



one COUNTY | one FUTURE

## Legislation Details

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**File #:** 24-00017      **Version:** 1  
**Type:** Departmental Agenda      **Status:** Agenda Ready  
**File created:** 12/15/2023      **In control:** BOARD OF SUPERVISORS  
**On agenda:** 1/9/2024      **Final action:**  
**Title:** HEARING - Consider recommendations regarding the County Percent for Arts Program and Process Improvements, as follows: (EST. TIME: 30 MIN.)

a) Receive and file an update from the County Office of Arts and Culture regarding the County Percent for Arts Program (Program) and the County Arts Plan Ordinance;

b) Direct Staff to either:

i) Return to the Board with an amendment to Chapter 7A of the Santa Barbara County Code to clarify existing provisions to better facilitate its accomplishment of legislative intent, improve interdepartmental workflow efficiency, and support program implementation, including:

1) Defining “estimated total project cost” and clarifying that the Percent for Arts Program allocation is to be calculated based on such estimated total project cost;

2) Clarifying the definition of “construction project” and the definition of “facility” based on Section 22002 of the California Public Contract Code;

3) Clarifying that funds appropriated for the Program in connection with a construction project are to be deposited into the County Arts Fund concurrently with the authorization and transfer of County funds to the requesting department for such project;

4) Assigning 25% of the total Program appropriations to offset project management and implementation costs;

5) Replacing the requirement for Board discussion of Percent for Arts allocations in connection with construction projects whose construction costs exceed \$7.5M with a \$200,000.00 dollar cap per capital project; or

6) Providing additional direction to staff;

ii) Return to the Board with an amendment to Chapter 7A of the Santa Barbara County Code to effect the clarifications and provisions accomplished by Recommended Action 1 as well as one or more additional provisions designed to increase countywide arts access and fund outstanding deferred capital art maintenance:

1) Increasing the percentage of funds appropriated for works of art in connection with construction projects (e.g., from 1% to 2%);

2) Directing staff to research public art in private development ordinances from building valuation of eligible commercial or industrial development projects and return with a proposal; or

3) Providing other direction to staff; and

iii) Return to the Board with an amendment to Chapter 7A of the Santa Barbara County Code to, in lieu of the current Percent for Arts allocation process, provide for an equivalent annual General Fund appropriation to the County Arts Fund to help reduce administrative impact, stabilize the budget, and

enable greater efficiency and planning:

- 1) Replacing the Percent for Arts allocation process with an alternative annual equivalent General Fund appropriation in the amount of \$200,000.00, with annual increases in accordance with the Consumer Price Index (CPI);
  - 2) Including provisions allocating 25% of the Percent for Arts appropriations to fund Program management and implementation costs; or
  - 3) Providing other direction to staff; and
- c) Determine that the receipt and filing of an update on the Percent for Arts Program and direction to Staff is not the approval of a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), finding that the action is an organizational or administrative activity of government that will not result in the direct or indirect physical changes in the environment, and direct staff to file a Notice of Exemption.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**Sponsors:** COMMUNITY SERVICES DEPARTMENT

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Letter, 2. Attachment A - Percent for Art Ordinance, 3. Public Comment - SB County Arts Commission, 4. Presentation, 5. Minute Order

| Date     | Ver. | Action By            | Action               | Result |
|----------|------|----------------------|----------------------|--------|
| 1/9/2024 | 1    | BOARD OF SUPERVISORS | Acted on as follows: | Pass   |