

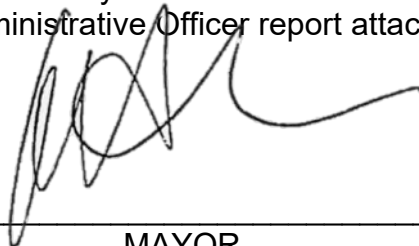
0220-05678-0000

TRANSMITTAL

TO The City Council	DATE 12/05/2022	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT ALL	

Department of Cultural Affairs Fee Update

Transmitted for your consideration. See the City Administrative Officer report attached.



MAYOR

(Andre Herndon for)

MWS:MCB:AC:08210069c

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: November 30, 2022

CAO File No. 0220-05678-0000

Council File No.

Council District: ALL

To: The Mayor
The Council

From: Matthew W. Szabo, City Administrative Officer



Reference: Transmittal to the Mayor dated November 14, 2019

Subject: **DEPARTMENT OF CULTURAL AFFAIRS FEE UPATE**

RECOMMENDATIONS

Option A

Should the City Council wish to establish the Department of Cultural Affairs admissions and special services fees at an amount less than full cost recovery, resulting in a Arts and Cultural Facilities and Services Trust Fund subsidy of approximately \$3.23 million, the City Council should adopt the following instructions:

That the City Council, subject to approval of the Mayor:

- 1.) Approve the increase in fees as described in the Department of Cultural Affairs transmittal, which are less than full cost recovery;
- 2.) Request the Office of the City Attorney to amend the Los Angeles Administrative Code Sections 22.116(a) and 22.117(d), to increase the admission fees for Hollyhock House and Watts Towers, and architectural design review fees; and,
- 3.) Request the City Attorney to amend Los Angeles Administrative Code Sections 5.111.2 and 22.117(i) to allow the Department of Cultural Affairs to adjust its theater fees to reflect changes in revised labor rates.

Option B

Should the City Council wish to establish the Department of Cultural Affairs admissions and special services fees at full cost recovery, the Council should adopt the following instruction:

That the City Council,

- 1.) Instruct the Department of Cultural Affairs to develop a schedule of fees set to achieve full cost recovery and to transmit the revised schedule of fees to the Council within 30 days.

SUMMARY

On November 14, 2019, the Department of Cultural Affairs (DCA) requested an increase of the following fees to recover more operating costs while still keeping services accessible to residents and tourists:

1. Hollyhock House and Watts Towers Admission Fees: increase from \$7 to \$12 for adults, and \$3 to \$6 for senior citizens and students;
2. Architectural Design Review Fees: increase the fee structure, currently at a range \$60 to \$400, to a range of \$100 to \$1,000 for review and approval of the design or location of any arch, bridge, structure, or approach belonging to any private individual or corporation; and,
3. Add language to Administrative Code Sections 5.111.2 and 22.117(i) that will allow DCA to adjust fees for DCA-managed theaters to reflect changes in labor rates.

This report was delayed as it was necessary for the Department to conduct a full fee analysis since the proposed fee increases do not fully offset the cost of the services provided. Therefore, it was necessary to calculate the amount to be subsidized by the City.

If the requests are approved, DCA will work with the City Attorney to amend the corresponding fee ordinances. A copy of the Department's transmittal is included with this report as Attachment 1.

Currently, DCA collects fees for special services, such as classes, equipment and facility usage, admission to the Hollyhock House and Watts Towers, usage of DCA's electronic catalog of digital images documenting art work, architectural design approvals, and new mural registrations. Theater rental fees, and admissions fees for both the Hollyhock House and Watts Towers, are deposited in the Cultural Affairs Trust Fund, pursuant to Los Angeles Administrative Code (LAAC) Section 5.111.2. Architectural Design Review Fees, required by LAAC Sections 22.109 and 22.116, are deposited in the General Fund.

As proposed, these fees will only partially offset operating costs, but will not fully recover the cost of services. The Department believes that if the fees were set at full cost recovery, the related services would be cost prohibitive and unaffordable to the public.

Admission Fee Increases

The proposed increase in the Hollyhock House admission fees may increase projected annual revenue from this site by \$120,000, from \$180,000 to \$300,000. The proposed increase in the Watts Towers admission fees may increase projected annual revenue from this site by \$150,000, from \$225,000 to \$375,000. The increased revenue will allow DCA to offset the cost of deferred maintenance and facility improvements, and ensure continuity of staffing.

DCA compared its proposed fee structure to others at comparable institutions, such as historical landmarks, museums, and exhibition spaces operated by Los Angeles County area, the City of San Diego, and the City of San Francisco. This comparison is included as Attachment C of DCA's

transmittal. Even with the proposed fee increase, DCA's admission fees to the Hollyhock House and the Watts Towers will still be at a lower cost than those comparable institutions, but will not result in full cost recovery for the City.

Architectural Design Review Fee Increases

The current Architectural Design Review fee was last amended in 2007 (amended Ordinance No. 178874), and does not account for the updated costs incurred to conduct the full design review. For example, projects with a value from \$10,000 to \$50,000 will usually cost \$200 to review, but the current fee structure only imposes a fee of up to \$120. These projects constitute 80 percent of all design reviews that DCA performs annually.

