

ORDINANCE NO. 5213

AN ORDINANCE AMENDING CHAPTER 7A- COUNTY ARTS PLAN
OF THE SANTA BARBARA COUNTY CODE

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1.

Section 7A-2 of Chapter 7A of the Santa Barbara County Code, titled "Definitions," is hereby amended to read as follows:

Sec. 7A-2. Definitions.

- (a) "Commission" means the Santa Barbara County Arts Commission established by the board of supervisors on March 7, 1977.
- (b) "County arts plan" means the plan provided for by section 7A-5(a) of this chapter.
- (c) "Works of art" means the application of skill and taste to the creative expression of an idea, emotion, or culture, according to aesthetic principles. Art forms can include, but are not limited to paintings, sculpture, engravings, carvings, frescos, mobiles, murals, collages, mosaics, statues, ceramics, bas-reliefs, tapestries, photographs, drawings, and traditional crafts. Works of art may be an integral part of a structure, attached to a structure, detached within or outside of a structure, or can be exhibited, presented, or performed in other public spaces and facilities.
- (d) "Annual Capital Budget" means the capital appropriations approved annually by the Board of Supervisors, and ex-officio Board of Directors for dependent special districts, as part of the annual Budget process. It comprises the following classes: Land Improvements; Buildings and Building Improvements; Equipment; Individual IT Hardware/Software; Infrastructure; and Maintenance Projects.
- (e) "County Arts Program Administration" means administration and project management, and other expenses associated with the research, initiation, development, completion, public education, and documentation of public art projects funded in any part by the County Arts Trust #1001.

(Ord. No. 3068, § 1; Ord. No. 4913, § 1, 3-17-2015)

SECTION 2.

Section 7A-3 of Chapter 7A of the Santa Barbara County Code, titled "Policy and funds for works of art," is hereby amended to read as follows:

Sec. 7A-3. Policy and funds for works of art.

Each Annual Capital Budget request and recommendation presented to the Board of Supervisors shall contain an amount equal to one percent (1%) of the total amount of such Annual Capital Budget to be allocated for Works of Art and related purposes set forth in Section 7A-4 ("Percent for Arts Allocation") and deposited directly into the County Arts Fund upon Board adoption of such Annual Capital Budget, and administered in accordance with Section 7A-4; provided however, that the annual aggregate amount of such Percent for Arts Allocation shall

not exceed a cap in the initial amount of \$200,000, which cap shall be adjusted annually to reflect the percentage change in the California Consumer Price Index (CPI) of the U.S. Bureau of Labor Statistics of the Department of Labor for All Urban Consumers, All Items, for the Los Angeles-Long Beach-Anaheim, CA; provided further, however, that in no event shall such Percent for Arts Allocation cap CPI adjustment result in a Percent for Arts Allocation in any given fiscal year in an amount constituting an increase of more than 3.5% increase over the amount of the Percent for Arts Allocation in the immediately preceding fiscal year. Twenty-five percent (25%) of each annual Percent for Arts Allocation shall be reserved for use by the County Office of Arts & Culture for County Arts Program Administration.

Money collected in the county art fund shall be available for (i) expenditure by the county board of supervisors for the purpose of constructing, creating, installing, exhibiting, maintaining, conserving, or acquiring works of art. In making such expenditures, the board shall consider the advice and recommendations of the arts commission regarding the works of art proposed to be constructed, created or acquired and (ii) County Art Program Administration.

(Ord. No. 3068, § 1; Ord. No. 4913, § 1, 3-17-2015)

SECTION 3.

Section 7A-5 of Chapter 7A of the Santa Barbara County Code, titled "Commission authority," is hereby amended to read as follows:

Sec. 7A-5. Commission authority.

To carry out its responsibilities hereunder, the commission shall:

- (a) Prepare a proposed plan and guidelines to carry out a county arts plan, which shall include, but not be limited to a method or methods for the selection of artists or works of art and for placement of works of art, and present such proposed plan and guidelines to the board of supervisors for the board's approval.
- (b) Make recommendations to the board of supervisors concerning the purchase of works of art or commissioning of the design, execution and/or replacement of works of art.
- (c) Prepare proposed rules and regulations consistent with this chapter to facilitate the implementation of its responsibilities hereunder and present such proposed requisitions to the board of supervisors for approval.

(Ord. No. 3068, § 1; Ord. No. 4913, § 1, 3-17-2015)

SECTION 4.

Except as amended by this Ordinance, the Santa Barbara County Code shall remain unchanged and shall continue in full force and effect.

SECTION 5.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared to be invalid.

SECTION 6.

This Ordinance shall take effect and become operative 30 days from the date of its adoption by the Board of Supervisors. Before the expiration of 15 days after its passage, a summary of it shall be published once together with the names of the Board of Supervisors acting for and against the same in the *Santa Barbara Independent* and *Santa Maria Times*, newspapers of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County Santa Barbara, State of California, on this 4th day of June, 2024 by the following vote:

AYES: Supervisors Williams, Capps, Hartmann, Nelson and Lavagnino

NAYS: None

ABSENT: None

ABSTAIN: None


ATTEST:

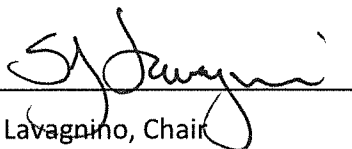
COUNTY OF SANTA BARBARA

MONA MIYASATO

COUNTY EXECUTIVE OFFICE

CLERK OF THE BOARD

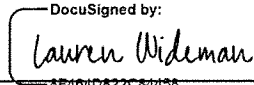
By: 
Deputy Clerk

By: 
Steve Lavagnino, Chair
Board of Supervisors

APPROVED AS TO FORM:

Rachel Van Mullem

COUNTY COUNSEL

By: 
Deputy County Counsel