

CULTURAL COMMISSION STAFF REPORT

Meeting Date: March 18, 2014

Agenda Item Number: 3C

Applicant: Roger Moellendorf, Director – Parks and Recreation
Department
Vern L. Krahn, Park Planner

Request: **For Possible Action:** To recommend to the Board of Supervisors the frame work for a new approach to fund the Public Art Program Ordinance.

General Discussion: At the December 17, 2013 meeting, the Cultural Commission voted to have **“Staff to do ‘further perfecting’” of the ordinance concept for the next Cultural Commission meeting and “possibly have an outline of a board policy that we could vote on or discuss”** (Exhibit #1). Since that meeting our department has met with other City departments to discuss the Commission’s new funding frame work for the Public Art Program Ordinance and has **“further perfected”** the new funding approach (Exhibit #2). City staff will be placing this new funding approach on the Board of Supervisors’ April 17, 2014, meeting agenda for the Board to provide City staff and the Commission with comments and direction on the Public Art Program Ordinance (Exhibit #3 – Refer to Board of Supervisors Agenda Report and Exhibits).

City staff wants to give the Commission an opportunity to review the updated funding approach and make any revisions or suggestions.

Recommended Action: I move to recommend to the Board of Supervisors the frame work for a new approach to fund the Public Art Program Ordinance.

Vice Chairperson Stansbury thanked Stella Hyatt for her support of the Commission over the years and welcomed Kaja Anderson-Howard to the Parks and Recreation Department.

2. **MODIFICATIONS TO THE AGENDA** – Mr. Krahn requested the removal of item 5A1 due to the absence of Commissioner Paslov.

3. **MEETING ITEMS**

A. **FOR POSSIBLE ACTION: TO APPROVE A NEW APPROACH FOR A PUBLIC ART ORDINANCE AND REQUEST CITY STAFF TO DEVELOP AN ORDINANCE BASED ON THIS NEW FUNDING STRUCTURE APPROACH.** (5:45:12) – Mr. Krahn gave background and presented the agenda materials, incorporated into the record. Discussion ensued regarding private donations, and Mr. Moellendorf clarified that this discussion applied for public buildings for the time being. Member Barton inquired about the process management, and was informed it had not been decided yet. It was agreed that public-private partnerships should be included in the ordinance. Mr. Moellendorf recommended having a discussion with the Redevelopment Authority Citizens Committee Chair regarding this item.

There were no public comments.

(6:05:31) – **MOTION: Staff to do “further perfecting” of the ordinance concept for the next Cultural Commission meeting, and “possibly have an outline of a board policy that we could vote on or discuss”.**

RESULT:	APPROVED (6-0-0)
MOVER:	Stansbury
SECONDER:	Abowd
AYES:	Stansbury, Abowd, Barton, Bugli, Cook, Dhami
NAYES:	None
ABSTENTIONS:	None
ABSENT:	Paslov

B. **PRESENTATION AND DISCUSSION ONLY ON THE NEVADA OPEN MEETING LAW REQUIREMENTS BY THE CARSON CITY DISTRICT ATTORNEY’S OFFICE.** (6:07:04) – Ms. Russom presented the NRS 241 Open Meeting Law, incorporated into the record.

4. **STAFF UPDATES - DISCUSSION ONLY**

A. **UPDATE ON SCHEDULING A TOUR OF THE CITY OF RENO’S PUBLIC ART DISPLAYS FOR THE CULTURAL COMMISSION.** (6:42:31) – Mr. Krahn noted that this tour would take place between March and June and would be discussed during the Commission’s March Meeting.

B. **UPDATE ON NAMING THE PUBLIC ART PROGRAM ORDINANCE IN HONOR OF THE MEMORY OF JEFFREY SCOTT, FORMER COMMISSION CHAIRPERSON.** (6:43:49) – Mr. Krahn presented the agenda materials which are incorporated into the record. Ms. Russom summarized that a City ordinance or statute could not be named after a person to avoid confusion. She suggested enacting the ordinance and upon passing, naming that ordinance in spirit, after Mr. Scott. Commissioner Abowd received confirmation that a youth scholarship fund could be named after Mr. Scott and included in the ordinance.

PUBLIC ART PROGRAM ORDINANCE – NEW FUNDING APPROACH
----- DRAFT DOCUMENT FOR REVIEW BY BOARD OF SUPERVISORS -----

MARCH 11, 2014

Public Art Program Ordinance Proposal Outline

Background: At the September 5, 2013, Board of Supervisors meeting, the Supervisors rejected on a 2 to 3 vote the Cultural Commission's proposed amendments to the Carson City Municipal Code, Title 2, Chapter 2.41 for the creation of a Public Art Program. At both the September 19 and December 17, 2013, Cultural Commission meetings, the members discussed other potential funding options for the Public Art Program Ordinance. From those meetings a new funding approach was developed and the Parks and Recreation Department wants to present this new idea to the Board of Supervisors. City staff is seeking Board comments and direction on this new funding approach before City staff spends time to develop a new ordinance.

The new approach has three different funding mechanisms:

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A) Redevelopment Authority's Revolving Fund Allocation:

Redirect 50% of the Board of Supervisors' annual budget line item allocation from the Redevelopment Authority's Revolving Fund into a City account for the Visual / Performing Arts and Community Arts Capital Projects in Carson City. The Cultural Commission would review grant applications on a yearly basis from 501C3 non-profit organizations or government agencies. The Commission would make funding recommendations to the Board of Supervisors for their review and final approval.

*** These funds could be used only in either Redevelopment Districts #1 and #2. ***

B) Capital Improvement Project – 1% Art Budget Line Item:

Mandate that every new city building, extensive city building renovation or remodel, building repurposing, and/or any new building associated with a city/private developer partnership that is designed by an architect would be required to allocate 1% of the project's cost into a art budget line item. These funds would be used by the architectural design team to create a signature art piece and/or incorporate art elements/components into the visual character of the building. This approach would require the Cultural Commission to jury the proposed signature art piece and/or the art elements/components for the building and make recommendations to the Board of Supervisors for their review and final approval.