An Architectural Associate II works on all Architectural Design Reviews, alongside administrative and accounting staff who assist with design review approvals and fee processing. For projects valued at more than \$100,000, DCA experiences an increased workload to complete the design review for those projects. While the proposed fee structure reflects the increased workload, this fee is not set at full cost recovery. For example, in 2018-19, the last full fiscal year unaffected by the COVID-19 pandemic, DCA collected \$17,320 in architectural design review fees, which was insufficient to fully recover the salary cost of the Architectural Associate II. The proposed increase to the architectural design review fees will not result in full cost recovery, but can offset more of DCA's annual related cost reimbursement to the General Fund.

Fees for DCA-Managed Theaters

In 2020, DCA transitioned the fiscal management of its theaters to itself, and intends to use theater rental fee income to offset program expenditures, theater maintenance, staffing costs, and the purchase for a shared ticketing system. DCA's request to amend the Administrative Code will allow DCA to set theater rental fees that ensure accessibility to performers, presenters, and organizations, while providing DCA with the ability to pay for event support staff. In 2019-20, only three DCA-managed theaters were in operation: Warner Grand Theatre, Madrid Theatre, and Barnsdall Gallery Theatre. These three theaters generated approximately \$500,000 in revenue. DCA is reviewing its current theater fee structure to align these fees with industry standards, with the intent for increased theater rental fee income to cover the cost of as-needed staff at each theater. After the cost of as-needed staff, any remaining theater rental fee income will be used to cover other costs, such as full-time staff salaries, operating costs, and security costs, but DCA does not anticipate full recovery of these costs.

FISCAL IMPACT STATEMENT

For both recommendations, there is no General Fund impact. Architectural design review fees are deposited in the General Fund, and the Controller's Office allows DCA to deduct this amount from its following fiscal year's General Fund related cost reimbursement. Admissions and theater rental fees are deposited in the Cultural Affairs Trust Fund pursuant to LAAC Section 5.111.2, which is an off-budget special fund.

Attachment 2 details the Department’s summary of expenditures from July 1, 2020 through June 30, 2021 relative to its facilities affected by the requested fee increases. For Hollyhock House and Watts Towers, the table below summarizes the costs for all DCA-operated facilities impacted by this fee increase request, the projected annual revenue from the requested fee increase, and the portion of expenses not recovered by the projected annual revenue:

Facility	2020-21 Operating, Security, Personnel Costs	Projected Annual Revenue from Fee Increase	Projected Unrecovered Expenses
Hollyhock House	\$968,674	\$300,000	\$668,674
Watts Towers	\$1,237,059	\$375,000	\$862,059
Taxco Theater	\$67,740	Unavailable	\$67,740
Lankershim Theater	\$1,252	Unavailable	\$1,252
Vision Theatre	453,532	Unavailable	\$453,532
Madrid Theatre	461,033	\$166,666	\$294,367
Warner Grand Theater	682,415	\$166,667	\$515,748
Barnsdall Theater	532,150	\$166,667	\$365,483
TOTAL	\$4,403,855	\$1,175,000	\$3,228,855

The \$3,228,855 in unrecovered expenses will be funded by the Arts and Cultural Facilities and Services Trust Fund, which annually receives an amount from the General Fund equal to one percent of the anticipated Transient Occupancy Tax that would be derived during the fiscal year. The Department was unable to provide a schedule of fees per facility that allows for full cost recovery.

FINANCIAL POLICIES STATEMENT

The City’s Financial Policy No. 23 states that sufficient fees for service shall be levied based on the reasonable cost of providing the service for which they are charged. The Department’s request to increase fees for services is set lower than the reasonable cost of the service.

City Financial Policy No. 24 states that if the Mayor and City Council determine to set the amount of a fee for service below the level required to recover the reasonable cost of providing the service, the Mayor and City Council must take specific action to appropriate the necessary funds to fully pay for the service.

The Arts and Cultural Facilities and Services Trust Fund, which is administered by the Department, will fund any portion of expenses for these services not fully recovered by the revenue generated from these services, currently estimated at \$3.23 million. This Office will report annually regarding the amount of this subsidy through the City's budget process.

MWS:AC:08210069c

Attachments

CALIFORNIA

ERIC GARCETTI
MAYOR

CULTURAL AFFAIRS COMMISSION

ERIC PAQUETTE, PRESIDENT
CHARMAINE JEFFERSON, VICE PRESIDENT
JILL COHEN
THIEN HO
JOSEFINA LOPEZ
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DEPARTMENT OF CULTURAL AFFAIRS

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November 14, 2019

The Honorable Eric Garcetti, Mayor
City of Los Angeles
City Hall, Room 303

RE: **REQUEST FOR INCREASES IN ADMISSION FEES AND SPECIAL SERVICES**

RECOMMENDATIONS

That the City Council, subject to the approval of the Mayor:

1. APPROVE the increase in fees as described in this report.
2. REQUEST the City Attorney to amend Fee Ordinance Nos.182144 *Section 22.117(d)* and 182706 *Section 22.116 (a)* of the Los Angeles Administrative Code to increase admission fees for Hollyhock House and Watts Towers as well as fees for architectural design reviews; and, add language to the Theater Rental and Use Fees Ordinance adopted by Council on October 15, 2019 within *Sections 5.111.2 and 22.117 subsection (i)* of the Los Angeles Administrative Code that allows the Department of Cultural Affairs (DCA) to adjust the fees for DCA-managed theater fees to reflect changes in revised labor rates.
3. AUTHORIZE the General Manager, or Designee, to make technical adjustments that may be required to effectuate the recommendations of this report, subject to approval of the CAO.

