited mural project application, applicants are strongly encouraged to meet with the City's Arts Program Manager, or designee, for an initial review of imagery, location, funding and building owner's approval.
- 2) Complete the Mural program application.
- 3) Provide all required supplementary materials, including:
  - a) Jpg image(s) of a color rendering of proposed mural
  - b) Jpg image(s) of site and physical surroundings
  - c) Up to 6 jpg images of artist's past work; if more than one artist, submit 6 images per artist.
  - d) Project timeline
  - e) If attaching panels to a wall, a materials list, drawing and attachment plans must be submitted.
  - f) Other materials as agreed upon between applicant and the Arts Program Manager.

### **MURAL PROJECT TIERS AND REVIEW CRITERIA**

#### **OVERVIEW**

This program provides matching funds for unsolicited murals that meet the review criteria and are approved. (The City and/or Arts Commission may also solicit murals using this funding source. Typically the applicant must match the amount being requested through cash, in-kind or volunteer hours. (The cash value of volunteer hours is reviewed and updated annually to keep pace with State wage standards.)

Funding levels may change periodically in response to market conditions and available funding. Likewise, even approved mural projects may not be funded at the full amount requested (e.g. partial grants may be offered.)

As follows is an explanation of the three levels of funding available for mural projects and corresponding review criteria and process for each.

**SUMMARY OF MURAL TIERS**

<b>Project Approach Per Tier</b>	<b>Tier One Max Funding \$8k</b>	<b>Tier Two Max Funding \$15k</b>	<b>Tier Three (Funding &gt;15k plus all projects on City-owned property)</b>
Artist selection process	Property owner typically selects artist – may use the City’s mural registry as a resource	Property owner typically selects artist – may use the City’s mural registry as a resource	If solicited by the City and/or Arts Commission an RFQ or RFP is issued
Panel composition	Two (2) Community or Business Reps., who may also be artists  One (1) Rep. of the Arts Commission.  If on commercial property: One (1) Rep from Econ. Dev.  <i>If maintained by City:</i> One (1) from Rep. from that dept.	One (1) Arts Professionals - preferably a mural artist  Two (2) Community or Business Reps, who may be arts professionals.  Two (2) Reps. of the Arts Commission  If on commercial property: One (1) Rep from Econ. Dev.  <i>If maintained by City:</i> One (1) Rep. from that dept.	Two (2) Arts Professionals - preferably mural artists  Two (2) Community or Business Reps., who may be an arts professionals.  Two-three (2-3) Reps. of the Arts Commission.  If on commercial property: One (1) Rep from Econ. Dev.  <i>If maintained by City:</i> One (1) Rep. from that dept.  One City Councilor, as available.
Panel selection process *	City Arts Manager selects panelists	The Arts Manager shall convene the selection panel with the Community/Business Reps. identified in consultation with neighborhood, business and/or community organizations with a subcommittee of the Arts Commission.	The Arts Manager shall convene the selection panel with the Community/Business Reps. identified in consultation with neighborhood, business and/or community organizations with a subcommittee of the Arts Commission.
Final approval authority	Selection panel	Arts Commission	Arts Commission

\* Individuals interested in serving as selection panelists may be asked to submit a resume and references or complete an application in order to be selected.

**TIER ONE:**

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Maximum Funding Level: \$8,000

Review Criteria:

- Artistic Merit: The inherent quality and excellence of the proposed artwork(s).
- Scale: Appropriateness of scale to the wall upon which the mural will be painted/attached and to the surrounding physical features.
- Feasibility: Demonstrated ability to complete the proposed mural on time and within budget.
- Media: Appropriate media proposed to ensure the mural's longevity and durability.
- Structural and surface stability: Commitment to repair the surface as necessary before placing the mural.
- Graffiti mitigation: A plan for mitigating graffiti through design and/or graffiti coating.
- Maintenance: Signed agreement with a commitment to keep and maintain the mural in place for a minimum of 5-10 years, with some limited exceptions.
- Public accessibility and safety: Plan to comply with city codes for safety and accessibility.
- Supports the Vision, Mission and Values of the Santa Cruz Arts Commission.
- *If on commercial property*: Supports the Vision, Mission and Values of the Economic Development department.
- Match: The applicant provides a match through cash, in-kind donations and/or volunteer hours.
- Waiver: Appropriate waiver of artist's rights.
- Other criterion unique to the project may be developed by the selection panel.

