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November 28, 2018

Danielle Brazell
General Manager
City of Los Angeles Department of Cultural Affairs
201 North Figueroa Street, Suite 1400
Los Angeles, CA 90012

Dear Ms. Brazell,

This letter is in regard to the newly passed Ordinance #185830 relating to the Porter Ranch Art Trust Fund which becomes effective December 18, 2018. The ordinance authorizes the General Manager of the Department of Cultural Affairs "to establish appropriate procedures to carry out the provisions of this chapter". With the ground breaking ceremony for the new Vineyard's shopping center in Porter Ranch behind us, building permits have been issued and paid for by the developer. Under the 2008 Development Agreement between the City of Los Angeles and the Porter Ranch Development Company, page 12, "monetary contribution for the use, purchase or display of public art in the Specific Plan Area..." and page 53 "3. **Contribution for Art** 1% of the permit value of all commercial buildings...shall be deposited in an interest bearing Porter Ranch Art Trust Account at the time of the issuance of the building permit for use in purchasing public art and/or for the capital cost and maintenance cost to display any such acquired art within the Specific Plan Area. Porter Ranch and the City shall agree that a third-party entity, to be called the *Porter Ranch Arts Council*, shall be designated within one year of the Effective Date of this Amended Agreement to administer such account. Compliance with this Section of the Amended Agreement by Porter Ranch shall be deemed to satisfy City Ordinance Nos. 166,724 and 166,725, effective April 18, 1991, requiring contribution to the arts as a condition of the development and/or the issuance of building permits."

The Porter Ranch Neighborhood Council (PRNC) has been inquiring about the formation of the Porter Ranch Arts Council, submitted a community impact statement as well as a letter from the board, and given comment at various hearings dating back to the City Planning meeting in August 2016. In December 2017, Councilman Mitchell Englander put forth a

motion (CF 15-0104-S4) to create the Porter Ranch Art Trust Fund resulting in new Ordinance No. 185830, which will become effective December 18, 2018.

The PRNC believes that effective April 18, 1991, the City of Los Angeles and the Developer are required to provide the above public benefit to the "Porter Ranch Community" under this binding development agreement.

The PRNC kindly requests the following:

1. That the 1% contribution to the interest bearing Porter Ranch Art Trust Fund includes any and all commercial development permits issued **after April 18, 1991** within the specific plan area.
2. Formation of the Porter Ranch Arts Council must also take place and should include at least one Porter Ranch Neighborhood Council board member and at least one community stakeholder seat for the PRNC board to appoint.

The PRNC Land Use committee is aware that subsequent to the April 18, 1991 ordinance effective date, **building permits for commercial developments in the specific plan area have already been issued, despite the development agreement "requiring contribution to the arts as a condition of development and/or the issuance of building permits."** Therefore, the permits issued for the Porter Ranch Town Center, Facey Medical Center and the Vineyard's commercial development as well as the Kaiser Building on Rinaldi and Porter Ranch Drive should all have 1% of the permit value deposited into the interest bearing Porter Ranch Art Trust Fund account.

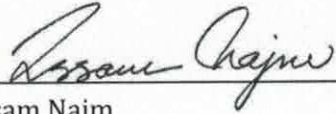
The PRNC Land Use committee has exhaustively researched this issue with various city departments, including the Council File CF 98-0991 Porter Ranch Arts Council which we were told the file is missing at the City Attorney's office and is not in the city archives. Despite the passage of CF 98-0991, we could not find any evidence the Porter Ranch Arts Council was ever formed or fund created. The PRNC, on behalf of the community, would like to see this public benefit materialize and have shown interest and involvement throughout the process.

Bringing Art to Porter Ranch is an important goal of the neighborhood council and will provide character, enjoyment, and greatly enhance the aesthetics of our community. We see tremendous opportunities for art installations at our shopping centers, utility boxes, City parks as well as our local Porter Ranch schools. Developing appreciation for the arts among our youth is also an important goal and will also be a great opportunity to bring our community together through music, drama, and the art.

Porter Ranch Neighborhood Council

We look forward to receiving your response and engaging with your department on this very important effort.

Sincerely,
Porter Ranch Neighborhood Council



Issam Najm
President



David Balen
Chair, Land Use Committee

cc: Eric Garcetti, Mayor of Los Angeles
Kimberly Miera, Deputy City Attorney
Ron Galperin, City Controller
Councilmember Mitchell Englander
Los Angeles Department of Building and Safety--Finance Department (LADBS)
John Love, Vice President of Shapell Liberty Investment Properties
Mary Melvin, Principal at Porter Ranch Community School

Encl.: Pg. 12 & 53 of the Development Agreement between the City and Porter Ranch
Development Company
Ordinance No. 185830

This Amended Agreement confirms the benefits provided for in the Specific Plan as set forth in Sections V.A and V.B herein, and additional public benefits not required in the Specific Plan, as follows:

A. **Mason Avenue AtGrade Crossing.** Accelerated funding for the Mason Avenue AtGrade Crossing Improvement Project with respect to the existing Southern Pacific rightofway;