SUMMARY

As part of the Proposed FY 2019-20 Adopted Budget, DCA is submitting a request to increase fees to recover more operating costs while still keeping services accessible to residents and tourists. This request includes increases to the following fees:

- 1) Hollyhock House and Watts Towers Admission: Increase admission fees from \$7 to \$12 for Adults and from \$3 to \$6 for Senior Citizens and Students; and,

- 2) Architectural Design Review: Increase Design Review fees that range from \$60 - \$400 to \$100 - \$1,000 for review and approval of the design or location of any arch, bridge, structure or approach belonging to any private individual or corporation.
- 3) Request to add language to the Theater Rental and Use Fees Ordinance adopted by Council on October 15, 2019 within *Sections 5.111.2 and 22.117 subsection (i)* of the Los Angeles Administrative Code that would allow DCA to adjust fees for DCA-managed theaters to reflect changes in labor rates (CF 19-0600-S162).

Anticipated Revenue Increases

Historic Sites Admission Fees

- Hollyhock House: Since the designation of United Nations Educational Scientific and Cultural Organization (UNESCO) in July 2019, attendance to this site has averaged approximately 5,000 per month. With an increase in admission fees by \$5 for adults (for a total of \$12) and by \$3 for senior citizens (for a total of \$6), DCA anticipates an annual increase in revenue ranging from \$180,000 to \$300,000.
- Watts Towers: Based on the average monthly visitorship of 6,250 to this national landmark, with an increase of \$5 for adults and \$3 for senior citizens in admission fees, DCA anticipates an annual increase in revenue ranging from \$225,000 to \$375,000. This increase in revenue is not anticipated to be realized until the Towers are reopened by approximately December 2020.

Architectural Design Fees

- The increase in architectural design review fees is expected to generate an additional \$20,000 to \$40,000 in annual revenue based on the current year's anticipated number of design plan reviews of approximately 130.

Theater Fees

In FY 2019-20, DCA expects to generate approximately \$500,000 in combined gross rental revenue for three DCA-managed theaters (Warner Grand Theatre in San Pedro; Madrid Theatre in Canoga Park, and Barnsdall Gallery Theatre in East Hollywood). The Vision Theatre is currently under construction and is expected to be completed by August 2020. On October 15, 2019, Council adopted to amend *Sections 5.111.2 and 22.117 subsection (i)* of the Los Angeles Administrative Code to codify DCA's collection of

theater rental and use fees to be deposited into the Cultural Affairs Trust fund for staffing, programming and maintenance of DCA-managed theaters.

DCA will work with the City Attorney to amend corresponding fee ordinances (see **Attachment A**) within the Administrative Code, Sections 22.116(a) *Design Approval Fees* and Section 22.117(d) *Program and Facility Use and Admission Fees* to effectuate the requested historic sites admission and design review fee increases, and add language within the Theater Rental and Use Fees Ordinance to allow DCA to adjust the DCA-Managed theater fees reflecting new changes in labor rates.

BACKGROUND

DCA's mission is to strengthen the quality of life in Los Angeles by stimulating and supporting arts and cultural activities, ensuring public access to the arts for residents and visitors alike. Fees are set for DCA services to be accessible throughout Los Angeles; and, consequently, the fees charged do not fully recover operating or staffing costs.

DCA's current special services fees can be divided into the following categories:

- Class/Program,
- Admission,
- Facility Use,
- Design Approval, and
- New Mural Registration.

The revenue collected from fees is intended to offset costs related to the service or activity for which the fees are charged. Funds collected are deposited in either the General Fund or in a special fund as designated by ordinance.

Currently, DCA collects fees for the following special services (**Attachment B** lists the current fee structure for DCA, as outlined in the Los Angeles Administrative Code):

- Art and photography classes conducted by DCA;
- Use of photographic equipment and photography studio;
- Admission to Hollyhock House and Watts Towers historic sites;
- Artist membership fee for use of DCA's Slide Registry (an electronic catalog of digital images documenting the work of artists);
- Architectural approval design fees (see Attachment A, Ordinance No. 182706, Section 22.116 (a));
- New mural registration fees (see Attachment A, Ordinance No. 182706, Section 22.116 (b)).

The Department of Cultural Affairs is funded by the Transient Occupancy Tax and reimburses the General Fund for overhead costs based on Cost Allocation Plan rates. DCA also pays for security costs, maintenance and facility improvement costs, all

technology requests and upgrades, solid waste resources fees, as well as dedicated personnel staff. Given these overhead costs, the fees set at full cost recovery would make DCA's services cost prohibitive and unaffordable to the public if these were passed on. Therefore, DCA's fees do not include related and overhead costs.

ADMISSION FEE INCREASES

Hollyhock House – DCA requests to increase the Hollyhock House admission fees by \$5 to \$12 for adults and by \$3 to \$6 for senior citizens and students.

The current admission fees for Hollyhock House are: \$7 per adult, \$3 for senior/students and \$2 for persons under 17 years of age. The admission fees were last revised in 2007 (Ordinance No. 179189 and changes to include exemption of fees for active duty military personnel and their families were made in 2012 Ordinance No. 182144).

If attendance continues at approximately 5,000 for adults and senior citizens per month and DCA increases the admission fees by \$5 for adults and \$3 for senior citizens and students, an annual increase in revenue ranging from \$180,000 to \$300,000 is expected. This potential increase in revenue will help offset operating costs and ensure continuity of staffing, work performance, and will help prevent customer service delays. These additional funds may also be used to offset required maintenance/repair costs.

