



# Council Agenda Report

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Kristin Riesgo, Acting Community Services Director

Approved by: Steve McClary, City Manager

Date prepared: April 24, 2023

Meeting date: May 8, 2023

Subject: Malibu Arts Association Art Show Event Series Fee Waiver

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**RECOMMENDED ACTION:** Consider whether to approve the request from the Malibu Arts Association to waive facility use fees, staffing costs, and permit fees for an Art Show event series at Legacy Park.

**FISCAL IMPACT:** Waiving the facility use and permit fees will result in a loss of revenue of \$2,515 for Fiscal Year (FY) 2022-23 in Account Numbers 100-0000-3461-00 (Municipal Facility Use Fees) and 100-0000-3421-00 (Planning Review Fees); and \$3,420 for FY 2023-24 in Account Number 100-0000-3461-00 (Municipal Facility Use Fees). The Legacy Park Deed Restrictions permit up to six events at the park per calendar year. These events generate revenue for the City, and waiving these associated fees limits potential revenue.

**WORK PLAN:** This item was not included in the Adopted Work Plan for FY 2022-23. This project is part of normal staff operations.

**DISCUSSION:** Council has approved fee waivers for Malibu Arts Association (MAA) to conduct Art Shows at Legacy Park since 2021. MAA has successfully hosted six (6) Art Shows while meeting all City requirements, including the submittal of a Temporary Use Permit (TUP) and a facility rental application. The Art Shows feature six to twelve artists and allow MAA to raise funds for student scholarships and book purchases for the Malibu Library.

Due to the event's success, MAA requests permission to conduct five (5) Art Shows at Legacy Park from May 2023 through September 2023. Due to the Deed Restrictions, the maximum number of allowed events at Legacy Park is six (6). The sixth event is scheduled for December 2023 with a local non-profit organization. MAA has requested the City waive 100% of the fees associated with the event.

The fees associated are two (2) days of Art Show event in FY 2022-23 include the following:

**FY 2022-23**

<b><u>Type</u></b>	<b><u>Non-profit Rate</u></b>
Facility Use (\$870/day)	\$1,740
Staffing (\$225/day)	\$450
TUP Application	\$325
<b>Total</b>	<b>\$2,515</b>

The fees for FY 2023-24 include three (3) days of Art Show events with an approximate 5% fee adjustment and include the following:

**FY 2023-24**

<b><u>Type</u></b>	<b><u>Non-profit Rate</u></b>
Facility Use (\$906/day)	\$2,718
Staffing (\$234/day)	\$702
<b>Total</b>	<b>\$3,420</b>

A TUP is required for the Art Show, and MAA has agreed to adhere to all the associated requirements. The City will use data on file for the certified public notice to property owners within a 500-foot radius of Legacy Park.

**ATTACHMENTS:** None.