

## **RESOLUTION NO. 17-52**

### **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, TEMPORARILY REDUCING THE PUBLIC ARTS FEE THROUGH JULY 31, 2018**

**WHEREAS**, the Town of Mammoth Lakes ("Town") has adopted a Public Arts Fee and Program to develop and maintain a visual arts program for the residents and visitors of Mammoth Lakes to add to the economic vitality of the community and to enhance the environment and unique character of Mammoth Lakes by providing for the acquisition and maintenance of quality works of public art; and

**WHEREAS**, the Town Council has determined that a temporary reduction in the Public Arts Fee is warranted through July 31, 2018 to allow Town staff to evaluate and update the Public Arts Fee and Program; and

**WHEREAS**, the Town Council considered, without limitation:

1. The staff report dated June 21, 2017 to the Town Council;
2. Oral testimony received at the hearing; and
3. Written evidence submitted at the hearing.

**NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:**

#### **SECTION 1. FINDINGS.**

All provisions set forth in the recitals above and the staff report are true and correct and are hereby incorporated herein by reference as findings.

**SECTION 2. TOWN COUNCIL ACTIONS.** The Town Council hereby temporarily reduces, but does not eliminate, the Public Arts Fee until July 31, 2018, as follows:

1. The Public Arts Fee is temporarily reduced to zero (\$0.00) for all projects.
2. Pending projects that have not paid Public Arts Fees shall be eligible to receive the temporary reduction adopted by this resolution, provided that refunds will not be provided for fees already paid. Public Arts Fee reductions shall be granted to all

projects that have submitted a complete building permit application on or before July 31, 2018.

3. Notwithstanding the foregoing, the Town Council reserves the right to rescind this resolution at any time and restore Public Arts Fee to any level or amount not exceeding the levels and amounts of fees in effect immediately prior to the adoption of the previous Public Arts Fee temporary reduction on July 15, 2015.

### **SECTION 3. JUDICIAL ACTION TO CHALLENGE THIS RESOLUTION**

Any judicial action or proceeding to attack, review, set aside, or annul this resolution shall be brought within 120 days of its adoption.

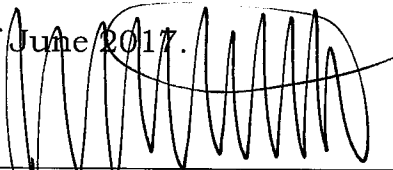
### **SECTION 4. SEVERABILITY**

If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of applications, and to this end the provisions of this Resolution are declared to be severable.

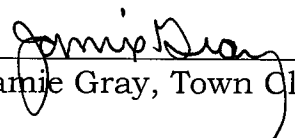
### **SECTION 5. CEQA EXEMPTION**

The Town Council hereby finds that temporarily reducing Public Arts Fees does not have the potential to cause a significant impact on the environment and is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), *General Rule*.

APPROVED AND ADOPTED this 21<sup>st</sup> day of June 2017.

  
\_\_\_\_\_  
JOHN WENTWORTH, Mayor

ATTEST:

  
\_\_\_\_\_  
Jamie Gray, Town Clerk

STATE OF CALIFORNIA )  
COUNTY OF MONO )  
TOWN OF MAMMOTH LAKES)

ss.

I, JAMIE GRAY, Town Clerk of the Town of Mammoth Lakes, DO HEREBY CERTIFY under penalty of perjury that the foregoing is a true and correct copy of Resolution No. 17-52 adopted by the Town Council of the Town of Mammoth Lakes, California, at a meeting thereof held on the 21st day of June, 2017, by the following vote:

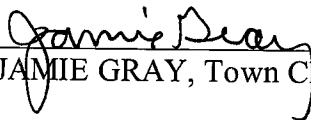
AYES: Councilmembers Fernie, Richardson, Sauser, Mayor Pro Tem Hoff,  
and Mayor Wentworth

NOES: None

ABSENT: None

ABSTAIN: None

DISQUALIFICATION: None

  
\_\_\_\_\_  
JAMIE GRAY, Town Clerk