The Watts Towers of Simon Rodia – DCA requests to increase the Watts Towers admission fees by \$5 to \$12 for adults and by \$3 to \$6 for senior citizens and students.

This facility attracts approximately 75,000 annual visitors from all over the world to tour and experience one of the City's only national landmarks. The estimated \$225,000 to \$375,000 in anticipated revenue from these admission fee increases will help offset the annual management and operating costs of the Towers and can be used to offset deferred maintenance and facility improvement costs to help prevent public safety hazards and help maintain this cultural treasure.

Comparative Analysis

A comparative analysis of fee structures at similar local and state cultural institutions was undertaken for both of these historic monuments. While institutions vary in scope and offerings, DCA's current fees consistently fell below the compared institution entrance fee. Nearly all entrance fees were almost double the current fees assessed and some even higher (\$12-\$15 vs. \$7 per adult admission). Therefore, even with the proposed fee increase, DCA's historic sites will still be accessible at a lower cost than comparable institutions.

DESIGN FEE INCREASES

DCA requests to amend the Architectural Design Review fee scale from \$60 - \$400 to \$100 - \$1,000 for each application submitted for approval of the design or location of any arch, bridge, structure or approach belonging to any private individual or corporation. This increase accounts for the current costs associated with conducting a full design review.

Total Valuation of Project			
From	To	Current Fee	Proposed Fee
\$0.00	\$1,500.00	\$60	\$100
\$1,500.01	\$10,000.00	\$80	\$150
\$10,001.00	\$25,000.00	\$100	\$200
\$25,000.01	\$50,000.00	\$120	\$250
\$50,000.01	\$150,000.00	\$140	\$300
\$150,000.01	\$250,000.00	\$160	\$400
\$250,000.01	\$500,000.00	\$200	\$450
\$500,000.01	\$1,000,000.00	\$300	\$500
\$1,000,000.01	over	\$400	\$1,000

DCA last amended the schedule of fees in 2007 (amended Ordinance No. 178874 effective 7/23/07). The current fees do not account for the updated costs incurred to conduct the full design review process for projects valued between \$10,000 and \$50,000, totaling approximately \$200 per design. These projects make up approximately 80% of the design reviews conducted annually. This average cost includes fees for an Architectural Associate II to participate in meetings and communicate with applicants relating to the design reviews and draft staff reports for the Cultural Affairs Commission. It also includes costs incurred by administrative and accounting staff work relating to the approval of designs and for processing checks for the fees paid.

In addition, workload for design review for projects valued at more than \$100,000, tends to increase by approximately 30% due to the time required to review more complex designs. Furthermore, the workload increases by more than double for projects greater than \$1,000,000. The proposed fees reflect these cost increases. DCA estimates that based on the prior year's number of designs reviewed (approximately 130 designs reviewed valued between \$25,000 and \$150,000), the total fees to be generated with the revised fee structure will increase from approximately \$20,000 to \$40,000 annually. These fees will provide additional funds to offset DCA's annual related costs paid to the General Fund.

DCA-MANAGED THEATERS

In the last quarter of FY19-20, DCA will transition the fiscal management of its theaters from a fiscal receiver and employer-of-record to the Department. DCA will use rental fee income to offset program expenditures, reinvestments in facility infrastructure, staffing costs, as well as the purchase of a shared ticketing system. The rental fee structure will support as-needed staff for event production for all of the DCA-managed theaters.

The fees assessed are based on rental fees comparable to similar facilities in the Los Angeles area and throughout the state. The fees are set at a rate that ensures that the theaters are accessible to performers/presenters/organizations in the communities in which they reside; and, to provide DCA with the ability, in the absence of full-time technical staff, to generate revenue to pay for event support staff. On October 15, 2019, Council amended the Los Angeles Administrative Code to codify DCA's collection of theater rental and use fees to be deposited into the Cultural Affairs Trust fund for staffing, programming and maintenance of DCA-managed theaters. DCA expects to generate approximately \$500,000 annually in combined gross rental revenue for three DCA-managed theaters (Warner Grand Theatre in San Pedro; Madrid Theatre in Canoga Park and Barnsdall Gallery Theatre in East Hollywood). The Vision Theatre is currently under construction and is expected to be completed by August 2020.

FEE COMPARISONS

Attachment C provides a list of comparable public/private facility admission fees to exhibition spaces, historic-cultural monuments as well as art center services.

It is important to note that there is a great disparity in the cost of admissions, fees and parking costs between DCA facilities and those of other public/private facilities. The current fee structure for similar historic parks and museums currently assessed in the metropolitan cities of San Diego and San Francisco further underscores the disparity in fees. The fees at these facilities are slightly more than fees charged at DCA facilities. However, DCA's proposed fees will continue to be affordable to provide equity and access to art and cultural activities to the public that need these services the most. These proposed fees will continue to benefit the communities DCA serves by ensuring that funds are made available to have consistent and increased cultural programming as well as provide for safe and inviting environments for art classes and cultural events.

For art center services, the majority of the same types of classes are offered by other art centers for approximately the same amount of time (8-10 week sessions) and DCA's staff is equally qualified (Bachelors and Masters of Fine Arts). Some of the class fees are more than double the fees that DCA charges.

CONCLUSION

It has been more than a decade since DCA's fees for special services were increased. Therefore, additional revenue accrued from the proposed admission fee increases and design review fees will help offset staff and/or operating costs and ensure that DCA continues to provide quality services to Los Angeles residents and tourists.

