

MEETING DATE: February 17, 2008

AGENDA ITEM: 1) Consideration of a Fee Waiver Request by the Culver City Chamber of Commerce for the “Business E Waste Roundup” Event; 2) Designation of the Business E Waste Roundup as a City-Sponsored or Redevelopment Agency- Sponsored Event; and 3) Determination of the Level of Redevelopment Agency Support for the Event.

ATTACHMENTS

	<u>Pages</u>
1. City Council Policy Statement 2008-01.	1-7
2. Excerpt from City Council Minutes on October 6, 2008, designating the first Chamber Business E Waste Roundup as a City-Sponsored Event.	8

ATTACHMENT 1

RESOLUTION NO. 2008-R 011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, ADOPTING CITY COUNCIL POLICY STATEMENT NO. 2008-01 RELATED TO COMMUNITY ORGANIZATIONS.

WHEREAS, on February 19, 2008 at a duly noticed public meeting of the City Council, the City Council discussed a proposed policy related to Culver City Community Organizations; and

WHEREAS, the proposed policy establishes objective criteria to assist in determining (1) whether a Community Organization or Community Event is considered "City Sponsored" for determination of rental rates at the Veterans Memorial Complex and/or other purposes; and (2) which Community Organizations and/or Community Events are eligible to place a banner on the City's banner poles; and

WHEREAS, the proposed policy further establishes a process for formalizing a relationship between the City and a particular Community Organization through a Memorandum of Understanding, or similar written agreement, to address the respective duties and responsibilities of the City and the Community Organization, which formalized relationship benefits the City, the Community Organization, the members of the Community Organization and the community at large.

NOW, THEREFORE, the City Council of the City of Culver City, California, DOES RESOLVE as follows:

1. The City Council hereby adopts City Council Policy Statement No. 2008-01, entitled "Community Organizations," which City Council Policy Statement is attached hereto as Exhibit "A" to this resolution and incorporated herein by this reference.

1 2. The City Manager is hereby authorized to format this policy statement in a
2 format consistent with other City Council Policy Statements and shall include the final
3 version of this City Council Policy Statement with other adopted City Council Policy
4 Statements.

5 3. The City Manager shall distribute this City Council Policy Statement to
6 interested parties, which include, but are not limited to Culver City Community
7 Organizations and City Staff.

8 4. City Council Policy Statement No. 2008- 01 shall be effective on
9 the first day after the expiration of a specific Community Organization's existing rental
10 agreement with the City, or January 1, 2009, whichever date occurs first.

11 5. In the event there is a conflict between City Council Policy Statement
12 2008-01 and any other City policies, City Council Policy Statement No. 2008- 01
13 shall control.

14 6. The City Manager is hereby directed to prepare any proposed
15 amendments to City Council Policy Statements to resolve said conflicts, if any, and to
16 present those proposed amendments to the City Council as needed for consideration.

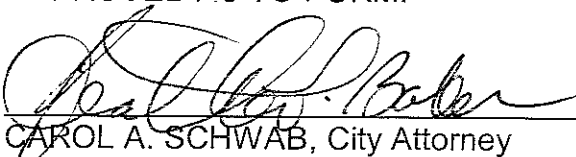
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18 APPROVED and ADOPTED this 19th day of February, 2008.

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22 ALAN CORLIN, MAYOR
23 City of Culver City, California

24 ATTEST:

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26 CHRISTOPHER ARMENTA, City Clerk

27 APPROVED AS TO FORM:

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29 CAROL A. SCHWAB, City Attorney

City Council Policy Statement No. 2008-01
Subject Matter: Community Organizations
Adopted by Resolution No. 2008-R 011

PURPOSE

The purpose of this policy is to provide objective criteria for application in determining the status of a Community Organization with respect to three areas:

- City Sponsorship
- Eligibility for use of the City's Banner Poles
- the Official Relationship between the City and the Community Organization

This Policy shall apply to all Community Organizations that are provided financial support by the City and/or the Redevelopment Agency. Additionally, this Policy shall provide additional clarification when determining if a Community Organization qualifies as "City Sponsored" for purposes of determining applicability of rental rates at the Veterans Memorial Complex and other City facilities and other purposes.

