

**City of Culver City, California
Agenda Item Report**

Meeting Date: 04/13/2015

Item Number: J-1

JOINT CITY COUNCIL AND SUCCESSOR AGENCY BOARD AGENDA ITEM: (1) Consideration of the Amount of In-Kind Assistance for and Possible City Sponsorship of “An Affair of the Arts” Events Produced by The Whole 9 Proposed for May 30-31, 2015 and September 19-20, 2015; (2) Approval of a Related License Agreement for Use of Successor Agency-Owned Property (Parcel B) for the Events.

Contact Person / Department:

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Fiscal Impact: Yes ☒ No ☐

General Fund: Yes ☒ No ☐

Public Hearing: ☐

Action Item: ☒

Attachments: ☒

Commission Action Required: Yes ☐ No ☒ Date: _____

Public Notification: (E-Mail) Meetings and Agendas – City Council (04/08/15); The Culver City Chamber of Commerce (04/08/15); the Downtown Business Association (04/08/15).

Department Approval:
Sol Blumenfeld (3/31/15)

City Attorney/ Successor Agency General
Counsel Approval:
Carol Schwab (by H. Baker) (04/07/15)

Chief Financial Officer Approval:
Jeff Muir (by M. Noller) (04/07/15)

City Manager/Executive Director Approval:
John M. Nachbar (04/08/15)

RECOMMENDATION:

Staff recommends (1) the City Council consider the amount of in-kind financial assistance for a potential City sponsorship of “An Affair of the Arts” festivals on the weekends of May 30-31, 2015 and September 19-20, 2015 in the form of waiving fees and providing staff in-kind services; and (2) the Successor Agency to the Culver City Redevelopment Agency (Successor Agency) Board approve a license agreement to use the 9300 Culver Boulevard parking lot (Parcel B) for the festivals and waive its standard rate of \$500.00 per festival.

BACKGROUND:

On March 18, 2015, staff received a request via e-mail from Lisa Shultz, founder of The Whole 9, requesting City sponsorship for two Festivals to be held on the weekends of May 30-31, 2015 and September 19-20, 2015 (attached). The Whole 9 is a downtown art gallery and arts and crafts business. The City Council and the Successor Agency Board have approved similar requests from The Whole 9 to use Parcel B to conduct prior “An Affair of the Arts Festivals” (Festival). Past Festivals have occurred on September 21-22, 2013, June 7-8, 2014 and September 20-21, 2014. The past Festivals included 60 vendor booths which sold paintings, hand-blown glass, photographs, jewelry, ceramic pottery, desserts and beverages. Past Festivals have included up to three participating food trucks.

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DISCUSSION:

City Sponsorship

The Whole 9 requests that the City become an event sponsor and the Successor Agency support the Festivals by agreeing to the following supportive actions for the May and September dates:

- Allow Affair of the Arts Street Banners to be placed throughout Downtown Culver City for 3-4 weeks prior to event. The Whole 9 shall pay for production of banners and per prior City Council direction, the cost to hang the banners.
- Waive \$500 rental fee of Parcel B (Successor Agency Board action.)
- Waive \$170 event permit fee.
- Waive \$175 (estimated) refuse collection costs (deliver empty trash cans concurrent with the event set-up and pick-up of full trash cans after the conclusion of the event.)
- Waive \$417 (estimated) cost for City electrician to provide electrical hookup, and disconnection to event facilities.
- Waive \$144 (estimated) street banner permit to hang banners from light poles in downtown
- Waive \$450 per day fee and allow participating artists to park their vehicles on the former Washington Boulevard right-of-way adjacent to Parcel B.

The Whole 9 proposes to limit future participating food trucks to two in number, each of which will provide beverage and light food service only.

In return for City sponsorship, The Whole 9 is offering the following services, which it values at approximately \$10,000.00:

- Include Culver City in the name of the event.
- Incorporate Culver City's logo into Affair of the Arts logo.
- Include Culver City's logo in digital and social media.
- Include Culver City's logo in print and other collateral where other sponsors are recognized.

The Downtown Business Association has considered the events proposed by The Whole 9 and its position is stated below:

"The DBA believes that Affair of the Arts is a well-attended event that can be a benefit to Downtown Culver City businesses in that it can bring more people to experience what downtown Culver City has to offer. The DBA has a policy, however, of not supporting or promoting events that host food trucks in direct competition with our many restaurant members. Events with full-service food trucks provide no benefit to the restaurants that are the economic heart of downtown Culver City."

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The DBA has agreed to support the upcoming Affair of the Arts events despite reservations about the negative impact that its food trucks might have on existing, licensed restaurants in the downtown area because Affair of the Arts acknowledges these concerns and has agreed to restrict its food vendors accordingly. In keeping with its desire to support Downtown Culver City businesses and restaurants, Affair of the Arts has agreed that it will host no more than two food trucks during its event which will offer beverages, snacks, and light food. Competing or full-service food trucks will not be permitted, in keeping with DBA policy. For these reasons, the DBA is delighted to be able to support the upcoming Affair of the Arts and will promote the event via its newsletter and social media."

To be categorized as a "sponsored" event by the City, an event must comply with Culver City Municipal Code (CCMC) Section 17.330.040.B.7.b.ii which requires determination that the City is (a) participating in an official capacity in the planning, preparation or promotion of the event or activity; and (b) contributing 25% of the total estimated costs of the civic event or activity or at least \$1,000, whichever is less. This contribution may take the form of funds, labor, staff time, materials, a waiver of fees, or any combination thereof. The CCMC requires both (a) AND (b) conditions be satisfied. Additionally, City Council Policy requires that in order for an event to be considered sponsored, the City Council must determine, by specific action, that the above criteria have been met.

License Agreement for Use of Parcel B

Staff recommends the Successor Agency Board approve a license agreement with The Whole 9 for use of Parcel B for each of the festival events and waive the \$500 license fee.

FISCAL ANALYSIS:

If approved as requested, for each two-day event, the Successor Agency will waive its standard \$500 rental fee for use of Parcel B, and the City will waive \$1,806 in total fees for each Festival.

Dedication of in-kind staff time to the events would mean a reduced availability of staff time for other City efforts but would otherwise not cause an impact to the General Fund.

ATTACHMENT:

1. Request from The Whole 9

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MOTIONS:

That the City Council:

1. Determine what level of in-kind financial assistance to provide for the An Affair of the Arts events; and,
2. (In the case such in-kind financial assistance is determined to be at least \$1,000) Determine the criteria established for City sponsorship outlined in CCMC 17.330.040.B.7 have been met and designate the “An Affair of the Arts” events as City-sponsored events.

That the Successor Agency Board:

1. Approve a license agreement for use of the 9300 Culver Boulevard parking lot for the “An Affair of the Arts” festivals on May 30-31, 2015 and September 19-20, 2015, and waive the standard rental rate of \$500 per event; and,
2. Authorize the Successor Agency General Counsel to review/prepare the necessary documents; and,
3. Authorize the Executive Director to execute such documents on behalf of the Successor Agency.