REGULAR MEETING, October 12, 2004
CULTURAL AFFAIRS COMMISSION

PRESIDING: CHAIR ALICIA MILLIKAN

Call to Order 7:03 p.m. The Chair called the meeting to order at 7:03 p.m.

Roll Call Present: Julie Lugo Cerra; Susan Deen; Luther L. Henderson, III; Ronnie Jayne; and, Alicia Millikan.

Pledge of Allegiance Gayle Smashey led the Pledge of Allegiance to the Flag of the United States.

Staff Present Christine Byers, Public Art & Historic Preservation Coordinator; Linda Simmons, Event Supervisor; Susan Evans, Community Development Director, and Joseph Pannone from the City Attorney's office.

Agenda Posting It was moved by Commissioner Henderson, seconded by Commissioner Deen and unanimously carried, to receive and file the Secretary's Report regarding the agenda posting for this meeting.

Approval of Minutes It was moved by Vice Chair Cerra, seconded by Commissioner Deen and unanimously carried, to approve the minutes as amended of the Regular Meeting of September 14, 2004.

ꟾ

Item #6A 7:08 p.m.

Consideration of Agenda Items for Discussion at the Joint Council/ Cultural Affairs Commission Meeting on December 13, 2004:

Ms. Evans indicated staff is recommending three possible items for discussion with Council: 1) formation of the 501(c)(3); 2) the CAC's change in policies; and, 3) some of the new programs which are anticipated for funding.

Commissioner Deen queried if one of the policy items might be the appointment of a Blue Ribbon Panel for the performing arts grants and whether that should go forward to Council or can be done at the Commission's discretion.

Ms. Evans agreed that this is something that should be discussed since Council has reached a consensus on developing the panel but not on the process.

Vice Chair Cerra suggested making a short presentation on how the CAC operates and arrives at its decisions.

Commissioner Henderson opined it is certainly in the purview of the CAC to select the panelists since Commissioners have been selected for their expertise in performing and public art, cultural affairs, et cetera, which makes them the most appropriate body to select a panel comprised of people learned in the field of contemporary theater and dance. He indicated, since performing arts grants will be awarded yearly, it is imperative to have a process that is equitable to all applicants, saying the individual panelists must have no conflicts of interest. He suggested the selection of a panelist with regional renown could give increased stature to the process.

Chair Millikan agreed that peer panels are definitely the best practice, saying the City and County of Los Angeles as well as the State of California and the NEA all utilize them. She noted panelists should be qualified professionals in the field who are not eligible or applying for grants within the municipality and hopefully have some familiarity with the applicants' backgrounds in terms of knowing their work.

Commissioner Jayne suggested it would be appropriate to discuss who should select the panel with the City Council.

Commissioner Deen recommended agendizing the matter for a full discussion at the November CAC meeting and including pertinent information from that meeting in Council's packet for the joint meeting in December.

Commissioner Henderson requested examples of the selection processes of the City of Los Angeles and Los Angeles County be provided at the November meeting.

Ms. Byers noted that since final approval of the 2005 performing arts grant recipients will be presented at the joint CAC/Council meeting, the November CAC meeting would be a great opportunity to discuss how the process worked this year, how it might be improved for the future, and view examples of best practices from other programs.

Commissioner Deen advised bringing to the attention of Council the fact that Blue Ribbon Panels are not only limited to the arts but are commonly utilized to review grant applications in various fields and disciplines.

Ms. Evans indicated the creation of several other advisory panels is anticipated for areas such as public art and architecture as art to name a few, saying this will assist with perfecting the process as it moves forward.

Chair Millikan remarked, as the grant process moves forward, she envisions that eventually there will be enough applications submitted that they can be separated into categories from music to visual art to other types of performances.

Item #7A
7:24 p.m.

Consideration of the Development of a 501(c)(3) Entity to Support Cultural Affairs Initiatives and Programs.

Chair Millikan recognized Charles Deen.

Mr. Deen offered his assistance as a resource in the event questions should arise.