Art Selection process:

The City Arts Manager will convene a selection panel for the proposed project. The Arts Commission is informed of the panel decision by the Arts Manager. The panel may approve, approve with conditions, or deny the mural proposal.

Panel member selection and panel composition:

The City Arts Manager will convene a selection panel for the proposed project. Individuals interested in serving as selection panelists may be asked to submit a resume and references.

Panel composition:

- Two (2) Community or Business District Representatives, who may also be artists;

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- One (1) Representative of the Arts Commission, as selected by the City Arts Manager.
- *If on commercial property:* One staff person from the Economic Development department.
- *If maintained by City:* One (1) Representative of the City Department that will be responsible for maintaining the mural.

Funding:

If the proposal is unsolicited, the approved mural would be funded at a maximum of up to \$8,000 with at least a 50% match from the applicant.

Artist Contract:

The City will execute a contract with the Artist(s). If the mural is on private property, the contract and scope of work will be determined jointly with the property owner and must be signed by both the City and the property owner.

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**TIER TWO:**

Maximum Funding Level: \$15,000

Review Criteria:

- **Artistic Merit:** The inherent quality and excellence of the proposed artwork(s).
- **Scale:** Appropriateness of scale to the wall upon which the mural will be painted/attached and to the surrounding physical features.
- **Feasibility:** Demonstrated ability to complete the proposed mural on time and within budget.
- **Media:** Appropriate media proposed to ensure the mural's longevity and durability.
- **Structural and surface stability:** Commitment to repair the surface as necessary before placing the mural.
- **Graffiti mitigation:** A plan for mitigating graffiti through design and/or graffiti coating.
- **Maintenance Agreement:** Signed agreement with a commitment to keep and maintain the mural in place for a minimum of 5 -10 years, with some limited exceptions.
- **Public accessibility and safety:** Plan to comply with city codes for safety and accessibility.
- **Supports the Vision, Mission and Values of the Santa Cruz Arts Commission.**

- If on commercial property: Supports the Vision, Mission and Values of the Economic Development department.
- Match: The applicant provides a match through cash, in-kind donations and/or volunteer hours.
- Waiver: Appropriate waiver of artist's rights.
- Community support: General support/advocacy from the building owner/user, surrounding neighborhood, adjacent businesses, arts community and/or community group.
- Context: Architectural, geographical, sociocultural, and/or historical relevance to the site.
- Posted notice: Notice posted onsite at least 14 days in advance of the arts commission meeting at which the proposal will be reviewed.
- Other criterion unique to the project may be developed by the selection panel and/or Arts Commission.

Art Selection Process:

The City Arts Manager shall convene a selection panel for the proposed project. The panel recommendation is presented to the Arts Commission for review and final decision. The Arts Commission may approve, approve with conditions, or deny the mural proposal.

Panel member selection and panel composition:

Individuals interested in serving as selection panelists may be asked to submit a resume and references and/or a formal application in order to be selected. The Arts Manager shall convene the selection panel. Potential Community Representatives will be identified in consultation with neighborhood, business and/or community organizations in the vicinity of the project and the final selection panel will be formed in consultation with a subcommittee of the Arts Commission.

Panel composition:

- One (1) Arts Professional - preferably a mural artist.
- Two (2) Community or Business District Representatives, who may be a arts professionals. (When possible, a representative of the community or business district affected by the project.)
- Two (2) Representatives of the Arts Commission.



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- *If maintained by City:* One (1) Representative of the City Department that will be responsible for maintaining the mural.
- *If on commercial property:* One staff person from the Economic Development department.

Funding:

If the proposal is unsolicited, the approved mural would be funded at a maximum of up to \$15,000 with at least a 50% match from the applicant.

Artist Contract:

The City will execute a contract with the Artist(s). If the mural is on private property, the contract and scope of work will be determined jointly with the property owner and must be signed by both the City and the property owner.

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**TIER THREE:**

Maximum Funding Level: \$15,000-\$30,000 and all murals on city-owned property.

Any unsolicited mural applications that request more than \$15,000 in funds will be categorized as a Tier Three mural. Note: *All* projects on city-owned property are required to go through the Tier Three process regardless of the cost of the project and the City does not need to match its own contribution.

The applicant must demonstrate that the project supports the Vision, Mission and Values of the Arts Commission and Santa Cruz City Arts Program. Tier Three murals are typically solicited by the City and/or the Santa Cruz Arts Commission for placement on public property.