C) Private Donations:

On behalf of the City, the Cultural Commission would have the ability to accept private donations to support either a "Youth Based" scholarship fund, Visual / Performing Arts, or Community Arts Capital Projects in Carson City. Any 501C3 non-profit organization or government agency could apply for grants through the Cultural Commission on a yearly basis for these funds. The Commission would make funding recommendations to the Board of Supervisors for their review and final approval.

City of Carson City
Agenda Report

Date Submitted: April 08, 2014

Agenda Date Requested: April 17, 2014

Time Requested: 30 Minutes

To: Mayor and Supervisors

From: Cultural Commission / Parks and Recreation Department

Subject Title: For Possible Action: To provide City staff with comments and direction regarding the Cultural Commission’s frame work for a new approach to fund the Public Art Program Ordinance. (Vern L. Krahn, Park Planner)

Staff Summary: At the September 5, 2013, Board of Supervisors meeting, the Supervisors rejected on a 2 to 3 vote the Cultural Commission’s proposed amendments to the Carson City Municipal Code, Title 2, Chapter 2.41 for the creation of a Public Art Program. The Cultural Commission (CCCC) wants to present a new funding approach to the Board of Supervisors. Both the Cultural Commission and City staff are seeking Board comments and direction on the proposed funding frame work before City staff invests time to develop a new ordinance.

Type of Action Requested: (check one)
 Resolution Ordinance
 Formal Action/Motion Other (Specify)

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Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to provide City staff with comments and direction regarding the Cultural Commission’s frame work for a new approach to fund the Public Art Program Ordinance.

Explanation for Recommended Board Action: At the September 5, 2013, Board of Supervisors meeting, the Supervisors rejected on a 2 to 3 vote the Cultural Commission’s proposed amendments to the Carson City Municipal Code, Title 2, Chapter 2.41 for the creation of a Public Art Program. It was during this agenda item discussion, the Board requested City staff return with a different funding mechanism for them to consider. (Exhibit A – Meeting Minutes). After that Board of Supervisors meeting, the Cultural Commission (CCCC) members at their September 17 and December 17, 2013, meetings discussed other potential funding options for the Public Art Program Ordinance (Exhibit B – Meeting Minutes). From those meetings a new frame work for funding was developed and the Cultural Commission wants to present this new funding approach to the Board of Supervisors (Exhibit C). Both the Cultural Commission and City staff are seeking Board comments and direction on the proposed funding frame work before City staff invests time to develop a new ordinance.

One part of the Public Art Program Ordinance funding mechanism would be the allocation of 50% of the Redevelopment Revolving Fund for the Cultural Commission to make recommendations to the Board of Supervisors for grants to the visual/performing arts and/or Community Arts Capital Projects in Carson City. Currently, the Redevelopment Authority Citizen Committee (RACC) makes grant award recommendations from the Redevelopment Revolving Fund to the Board of Supervisors that support both special events and visual/performing arts. This issue of sharing the Redevelopment Revolving Funds with the Cultural Commission was discussed with the RACC on April 2, 2012 and May 7, 2012 (Exhibit D – Meeting Minutes). RACC’s motion was as follows, “Member Neverett moved to recommend to the Board of Supervisors that no change be implemented in the current process for allocating the redevelopment funds.” The motion was seconded by Vice Chairperson Bagwell. Motion carried 5-1, with Member Abowd voting against the motion.”

The second part of the Public Art Program Ordinance funding mechanism would be to allocate 1% of a new City building project costs to an Art Budget Line Item for the architectural design team to create a signature art piece and/or incorporate art elements/components into the visual character of the building. **Staff would like to ask, if the Board of Supervisors would want to apply this funding mechanism to only the City's General Fund projects or to broaden the opportunity to all City building projects.** The last part of the funding mechanism for the Public Art Program Ordinance would come from private donations.

Applicable Statute, Code, Policy, Rule or Regulation: Carson City Municipal Code, Title 2, Chapter 2.41

Fiscal Impact: There would be no additional fiscal impact to the City.

Explanation of Impact: There would be no additional fiscal impact to the City as a result of the proposed funding frame work for the Public Art Program Ordinance. The monies from the Redevelopment Revolving Fund would be just allocated differently and any new building project budget would have to include this budget line item, as it does with multiple other budget line items, such as electrical, painting, site grading, and landscaping into the total cost of the entire project.

Funding Source: There would be three funding sources for the Public Art Program Ordinance. They are as follows:

- 1) Redevelopment Revolving Fund
- 2) Individual New Capital Building Projects
- 3) Private Donations

Alternatives: 1) Direct City staff to identify other potential City funding sources for the Public Art Program Ordinance.
2) Not approve the Public Art Program Ordinance proposed funding frame work.

Supporting Material: Exhibit A: Board of Supervisors meeting minutes
Exhibit B: Cultural Commission meeting minutes
Exhibit C: Funding approach outline – New frame work
Exhibit D: Redevelopment Authority Citizen Committee meeting minutes

Prepared By: _____ Date: ___ / ___ / ___
Vern L. Krahn, Park Planner

Reviewed By: _____ Date: ___ / ___ / ___
Roger Moellendorf, Parks & Recreation Director

_____ Date: ___ / ___ / ___
Marena Works, Interim City Manager

_____ Date: ___ / ___ / ___
District Attorney's Office

_____ Date: ___ / ___ / ___
Finance Department

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Board Action Taken:

Motion: _____

1: _____ Aye/Nay

2: _____

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(Vote Recorded By)

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authorize the expenditure of \$39,273 from the fiscal year 2013 / 2014 Redevelopment Revolving Capital Outlay / Undesignated Infrastructure fund account to assist with funding the Brewery Arts Center Plaza. Member Crowell seconded the motion. Motion carried 3-2.

26. **PUBLIC COMMENT** (12:29:08) - Chairperson Abowd entertained public comment; however, none was forthcoming.

27. **ACTION TO ADJOURN REDEVELOPMENT AUTHORITY** (12:29:12) - Chairperson Abowd adjourned the Redevelopment Authority at 12:29 p.m., and returned the gavel to Mayor Crowell.