GENERAL DEFINITION OF CITY SPONSORED AND CIVIC EVENT OR ACTIVITY

"Sponsored" means that the City and/or Redevelopment Agency is (a) participating in an official capacity in the planning, preparation or promotion of the **Civic 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 of the foregoing. (this definition is taken from Culver City Municipal Code Section 17.330.040.B.7.b.ii)

"Civic event or activity" means any event or activity organized or sponsored by the City or Redevelopment Agency including, but not limited to, (a) any public program or educational activity; and (b) the commemoration or celebration of any historical date, event or person, holiday or persons or events of local, state or national significance. (this definition is taken from Culver City Municipal Code Section 17.330.040.B.7.b.i)

COMMUNITY ORGNAIZATION CATEGORIES

Category 1: Official City Committees

To be eligible for this category, the Community Organization must meet the following criteria:

- (1) All members of the Community Organization are either appointed (a) directly by the City Council or (b) by any City Council/Agency created body upon direction of the City Council; **OR**
- (2) The Community Organization's members are approved and/or ratified by the City Council/Agency.

For clarification, the City Council, Redevelopment Agency, and City Staff (in the conduct of Official City Business) are also included in Category 1.

Summary Table

City and/or Agency Sponsored?	Banner ?	Lease/MOU Needed?
Yes	Yes	No

Category 2: Cooperative Community Groups

This category includes Community Organizations that meet **all** of the following criteria:

- (1) Members are **not** appointed by the City Council or a City Council created body
- (2) The Community Organization works closely with the City Council/Staff to organize civic events and/or activities organized or sponsored by the City or Redevelopment Agency (as those terms are defined in Section 17.330.040.B.7.b of the Municipal Code – Attachment 2)
- (3) Directly receives or provides City or Agency funds (**as opposed to a waiver of fees**) approved by the City Council;
- (4) The Community Group is a legally recognizable group (for example, a corporation, a 501(c)(3) organization, etc.)
- (5) The Community Group has negotiated and executed a Memorandum of Understanding (MOU)* with the City.

Summary Table

City and/or Agency Sponsored?	Banner ?	Lease/MOU Needed?
No	Maybe**	Yes

*The terms Lease/MOU refer to any written agreement approved by both the City/Agency and the Organization.

**Subject to the terms of the MOU and compliance with CCMC Section 17.330.040.

Category 3: City Sponsored Events

This category is for **events** which are produced by City Organizations that are not Official City Committees (Category 1) or Cooperative Community Groups (Category 2). To be considered a City Sponsored Event, the event must:

- (1) be a civic event or activity organized or sponsored by the City or Redevelopment Agency (CCMC Section 17.330.040.B.7.a); **and**,
- (2) To determine whether the civic event or activity is "sponsored" by the City or Redevelopment Agency, the following criteria must be met: The City and/or Redevelopment Agency is (a) participating in an **official capacity** in the planning, preparation, or promotion of the event or activity; **and** (b) contributes 25% of the total estimated cost of the event or activity or at least \$1,000, whichever is less. (Note: this contribution may take the form of funds, labor, staff time, materials, a waiver of fees, or any combination of the foregoing); **and**,
- (3) By specific action, the City Council has determined that the above criteria have been met

Summary Table

City and/or Agency Sponsored?	Banner ?	Lease/MOU Needed?
Yes	Yes	No*

Category 4: City Facility Lessees

These are Community Organizations which are parties to a lease agreement with the City and/or the Redevelopment Agency. The lease agreement is subject to the legal review and approval of the City Attorney's Office and approval by the City Council.