Review Criteria:

- **Artistic Merit:** The inherent quality and excellence of the proposed artwork(s).
- **Scale:** Appropriateness of scale to the wall upon which the mural will be placed and to the surrounding physical features.
- **Feasibility:** Demonstrated ability to complete the proposed mural on time and within budget.
- **Media:** Appropriate media proposed to ensure the mural's longevity and durability.

- Structural and surface stability: Commitment to repair the surface as necessary before placing the mural.
- Graffiti mitigation: A plan for mitigating graffiti through design and/or graffiti coating.
- Maintenance agreement: Signed agreement with a commitment to keep and maintain the mural in place for a minimum of 15 years, with some limited exceptions.
- Public accessibility and safety: Plan to comply with city codes for safety and accessibility.
- Match: The applicant provides a match through cash, in-kind donations and/or volunteer hours (Note: If a city-led project on city-owned property, the City does not need to match its own contribution.)
- Waiver: Appropriate waiver of artist's rights.
- Community support: Support/advocacy from the building owner/user, surrounding neighborhood, adjacent businesses, arts community and/or community group.
- Context: Architectural, geographical, sociocultural, and/or historical relevance to the site.
- Posted notice: Notice posted onsite at least 14 days in advance of the arts commission meeting at which the proposal will be reviewed. Specific posting procedure follows.
- Other criterion unique to the project may be developed by the selection panel and/or Arts Commission.

#### RFP/RFQ Process for City-led projects:

The RFP or RFQ will be developed in consultation with the Arts Commission and should support the Vision, Mission and Values of the Arts Commission. RFPs/RFQs typically provide information about the historical, social, geographical and neighborhood context of the mural site. Calls may be focused (e.g. themes) and RFPs/RFQs typically list the desired outcomes from a project—such as particular community engagement outcomes.

A Request for Proposal (RFP) typically requires applicants to submit ideas, sketches and budgets for a proposed project. For solicited projects, artists may be compensated for proposal development in keeping with the Santa Cruz City Arts Program Guidelines.

The Request for Qualifications (RFQ) is the most common artist selection process as the artist is selected based on the portfolio of past work. Once selected, the artist is then asked to develop a certain number of proposals to choose from. The RFQ outlines the project location, budget, scope, theme, timeline, and other specifics relevant to the project, and offers applicants instructions for submitting.

#### Art Selection Process:

The overall project approach may be simple or complex based upon the artwork opportunities present at the project site. If the Public Mural project is initiated by the Arts Commission, an RFP/RFQ process will be conducted in compliance with the City's Public Art Program Guidelines. If the project is on private property, the Arts Manager shall consult a subcommittee of the Arts Commission regarding the approach.

The Arts Program Manager will convene the selection panel. The selection panel decision will be presented to the Arts Commission for final review and approval, approval with conditions, or denial.

Panel member selection and panel composition:

Individuals interested in serving as selection panelists may be asked to submit a resume and references and/or a formal application in order to be selected. The Arts Manager shall convene the selection panel with the Community Representatives identified in consultation with neighborhood, business and/or community organizations in the vicinity of the project and in consultation with a subcommittee of the Arts Commission.

Panel composition:

- Two (2) Arts Professionals of recognized professional stature- preferably mural artists.
- Two (2) Community or Business District Representatives, who may be an arts professional. (When possible, this member should be a representative of the community or business district affected by the project.)
- Two or three (2-3) Representatives of the Arts Commission, in the discretion of the City Arts Program Manager.
- *If maintained by City:* One (1) Representative of the City Department that will be responsible for maintaining the mural
- *If on commercial property:* One staff person from the Economic Development department.
- *One City Council member, as available.*

Funding:

If the mural project is an unsolicited proposal, the project would be funded up to \$30,000 with at least a 50% match from the applicant.