Ms. Evans made a brief presentation and advised that staff is proposing to take Commissioners' comments on very broad categories rather than a line-by-line discussion of the Bylaws and Articles of Incorporation. She continued by stating that staff will take these comments to the subcommittee and perform additional work, i.e. interviewing other communities and existing foundations, and present that information to the entire Commission in a workshop setting where everyone will then be better prepared to address the documents in a more thorough fashion.

Ms. Evans advised that staff's recommendation has changed, noting that it would be premature to forward the documents to Council before they are more thoroughly discussed by the CAC at a workshop to be scheduled.

Commissioner Deen indicated she is definitely in favor of the 501(c)(3), noting her firm has helped several clients incorporate and become non-profit entities over the past few years. She presented documents to the Commissioners detailing what steps need to be taken to form a 501(c)(3) and noted there are basically two available options: 1) to follow the nine steps outlined and pay the related fees to form a new foundation; or, 2) take over an existing inactive/dormant 501(c)(3). She advised that the second option is less expensive and takes comparatively very little time. She reported she currently knows of an inactive 501(c)(3) that is inactive and possibly available.

Chair Millikan indicated she believes she still has access to a 501 (c)(3) she formed years ago.

Vice Chair Cerra indicated she would prefer to start a new 501(c)(3) and suggested exploring pro bono work to alleviate some of the cost.

Ms. Evans advised funds have been allocated to pay for any associated fees.

Commissioner Henderson supported the idea of starting a new entity, saying the CAC should initiate a new 501(c)(3) to ensure it reflects the values and goals of the Culver City Cultural Affairs Commission. He remarked there are a number of attorneys, CPAs, and other city residents interested in the arts that are likely to lend their support to the entity's formation, thereby providing an opportunity to get more of the community involved.

Commissioner Deen disagreed with forming a new entity, opining it is unnecessary to spend the extra time, effort, and money when something is available that has already been approved and can easily be adapted. She advised once the Articles of Incorporation have been amended, they will states exactly what the CAC wishes.

Commissioner Henderson stated that those points were well taken and requested that the subcommittee and staff investigate other Cities that have formed foundations to identify whether or not they took over existing non-profit entities.

Ms. Evans recommended this discussion be brought to the workshop after staff has done some background work and reviewed the specific bylaws of the existing 501(c)(3)s referenced.

Ms. Evans directed the discussion to the next category for comments which related to the basic structure of the foundation, the number of board members, number of meetings per year, cause for dismissal, and percentage of donations allocated for administrative costs.

Commissioner Deen suggested seven as a viable odd number of members to easily ensure a quorum; a minimum of two meetings a year with the ability to call more as necessary.

Commissioner Henderson inquired if the name Culver City Community Cultural Foundation has been reserved.

Ms. Evans informed the Commission that that name has not as yet been reserved.

Commissioner Deen advised that it is premature to reserve a name at this time, saying the reservation is only valid for 30 days and there is still much discussion and work to be done. She indicated it is highly unlikely that there will be a problem with a name reservation, particularly if Culver City is going to be in the title.

Commissioner Henderson indicated in Article 3 the term "cultural programming services" is used and queried if that definition incorporates visual and performing arts in addition to music, dance, and theater or if it should be more specific.

Ms. Evans explained staff believes the term serves as a broad umbrella, saying this best suits the purpose as some activity, that has yet to be considered, might otherwise be excluded.

Commissioner Henderson concurred with seven as an appropriate number of board members; a minimum of two meetings per year; and cause for dismissal he recommended discussing at the workshop. He inquired if 12 percent is the standard allocation for administrative costs.

Ms. Evans explained the figure was chosen after reviewing the ratios applied to different grant categories, saying it was simply a middle number within the range observed in other federal grants.

Commissioner Deen noted that this item is in the Bylaws rather than the Articles of Incorporation and can be amended at any time by the board of directors.

