



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Community Services
Department No.: 057
For Agenda Of: April 23, 2024
Placement: Administrative;
Set Hearing on April 23,
2024, for May 14, 2024
30 minutes for May 14,
2024
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Jesús Armas, Community Services Director 805-568-2467
Director
Contact Info: Sarah York Rubin, Office of Arts & Culture Exec. Director
805.568.3992

SUBJECT: Ordinance to Amend County Code Chapter 7A – County Arts Plan

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors on April 23, 2024:

Set a hearing to consider recommendations regarding an Ordinance to amend County Code Chapter 7A to revise Sections 7A-2, 7A-3, and 7A-5 as follows:

That the Board of Supervisors on May 14, 2024:

- a) Consider the introduction (First Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara to amend County Code Chapter 7A to amend Section 7A-2, 7A-3 and 7A-5 (Attachment A);
- b) Determine that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, because it consists of an organizational or administrative activity of government which will not result in direct or indirect physical changes in the environment; and
- c) Continue to the Administrative Agenda of May 21, 2024 to consider recommendations, as follows:

That the Board of Supervisors on May, 21, 2024:

- i. Consider the adoption (Second Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara to amend County Code Chapter 7A to amend Section 7A-2, 7A-3, and 7A-5; and
- ii. Determine that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, because it consists of an organizational or administrative activity of government which will not result in direct or indirect physical changes in the environment.

Summary Text: This board letter requests that the Board set a hearing on May 14, 2024, to amend County Code Chapter 7A - “County Arts Plan” to amend Sections 7A-2, 7A-3, and 7A-5 to help clarify legislative intent and streamline existing County public art funding allocation processes. On January 9, 2024, staff presented potential process improvements for implementation of the County’s Percent for Arts Program (“Program”) to the Board. Codified in County Code Chapter 7A - “County Arts Plan,” Ordinance No. 3068 was adopted by the Board in 1978 “to foster culture and the arts and the necessity for the viable development of artists and craftsmen” and support the County’s goals of enhancing quality of life, economic vitality, and civic cohesion.

At the January 9th meeting, the Board directed staff to return with a draft amendment to the County Code (Attachment B: Redlined Ordinance) to effect the change of providing for an annual appropriation for the arts, in an amount not to exceed \$200,000, provided that such \$200,000 cap would be adjusted annually to reflect the Consumer Price Index (CPI), in lieu of the standing Percent for Arts allocation process. Of such annual appropriation, 25% would be allocated to offset a small portion of program management and implementation costs. The goal of the amendment would be to support intradepartmental workflow, stabilize the budget, and enable long-term planning for public art production, procurement and maintenance.

Additionally, as directed by the Board, CSD is researching additional ways to increase arts funding and will return with a separate item.

Background:

Local, state, and federal units of government commonly utilize Percent for Arts policies to enliven civic spaces, expand their community utility, and promote local culture through the inclusion of artwork. The County of Santa Barbara adopted a Percent for Arts policy in 1978, one year after the establishment of the County Arts Commission. The Program mandates that all requests for County capital project appropriations include a line item of 1% to be “set aside for the acquisition of works of art to be used for county buildings and other public facilities.” In addition to more traditional artwork, such as murals, projects produced through the Program have included structural elements such as benches, tables, decks, shade structures, fountains, trails, walkways, lighting, flooring, landscape art, and building facades.

Implementation of the Ordinance has been inconsistent due to conflicting interpretations and understandings of the appropriation process. Departments have expressed difficulty identifying applicable projects and uncertainty regarding the timeline for the transfer of funds to the County Arts

Trust. To identify potential modifications to clarify legislative intent, the Community Services Department (CSD) consulted with the General Services Department’s Capital Projects Division, the Parks Division and Public Works. Additionally, CSD worked with County Counsel and the County Executive Office to refine the Ordinance amending Chapter 7A-2, 7A-3 and 7A-5 of the County Code. To achieve a more streamlined Percent for Arts annual appropriation, the amendment identifies that 1% of each annual capital budget adopted by the Board, not to exceed \$200,000 with an annual CPI inflator capped at 3.5% shall be transferred to the Arts Program.

Fiscal and Facilities Impacts:

Pursuant to the Ordinance to Amend County Code Chapter 7A, a General Fund Contribution of \$200,000 will be incorporated into CSD’s FY 2024-25 budget.

Special Instructions:

The Clerk of the Board shall publish the public notice about the Public Hearing (Attachment C) in accordance with Government Code section 25124.

Attachments:

- Attachment A: Chapter 7A Amendment
- Attachment B: Chapter 7A Amendment (Redlined)
- Attachment C: Hearing Notice

Authored by:

- Sarah York Rubin, Executive Director, Office of Arts and Culture
- Andrew Myung, CFO, Community Services Department