Neighborhood involvement and public meetings:

If the selection panel approves forwarding the project to the Arts Commission, the applicant will be required to hold a neighborhood meeting prior to the Arts Committee review of the proposal. At this meeting, feedback from the neighborhood should be solicited and documented as follows:

- This meeting should take place between the time that the mural application is submitted and the Arts Commission’s public hearing of the proposal.
- Notice of this meeting must be mailed to all properties within 300 feet of the mural. The City of Santa Cruz Arts Manager will provide the addresses to the applicant. Where appropriate, mailed notification will be in more than one language.
- The applicant will document attendance at the public meeting through a sign-in sheet and should provide and collect comment cards.
- At this public meeting the applicant shall inform the attendees of the date of the Arts Commission meeting at which a Public Hearing will be held regarding the proposed mural.
- Posted Notice of Public Hearing: Prior to the Arts Committee review of the proposal and public hearing, the applicant shall provide documentation to the Arts Manager, or designee, that they complied with the public notice requirements. A notice shall be posted at the site of the proposed public art mural and shall conform to the following standards:
  - The notice shall be posted at the proposed site at least 14 days prior to the Arts Commission hearing at which the proposed mural will be reviewed. The Arts Manager, or designee, shall provide the applicant with materials to be posted. The applicant shall be responsible for ensuring that the notice is posted and remains posted. If the notice is damaged or removed, the applicant shall replace the notice as soon as practicable.
  - Where appropriate, posted notice will be in more than one language.
  - The notice shall be durable and waterproof.

- The notice shall be clearly visible from the public right-of-way and be at least 11 x 17 in. The City Manager, or designee, may require more than 1 sign to be posted, depending on specific site characteristics.
- The notice shall include the name and contact information for the applicant and owner; contact information for the City Manager, or designee; and a legibly-sized color representation of the proposed Public Mural.
- The applicant must be prepared, if asked, to provide photos showing the posted notice on site.
- The public meeting and public hearing shall not be held in locations where any person attending the meetings would face discrimination on the basis of race, religion, color, sexual orientation, gender identity, age, disability, legal citizenship, national origin, income, or political affiliation. Language translation may be provided by the City in neighborhoods that contain a significant minority of non-English speaking residents. The meeting shall be held in a location accessible to people with disabilities, and the meeting shall be held during evening or weekend hours, but in no case between the hours of 10:00 pm and 7:00 am.

#### **MURAL REMOVAL PROCEDURES**

Removal of a mural before the expiration of signed maintenance agreements:

Murals funded through the City of Santa Cruz may be removed before the expiration of required time for preservation and maintenance under limited circumstances.

If a property owner seeks to remove a mural located on their property before the expiration of the time for preservation and maintenance required in the applicable agreements, the property owner must notify the Arts Program Manager with a request to remove the mural setting forth an explanation of the requested grounds for removal, such as:

- The condition or security of the mural cannot be guaranteed
- The mural requires excessive and unreasonable maintenance
- Mural is no longer suitable for the current site
- Written request from or consent of artist to remove the mural

- Significant and ongoing adverse public reaction

The property owner must also comply and demonstrate compliance with advance notice requirements to the artist(s) pursuant to the California Arts Preservation Act, Civil Code § 987 *et seq.*; and the Visual Artists Rights Act, 17 U.S.C. § 106A,. No removal is permitted without documented compliance with these notice requirements.

Removal of a mural after expiration of signed maintenance agreements:

Murals funded through the City of Santa Cruz may be removed in compliance with all the terms laid out in the signed written agreements.

The property owner must also comply and demonstrate compliance with advance notice requirements to the artist pursuant to the California Arts Preservation Act, Civil Code § 987 *et seq.*; and the Visual Artists Rights Act, 17 U.S.C. § 106A,. In no case is removal permitted without documented compliance with these notice requirements.

### **DEACCESSIONING OF VINTAGE MURALS**

The following procedures apply for the deaccessioning of a Vintage Mural. (Note: Vintage Murals are those placed prior to 2007 and/or those placed without signed maintenance agreements.)

Imminent Hazard:

In the event that a Vintage Mural creates an imminent public hazard and it is not possible to contain the hazard without immediately removing the work of art, the work of art may be removed immediately and the decision regarding deaccession may be made subsequently. Before a removal based on an imminent hazard occurs, the City Attorney's Office and City Manager's Office must be notified and consulted.