Vice Chair Cerra requested clarification of whether the foundation is being established as being run by a board of directors rather than anticipating public participation. She remarked that the Education Foundation was established in Culver City to assist the school district when funding was cut, saying their primary goal is acting as a conduit for funds on a number of different levels She inquired if it is anticipated that this foundation will also act on various levels by funding other things the City is doing.

Ms. Evans explained there is a requirement to have a board and the discussion is merely to address the composition of that board.

Vice Chair Cerra inquired if membership is foreseen.

Ms. Evans answered it has not been anticipated but that is certainly part of what needs to be developed as the process moves forward.

Vice Chair Cerra stated the number of board members should be fairly high; two meetings a year with additional meetings to be called as needed; cause for dismissal and percentage of donations she agreed should be discussed further.

Chair Millikan remarked that the creation of this entity was developed as a mechanism to become more competitive in the grant-seeking process, thereby providing support for projects the CAC is trying to achieve. She indicated coordination between the CAC and the foundation would very much involve the public.

Commissioner Deen noted that she views this entity's relationship to Cultural Affairs as very similar to what exists between the Education Foundation and the school district as far as supporting programs and providing funding opportunities and inquired if the Education Foundation is a membership organization.

Vice Chair Cerra replied that there are different levels of membership similar to those of the Historical Society, noting that grants can be received from organizations, donations from individuals and organizations, and perform fundraising on a local or higher level. She stated this definitely needs further discussion, but she believes it is important to involve the community on some level.

Ms. Evans continued with the next topic for comment: the relationship with City government, saying there are basically two models: 1) The entity will have ties to the City in its formative stages which will allow use of City resources; however, over time, the entity could become independent with its own staff and resources. 2) The entity will be completely independent and separate from the City from its inception; it will also be separate from the CAC and City resources since the Commission is a resource and branch of the City.

Commissioner Jayne noted an organization that is an integral part of local government does not qualify for an exemption and inquired if the first model is actually legal.

Mr. Pannone responded by stating that the model as described in the Articles and Bylaws would be legal because it is a separate entity from the City, illustrating as an example the Redevelopment Agency which is a separate legal body from the City Council despite being composed of the same five individuals.

Commissioner Jayne, understanding the Redevelopment Agency is a separate entity, stated it is an integral part of government and queried if it would qualify for a 501(c)(3), noting that the Education Foundation has a symbiotic relationship with the school district and cooperates with the school board but is not controlled by it.

Mr. Pannone further explained that if the board of the cultural foundation became a rubber stamp for everything Council directed, someone could argue that it is integral to City government but the foundation is not structured to serve in this way and so would meet the legal requirements for a 501(c)(3).

Vice Chair Cerra opined that the entity should be separate from the City.

Commissioner Deen agreed the foundation should be separate, saying a close connection to City government might cause unnecessary problems. She preferred a model where the board is selected from members of the community interested in serving; that runs parallel similar to the Education Foundation and that does not exclude a member of the CAC from sitting on the board if they so choose. She mentioned the Parks and Service Foundation which runs parallel to the Parks Department and Parks Commission as another nonprofit that has existed for quite some time and is board driven rather than member driven.

Vice Chair Cerra suggested it might be helpful to examine the Parks and Services Foundation's structure as well as other similar organizations.

Commissioner Henderson recommended speaking to the Chancellor's Office of the California Community Colleges about a serious situation that occurred within their foundation where they found themselves at loggerheads with the board of governors. He indicated he would prefer the first model provided based on information available to him.

Commissioner Jayne expressed concern about funds being diverted to government expenses, saying she would prefer to keep the entity separate from the City. She mentioned there is no mention in the current Bylaws of the CAC's role with the foundation, saying that needs to be addressed.

Chair Millikan indicated she has given this matter a tremendous amount of thought and has concluded it needs to be a separate entity not connected to City government. She stated this would provide an opportunity to find out if the foundation can take flight on its own which she believes it will. She noted it will be difficult in the beginning but it could be hugely successful in the long run. She added she believes there are many people with the expertise to sit on this board and make it possible for the CAC to bring some of its ideas and programs to fruition.