28. **RECONVENE BOARD OF SUPERVISORS** (12:29:27) - Mayor Crowell reconvened the Board of Supervisors at 12:29 p.m.

29. **OFFICE OF BUSINESS DEVELOPMENT - POSSIBLE ACTION TO ADOPT A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$162,124 FROM THE FISCAL YEAR 2013 / 14 REDEVELOPMENT REVOLVING CAPITAL OUTLAY / UNDESIGNATED INFRASTRUCTURE ACCOUNT (603-0000-463-77-99), TO ASSIST WITH FUNDING THE FAIRGROUNDS (FUJI PARK) EVENTS PLAZA, IN THE AMOUNT OF \$122,851, AND THE BREWERY ARTS CENTER PLAZA (DESIGN AND CONSTRUCTION) IN THE AMOUNT OF \$39,273, AS AN EXPENDITURE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLANS** (12:29:35) - Mayor Crowell introduced this item and incorporated all the comments and discussion relative to the corresponding Redevelopment Authority item. He entertained a motion. Mr. Munn advised of the requirement for a 2/3 majority to pass any motion relative to this item. Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to adopt Resolution No. 2013-R-38 authorizing the expenditure of \$122,851 from the fiscal year 2013 / 2014 Redevelopment Revolving Capital Outlay / Undesignated Infrastructure account, 603-0000-463-77-99, to assist with funding the Fairgrounds Events Plaza. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-1.**

Mayor Crowell entertained a motion. **Supervisor Abowd moved to adopt Resolution No. 2013-R-39 authorizing the expenditure of \$39,273 from the fiscal year 2013 / 2014 Redevelopment Revolving Capital Outlay / Undesignated Infrastructure account, 603-0000-463-77-99, to assist with funding the Brewery Arts Center Plaza. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion and, when none was forthcoming, called for a vote on the pending motion. **Motion failed 3-2.**

* 30. **PARKS AND RECREATION DEPARTMENT, CULTURAL COMMISSION - POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 2, ADMINISTRATION AND PERSONNEL, CHAPTER 2.41, CARSON CITY CULTURAL COMMISSION, BY ADDING NEW SECTIONS TO CHAPTER 2.41, SETTING ASIDE ONE AND ONE-QUARTER PERCENT (1.25%) OF ANNUAL BUDGETED TRANSFERS FROM THE GENERAL FUND TO THE CAPITAL PROJECTS SPECIAL REVENUE FUND FOR THE CITY'S GENERAL GOVERNMENT CAPITAL PROGRAM TO BE USED FOR A PUBLIC ART PROGRAM, ADDING A NEW SECTION 2.41.005, DEFINITIONS, AMENDING SECTION 2.41.080, COOPERATION OF CARSON CITY CULTURAL COMMISSION WITH OTHER PRIVATE AND PUBLIC ENTITIES TO INCLUDE THE PUBLIC ART PROGRAM, ADDING A NEW SECTION**

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2.41.100, CREATION OF SEPARATE DEPARTMENTS IN THE CAPITAL PROJECTS SPECIAL REVENUE FUND - DISSOLUTION, ADDING A NEW SECTION 2.41.110, PUBLIC ART PROGRAM, TO ESTABLISH THE PROGRAM, ADDING A NEW SECTION 2.41.120, DONATIONS FOR FUNDING PUBLIC ART ARE EXCEPT FROM THE PROGRAM UNLESS DESIGNATED, ADDING A NEW SECTION 2.41.130, ELIGIBLE PUBLIC ART PROGRAM EXPENSES, ADDING A NEW SECTION 2.41.140, PUBLIC ART SELECTION CRITERIA, ADDING A NEW SECTION 2.41.150, PUBLIC ART SELECTION PROCESS, ADDING A NEW SECTION 2.41.160, DISPLAY OF ART RECOMMENDATIONS TO THE BOARD OF SUPERVISORS, AND OTHER MATTERS PROPERLY RELATED THERETO (11:00:00) - Mayor Crowell introduced this item, and Parks and Recreation Department Director Roger Moellendorf provided background information on this item. Park Planner Vern Krahn reviewed the agenda materials. Mr. Moellendorf and Mr. Werner responded to questions of clarification regarding the proposed funding source, the capital projects fund. In reference to Section 2.41.100, Mr. Werner acknowledged that "if and when money is available to be transferred into the capital fund, it will be automatic."

Supervisor McKenna expressed concern that "there's no nexus between what's being purchased ... to the arts." Supervisor Bonkowski advised of the "same concern ... in that it seems now that we're going to have to pad every transfer into the capital projects fund if we have certain priorities that we've approved to be funded from that because now we have to account for the 1.25 percent." He inquired as to the possibility of creating the separate line item accounts and funding them rather than tying it to the capital projects fund. Mr. Moellendorf explained that research into funding public arts programs indicates "essentially ... two different ways." One is to allocate a certain percentage of each capital project to the arts program. Another approach is to consider the overall capital projects fund for a basis for "ongoing funding that ... doesn't tie a piece of art to a certain project and then you can use it as a carry over and that funding can be used to provide public art throughout the community ..." Supervisor Bonkowski reiterated his inquiry, and Mr. Werner explained the formula behind the proposed funding mechanism. Supervisor Bonkowski expressed a preference for a "direct allocation based on the capital improvement budget ... and not a diversion because ... it seems like we're padding this account only then to divert a portion of it back over to another account." Mr. Werner assured the Board that "in reality, ... we're funding directly and it's just a matter of describing it."

In response to a further question, Mr. Moellendorf advised that there would not be a single fund for maintaining existing art projects. He provided an overview of discussion of this issue by the Cultural Commission. Supervisor Bonkowski noted a correction to page 7 of the proposed ordinance. Mr. Moellendorf responded to additional questions of clarification relative to the mechanism of the ordinance. Discussion followed. In response to a question, Community Development Department Director Lee Plemel advised that Community Development Block Grant funding can only be used to fund public art in a low to moderate income area. In response to a further question, Mr. Werner advised that Community Support Services Grant ("CSSG") funding could be allocated to a public art program. He clarified that CSSG funding has generally been allocated toward health and human services partners. He acknowledged that CSSG funding is allocated from the City's general fund, and noted that the Board establishes the funding priorities.