Evaluation of Deaccessioning or Conservation:

In order for the deaccessioning of a Vintage Mural to be considered, the City of Santa Cruz must undertake a careful evaluation of the work of art. That evaluation shall include, but is not limited to, the following factors:

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1. Age of mural: Mural has been in place for more than 10 years.
2. Expert opinion (e.g. conservator or public art professional) has deemed the work of art to be of substandard quality and/or incompatible with its historical, social or cultural context.
3. The work of art is duplicative of a substantial holding of work of that type or by a particular artist.
4. The work of art has deteriorated, or is irreparably damaged to an extent where repair is either unreasonable or impractical.
5. The work of art requires excessive or unreasonable maintenance on an on-going basis, exceeding the anticipated maintenance requirements.
6. The work of art has consistently received adverse public reaction for a period of three (3) or more years.
7. The City has received a written request for deaccessioning from the artist or one or more artists who co-authored a work of art, citing a specific reason for the request.
8. Needed construction or remodeling of the building or surface on which the mural is placed.

### Conservation of Murals by Living Artists:

If a subcommittee determines that conservation is preferable to deaccessioning, the lead artist, if still living, will always be invited to bid on the entire conservation project or simply a portion of project (i.e. repainting).

Once a mural has been selected as a conservation project and the budget approved, staff will contact the artist and ascertain interest in participating in the conservation project. Staff will then develop a request for proposals for the conservation project that will reflect the artist's desired level of participation in the project. The original lead artist will be given priority if the bid is comparable to that of other qualified respondents.

### Deaccessioning Procedure:

All requests for consideration of the deaccessioning of a Vintage Mural in the Public Art Collection must be filed in writing with the Arts Program Manager. The Arts Program Manager may also initiate a request for consideration of deaccession according to the same procedure. This written request must be initiated by a resident of the City of Santa Cruz, the artist who

created the mural or the Administrator of the Public Art Program. The request should specifically state the grounds on which deaccessioning is being requested, as well as the relationship of the individual(s) making the request to the work of art. If the request is made by the artist that created the mural, the residency requirement does not apply. Once a deaccessioning request is filed, then the Arts Program Manager shall prepare a written report within ninety (90) days regarding:

1. Conditions that initiated deaccessioning consideration.
2. Opinion of the City Attorney regarding potential legal issues for deaccessioning of the work of art.
3. Conditions of acquisition – method, date and cost.
4. Evaluation of the work of art itself, and its importance and relevance within the context of the overall Public Art Collection.
5. A recommendation as to the appropriateness or need of public opinion and cultural significance and the need for a public hearing related to the deaccession.
6. Written opinion of the Department that is responsible to maintain the site and/or the Director of the Economic Development Department.
7. Suggested course of action.

The deaccession request and background report shall then be presented to the Arts Commission. If, after careful examination, the Arts Commission determines that sufficient grounds for deaccessioning exists, then the work of art may be considered for deaccessioning.

Deaccessioning proceedings by the Arts Commission shall be publicized in advance and open to the public at all times. In addition, all reasonable attempts shall be made to notify the artist and to invite the artist to participate in the process.

The City Department responsible for maintaining the site shall also be notified and invited to attend. General public input at these proceedings shall also be permitted. All notifications and public proceedings shall be conducted in compliance with Federal and State laws.

After the required public hearing, the Arts Commission may deaccession by a majority vote. The findings from the Arts Commission discussion will be forwarded to the City Manager. If a majority of the Arts Commission votes in favor of deaccessioning a work of art, this



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recommendation shall be forwarded to the City Council with a written explanation outlining the relevant facts. A decision by the City Council to deaccession a work of art must be approved by adoption of a resolution.

### Deaccessioning Options:

The Arts Commission may assemble a subcommittee to oversee deaccessioning recommendations. Subcommittees shall make a recommendation to the Arts Commission. The following potential recommended courses of action are listed as possibilities, but are not intended to be comprehensive:

1. Paint over or cover the mural.
2. If mural is affixed to the wall in a way in that it can be removed without significant damage to the mural or the surface of the wall or significant expenditures for such removal:
3. Relocate the work of art to another appropriate site.
4. Give the artist the opportunity to recover the work of art at no cost to the City, if allowed by agreement.
5. Give the artist the opportunity to buy back the work at its current appraised value, if allowed by agreement. If donated, return the work of art to the donor.
6. Seek bona-fide appraisal and advertise sale of the work, or sell through acceptable, sealed competitive bids.
7. Dispose of the work through City of Santa Cruz surplus property procedures.

### Sale of Vintage Murals:

If Vintage Mural is deaccessioned and sold, then the proceeds from the sale of the piece shall be deposited in the City Arts Fund for the purposes of new project construction, maintenance, repairs, or conservation. Sale of the work at an appreciated value shall be included and negotiated in all contracts related to the acquisition of a work of art.