The lease agreements embody the responsibilities of both the City/Agency and the lessee (Community Organization). Additionally, leases can only be executed between the City/Agency and a legally recognizable group.

Summary Table

City and/or Agency Sponsored?	Banner ?	Lease/MOU Needed?
No	No	Yes

Category 5: Volunteer Organizations and Individuals

No specific privileges are granted to volunteer organizations or individuals, in general. However, Volunteer Organizations may request the City Council enter into a MOU or similar agreement which would require the City Council's approval (so long as the Volunteer Organization is a Legally Recognized Entity).

Summary Table

City and/or Agency Sponsored?	Banner ?	Lease/MOU Needed?
No	No	Maybe

Category 6: Other Organizations

This category captures those Community Organizations which do not qualify for the other 5 categories. Community Organizations which petition the City for benefits are required to enter into either a lease agreement (in which case they would qualify for Category 4) or enter into an MOU with the City. Additionally, the number of Organizations which qualify for Category 6 should be small in number.

Summary Table

City and/or Agency Sponsored?	Banner ?	Lease/MOU Needed?
No	No	Maybe

LEGALLY RECOGNIZED STATUS

Community Organizations who wish to receive support from the City shall be organized in a legally recognizable way. Following are several examples of a legally recognized entity:

- Corporation
- Partnership (including limited partnership)
- Charitable Organization 501(c)(3) or equivalent
- Sole Proprietorship

The City Attorney's Office may determine other legally recognizable entities which would be eligible to enter into agreements with the City.

FISCAL REPORTING

Because of the importance of carefully monitoring of the use of the public's money, staff is directed to include in all MOUs with Community Organizations a requirement to report at least semi-annually to the City Council on the financial activities of the Organization. This provides the Organization with an opportunity to inform the City Council of its activities over the last six-month period and provides the City Council with an opportunity to ask questions of the Organization.

IMPLEMENTATION DATE

This policy shall become effective: The first day after the expiration of a specific Community Organization's existing rental agreement with the City, or January 1, 2009, whichever date occurs first.

ATTACHMENT 2

Excerpt from
ADJOURNED REGULAR MEETING OF THE
CITY COUNCIL, CITY OF CULVER CITY, CALIFORNIA

October 6, 2008

Joint Items

Item J-1

1) Consideration of a Fee Waiver Request by the Culver City Chamber of Commerce for the "Business E-Waste Roundup" Event; 2) Designation of the Business E-Waste Roundup as a City-Sponsored or Redevelopment Agency-Sponsored Event; and 3) Determination of the Level of Redevelopment Agency Support for the Event

Staff presented a summary of the material of record.

Councilmember O'Leary commented on the duplication of paper used for joint items and asked that the issue be addressed.

Mayor Malsin moved to adopt the staff recommendation. Councilmember O'Leary seconded the motion and the discussion continued.

Councilmember Armenta received clarification that there were no charges to businesses, and residents were welcome to drop off materials as well.

Councilmember Silbiger questioned whether the Chamber of Commerce would receive any money.

Steven Rose, Culver City Chamber of Commerce, clarified that the Chamber was spending money on the banners and to advertise the event, with a request for waiver of the permit fee to hang the banners and for the 10 hours of staff time for installation.

Following discussion, the following motion was made:

MOVED BY MAYOR MAL SIN, SECONDED BY COUNCILMEMBER O'LEARY, AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1.A. APPROVE THE FEE WAIVER REQUEST MADE BY THE CHAMBER OF COMMERCE FOR THE "BUSINESS E-WASTE ROUNDUP" AND DETERMINE THE AMOUNT TO BE \$1,067.00; AND

2.A. DETERMINE THE CRITERIA OF THE CITY COUNCIL POLICY STATEMENT 2008-01 HAVE BEEN MET AND DESIGNATE THE "BUSINESS E-WASTE ROUNDUP" AS A CITY-SPONSORED EVENT.