Commissioner Henderson urged consideration of the foundation model from the California Community Colleges, saying there needs to be concerted team effort because there could be a very big problem if a totally independent entity called the Culver City Community Cultural Foundation starts taking action on things diametrically opposed to what the City government and the Redevelopment Agency are implementing.

Commissioner Jayne, in response to the Chair's concern about the possible redirection of funds, said she envisions a structure similar to the relationship between the Education Foundation and the school board being set up in this instance where there is an understanding and responsiveness to the goals of each. She indicated it is in the City's best interest to support new programs and help existing ones which will promote a foundation with more citizen involvement and a better community spirit and quality of life for the residents of Culver City.

ꙮ

Item #8 **Information Items**
8:34 p.m.

A. Update on 2005 Performing Arts Grants

Ms. Linda Simmons, the new Events Supervisor, indicated the deadline for submission was 5:00 p.m. on October 12th; a preliminary count indicated that 20 proposals had been received. She noted that a checklist will be devised for judging the proposals and the review panel will meet October 21st from 10:00 a.m. to 3:00 p.m. to make their recommendations which will be brought to the CAC at the November meeting.

B. Update on The Art of ... Speaker Series

Ms. Simmons noted *The Art of Communication* was presented in September by Alex Chadwick of NPR and was well received by an audience of approximately 100. The next event in the series will be *The Art of Real Estate* on October 21st at 7:00 p.m. at the Ivy Substation with Wally Marks and Jeff Lee presenting, and Todd Tipton as emcee.

C. Update on the Art Fund Report

Ms. Byers indicated there was nothing significant to report but was hopeful to have more information next month after meeting with accounting staff.

ഌ

Item #9 **Commissioners' Comments.**
8:38 p.m.

Commissioner Henderson expressed gratitude for the opportunity to be involved in the formation of the 501(c)(3), saying it is a legacy that will be left for future generations of Culver City residents. He commented on the events at the Kirk Douglas Theatre over the weekend and noted he is very proud that Culver City now has a world-class theater, noting there was a full-page article in the *Los Angeles Times* recently about events in Culver City. He indicated he has received many comments that Culver City is improving and moving in the right direction.

Commissioner Deen echoed those comments and sentiments, saying, that as someone who has lived in Culver City her entire life and grew up viewing films at the Culver Theater, she could not recall a time when the theater looked so wonderful both on the interior and exterior. She remarked that she, too, has been hearing comments from clients coming into town marveling at the wonderful changes taking place in the city.

Commissioner Jayne said she is very excited about the 501(c)(3) and the dawning of a great opportunity, noting she feels privileged to be participating.

Vice Chair Cerra indicated that on a recent walking tour she noticed a beautiful plaque on the front of one of the Spanish style bungalows on Lafayette Place and encouraged staff to continue the good work. She pointed out that the walking tours have been very well received and are creating good publicity.

Ms. Byers stated that staff is working on getting the remainder of the plaques up very soon, adding many of the other residents in the Lafayette Place complex have come forward and requested plaques on their houses as well. Ms. Byers explained that originally, staff decided to placed plaques only on the end units but due to the residents' enthusiasm, each unit will receive a plaque.

Vice Chair Cerra commented that she recently noticed a number of homeless people gathered in front of the Ivy Substation, saying this is probably not an optimal first impression for people coming to attend *The Art of ...* Speaker Series at that venue.

Ms. Evans explained that the Redevelopment staff, specifically Linda Simmons and Elaine Gerety, have been working with the homeless individuals who have been congregating at Media Park and the City's Housing Division about viable alternatives.

Chair Millikan inquired if the muffler shop on Washington Boulevard is the next structure scheduled to receive a plaque and if the $15,000 for historic preservation brochures had been approved.

Ms. Byers reported the muffler shop will be included in the next round of plaques, saying the plaque will be similar to the one for the Culver Theater.