B. **Extension Of Mason Avenue.** Early extension of Mason Avenue from Rinaldi Street to Corbin Avenue;

C. **Extension of Rinaldi Street.** Early extension of Rinaldi Street from its existing terminus to Mason Avenue;

D. **ATSAC/ATCS System.** Accelerated funding for the operation of an Automated Traffic Surveillance and Control/Adaptive Traffic Control System (ATSAC/ATCS) as set forth in the List of Transportation Improvements in Appendix "B" to the Specific Plan;

E. **Transportation Management Association.** Funding for an areawide Transportation Management Association ("TMA") for the Chatsworth, Northridge and Granada Hills communities not otherwise required by the Specific Plan;

F. **Fourteen (14)Acre Park.** Early development of a fourteen (14)acre park site adjacent to the Specific Plan Area not otherwise required by the Specific Plan upon subsequent acquisition by the City;

G. **Public Art.** Monetary contribution for the use, purchase or display of public art in the Specific Plan Area not otherwise required by the Specific Plan;

H. **Underground Power Lines.** Undergrounding of the existing power transmission line and related facilities;

I. **School Sites.** Reservation of a seven (7) acre school site and a fifteen (15) acre school site per the terms and conditions of the 1991 School Agreement, or the

payment of a fee in lieu thereof, in connection with the construction or development of dwelling units within the Specific Plan area.

3. **Contribution For Art.** One percent (1%) of the permit value of all commercial buildings built within Subareas I, II, and III, shall be deposited in an interestbearing Porter Ranch Art Trust Account at the time of issuance of the building permit for use in purchasing public art and/or for the capital cost and maintenance cost to display any such acquired art within the Specific Plan Area. Porter Ranch and the City shall agree that a thirdparty entity, to be called the Porter Ranch Arts Council, shall be designated within one year of the Effective Date of this Amended Agreement to administer such account. Compliance with this Section of the Amended Agreement by Porter Ranch shall be deemed to satisfy City Ordinance Nos. 166,724 and 166,725, effective April 18, 1991, requiring contribution to the arts as a condition of development and/or the issuance of building permits.

4. **Undergrounding Of Existing Utilities.** Porter Ranch shall concurrently with the development authorized in Specific Plan Subareas A, B, F and G1 and G2, underground, to the reasonable satisfaction of the City, the existing power line known as the NewhallSan Fernando 66Kv transmission line and related facilities.

5. **Elementary And Junior High School Sites — New School Site.** Porter Ranch and the School District have agreed to certain obligations with respect to benefits to schools as set forth in the 1991 School Agreement between Porter Ranch and the School District that is attached as Exhibit "F" and incorporated herein by this reference. Following the Effective Date of this Amended Agreement, the 1991 School Agreement shall continue to apply unless an Amended School Agreement is thereafter entered into between Porter Ranch and the School District and recorded as provided herein by the parties thereto, which contains provisions for the conveyance of the New School Site by Porter Ranch to the School District in lieu of the elementary and junior high school sites referenced in the 1991 School Agreement, and such Amended School Agreement is consistent with the terms of both this Amended Agreement and the Specific Plan, as amended. If an Amended School Agreement is entered into by Porter

ORDINANCE NO. 185830

An ordinance adding Chapter 182 to Division 5 of the Los Angeles Administrative Code to establish the Porter Ranch Art Trust Fund.

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

Section 1. Chapter 182 is added to Division 5 of the Los Angeles Administrative Code to read as follows:

CHAPTER 182

PORTER RANCH ART TRUST FUND

Sec. 5.588. Creation and Administration of the Fund.

(a) There is hereby created and established within the Treasury of the City of Los Angeles a special fund to be known as the "**Porter Ranch Art Trust Fund**," hereinafter referred to in this chapter as the "**Fund**."

(b) All monies received by the Department of Building and Safety pursuant to Section 5.346 of the Los Angeles Administrative Code for developments located within the Porter Ranch Land Use Specific Plan, as defined by Ordinance No. 166,068, shall be placed in this Fund. All monies received shall be deposited, invested, accounted for, and expended consistent with Government Code Section 66006. All interest and earnings of the Fund shall accrue to the Fund.

(c) Once each fiscal year, the City Council shall make findings with respect to any portion of the fee remaining unexpended or uncommitted in this Fund five or more years after deposit of the fee. These findings shall identify the purpose to which the fee is to be put and to demonstrate a reasonable relationship between the fee and the purpose for which the fee was charged.

(d) The Department of Cultural Affairs shall be responsible for maintaining the records relating to the Fund.

(e) The General Manager of the Department of Cultural Affairs is authorized to establish appropriate procedures to carry out the provisions of this chapter.

(f) No appropriation or expenditure may be made from this Fund without the prior approval of the General Manager of the Department of Cultural Affairs or a duly authorized representative.

(g) Expenditures from the Fund shall be in accordance with Section 91.107.4.6.6 of the Los Angeles Municipal Code.

(h) Refunds of monies within the Fund shall be made in accordance with Section 5.346.1 of the Los Angeles Administrative Code.

Holly Tom Walker

E. G. H.

11/06/2018

11/07/2018

Ordinance Effective Date: 12/18/2018
Council File No.: 15-0104-S4

DECLARATION OF POSTING ORDINANCE

I, Ottavia Smith state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 185830 - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on 11/06/2018, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, I conspicuously posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records beginning on 11/08/2018 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.



Deputy Clerk

Date: 11/08/2018

Ordinance Effective Date: 12/18/2018

Council File No.: 15-0104-S4