Following additional discussion, Supervisor McKenna expressed a preference to "see the funding mechanism, if we have to discuss a funding mechanism, tied to something that would give a viable amount so that we don't spend money ... just to spend the money and get things that we don't need, don't want, but we had to spend the money." He suggested that the proposed ordinance "is designed to

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bind future boards to an expenditure,” and expressed a preference for an ordinance that provides for “a discussion and a commitment to the arts on any expenditure for long-term items ... without specifying how it’s funded, without a dollar amount, without building up an account that forces you to go spend it.” Mr. Moellendorf suggested that “the safeguard ... is that you have a Cultural Commission that is going to be making those recommendations to the Board and ... the Board is going to have the final say ...” Supervisor Abowd expressed the understanding that the proposed ordinance provides for the accumulation of funding in order to provide the opportunity consider recommended art for such capital projects as the animal shelter. She suggested considering the proposed ordinance as a method by which to invest in the community.

Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. He noted the correspondence included in the agenda materials, and cautioned against duplicating the comments. (11:39:19) Brewery Arts Center Executive Director and Carson City Arts and Culture Coalition Chair John Shelton noted the timeliness of the proposed ordinance in consideration of the success in other communities. He expressed the opinion that “it’s ... appropriate for the City to do it because public art projects are very difficult to do from a private sector / non-profit perspective. You really need that public mechanism in order to make it work.” Mr. Shelton suggested that “this is an extension ... of what the [Arts and Culture] Coalition started in creating the [Cultural] Commission to begin with, but the Commission itself is not funded and hasn’t been for several years. This is actually the first opportunity where there actually will be public funds specifically set aside for the Commission to ... utilize which is ... critically important and it’s a great threshold for this community.” In reference to previous questions and comments, Mr. Shelton expressed the hope there will be the opportunity for funding to be allocated to the capital projects fund.

“The idea that the funds would also be limited to ... public works where it would be public buildings or public construction, you’ve got a lot of needs for infrastructure development and aesthetic improvements throughout the City and not just to those public projects.” Mr. Shelton expressed the hope that the funding “would continue to be focused on public art wherever it is needed, including those new public works projects.” He expressed the opinion that “previously installed art works should be considered for maintenance.” He expressed the further opinion that “everything needs to be carefully inventoried and should be considered as part of the official public art work record for the City and, if there are opportunities where those art works need to be maintained, that it would have to be ... done on an avocation basis, ... but previous works are also part of the public work landscape of the community and should be considered for maintenance.” Mr. Shelton agreed that CSSG “could be a potential funding source; however, those sources of funds are already heavily utilized, sometimes by other cultural aspects in the community as well as other places in the community that are necessary. There have been a number of performing arts aspects that have been pursued in the past and we would hate to have those funds drained in order to support the public art program.” He provided an overview of discussion by the Arts and Culture Coalition regarding the recommendation to dedicate a funding source.

(11:43:39) Wild Horse Children’s Theater Executive Director and Arts and Culture Coalition Member Carol Scott read a prepared statement into the record.

(11:45:24) John Wagner expressed opposition to using “general fund money” to fund public art.

(11:46:43) Cultural Commission Acting Chair Robert Stansbury discussed his extensive travel across the nation, and his experiences with public art in Gillette, Wyoming. He discussed support for the proposed ordinance, and requested the Board’s consideration.

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(11:48:57) Cultural Commission Former Chair and Current Member Gene Paslov discussed the vital role of arts and culture to any community. "Community is not going to survive without that." He discussed Jeffery Scott's contributions to the community's arts and culture, and requested the Board's strong consideration of the proposed ordinance.

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to introduce, on first reading, Bill No. 121, an ordinance amending the Carson City Municipal Code, Title 2, Administration and Personnel, Chapter 2.41, Carson City Cultural Commission, by adding new sections to Chapter 2.41, setting aside one and one-quarter (1.25) percent of annual budgeted transfers from the general fund to the capital projects special revenue fund for the City's general government capital program to be used for a public art program; adding a new Section 2.41.005, Definitions; amending Section 2.41.080, Cooperation of Carson City Cultural Commission with other Private and Public Entities to Include the Public Art Program; adding a new Section 2.41.100, Creation of Separate Departments in the Capital Projects Special Revenue Fund, Dissolution; adding a new Section 2.41.110, Public Art Program to establish the program; adding a new Section 2.41.120, Donations for Funding Public Art are Exempt from the Program Unless Designated; adding a new Section 2.41.130, Eligible Public Art Program Expenses; adding a new Section 2.41.140, Public Art Selection Criteria; adding a new Section 2.41.150, Public Art Selection Process; adding a new Section 2.41.160, Display of Art Recommendations to the Board of Supervisors, and other matters properly related thereto.** Supervisor McKenna seconded the motion, and advised of his intent to vote against the motion. He reiterated concerns with regard to "tying the funding with capital projects and ... removing the discretion of future Boards to allocate money to this particular program." Supervisor McKenna expressed the opinion that "arts are important ...; perhaps, they should be funded ... in various amounts at various times, but a mandatory funding without any discretion of future Boards or this Board, basically holding the Board hostage because they have to spend money on things that they need to operate the City ...". Supervisor McKenna suggested revising the proposed ordinance accordingly, and returning to the Board at a future date. Supervisor Bonkowski suggested further review and revision to Section 2.41.040. He expressed full support of an arts ordinance, but objection to the proposed funding mechanism. He requested staff to return to the Board with alternative funding sources as well as "cleaning up the rest of the ordinance." Supervisor Shirk commended the concept of the proposed ordinance, and expressed objection to the proposed funding mechanism. Mayor Crowell advised of the intent to vote in favor of the motion. He expressed understanding for the concerns raised, but concern that "these things never get off the ground." He expressed support for "public art to get off the ground in our community. ... the benefits to our community are tremendous if it's done right and ... the only way you're going to do that is if you dedicate a funding source." In consideration of the proposed funding source, he suggested "the amount is fairly limited and ... we may not get there because we may not put anything in the capital improvements program." He expressed a preference for "different methods of funding ... On balance, the importance of doing something in the public art arena requires us to take a step such as is suggested here." Supervisor Abowd advised of the intent to vote in favor of the motion, and pointed out "public art is exactly that. It should be publicly funded and the public is a part of all this process. The public is part of the Carson City Cultural Commission. They can participate at any of those meetings. The public is a part of the Board of Supervisors meetings and, as today, everyone is entitled to participate in that decision-making process. It guides our thoughts always." Supervisor Abowd described the ordinance as "a vision for our future in terms of the arts." Mayor Crowell called for a vote on the pending motion. **Motion failed 2-3.**