Ms. Evans indicated the budget request for the brochures was not granted this year.

Chair Millikan congratulated the entire team who worked on the event at the Kirk Douglas Theatre on Saturday morning, saying it was really quite beautiful and she was extremely proud. She acknowledged Ms. Gerety's efforts and attention to the most minute details which showcased the professionalism of staff and reflected well on the CAC.

Chair Millikan echoed concern for the homeless issue in Media Park, saying she is very protective of staff and worries they might be giving their time to something that is not necessarily under their purview.

Ms. Evans explained one of the original and primary jobs of the Event Supervisor was and still is the Ivy Substation, saying it would be nearly impossible for a member of staff to be in that park and not assume a level of responsibility toward those persons and the situation. She indicated that position is really a part of the CDD team, noting they have easy access to services and connections and are attempting to implement solutions.

Commissioner Henderson requested an update on the status of the RFP for the Ivy Substation and the lion fountain in Town Plaza.

Ms. Byers informed the Commission that the only update on the lion fountain is that a bid would be going out for completion of the fountain. As an aside, she mentioned the installation of the artwork on the traffic and utility boxes is scheduled to begin

Thursday morning and should be completed by the middle to end of the following week.

Ms. Simmons responded by stating that the RFP for the Ivy Substation should be available for review at the November CAC meeting.

Commissioner Deen inquired when the artists will be submitting their models for the Harry Culver sculpture.

Ms. Byers replied the due date is November 22nd, indicating a couple weeks ago she did a walk through of downtown with the artists and provided them with additional information and images of Harry Culver, saying they were all very enthusiastic about this project.

ᘓ

Item #10
8:55 p.m.

Announcements.

Chair Millikan recognized Mim Shapiro.

Ms. Shapiro said she, too, is very excited about the progress being made in the city and especially the Kirk Douglas Theatre, noting she was privileged to attend the impressive and exciting event on Saturday morning. She congratulated the Cultural Affairs Division and the CAC for all their hard work.

Ms. Shapiro stated that the Culver City ART Group is having two upcoming events: an exhibition at San Gennaro and their annual show at the Veterans' Memorial Building on November 20th and 21st beginning at 10:00 a.m. She invited everyone to bring their families and enjoy viewing art from the local community.

ᘓ

Item #11
8:59 p.m.

Director's Comments.

Ms. Evans indicated it is wonderful to have the Kirk Douglas Theatre open, saying she is delighted to report that 165 subscriptions were sold out before the dedication weekend. . Ms. Evans said that the dedication event at the Kirk Douglas Theater was a City event designed by Ms. Gerety, who, together with Kellee Fritzal, and Linda Simmons were at the site at 5:00 a.m. working to close the street off, get the white carpet out, and put all the beautiful details in place.

Ms. Evans reported that *Art Revolution* is a program that has been selling art in Town Plaza the first Sunday of every month, noting October 3rd was an incredible day with 12 artists doing a very strong business. She indicated staff has been assessing the program and believes it has a future.

Ms. Simmons indicated those interested in participating should contact her at (310) 253-5762 for an application, noting there is a fee of $45.00 to secure a business license and the artists are requested to provide a sample of their work. She stated they are trying to maintain the event on the level of an art show rather than an arts and crafts show, saying that may change in the future depending on the demand. She mentioned the Henry Mancini Institute provides live music for the event.

ꟹ

Item #12
9:03 p.m.

Adjournment.

With no further business for the Commission to consider, the Chair entertained a motion for adjournment.

MOVED BY COMMISSIONER DEEN, SECONDED BY COMMISSIONER JAYNE AND UNANIMOUSLY CARRIED, TO ADJOURN THE MEETING AT 9:03 P.M. TO THE NEXT REGULAR MEETING ON TUESDAY, NOVEMBER 9, 2004 AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS, CITY HALL.

Respectfully submitted,

Alicia C. Milliken

Alicia Millikan, Chair

D. Presutti

Debra Presutti