



## Staff Report

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**File #:** 20-2583, **Version:** 1

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### Yountville Town Council Staff Report

**DATE:** May 19, 2020

**TO:** Mayor and Town Council

**FROM:** Samantha Holland, Parks & Recreation Director

#### **TITLE**

Second Reading and Adoption of Ordinance Number 20-497 Amending Sections 17.177.015, 17.177.020, 17.177.030, and 17.177.050 of the Yountville Municipal Code regarding the Public Art Program.

#### **DISCUSSION/BACKGROUND**

In 2016, the Town Council Approved Municipal Code Section 17.177 creating the Yountville Public Art Program. The intent of this program was to assess a 1% valuation of any commercial building permit and require the applicant to either use that 1% to place public art on their property or pay the in lieu fee. The Ordinance was drafted by a previous Town Attorney in collaboration with staff.

The program has been well received and is achieving the goal of supporting the Public Art Walk in Yountville. After review by the Planning & Building Director, Parks & Recreation Director and Town Manager, staff requested the Town Attorney review the language to ensure it could not be challenged by an applicant because the ordinance did not specifically call out "Building Permit" as a trigger for the assessment.

Staff reviewed the original staff reports and meeting recordings from the original presentation on April 19, 2016 with the second reading on May 3, 2016, it is clear that the intent of the Council and staff was to apply the Public Art Fund Requirement to all Commercial Building Permit Applications.

Presented this evening for your review and approval is updated language amending Municipal Code Sections 17.177.015, 17.177.020, 17.177.030 and 17.177.050. A red line version of the suggested changing is attached for your review as well as the clean version of the proposed Ordinance Update.

During the First Reading on April 21, 2020 the Town Council Introduced and waived the reading of the Municipal Code Amendment approving the updates noting that in code section 17.177.030 opening paragraph, continue to say AND MAINTAIN which was redlined in the draft version.

#### **ENVIRONMENTAL REVIEW**

N/A

#### **FISCAL IMPACT**

Is there a Fiscal Impact? No

Is it Currently Budgeted? No

Where is it Budgeted? N/A

Is it Mandatory or Discretionary? N/A

Is there a Staff Resource Impact? N/A

### **STRATEGIC PLAN GOAL**

Is item Identified in Strategic Plan? Indirectly

If yes, Identify Strategic Goal and Objective. **Responsible Fiscal Policy:** The Town maintains its fiscal health through policies designed to maximize economic opportunities, manage expenses, and ensure prudent reserves.

Briefly Explain Relationship to Strategic Plan Goal and Objective. By assuring the Public Art Program maintains its ability to support the Public Art Program, the Town is maintaining fiscal health for that program.

### **ALTERNATIVES**

Conduct second reading of Ordinance as proposed.

Reject Ordinance updates as proposed.

Provide direction to staff for additional changes to the proposed Ordinance updates.

### **RECOMMENDATION**

Second Reading and Adoption of Ordinance Number 20-497 Amending Sections 17.177.015, 17.177.020, 17.177.030, and 17.177.050 of the Yountville Municipal Code regarding the Public Art Program.