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E. UPDATE ON THE BREWERY ARTS CENTER'S EFFORTS TO HOST AN ARTS INCUBATOR OF THE ROCKIES WORKSHOP IN CARSON CITY, NEVADA. – This item will be re-agendized for the December meeting.

* **F. FOR POSSIBLE ACTION: ON THE BOARD OF SUPERVISORS REJECTION OF THE PUBLIC ART PROGRAM AND THE DEVELOPMENT OF A NEW APPROACH AND FUNDING SOURCE FOR THE ORDINANCE.** (6:50:36) – Vice Chairperson Stansbury introduced the item. Member Abowd commented on a specific section of the Reno public arts program. She suggested utilizing funds specifically designated as part of Public Works projects, such as City buildings, City-funded projects, and redevelopment projects. She also suggested utilizing the contingency amount for public art. Mr. Krahn suggested working with the City Manager regarding specific allocations. He cited the example of utilizing a percentage of NDOT project funds for landscaping. Commissioner Bugli suggested exploring the receipt of private funds through a foundation. Discussion ensued regarding the addition of an ordinance to ensure automatic inclusion of public arts funds. Mr. Dunn clarified for Commissioner Cook that the CCCVB was funded by a 10 percent room tax. Vice Chairperson Stansbury entertained public comments. Mr. Bayer suggested the inclusion of public art funding as part of projects such as the downtown corridor remodel. Commissioner Abowd suggested becoming more grant-astute, similar to the sub-committees in Reno as described by Ms. Fey. Ms. Ross cited the example of Bend, Oregon, which “knocked your socks off” by the presence of locals and tourists “all over town”. Mr. Krahn relayed a comment by Mr. Moellendorf to ensure that a maintenance component is included in any of the “art features”. Commissioner Cook suggested starting small, if necessary. **Commissioner Abowd moved to recommend staff use as “a couple of new approaches” to explore monies to fund public art and to forward the public art ordinance: 1) the inclusion of a specific line item in the City’s budget. 2) Using two percent of the contingency amount for City buildings and City-funded projects, and not to overlook future redevelopment funds and maintenance. The motion was seconded by Vice Chairperson Stansbury. Motion Carried 6-0.**

Commissioner Dhami left the meeting at 7:16 p.m. A quorum was still present.

Vice Chairperson Stansbury called for a short recess at 7:17 p.m. The Commission reconvened at 7:25 p.m.

G. FOR POSSIBLE ACTION: TO RECOMMEND TO THE BOARD OF SUPERVISORS TO AMEND THE CARSON CITY MUNICIPAL CODE, TITLE 2, CHAPTER 2.41 TO CONFORM WITH THE BOARD OF SUPERVISORS’ “POLICIES AND PROCEDURES FOR BOARDS, COMMITTEES, AND COMMISSIONS” APPROVED ON SEPTEMBER 5, 2012. (7:25:13) – Vice Chairperson Stansbury introduced the item. Mr. Krahn presented the agenda materials, gave background on the item, and reviewed the “red line changes” incorporated into the record. He noted that per the recommendation of Mr. Moellendorf and City Manager Larry Werner, a clarification will be incorporated to ensure that it was not conceivable to provide Staff support to all art and culture organizations in Carson City, even though Staff attended many of their meetings; therefore, that support would be limited to this Commission. Commissioner Cook inquired about Staff support for future sub-committees. Mr. Krahn agreed that sub-committees would be subject to the Open Meeting Law, thus requiring Staff support. Vice Chairperson Stansbury entertained public comments, and when none were forthcoming, a motion. **Commissioner Cook moved to recommend to the Board of Supervisors to amend the Carson City Municipal Code, Title 2, Chapter 2.41 to conform with the Board of Supervisors’ “Policies and Procedures for Boards, Committees, and Commissions” approved on September 5, 2012 and any additional red lined changes. The motion was seconded by Commissioner Abowd. Motion carried 5-0.**

H. FOR POSSIBLE ACTION: TO DEVELOP A CULTURAL COMMISSION'S PROJECT TO HONOR THE MEMORY OF JEFFREY SCOTT, FORMER COMMISSION CHAIRPERSON. (7:32:29) – Vice Chairperson Stansbury introduced the item. Mr. Krahn gave background and presented the agenda materials. Commissioners suggested several options such as a scholarship fund in Mr. Scott’s memory, a youth-based art scholarship or contest, or a future project named after Mr. Scott. Mr. Krahn stated that the Parks and Recreation Department had an account for grants, gifts, and donations to fund certain projects such as memorial benches. Vice Chairperson Stansbury entertained public comments; however, none were forthcoming. **Vice Chairperson Stansbury moved to direct Staff to explore the development of a scholarship fund in Jeffrey Scott’s name and to inquire with the District Attorney’s**

Vice Chairperson Stansbury thanked Stella Hyatt for her support of the Commission over the years and welcomed Kaja Anderson-Howard to the Parks and Recreation Department.

2. **MODIFICATIONS TO THE AGENDA** – Mr. Krahn requested the removal of item 5A1 due to the absence of Commissioner Paslov.

