

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 07/28/08		Item Number: <u>A-2</u>	
AGENDA ITEM: Approval of an Amendment to the Existing Memorandum of Understanding with the Friends of the Culver City Dog Park to Further Clarify the Cooperative Relationship between the City and the FCCDP in the Development, Operation and Maintenance of the Culver City Dog Park.			
Contact Person/Dept.: Martin Cole, Assistant City Manager		Phone Number: (310) 253-6000	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Master E-Mail Notification List (07/24/08) and Friends of the Culver City Dog Park (07/24/08).			
Department Approval: Martin R. Cole (07/17/08)		City Attorney Approval: Carol Schwab (by H. Baker) (07/17/08)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (07/22/08)		City Manager Approval: Jerry Fulwood (07/23/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council consider an amendment to the existing Memorandum of Understanding (MOU) with the Friends of the Culver City Dog Park (FCCDP) to further clarify the cooperative relationship between the City and the FCCDP in the development, operation and maintenance of the Culver City Dog Park (the “Dog Park”). <u>BACKGROUND/DISCUSSION:</u> As part of the work plan for developing the Dog Park, the City and the FCCDP negotiated and executed an MOU (Attachment 1), which became effective on March 1, 2005, regarding the cooperative relationship between the FCCDP and the City and each party’s respective duties and responsibilities pertaining to the development, operation and maintenance of the Dog Park. As stated in Section 2 of its bylaws (Attachment 2), the FCCDP is a 501(c)(3) non-profit organization with the sole mission of assisting the people of Culver City and City of Culver City with sustaining the Dog Park. The organization is committed to ensuring this vital community asset is well maintained and operated so that the public and their dogs can experience a clean, safe and vibrant environment. FCCDP is a unique organization in that it exists solely for the purpose of benefiting a City-owned facility. Over the course of the last few years and recently, with the adoption of City Council Policy No. 2008-01 relating to Community Organizations (the “Policy”) (Attachment 3), there has arisen a need to update the existing MOU to further clarify the			

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cooperative relationship between the City and the FCCDP. Under the terms of the Policy, the FCCDP is considered to be a Cooperative Community Group (Category 2) by meeting the following criteria:

- Members are ***not*** appointed by the City Council or a City Council created body.
- 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 Culver City Municipal Code)
- Directly receives or provides City or Agency funds (as opposed to a waiver of fees) approved by the City Council;
- The Community Organization is a legally recognizable group (for example, a corporation, a 501(c)(3) organization, etc.)
- The Community Organization has negotiated and executed an MOU with the City.

FCCDP's main purpose is to cooperate with the City in the operation and maintenance of the City's Dog Park, which includes the donation or expenditure of funds for additional enhancements and improvements to the City's Dog Park. In order to continue funds and participation vital to improvements, operation and maintenance of the City's Dog Park, the FCCDP has requested permission to place materials at City events encouraging persons to donate and volunteer in the FCCDP's efforts. Due to this unique relationship whereby the FCCDP is directly supporting the operation of a City facility, the Council could approve an amendment to the MOU to include a provision that permits the FCCDP to place certain informational materials as part of City-related materials at City events (i.e. Culver City Music Festival), excluding Council Chambers. The informational materials would be limited to those relating specifically to the FCCDP's purpose of sustaining the City's Dog Park (including information relating to fund-raising events for the City's Dog Park). In addition, staff is recommending that language be included in the amendment that any event conducted by the FCCDP that meets the requirements of Culver City Municipal Code Section 17.330.040.B.7 shall be deemed a City-sponsored event for purposes of the placement of banners in the City's overhead street banner locations.

If the Council approves such an amendment to the MOU, it should be understood that similar requests from other community organizations similarly situated (e.g. organization with a City MOU that directly supports City facilities) should be given the same consideration. Such requests would be reviewed on a case by case basis.

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Staff recommends the City Council consider an amendment to the MOU adding the provisions as described above and further clarifying the cooperative relationship between the City and the FCCDP.

FISCAL ANALYSIS:

There is no fiscal impact from the Council's approval of the amendment.

ATTACHMENTS:

1. Memorandum of Understanding
2. Friends of the Culver City Dog Park Bylaws
3. City Council Policy No. 2008-01 relating to Community Organizations

MOTIONS:

That the City Council:

1. Approve an amendment to the existing Memorandum of Understanding with the Friends of the Culver City Dog Park (FCCDP) to further clarify the cooperative relationship between the City and the FCCDP in the development, operation and maintenance of the Culver City Dog Park; and,
2. Authorize the City Attorney to review/prepare the necessary documents and authorize the City Manager to execute such documents on behalf of the City.