

**City of Culver City, California  
Agenda Item Report**

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| Meeting Date: 03/26/13                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  | Item Number: C-3                                                                                  |  |
| <b>CITY COUNCIL AGENDA ITEM: Adoption of an Ordinance Amending Chapter 15.06, New Development Fees, of the Culver City Municipal Code, by Repealing and Replacing Sections 15.06.100 through 15.06.175 with New Sections 15.06.100 through 15.06.180, Relating to the Art in Public Places Program</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                                                                                                   |  |
| Contact Person/Dept.: B. Christine Byers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  | Phone Number: 310-253-5776                                                                        |  |
| Fiscal Impact: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  | General Fund: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>                 |  |
| Public Hearing: <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  | Action Item: <input checked="" type="checkbox"/> Attachments: <input checked="" type="checkbox"/> |  |
| Public Notification: Agendas and Meetings – City Council (03/19/13) (by E-Mail); Agendas and Meetings – Cultural Affairs (03/19/13) (by E-Mail); Cultural Affairs Commission (03/12/13).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |                                                                                                   |  |
| Department Approval:<br>Sol Blumenfeld: (03/15/13)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  | City Attorney Approval:<br>Carol Schwab (by R. Miranda) (03/14/13)                                |  |
| Chief Financial Officer Approval:<br>Jeff Muir (03/19/13)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  | City Manager Approval:<br>John M. Nachbar (03/19/13)                                              |  |
| <p><b><u>RECOMMENDATION:</u></b></p> <p>Staff recommends the City Council adopt the proposed Ordinance (Attachment No. 1), amending Chapter 15.06, New Development Fees, of the Culver City Municipal Code, by repealing and replacing Sections 15.06.100 through 15.06.175 with new sections 15.06.100 through 15.06.180, relating to the Art in Public Places Program.</p> <p><b><u>BACKGROUND / DISCUSSION:</u></b></p> <p>At its meeting of December 11, 2012, the Cultural Affairs Commission unanimously (absent Commissioner Williams) recommended to the City Council approval of changes to the Art in Public Places Program as included in the proposed Ordinance (Attachment No. 1).</p> <p>At the City Council meeting of March 11, 2013, the City Council unanimously approved for introduction the proposed Ordinance amending Chapter 15.06 relating to the Art in Public Places Program.</p> <p>One edit has been made to the attached Ordinance since the City Council meeting on March 11, 2013. This change appears on p. 15, Section 15.06.135 A.2 and is limited to the deletion of the words, “and the Planning Manager” from the sentence that read, “Preliminary Plans containing such detailed information as may be required by the Community Development Director <i>and the Planning Manager</i> to adequately evaluate the location of the artwork ....” in the version of the Ordinance which the City Council reviewed on March 11, 2013. This change was made to</p> |  |                                                                                                   |  |

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eliminate the discrepancy created by the fact that “Community Development Director” is defined elsewhere in the Ordinance as involving the director or his/her designee.

The Ordinance is brought back tonight for adoption.

**FISCAL ANALYSIS:**

The current available Art Fund balance is approximately \$513,400. It is anticipated that with a threshold of \$75,000, under which developers pay the in-lieu fee to the Cultural Trust Fund, the total annual payments to the Fund will, at minimum, remain consistent with the current average of \$152,042. With the exception of an increase in the amount allowed for costs associated with the maintenance of City-owned artworks, the proportion of annual allocations for capital improvements (new artworks, enhancements to performance areas of City-owned and City-operated facilities, art restoration projects) to allocations for soft costs (Performing Arts Grant Program and Fund Administration), will remain relatively consistent. There will also be an indirect positive impact on staff time (and costs) associated with implementing the updated Art in Public Places Program given the higher APPP allocation threshold over which developers may choose an alternative for fulfilling the program requirements other than paying the in-lieu fee.

**ATTACHMENTS:**

1. Proposed Ordinance

**MOTION:**

That the City Council:

Adopt the proposed Ordinance, amending Chapter 15.06, New Development Fees, of the Culver City Municipal Code, by repealing and replacing Sections 15.06.100 through 15.06.175 with new Sections 15.06.100 through 15.06.180, relating to the Art in Public Places Program.