3. **MEETING ITEMS**

* A. **FOR POSSIBLE ACTION: TO APPROVE A NEW APPROACH FOR A PUBLIC ART ORDINANCE AND REQUEST CITY STAFF TO DEVELOP AN ORDINANCE BASED ON THIS NEW FUNDING STRUCTURE APPROACH.** (5:45:12) – Mr. Krahn gave background and presented the agenda materials, incorporated into the record. Discussion ensued regarding private donations, and Mr. Moellendorf clarified that this discussion applied for public buildings for the time being. Member Barton inquired about the process management, and was informed it had not been decided yet. It was agreed that public-private partnerships should be included in the ordinance. Mr. Moellendorf recommended having a discussion with the Redevelopment Authority Citizens Committee Chair regarding this item.

There were no public comments.

(6:05:31) – **MOTION:** Staff to do “further perfecting” of the ordinance concept for the next Cultural Commission meeting, and “possibly have an outline of a board policy that we could vote on or discuss”.

RESULT:	APPROVED (6-0-0)
MOVER:	Stansbury
SECONDER:	Abowd
AYES:	Stansbury, Abowd, Barton, Bugli, Cook, Dhami
NAYES:	None
ABSTENTIONS:	None
ABSENT:	Paslov

B. **PRESENTATION AND DISCUSSION ONLY ON THE NEVADA OPEN MEETING LAW REQUIREMENTS BY THE CARSON CITY DISTRICT ATTORNEY’S OFFICE.** (6:07:04) – Ms. Russom presented the NRS 241 Open Meeting Law, incorporated into the record.

4. **STAFF UPDATES - DISCUSSION ONLY**

A. **UPDATE ON SCHEDULING A TOUR OF THE CITY OF RENO’S PUBLIC ART DISPLAYS FOR THE CULTURAL COMMISSION.** (6:42:31) – Mr. Krahn noted that this tour would take place between March and June and would be discussed during the Commission’s March Meeting.

B. **UPDATE ON NAMING THE PUBLIC ART PROGRAM ORDINANCE IN HONOR OF THE MEMORY OF JEFFREY SCOTT, FORMER COMMISSION CHAIRPERSON.** (6:43:49) – Mr. Krahn presented the agenda materials which are incorporated into the record. Ms. Russom summarized that a City ordinance or statute could not be named after a person to avoid confusion. She suggested enacting the ordinance and upon passing, naming that ordinance in spirit, after Mr. Scott. Commissioner Abowd received confirmation that a youth scholarship fund could be named after Mr. Scott and included in the ordinance.

PUBLIC ART PROGRAM ORDINANCE – NEW FUNDING APPROACH ---- DRAFT DOCUMENT FOR REVIEW BY BOARD OF SUPERVISORS ----

MARCH 11, 2014

Public Art Program Ordinance Proposal Outline

Background: At the September 5, 2013, Board of Supervisors meeting, the Supervisors rejected on a 2 to 3 vote the Cultural Commission's proposed amendments to the Carson City Municipal Code, Title 2, Chapter 2.41 for the creation of a Public Art Program. At both the September 19 and December 17, 2013, Cultural Commission meetings, the members discussed other potential funding options for the Public Art Program Ordinance. From those meetings a new funding approach was developed and the Parks and Recreation Department wants to present this new idea to the Board of Supervisors. City staff is seeking Board comments and direction on this new funding approach before City staff spends time to develop a new ordinance.

The new approach has three different funding mechanisms:

A) Redevelopment Authority's Revolving Fund Allocation:

Redirect 50% of the Board of Supervisors' annual budget line item allocation from the Redevelopment Authority's Revolving Fund into a City account for the Visual / Performing Arts and Community Arts Capital Projects in Carson City. The Cultural Commission would review grant applications on a yearly basis from 501C3 non-profit organizations or government agencies. The Commission would make funding recommendations to the Board of Supervisors for their review and final approval.

*** These funds could be used only in either Redevelopment Districts #1 and #2. ***

B) Capital Improvement Project – 1% Art Budget Line Item:

Mandate that every new city building, extensive city building renovation or remodel, building repurposing, and/or any new building associated with a city/private developer partnership that is designed by an architect would be required to allocate 1% of the project's cost into a art budget line item. These funds would be used by the architectural design team to create a signature art piece and/or incorporate art elements/components into the visual character of the building. This approach would require the Cultural Commission to jury the proposed signature art piece and/or the art elements/components for the building and make recommendations to the Board of Supervisors for their review and final approval.

C) Private Donations:

On behalf of the City, the Cultural Commission would have the ability to accept private donations to support either a "Youth Based" scholarship fund, Visual / Performing Arts, or Community Arts Capital Projects in Carson City. Any 501C3 non-profit organization or government agency could apply for grants through the Cultural Commission on a yearly basis for these funds. The Commission would make funding recommendations to the Board of Supervisors for their review and final approval.

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A regular meeting of the Carson City Redevelopment Authority Citizens Committee was scheduled for 5:30 p.m. on Monday, April 2, 2012, in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Jed Block
Vice Chairperson Lorraine Bagwell
Member Karen Abowd
Member Ronni Hannaman
Member Dan Neverett

STAFF: Lee Plemel, Planning Director
Moreen Scully, Senior Deputy District Attorney
Tamar Warren, Recording Secretary

NOTE: A recording of these proceedings, the Committee's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting, are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

1. **CALL TO ORDER**— Chairperson Abowd called the meeting to order at 5:30 p.m.
2. **ROLL CALL**— Roll was called and a quorum was present. Member Valenti was absent.
3. **PUBLIC COMMENTS AND DISCUSSION** – Chairperson Abowd entertained public comments; however, none were forthcoming.
4. **FOR POSSIBLE ACTION: APPROVAL OF MINUTES FROM MARCH 5, 2012.** (5:32:14) – Chairperson Abowd introduced the item. Member Neverett moved to approve the minutes of the March 5, 2012 meeting. The motion was seconded by Member Bagwell. Motion carried 4-0-1.
5. **AGENDA ITEMS:**

5-1 FOR POSSIBLE ACTION: TO ELECT A RACC CHAIR AND VICE-CHAIR FOR 2012. (5:32:34)
– Chairperson Abowd introduced the item. Vice Chairperson Bagwell moved to elect Member Block to the position of RACC Chair. The motion was seconded by Member Hannaman. Motion Carried 5-0. Member Abowd nominated Member Valenti, for the position of RACC Vice Chair. There was no second to the motion. Chairperson Block entertained other nominations. Member Hannaman moved to elect Member Bagwell to the position of RACC Vice Chair. The motion was seconded by Member Neverett. Motion carried 5-0.