FISCAL IMPACT

The estimated impact on the General Fund (to offset DCA's related costs) will be an increase of approximately \$20,000 to \$40,000 annually for fees to be collected for Design Review. All other fee increases recommendations are in compliance with the City's adopted financial policies.



DANIELLE BRAZELL, General Manager
Department of Cultural Affairs

ORDINANCE NO. 182706

An ordinance amending Sections 14.4.2, 14.4.3 and 14.4.20 of the Los Angeles Municipal Code; and amending Sections 5.111.2 and 22.116 of, and adding Section 22.119 to, the Los Angeles Administrative Code to allow for the creation of new Original Art Murals and the preservation of Vintage Original Art Murals on private property.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. The definition of "Mural Sign" is deleted from Section 14.4.2 of the Los Angeles Municipal Code.

Sec. 2. The following definitions are added to Section 14.4.2 of the Los Angeles Municipal Code in proper alphabetical order:

Original Art Mural. A one-of-a-kind, hand-painted, hand-tiled, or digitally printed image on the exterior wall of a building that does not contain any commercial message. For definition purposes, a commercial message is any message that advertises a business conducted, services rendered, or goods produced or sold.

Public Art Installation. A facility, amenity or project that does not contain any commercial message and which is either an "approved public arts project" as defined by Section 19.85.4 of the Los Angeles Administrative Code or approved pursuant to Section 91.107.4.6 of the Los Angeles Municipal Code. For definition purposes, a commercial message is any message that advertises a business conducted, services rendered, or goods produced or sold.

Vintage Original Art Mural. An Original Art Mural that existed prior to the operative date of this definition.

Sec. 3. Subsection E of Section 14.4.3 of the Los Angeles Municipal Code is deleted.

Sec. 4. Subdivision 10 of Subsection B of Section 14.4.4 of the Los Angeles Municipal Code is deleted.

Sec. 5. Section 14.4.20 of the Los Angeles Municipal Code is amended to read as follows:

SEC. 14.4.20. ORIGINAL ART MURALS, VINTAGE ORIGINAL ART MURALS, AND PUBLIC ART INSTALLATIONS.

An Original Art Mural that conforms to the requirements of Section 22.119 of the Los Angeles Administrative Code is not considered a sign and therefore is not subject to the provisions of this Article or any other ordinance that regulates signs. Any supposed "mural" that does not conform to the requirements of Section 22.119 of the Los Angeles Administrative Code shall be considered a sign and subject to the provisions of this Article or any other ordinance that regulates signs and digital displays. A Public Art Installation registered pursuant to the requirements of Section 19.85.4 of the Los Angeles Administrative Code or the requirements of Section 91.107.4.6 of the Los Angeles Municipal Code is not a sign, but is subject to Section 14.4.4-E of this Article and any other applicable zoning and land use regulations set forth in the Los Angeles Municipal Code. A building permit from the Department of Building and Safety is required for a new hand-tiled or digitally printed Original Art Mural or any Public Art Installation.

Severability. If any part, sentence, phrase, clause, term or word in Section 14.4.2 or Section 14.4.20 of this Code relating to Original Art Murals is declared invalid or unconstitutional by a valid court judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the constitutionality or lawfulness of the remainder of this Code, the Los Angeles Administrative Code or any other City regulation regulating signage, billboards or Original Art Murals.

Sec. 6. Section 5.111.2 of the Los Angeles Administrative Code is amended to add a new Subsection (h) to read as follows:

(h) Fees charged for the registration of Original Art Murals, pursuant to Section 22.116(b) of the Los Angeles Administrative Code, shall be placed in the Fund and allocated for mural registration program implementation.

Sec. 7. Section 22.116 of the Los Angeles Administrative Code is amended to read as follows:

Sec. 22.116. Fees.

(a) **Schedule of Fees for Application for Architectural Approval.** As required by Section 22.109 of this Code, each application for approval of the design or location of any arch, bridge, structure, or approach belonging to any private individual or corporation by the Board of Cultural Affairs Commissioners shall be accompanied by the payment of a fee in accordance with the following schedule:

Total Valuation of Project		Fee
From	To	
\$0.00	\$1,500.00	\$60.00
1,500.01	10,000.00	80.00
Sss10,000.01	25,000.00	100.00
25,000.01	50,000.00	120.00
50,000.01	150,000.00	140.00
150,000.01	250,000.00	160.00
250,000.01	500,000.00	200.00
500,000.01	1,000,000.00	300.00
1,000,000.01	Over	400.00

(b) **Fee For New Mural Registration.** As required by Section 22.119 of this Code, each application for registration with the Department of Cultural Affairs of an Original Art Mural on private property shall be accompanied by the payment of a \$60.00 fee. Monies collected from each application for mural registration shall be deposited into the Cultural Affairs Department Trust Fund, as established by Section 5.111.2 of the Los Angeles Administrative Code, for mural registration program implementation.

Sec. 8. A new Section 22.119 of the Los Angeles Administrative Code is added to read as follows:

Sec. 22.119. Original Art Murals on Private Property.

(a) **Purposes.**

(1) These regulations relating to Original Art Murals in the City of Los Angeles further the following purposes: (1) encouraging artistic expression; (2) fostering a sense of pride; (3) preventing vandalism at mural sites through the installation of murals that vandals are reluctant to disturb; and (4) preserving existing murals that are a valued part of the history of the City of Los Angeles.

