

Agenda Item #: \_\_\_\_\_



# Staff Report

## City of Manhattan Beach

**TO:** Honorable Mayor Ward and Members of the City Council

**THROUGH:** Geoff Dolan, City Manager *GD*

**FROM:** Richard Gill, Director of Parks and Recreation *RB*  
 Juanita Purner, Cultural Arts Manager *JP*

**DATE:** December 15, 2009

**SUBJECT:** Consideration of Resolution #6237 to Allocate Public Art Trust Funds in the amount of \$100,000.00.

### RECOMMENDATION:

Staff recommends that the City Council adopt Resolution #6237 for the commitment of Public Art Trust Funds in the amount of \$100,000.

### FISCAL IMPLICATION:

There are no fiscal implications on the general fund associated with the recommended action. All Funds described in this report and the attached resolution are from the Public Art Trust. The Public Art Trust balance will be \$170,013.47 after the \$100,000 for the Public Art Projects is committed.

### BACKGROUND:

On June 20, 2000, the City Council directed the Cultural Arts Commission to develop a Public Art Master Plan for the City of Manhattan Beach. City Council approved the Arts Master plan on May 21, 2002. A public art trust fund was established in the City treasury containing separate accounts to segregate receipts by source or project and administered in compliance with the Master Plan.

The Percent for Art Ordinance (1%) initiated on November 19, 2002 authorized the City to levy a fee on all capital improvement projects, all residential developments of more than four (4) units and all commercial, industrial property with valuations exceeding \$500,000.

The Percent for Art Ordinance also includes remodeling of existing residential buildings of more than four (4) units and all remodeling of existing commercial industrial buildings with a valuation exceeding \$250,000.

Public Art Trust Fund has supported the following public art projects:

- Water Fountain-Creative Arts Center
- 9/11 Memorial
- Strand Alcove Bench Program
- Sculpture Garden Inaugural Exhibition
- Children's Theater Productions

**DISCUSSION:**

A provision in the code for the public art trust requires that all funds received from developers be committed to a public art project within five years of the receipt of funds. Resolution #6237 formally allocates Art Trust Funds in the amount of \$100,000 which covers the Sculpture Garden's annual exhibition cost for the next four years (2010-2013) at \$100,000 (approximately \$25,000 for each exhibition).

Cited below are the fees deposited into the Art Trust account and the expenses incurred since the Percent for Art Ordinance was initiated in November 2002.

TOTAL FUNDS RECEIVED SINCE 2002	485,755.67
EXPENDITURES TO DATE	226,914.02
ART TRUST BALANCE AS OF 11/9/09	270,013.47

As directed by City Council's work plan the Cultural Arts Commission and staff will provide recommendations to City Council for approval of four Sculpture Garden exhibitions. All of the projects described above are under the direct control of the City. The approval of the requested funds does not preclude City Council's decisions for the reallocation of Public Art Trust funds or for the initiation of new Public Art projects.

**CONCLUSION:**

Staff recommends that the City Council adopt Resolution #6237 formally allocating \$100,000 for the Sculpture Garden's four annual exhibitions.

**Attachment:**

- A. Resolution No. 6237

RESOLUTION NO. 6237

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MANHATTAN BEACH, CALIFORNIA, APPROVING COMMITMENT OF  
ART TRUST FUNDS TO PROJECTS

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF  
MANHATTAN BEACH, CALIFORNIA, DOES HEREBY DECLARE, FIND, DETERMINE AND ORDER  
AS FOLLOWS:

SECTION 1. The City Council hereby finds as follows:

- A. In November of 2002 the City Council passed the Percent For Art Ordinance requiring collection of a 1% public art fee on certain private improvement projects in the City;
- B. The purpose of the Percent For Art fee was to raise funds to provide public art project throughout the City;
- C. The Cultural Arts Committee has identified specific projects to which it is appropriate to commit funds.

SECTION 2. The Manhattan Beach City Council hereby commits the sum of \$100,000 from the Art Trust Fund to be allocated as follows:

Sculpture Garden (2010-2013)

SECTION 3. This resolution shall be effective upon passage.

SECTION 4. The City Clerk shall make this Resolution reasonably available for public inspection within thirty (30) days of the date this resolution is adopted.

SECTION 5. The City Clerk shall certify to the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED and ADOPTED this 15<sup>th</sup> day of December, 2009.

Ayes:  
Noes:  
Absent:  
Abstain:

\_\_\_\_\_  
Mayor, City of Manhattan Beach, California

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

By   
City Attorney