



# Council Agenda Report

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

Prepared by: Kristin Riesgo, Community Services Director

Approved by: Steve McClary, City Manager

Date prepared: April 24, 2024

Meeting date: May 13, 2024

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 \$6,535 for Fiscal Year (FY) 2023-24 in Account Numbers 100-0000-3461-00 (Municipal Facility Use Fees), 101-0000-3421-00 (Planning Review Fees), and 100-0000-3431-00 (Public Works Review 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 is part of the day-to-day operations identified in the Adopted FY 2023-24 Strategic Priority Project List..

**DISCUSSION:** Council has approved fee waivers for the Malibu Arts Association (MAA) to conduct Art Shows at Legacy Park since 2021. MAA has successfully hosted ten (10) Art Shows while meeting all City requirements, including submitting a Temporary Use Permit (TUP) and a facility rental application. The Art Shows feature six to fourteen artists and allow MAA to raise funds for student scholarships and book purchases for the Malibu Library.

Due to the event's success, MAA has planned a summer series of four (4) Art Shows at Legacy Park from May 2024 through August 2024. Due to the Deed Restrictions, the maximum number of allowed annual events at Legacy Park is six (6). MAA has requested that the City waive 100% of the fees associated with the event.

The fees associated with two (2) days of Art Show events in Fiscal Year 2023-24 include the following:

**FY 2023-24**  
May and June Events

<b><u>Type</u></b>	<b><u>Non-profit Rate</u></b>
Facility Use (\$906/day)	\$1,812
Staffing (\$234/day)	\$468
Planning TUP Application Fee	\$684
Public Works TUP Review Fee	\$254
<b>Total</b>	<b>\$3,218</b>

The fees for FY 2024-25 include two days of Art Show events and are estimated with a 3.4% CPI fee adjustment. The actual rates for FY 2024-25 are not known at this time as a Fee Study is currently underway and Council has requested that staff research market rates. The following is only an estimate based on a CPI increase of 3.4%:

**FY 2024-25**  
July and August Events

<b><u>Type</u></b>	<b><u>Non-profit Rate</u></b>
Facility Use (\$930/day)	\$1,860
Staffing (\$243/day)	\$486
Planning TUP Application Fee	\$708
Public Works Review Fee	\$263
<b>Total</b>	<b>\$3,317</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.