(2) The City wishes to encourage the installation of murals and, at the same time, prevent the proliferation of off-site commercial signs. Therefore, the City's mural regulations exclude commercial advertising on murals to prevent the installation of the equivalent of an off-site commercial sign on a mural. This restriction on commercial advertising is intended to work in tandem with and help preserve the citywide ban on off-site commercial signs set forth in Section 14.4.4

of the Los Angeles Municipal Code. Both the ban and the exclusion of commercial advertising on murals are supported by the United States Supreme Court's ruling in *Metromedia, Inc. v. City of San Diego*, 453 U.S. 490 (1981). In *Metromedia*, the Supreme Court ruled that the only reasonable way that cities can stop the proliferation of off-site commercial signs is to ban them. The Supreme Court also ruled that cities can carve out exemptions to such a ban for noncommercial signs and on-site commercial signs.

(3) These mural regulations also promote public safety and welfare by regulating such displays in keeping with the following objectives:

(i) That the design, construction, installation, repair and maintenance of such displays will not interfere with traffic safety or otherwise endanger public safety.

(ii) That the regulations will provide reasonable protection to the visual environment by controlling the size, height, spacing and location of such displays.

(iii) That the public will enjoy the aesthetic benefits of being able to view such displays in numbers and sizes that are reasonably and appropriately regulated without having to endure visual blight and traffic safety impacts that would be caused by such displays that are not reasonably and appropriately regulated.

(iv) That consideration will be given to equalizing the opportunity for messages to be displayed.

(v) That adequacy of message opportunity will be available to sign users without dominating the visual appearance of the area.

(vi) That the regulations will conform to judicial decisions, thereby limiting further costly litigation and facilitating enforcement of these regulations.

(vii) To provide registration requirements and regulations for Original Art Murals as defined in Section 14.4.2 of the Los Angeles Municipal Code.

(b) **Original Art Mural Registration.**

(1) **Authority.** The Department of Cultural Affairs shall have the authority to determine that an application for an Original Art Mural or Vintage Original Art Mural meets all of the applicable registration requirements as established in the Mural Ordinance Administrative Rules.

(2) **Administrative Rules.** The Department of Cultural Affairs is authorized and directed to adopt Mural Ordinance Administrative Rules implementing this section.

(3) **Neighborhood Involvement Requirement.** The Mural Ordinance Administrative Rules to be adopted by the Department of Cultural Affairs shall include a neighborhood involvement requirement. Specifically, the rules shall include a requirement that an applicant for mural approval send notice of that application to the Neighborhood Council which has jurisdiction over the area of the City in which the proposed mural will be installed at least 45 days prior to the Department registering the mural. No mural shall be registered until the applicant certifies that he or she has completed this neighborhood involvement requirement. This is a procedural requirement only, and the General Manager shall at all times retain sole authority to approve or deny an application for a mural based on the criteria in Section 22.119 of the Los Angeles Administrative Code and any Mural Ordinance Administrative Rules promulgated by the Department of Cultural Affairs. Further, in no event will registration of a mural be granted or denied based upon the content of the mural.

(4) **Covenant.** In connection with the installation of a new Original Art Mural, the applicant shall be required to record a covenant with the Office of the County Recorder and the Department of Cultural Affairs. The covenant shall require that the mural comply at all times with all provisions of the Original Art Mural Regulations specified in Subsection (b) of this Section 22.119. In addition, the covenant shall remain in force for as long as the mural exists.

(5) **Change of Ownership.** Upon a change of ownership of the property to which an Original Art Mural is affixed, a new owner may, at the owner's election and without the need for permission from the Department of Cultural Affairs, de-register the mural with that department and terminate the covenant.

(c) **Grandfathering of Vintage Original Art Murals.** Any Vintage Original Art Mural installed prior to the effective date of this section, shall have legal nonconforming status and, notwithstanding any provision of this Section 22.119 to the contrary, not require registration under this Section 22.119. But a Vintage Original Art Mural which has not gained legal nonconforming status through law other than this Section 22.119 cannot qualify for legal nonconforming status under this Section 22.119 if it consists or contains any of the following: electrical or mechanical components, or changing images (moving structural elements, flashing or sequential lights, lighting elements, or other automated methods that result in movement, the appearance of movement, or change of mural image or message, not including static illumination turned off and back on not more than once every 24 hours).

(d) **Original Art Mural Regulations.** An Original Art Mural that meets all of the following requirements will be allowed upon satisfaction of the applicable registration procedures:

(1) The mural shall remain in place, without alteration, for a minimum period of two-years. "Alterations" include any change to a permitted mural, including, but not limited to, any change to the image(s), materials, colors or size of the permitted mural. "Alteration" does not include naturally occurring changes to the mural caused by exposure to the elements or the passage of time. Minor changes to the permitted mural that result from the maintenance or repair of the mural shall not constitute an "alteration." Such minor changes may include slight unintended deviations from the original image, colors, or materials that occur when the permitted mural is repaired due to the passage of time or as a result of vandalism. A mural may be removed within the first two years of the date of registration under the following circumstances:

(i) the property on which the mural is located is sold; or

(ii) the structure or property is substantially remodeled or altered in a way that precludes continuance of the mural; or

(iii) the property undergoes a change of use authorized by the Department of Building and Safety.

(iv) the owner of a mural may request permission from the Department of Cultural Affairs to remove a mural prior to the expiration of the two year period, which the Department may grant upon making a finding that the continued maintenance of the mural is not feasible and that the early removal of the mural is not in furtherance of off-site commercial advertising.

(2) No part of a mural shall exceed the height of the structure to which it is tiled, painted or affixed.

