

CITY OF YUBA CITY
STAFF REPORT

Date: October 23, 2007
To: Honorable Mayor & Members of the City Council
From: Administration
Presentation By: Steven R. Jepsen, City Manager

Summary

Subject: Performing Arts Component of the Sutter Theater
Recommendation: Discussion and direction to staff.

Introduction

The Sutter Theater Performing Arts Facility Group has forwarded their plans for the operation of a combination Movie Theater and Performing Arts Center at the historic Sutter Theater in downtown Yuba City. Previous consideration of this Facility was pending formation of a non-profit (401C-3) umbrella group and the formalization of plans for a movie theater operator. The non-profit, "Sutter Performing Arts Association," has been formed and negotiations with the movie theater operator are near completion.

The non-profit association is requesting City assistance with the Performing Arts portion of the facility, including required studies and support for facility construction costs through the City Redevelopment Agency.

Purpose

The purpose of the workshop is to gain an understanding of the operational and facility plans for the Sutter Theater and to discuss Yuba City and the Redevelopment Agency's ability and/or desire to provide assistance to this proposed project.

Analysis

The City Council/Redevelopment Agency should discuss the need for support to local cultural arts and performing arts in particular in consideration of this request. The conversion of a portion of the Sutter Theater to a Performing Arts Facility will require additional studies and assurance the Facility will meet public assembly requirements for any future RDA funding.

The Facility supporters and non-profit board members, Russ Clark and John Tuscano, will be present to provide information on economic proforma and building conceptual plans.

The City's prior discussions with the promoters of the Sutter Theater Performing Arts Facility outlined a proposed MOU (attached) in March of this year. To date, many of the organizational issues have been addressed by the non-profit formation.

Specific areas to be discussed include, but are not limited to:

1. Projection of Facility cost and economic proforma for the project. Estimate of financial assistance required.
2. Special facilities studies must address:
 - Historical preservation
 - Structural/Seismic evaluation
 - HVAC
 - ADA Access
 - Facility design

Recommendation:

Discussion of options and priorities, and direction to staff.

Submitted By:

Steven R. Jepsen
City Manager

March 2007

Memorandum of Understanding Between the City of Yuba City and the Sutter Theater Conservancy

Purpose

The purpose of this memorandum of understanding is to mutually work towards the development of the Sutter Theater into a regional Performing Arts Facility. This will require the cooperation of the City and other regional partners for the arts to provide for necessary capital and ongoing operational funding necessary to support the Theater. In addition, it is important as we move forward that we consider the ongoing economic viability of the project, including; the operation and maintenance cost of the facility, and the ongoing cost to sustain a Theater Company.

Action Plan

The following list of action items will be reviewed in establishing the requirements necessary to develop a Performing Arts Theater renovation proposal for the Sutter Theater. This list is provided for discussion purposes only and is not necessarily all inclusive.

- 1) Organizational Umbrella Structure
 - a) Relationship to the Yuba Sutter Regional Arts Council
 - b) Non-profit status required
 - c) Relationship of umbrella structure to the city
- 2) Theater Property Ownership
 - a) City acquisition
 - b) Non-profit formation and/or acquisition
- 3) Building Transfer Requirements
 - a) Seismic sufficiency studies for public assembly building
 - b) Structural assessment
 - c) Americans with Disabilities (ADA) access assessment
 - d) Building component inspections
 - e) Historic building and marquee restoration
- 4) Proposed facility plans for performing arts conversion
 - a) Proposed conceptual plan review
 - b) Alternative plan consideration
 - c) Extra space for leasing opportunities
 - d) Cost estimates for proposed plans and alternatives

- 5) Theater Operator
 - a) Selection criteria; prior experience, financial capability, etc.
 - b) Revenue/expenditure assessment
 - c) Ancillary uses of the theater

- 6) Lease arrangement
 - a) Duration/options
 - b) Performance requirements (production numbers per year)
 - c) Maintenance and care of facility
 - d) Public access for performances
 - e) Liability and lease Termination
 - f) Capital reserves from theater revenues

- 7) Funding
 - a) Redevelopment participation/grant
 - b) Fund raising campaign (community ownership)
 - c) Property donation to the City (tax advantages)