

City of Culver City, California Agenda Item Report

Meeting Date: 04/08/13		Item Number: A-4__	
CITY COUNCIL AGENDA ITEM: (1) Approval of a Memorandum of Understanding with Boulevard Music to Produce a Minimum of Four Concerts During the 2013 Summer Months for the Culver City Boulevard Music Festival, and (2) Discussion of Options for Additional Concerts.			
Contact Person/Dept.: Shelly Wolfberg, City Manager's Office		Phone Number: (310) 253-6008	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒ Date: _____			
Public Notification: Meetings and Agendas – (e-mail) Meetings and Agendas – City Council; Cultural Affairs Commission; Cultural Affairs Foundation; Downtown Business Association; Culver City Chamber of Commerce; Gary Mandell/Boulevard Music; and Culver City Music Festival Sponsors (04/02/13).			
Department Approval: Martin R. Cole (04/02/13)		City Attorney Approval: Carol Schwab (by H. Baker) (04/02/13)	
Chief Financial Officer Approval: Jeff Muir (04/02/13)		City Manager Approval: John Nachbar (04/02/13)	
<u>RECOMMENDATION:</u> Staff recommends the City Council (1) approve a Memorandum of Understanding with Boulevard Music to produce a minimum of four concerts during the 2013 summer months for the Culver City Boulevard Music Festival (Festival) held in the Courtyard of City Hall, and (2) discuss options for additional concerts. <u>BACKGROUND:</u> For 17 years, the Festival was funded by the former Culver City Redevelopment Agency (former CCRA). Due to the then anticipated dissolution of the former CCRA by operation of state law on February 1, 2012, on January 9, 2012 the City Council and former CCRA Board considered the potential discontinuation of the Festival. Last summer, Gary Mandell, through Boulevard Music, produced four concerts in the City Hall Courtyard at a cost of \$7,500. <u>DISCUSSION:</u> In recent months, staff has talked with Mr. Mandell about his interest in producing the 2013 Festival. To produce the 2013 Festival, Mr. Mandell has indicated that he wants to follow the same terms that were included in the City Manager's letter to him			

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dated February 15, 2012 (Attachment 1). This letter outlined the general items that remain important for both parties to consider in the successful production of the 2013 Festival. Mr. Mandell believes it would be feasible for him to produce a minimum of four concerts this summer, with the sponsorship of Sony and the Cultural Affairs Foundation in the aggregate amount of \$7,500. Staff time to assist Mr. Mandell would be at an additional in-kind cost.

Mr. Mandell is interested in producing more concerts, if he is able to fund them through additional outside sponsorships and potential additional funds from the City. Mr. Mandell has informed staff that he is willing to produce additional shows at a cost of \$4,730 per concert plus staff time.

As was the case last year, Mr. Mandell will be responsible for his staff, professional security personnel, volunteers, and any Haynes crew members who may be hired. Additionally, the City proposes to provide limited in-kind support by having a Public Works employee and at least one staff person at the event to provide oversight of the City Hall and Courtyard.

Staff's oversight of the concerts was previously performed by Ms. Susan Obrow. However she will not be able to assist this year due to her work at Veterans Memorial Complex. Staff recommends that a Recreation Leader II-Part Time Parks, Recreation and Community Services Department (PRCS) employee be deployed at City Hall Courtyard from 2:00 PM to 10:00 PM on the days of the concerts. The staff member would act as the City representative. Mr. Mandell, Haynes and Public Works Department personnel would also work together, and the PRCS Employee would be there as an additional point of contact. The Recreation employee's hourly rate is \$11.44.

The use and maintenance of the Courtyard and City Hall facilities is a top priority shared by both parties. In order to keep costs low, the City would provide chairs and coordinate the use of the stage, which staff anticipates would continue to be donated to the City for the 2013 Festival. Mr. Mandell may elect to enhance the exposure of local restaurants and businesses to creatively promote the Festival and generate sponsorships.

In order for the event to be a success and to retain the continuity and branding of the Festival and the community, the City Council may wish to consider sponsoring the event. In order for the Festival to be categorized as a City-sponsored event, in accordance with City Council Policy Statement 2008-01 (Community Organizations) and Culver City Municipal Code (CCMC), Section 17.330.040.B.7.b.ii., the City must be (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

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form of funds, labor, staff time, materials, a waiver of fees, or any combination thereof.

The CCMC and Council Policy require both (a) AND (b) conditions be satisfied. Additionally, in order for an event to be considered City-sponsored, the City Council must determine, by specific action, that the above criteria have been met.

If this item is approved, staff estimates that at least \$1,000 in staff time will be contributed to the planning, preparation, or promotion of the event. In addition, it is recommended the City promote the Festival on the City's website and Government Channel. As a result of these actions, satisfying conditions (a) and (b), the Festival would qualify for sponsorship.

Should the City Council approve this request, an MOU would be drafted to formalize the various duties and obligations of the parties with respect to the Festival.

FISCAL ANALYSIS:

Funding in the amount of \$7,500 has been identified to fund the 2013 Festival. Of the total, \$5,000 would be funded by the Cultural Affairs Foundation, and \$2,500 would be funded by Sony Pictures Entertainment. The contribution of staff time is expected to include, but not be limited to, Recreation staff and Public Works staff to help oversee the Courtyard and City Hall. Mr. Mandell will be requested to share his financial records and receipts with the City, as was done last year.

If the City Council approves additional concerts at a cost of \$4,730/concert, with the additional staff cost of \$92 per eight hour shift for the Recreation Leader, staff would make a funding request for these concerts as part of the budget process. Staff also recommends the use of the Recreation Leader for eight hours for pre-production work. For the City Council's decision making purposes, the following table shows a breakdown of the increase in costs for additional concerts:

<u>Concerts</u>	<u>Boulevard Music</u>	<u>Rec. Leader</u>	<u>Total</u>
Pre-Production	-	\$95	\$95
First Four Concerts	\$7,500	\$366	\$7,866
One Additional Concert	\$4,730	\$92	\$4,822
Two Additional Concerts	\$9,460	\$183	\$9,643
Three Additional Concerts	\$14,190	\$275	\$14,465
Four Additional Concerts	\$18,920	\$366	\$19,286

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Funding for Mr. Mandell's contract and the employee costs would be added to the City Manager's Proposed Budget for Fiscal Year 2013/2014 as part of the PRCS Department. The funding source would be the General Fund.

ATTACHMENTS:

1. City's letter to Mr. Mandell dated February 17, 2012.
2. Mr. Mandell's e-mail to Mr. Nachbar dated March 21, 2013.

MOTION:

That the City Council:

- 1A. Determine that the criteria for City sponsorship have been met and designate the 2013 Culver City Boulevard Music Festival as a City sponsored event; and,
- 1B. Approve an MOU with Gary Mandell for the production of the Festival; and,
- 1C. Authorize the City Attorney to review/prepare the necessary documents; and,
- 1D. Authorize the City Manager to execute such documents on behalf of the City.

AND/OR

2. Authorize the addition of _____ number of concerts to be added at a cost of \$4,822/concert for a total of _____.

OR

3. Take no action (in which case the City would not be a sponsor of the Culver City Boulevard Music Festival).