(5:34:08) – Chairperson Block requested clarification regarding agenda items 5-2 and 5-3, noting that discussing policies and procedures might not be relevant should special event funding transfer to the Cultural Commission. Mr. Plemel suggested discussing the two items together, but taking separate actions.

5-2 FOR POSSIBLE ACTION: TO DISCUSS AND MAKE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS REGARDING SPECIAL EVENT FUNDING REVIEW CRITERIA.

* **5-3 FOR POSSIBLE ACTION: TO DISCUSS AND MAKE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS REGARDING THE POSSIBLE ROLE OF THE CARSON CITY CULTURAL COMMISSION IN REVIEWING SPECIAL EVENT FUNDING REQUESTS.** (5:35:39) – Chairperson Block introduced the item. Member Abowd disclosed that she was a member of the Cultural Commission; however, she did not “seek or get any financial gain from it”, adding that she planned on voting on the item. Mr. Plemel gave an overview in the form of a Staff Report, incorporated into the record, and explained that the criteria for funding special events would give the Committee flexibility to assess and make recommendations on whether events would continue to be funded, or be moved towards self-sustainability. Mr. Plemel also noted that the Parks and Recreation department would staff the

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Cultural Commission, which was in support of taking on the added responsibility, especially funding art and culture and other special events that were funded by the redevelopment funds. He stated that any modification of duties would require changes to the policies and procedures. Member Abowd suggested that any venue discounts be “backed out of the funding”, adding that the Cultural Commission would be a logical fit as additional funding avenues were being explored for special events. She also suggested creating funding categories for the special events, similar to special services, such as grant distribution. Chairperson Block expressed concern that the Commission’s responsibilities were “dwindling away”. Mr. Plemel noted that the by-laws had been revised, and that the next priority was to update Redevelopment Area 2. He also noted that capital improvement plans, such as updating the signs, might be considered for next year. Chairperson Block stated that knowing the financials would be “extremely helpful”, and wondered if the funds transferred to the Cultural Commission would be restricted to events in the Redevelopment Area. Member Hannaman explained that most people considered special events as community development. Chairperson Block considered the situation in Carson City “unique” because the Redevelopment District also included cultural and special events. Member Hannaman suggested having special guidelines on what would be funded as a cultural event. Vice Chairperson Bagwell recommended defining “what is redevelopment and what should we do with those dollars”. Member Neverett was concerned that moving the funds would “lose its effectiveness at being directed in the Redevelopment Area”. Discussion ensued regarding the on-going funding of many events that had not moved towards being self-sufficient. Vice Chairperson Bagwell requested that a current balance sheet be attached to all the applications, and that a Staff review precede the consideration of the applications. Mr. Plemel noted that the use of redevelopment funds for special events had been in the Redevelopment Plan to attract more people to the area. Member Abowd suggested creating categories and letting applicants decide into which category they fit. In response to questions from several members, Mr. Plemel believed that he could attempt to categorize certain events and see whether they would be classified as cultural or redevelopment events.

(6:21:50) – Chairperson Block entertained public comments. Maurice White introduced himself and indicated that redevelopment funds should be spent by the Redevelopment Authority. He also believed that funds allocated for projects must quantify the benefit to the Redevelopment Area, and suggested identifying “signature events” for Carson City that should follow the same criteria as the “temporary events”. Chairperson Block added that organizations asking for funds should be able to quantify the business generated by the participants and vendors. He also suggested discussing criteria prior to receiving applications for funding. Vice Chairperson Bagwell proposed assigning point values to certain criteria to make the process more objective, and suggested setting goals in advance. **Vice Chairperson Bagwell moved to postpone the discussion of agenda items 5-2 and 5-3 to a future date, after having an opportunity to review the financial status of the redevelopment fund. The motion was seconded by Member Abowd. Motion carried 5-0.**

6. NON-ACTION ITEMS:

a. STAFF UPDATES ON REDEVELOPMENT PROJECTS AND BUDGET. (6:35:37) – Chairperson Block introduced the item. Mr. Plemel summarized the requests of the Committee members for the upcoming meeting.

b. FUTURE AGENDA ITEMS FOR THE NEXT MEETING ON May 7, 2012. (5:36:20) – Mr. Plemel noted the budget and financial updates would be discussed. Chairperson Block requested the review of the redevelopment funding for the past four or five years. Vice Chairperson Bagwell requested information on how the redevelopment philosophy has changed over the years.

7. PUBLIC COMMENTS (6:38:53) – Chairperson Block entertained public comments; however, none were forthcoming.

8. FOR POSSIBLE ACTION: ACTION TO ADJOURN (6:39:01) – Chairperson Block introduced the item. Member Neverett moved to adjourn the meeting. The motion was seconded by Vice Chairperson Bagwell. The meeting was adjourned at 6:40 p.m.

