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Subject: Toward Achieving an Ordinance to Fund Public Art for the City of Chico

Toward Achieving an Ordinance to Fund Public Art for the City of Chico

The visual and aesthetic quality of development projects has a significant impact on property values, the local economy and vitality of the city. Public art illuminates the diversity and history of a community, and points to its aspirations for the future. A wealth of art and culture in the public realm will foster the economic development of the community.

Best results are achieved when public art is integrated into project planning at the earliest possible stage, and the selected artist/artist team is a member of the over all project design early in the design process.

To Guide and aid in Funding this process, a Civic/Private Development Public Art Ordinance should be developed by the collaborative input of 3 major civic bodies, the Arts Commission, the Parks and Recreation Commission, and the Planning Department. The Ordinance should outline guidelines, procedures and standards, places to place the art, and examine funding priorities and criteria in addition to establishing a fee.

Within Prop 26, passed by the State of California, Nov 2, 2010, which set out "to limit state and local governments ability to fund public services via fees" ...seven exceptions were included in the bill. Of these, #6 can offer a remedy or exemption. "Fee(s) or charge(s) as a condition of development, use of land or monies to mitigate impact....are exempt. " Certainly legal advice and staff reporting about any proposed ordinance outline must be a part of the overall process.

Many cities throughout California and the United States have programs to include Public Art in the Civic and Public Development projects. Beginning at the point of building permit application, the completed value of the project initiates the inclusion of a fee to be used toward public art.

There is a minimum value and a maximum value upon which the % fee is calculated. For Example the base position could be 1% of production project value of projects over 1m. A ceiling cap might be set at 50m.

In studying the Public Art Ordinance of the City of Napa, subsequent to its

establishment, they found it necessary to include a method of "mitigation of hardship" through the creation of an appeal policy.

City of Chico currently has a draft for Public Art in Private Development, tabled since 2009.(? date) There is also the recently approved City of Chico Public Art Policies and Procedures Manual, 2011. Any ordinance to be created must be inclusive of both civic and public projects. The above documents must also be considered in forming a basis to any proposed content.

The following is an Outline of Topics.

Led by the Arts Commission's initiating efforts, first collaboratively work with the Parks and Recreation and Building Depts to begin the outline of concepts, then hold public forums to gain additional input and education.

1. Define the Public Art Requirement.
2. Establish a reviewing body with design review authority. Define its makeup and its duties.
3. Define the manner of complying and the manner of replacing/maintaining. (Owner's responsibility).
4. Define the process for approval of installation of a Public Art piece in relation to the issuance of Certificate of Occupancy by the Building Dept.
5. Define the Public Art Program's administrative policies and guidelines
6. Establish a Pub Art Fund maintained by the City Manager who maintains, manages and reviews such monies per the Pub Art Master Plan which governs acquisition, placement and installation on projects for the City.
7. Define a Review Criteria for costs to include and exclude in arriving at the value of the project, weather civic or private.

Prepared for our meeting tomorrow.