(3) No part of a mural shall extend more than six (6) inches from the plane of the wall upon which it is tiled, painted or affixed.

(4) No part of a mural shall exceed a height of 100 feet above grade.

(5) No mural may consist of, or contain, electrical or mechanical components, or changing images (moving structural elements, flashing or sequential lights, lighting elements, or other automated methods that result in movement, the appearance of movement, or change of mural image or message, not including static illumination turned off and back on not more than once every 24 hours).

(6) No mural shall be placed over the exterior surface of any building opening, including, but not limited to, windows, doors, and vents.

(7) No mural shall be placed on a lot that is improved with only one single-family residential structure and accessory structures.

(8) No mural shall be arranged and illuminated in a manner that will produce a light intensity of greater than three foot candles above ambient lighting, as measured at the property line of the nearest residentially zoned property.


(9) Digitally printed image murals shall receive approval of both the Los Angeles Fire Department and the Department of Building and Safety.

(e) **Severability.** If any part, sentence, phrase, clause, term, or word of this Section 22.119 is declared invalid or unconstitutional by a valid court judgment or decree of any court of competent jurisdiction, the declaration of such invalidity or unconstitutionality shall not affect the constitutionality or lawfulness of the remainder of this Administrative Code, the Los Angeles Municipal Code, or any other City regulation regulating signage, billboards, or Original Art Murals.


Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles AUG 28 2013, and was passed at its meeting of SEP 4 2013.

HOLLY L. WOLCOTT, Interim City Clerk

By  Deputy

Approved SEP 06 2013

 Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

Pursuant to Charter Section 559, I **disapprove** this ordinance on behalf of the City Planning Commission and recommend that it not be adopted

By 
KENNETH T. FONG
Deputy City Attorney

August 19, 2013

See attached report.

Date August 19, 2013


Michael LoGrande
Director of Planning

File No(s). CF Nos. 08-0515, 08-0530, 08-1233 and 11-0923

ORDINANCE NO. 182144

An ordinance amending Section 22.117(d) of the Los Angeles Administrative Code, entitled Program and Facility Use and Admission Fees, to charge no admission fees for all active duty military personnel and their families from May 28, 2012, through September 3, 2012, as part of the 2012 Blue Star Museums Program.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection (d) of Section 22.117 of the Los Angeles Administrative Code is amended to read as follows:

(d) No fee shall be charged for admission to the Municipal Art Gallery. A fee of \$7.00 per person shall be charged for admission to the Watts Towers and the Hollyhock House. A reduced fee of \$3.00 shall be charged for Senior Citizens, and a reduced fee of \$2.00 shall be charged for persons 17 years of age or younger. However, when persons 17 years of age or younger are part of a group visitation sponsored by a school or accompanied by an adult, they shall not be charged for admission to the Watts Towers or the Hollyhock House. No charge shall be made for active duty military personnel and their families from May 28, 2012, through September 3, 2012.

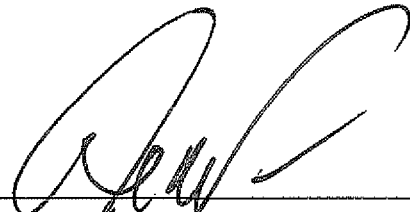
Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of MAY 22 2012.

JUNE LAGMAY, City Clerk

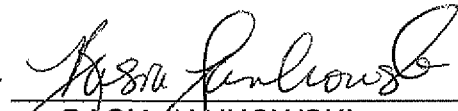
By 
Deputy

Approved MAY 30 2012


Mayor

Approved as to Form and Legality:

CARMEN A. TRUTANICH, City Attorney

By 
BASIA JANKOWSKI
Deputy City Attorney

Date 3-30-12

File No. 12--0340

CURRENT DCA FEES

(In accordance with Administrative Code, Section 22.117)

Art or Photography Class	\$4.00
Senior Citizens	3.00
Physically Challenged	1.50
Persons 17 years and younger	3.00
Use of photographic equipment	\$35.00
Senior Citizens	25.00
Persons 17 years and younger	25.00

DCA can impose a fee for providing supplies, materials and services for non-budgeted programs. The fee is to be equivalent to the cost to DCA to obtain supplies and materials and of providing such services.

Admission to Los Angeles Municipal Art Gallery	FREE
Admission to Watts Towers	\$7.00
Admission to Hollyhock House	7.00
Senior Citizens	3.00
17 years of age or younger	2.00
(However, when persons 17 years of age or younger are part of a group visitation sponsored by a school or accompanied by an adult, they shall not be charged for admission to the Watts Towers or Hollyhock House)	

Use of photography studio	\$10.00 per hour per person
Use of photography darkroom	\$4.00 per hour per person
Receiving photography instruction	\$4.00 per hour per person
All-day photography instruction seminar	\$100.00 per person per day
Slide Registry Artist Membership Fee	\$20.00 annually