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DRAFT**5. AGENDA ITEMS:**

5-1 FOR POSSIBLE ACTION: PRESENTATION AND DISCUSSION ONLY REGARDING THE REDEVELOPMENT BUDGET. (5:41:27) – Chairperson Block introduced the item. Nick Providenti, Director, Carson City Finance Department, presented a budget update which is incorporated into the record. Mr. Providenti explained that he had delivered this Fiscal Year (FY) 2012-2013 budget to the Board of Supervisors (BOS) and the Redevelopment Authority (RA) last April. He also gave a brief overview of the Redevelopment Authority and noted that the three funds were categorized as Revolving, Debt Service, and Administrative. He explained that even though the 2012 fund balance was high, at \$2,738,440, the Michael Hohl incentive, subject to appropriation, had not been paid yet. Mr. Providenti noted that about \$50,000 was left for incentive and infrastructure projects, and cited the other expenditures which are incorporated into the record, adding that \$128,000 was allocated to Special Events and Activities. In the 2013 Fiscal Year, Mr. Providenti estimated a drop in property tax revenue as assessed values would be lower, adding that some fund balance would be kept because of the six-month reserve requirement. Mr. Providenti also reminded the Committee that they had allocated \$100,000 towards special events. In response to Member Hannaman's question, Mr. Providenti explained that the Business Resource Innovation Center (BRIC) rent reduction was because it would be shared among other organizations such as the Planning and Building departments. He also clarified for Member Abowd that the increase in general fund internal service charges was based on a cost allocation study. Discussion ensued regarding the data pertaining to headcount and internal service charges. Vice Chairperson Bagwell clarified for everyone that the \$100,000 allocation to special events was based on a tax increase. In response to a question by Member Perpich, Mr. Providenti noted that the tax rate appeals and decisions had already been made for FY 2013 in the February timeframe through the County or the State Boards of Equalization. He also explained to Vice Chairperson Bagwell that taxes would not be levied to the properties near the Nugget, should the City Center Project proceed. Mr. Plemel clarified that the materials presented tonight were also presented to the BOS earlier. Mr. Providenti added that the budget would be delivered to the State on June 1, 2012; therefore any changes would be communicated prior to that date. Chairperson Block thanked Mr. Providenti and entertained public comments; however, none were forthcoming.

* **5-2 FOR POSSIBLE ACTION: TO DISCUSS AND MAKE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS REGARDING THE ALLOCATION OF SPECIAL EVENT FUNDING FROM THE REDEVELOPMENT REVOLVING FUND, THE CRITERIA BY WHICH APPLICATIONS FOR REDEVELOPMENT SPECIAL EVENT FUNDING ARE REVIEWED, AND THE POSSIBLE ROLE OF THE CULTURAL COMMISSION IN REVIEWING REDEVELOPMENT SPECIAL EVENT FUNDING REQUESTS.** (6:10:42) – Chairperson Block introduced the item. Mr. Plemel explained that this issue was a continuation of the April 2, 2012 meeting, and gave background, incorporated into the record, on former budget allocations to special events. He noted that he had separated art and culture events from other special events, for better understanding and further discussion. Mr. Plemel explained that the Cultural Commission had also discussed this item, adding that Member Abowd was present, as she was also a member of that Commission. He also noted that the Cultural Commission was supportive and could take on any of the responsibilities given to them by this Committee regarding special events. He wished to have a recommendation to the RA and the BOS. Member Abowd explained that the Cultural Commission, during its past meeting, was receptive to take over the allocation of funds for cultural events, especially because they were now staffed by the Parks and Recreation Department, and had access to facility-usage information and fees. Member Neverett suggested focusing more on what generates revenue for the "downtown hub area". He also suggested looking at the length of time groups have received allocations prior to making a decision. Member Abowd confirmed that there was a pre-screening process and clarified that the funds allocated to cultural events could generate additional funding, such as grants. In response to a question by Chairperson Block, Mr. Plemel stated that the Parks and Recreation Department staff member assigned to the Cultural Commission was Vern Krahn. Vice Chairperson Bagwell cited the goal of redevelopment as revitalizing downtown, and questioned the best use of these dollars. Member Hannaman noted that the arts and culture events were geared towards community development versus redevelopment, and Vice Chairperson Bagwell believed that attracting and developing businesses would result in community development as they contributed to the community. Member Abowd noted that community development was equally important. Member Perpich suggested having Redevelopment Area One and Redevelopment Area Two joint events to attract more visitors. Discussion ensued regarding several events such as the recent home event and the wine walks that were not supported by redevelopment funds, and were successful. Chairperson Block entertained public comments. Maurice White asked whether the

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redevelopment funds were being used to maintain the business license of the Farmers' Market. He noted that he was aware of two business licenses that listed Carson City as their holders. Mr. Plemel offered to research the information and respond to Mr. White. Brad Bonkowski received clarification that the FY 2008-2009 and FY 2009-2010 concerts were contracted through the Brewery Arts Center. **Member Neverett moved to recommend to the Board of Supervisors that no change be implemented in the current process for allocating the redevelopment funds. The motion was seconded by Vice Chairperson Bagwell. Motion carried 5-1, with Member Abowd voting against the motion.**

6. NON-ACTION ITEMS:

a. STAFF REPORTS AND UPDATE ON MATTERS RELATING TO THE RACC. (6:37:50) – Chairperson Block introduced the item. Mr. Plemel reported that the special events funding recommendations made by the Committee in April had been approved by the BOS, with the exception of funding the Rendezvous event from the current fiscal year funds, as reflected in the augmented budget.

b. RACC MEMBER REPORTS AND COMMENTS. (6:42:00) – Chairperson Block introduced the item. Member Hannaman requested Clarification on the implementation of the proposed FY 2012-2013, included in the Staff Report, outlining the upcoming fiscal year budget, which is incorporated into the record. Chairperson Block suggested a presentation on the accomplishments of the Redevelopment Authority. Vice Chairperson Bagwell noted that the outlined initiatives in the proposed budget fit the role of redevelopment. Member Perpich inquired about special funding for distressed communities, and offered to send Mr. Plemel any information she had.

c. FUTURE AGENDA ITEMS FOR THE NEXT MEETING ON JUNE 4, 2012. (6:39:10) – Mr. Plemel noted that the Committee was now staffed by the two representatives from Redevelopment Area Two, and suggested a review of the area's policy plan and objectives.

7. PUBLIC COMMENTS (6:40:12) – Chairperson Block entertained public comments; however, none were forthcoming.

8. FOR POSSIBLE ACTION: ACTION TO ADJOURN (6:41:10) – Chairperson Block introduced the item. **Member Hannaman moved to adjourn the meeting. The motion was seconded by Member Neverett. The meeting was adjourned at 6:41 p.m.**

The Minutes of the May 7, 2012 Carson City Redevelopment Authority Citizens Committee meeting are so approved this 6th day of August, 2012.

JED BLOCK, Chair