HISTORIC/CULTURAL LANDMARKS			
NAME OF FACILITY	HOLLYHOCK HOUSE	GAMBLE HOUSE	BATTLESHIP USS IOWA
CURRENT ADMISSION PRICES	Adults \$7 Seniors 62+ \$3 Youth up to 17 \$2	Adults \$15.00 Seniors 65+ \$12.50 Students w/ ID \$12.50 Children 0-12 FREE	Adults 12-61+ \$19.95 Seniors 62+ \$16.95 Active Military \$16.95 Youth 3-11 \$11.95
PARKING	Free on-site parking	FREE limited on site parking and street parking	Paid parking \$2-18/day
NAME OF FACILITY	WATTS TOWERS	HERITAGE SQUARE MUSUEM	CABRILLO MARINE AQUARIUM
CURRENT ADMISSION PRICES	Adults \$7 Seniors 62+ \$3 Youth up to 17 \$2 <i>(Currently Free due to restoration of Towers)</i>	Adults 13+ \$10 Seniors 65+ \$8 Children 6-12 \$5	Suggest Donation: Adults \$5 Children and Seniors \$1
PARKING	Free on-site parking	Free on-site parking	Cabrillo Beach Parking is \$1 per hour (\$9 max) for cars, \$2 per hour (\$15 max) for boats and oversized vehicles. (Parking is free with a member parking pass.
PUBLIC GALLERY /EXHIBITION SPACE			
NAME OF FACILITY	CITY OF LOS ANGELES MUNICIPAL ART GALLERY	LOS ANGELES COUNTY MUSEUM OF ART	NATURAL HISTORY MUSEUM
CURRENT ADMISSION PRICES	FREE	LACMA member \$0 LACMA member guest \$16 Adults \$20 NexGen Adult \$0 NexGen Youth \$0 Seniors \$16 Students w/ ID \$16 Teens (13-17) \$0 Youth (under 12) \$0	Adults \$15 Seniors 62+ \$12 Student w/ID \$12 Youth 13-17 \$7 Children 3-12 \$7 Children 0-3 FREE (Online prices \$1 cheaper)
PARKING	FREE on-site parking	\$16 flat rate (\$8 after 7pm) at Pritzker Parking Garage on 6th St.	\$12 flat rate

ART EDUCATION AT COMMUNITY ART CENTERS			
NAME OF FACILITY	BARNSDALL ART CENTER	ARMORY CENTER FOR THE ARTS	BRENTWOOD ART CENTER
CLASS FEES	<u>Youth:</u> \$24-\$70, per 8 week session <u>Adults:</u> \$54-\$210, plus lab & materials fees per 10 week session	\$180-\$210 (\$162-\$180 members) per 9/10 week session	<u>Adults</u> \$260 per 4 week session \$390 per 6 week session \$650 per 10 week session \$715 per 11 week session <u>Kids & Teens</u> \$180-\$280/month
PARKING	FREE on-site parking	Up to 90 minutes of free parking is available at the city parking structure just north of the Armory on Raymond Avenue.	FREE parking in lot behind school and on street parking (with street cleaning restrictions on Mondays, Thursdays, and Fridays).
SAN FRANCISCO ATTRACTIONS			
NAME OF FACILITY	DE YOUNG MUSEUM AND LEGION OF HONOR	WALT DISNEY FAMILY MUSEUM	SAN FRANCISCO MARITIME NATIONAL HISTORICAL PARK
CURRENT ADMISSION PRICES	Adults \$15 Seniors (65+) \$12 Student w/ID \$6 Members, Youth 17 and under FREE	Adults \$25 Seniors (65+) \$20 Youth (6-17) \$15 Children (under 5) FREE Military + family FREE	Adults \$15 (valid 7 days) Children under 15 are free . \$45 annual passes good for 4 adults and any number of children.
PARKING	Limited 4 hour street parking available on John F. Kennedy and Martin Luther King drives near the de Young.	Paid and metered parking up to \$11 daily maximum.	There is metered street parking and garages and parking lots that charge various prices to park.
SAN DIEGO ATTRACTIONS			
NAME OF FACILITY	BALBOA PARK	OCEANSIDE MUSEUM OF ART	WHALEY HOUSE MUSEUM
CURRENT ADMISSION PRICES	<u>One Day Explorer</u> Adults \$48 Children +3 \$29 Children >3 Free	Adults \$8 Seniors \$5 Children under 18, students, active military + their families FREE	<u>Daytime</u> Adults \$10 Seniors (55+), active military, children (6-12) \$5 Children under 5 FREE <u>Evening</u> All \$13
PARKING	FREE on-site parking	Free street parking and free parking at the Civic Center.	A few 2-hour unmetered parking spaces are available on the streets of Old Town. Free all-day parking is available in large public parking lots on Harney and Twiggs Streets

Attachment 2

Summary of Expenditure Report for FY21 7/1/2020 - 6/30/2021

	<u>Technology Upgrade</u>	<u>Solid Waste /Maintenance</u>	<u>Restoration</u>	<u>Admin/Other (Estimated)</u>	<u>Total Operating Costs</u>	<u>Security (Estimated)</u>	<u>Personnel (Direct and Indirect) +As Needed</u>	<u>Grand Total</u>
Hollyhock House	7,300	42,108	11,574	3,332	64,313	259,019	645,343	968,674
Watts Towers	15,504		300,000	4,814	320,318	338,000	578,741	1,237,059
Taxco Theater			67,740		67,740	N/A	TBD	TBD
Lankershim Theater		1,252			1,252	N/A	TBD	TBD
Vision Theatre	TBD	3,003	TBD	242,797	245,800	TBD	207,732	453,532
Madrid Theatre	2,328	3,007	150,000	89,045	244,379	N/A	216,654	461,033
Warner Grand Theater	11,884	4,806	225,038	92,534	334,262	N/A	348,153	682,415
Barnsdall Theater	N/A	N/A	N/A	N/A	N/A	259,019	273,132	532,150
Total	37,015	54,176	754,351	432,522	1,278,064	856,037	2,269,755	4,334,864