

City of Culver City, California Agenda Item Report

Meeting Date: 05/13/2013		Item Number: A-3	
CITY COUNCIL AGENDA ITEM: (1) Consideration of the Amount of In-Kind Assistance for and Possible City Sponsorship of IndieCade: International Festival of Independent Games; and (2) Approval of a Related License Agreement.			
Contact Person/Dept.: Jeremy Green/ City Clerk's Office		Phone Number: 310) 253-5859	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Creative Collaborative Media, Inc. (); Meetings and Agendas – City Council (05/07/13), DBA (05/07/13); Culver City Chamber of Commerce (05/07/13).			
Department Approval: Martin R. Cole (05/06/13)		City Attorney Approval: Carol Schwab (by H. Baker) (05/07/13)	
Chief Financial Officer Approval: Jeff Muir (by N. Kimball) (05/07/13)		City Manager Approval: John M. Nachbar (05/07/13)	
<u>RECOMMENDATION:</u> Staff recommends the City Council (1) consider the amount of in-kind financial assistance for and potential City sponsorship of IndieCade: the International Festival of Independent Games, produced by Creative Media Collaborative, Inc. (CMC) and (2) approve a related license agreement. <u>BACKGROUND:</u> During the February 13, 2012 City Council meeting, the Council expressed their desire for there to be consistency for assistance of special events and encouraged staff to meet with the event organizers to determine their ability to conduct the event with limited assistance. Staff determined three types of assistance that could be provided to events, with limited impacts on the General Fund: • Waiver of property rental fees • Provision of in-kind equipment rental • Waiver of in-kind staff costs for services during regular business hours. The 2012 and 2013 Culver City Car Show and the 2012 IndieCade events were provided the above three types of fees waivers and were responsible to pay for staff time incurred at times other than regular business hours and for all permit fees.			

City of Culver City, California Agenda Item Report

DISCUSSION:

For 2013, IndieCade has provided an itemized request for assistance (See Attachment 1.)

Most of the fee waiver requests are the same as last year and include requests for: rental spaces (Fire Station, Old Washington Blvd, Parcel B, Town Plaza) parking spaces at Ince Parking Structure, 6 Veteran's Building Rooms, potential use of Veteran's Auditorium, Media Park, as well as a new request for use of the City Council Chambers, and other property for use as office and storage space; equipment rental from the City (crossovers and electrical setups, trash and recycle bins, and other trash equipment, barricades, furniture and equipment at Vets Memorial Building, staff costs during regular business hours; and marketing support through promotions on the City website, through email blasts, with advertisement of IndieCade on the inside of City buses and via directional bus signs, indicating those buses that travel from the Expo Line to downtown Culver City. IndieCade has also made requests that the City solicit donations of items (not in the City's inventory) from outside organizations such as additional crossovers and electrical setups).

The following are new or changed requests:

- Official request to use Veterans' Building rooms: Last year, the City Council approved the general waiver of rental fees with a specific amount determined by IndieCade's initial assistance request, after which IndieCade made an additional request to use rooms at the Veteran's Memorial Building. The costs for use of these rooms (\$5,204), equipment (\$299) and for staff time above normal working hours (\$640) are new for this year (Attachment 2.) The Parks, Recreation and Community Services Department (PRCS) rental rules require that a CCPD officer be present at the event when alcohol is served. City Council can choose not to require CCPD or security guards for the portion of the event at Veteran's Memorial Building during which alcohol will be served. There will be a \$300 returnable damage deposit required.
- Use of the Mike Balkman City Council Chambers: IndieCade would hold a conference talk or possibly special speakers' panel events. City Council Policy authorizes the City's use of the Chambers for City events. If the City Council determines to sponsor the IndieCade event, such use of the Chambers by IndieCade would qualify under the Policy.
- Banner permit fee waiver request: Last year IndieCade paid for all permit fees. This year they request that the City waive the banner permit fees, although they will still pay for the other permit fees.

City of Culver City, California Agenda Item Report

- Additional space request: This year IndieCade is requesting a 20' by 20' storage space and office space, from which they could work to produce the event. In the past, IndieCade has rented space at NextSpace or found other locations from which to work or store their equipment, to which they had open access. Open access cannot be provided at City Hall.
- Request to provide adequate internet connections for downtown locations and at Veteran's Memorial Building: The IT Department has reviewed the request and there is no WIFI setup at Veteran's Auditorium. IT has suggested that IndieCade meet with their outside internet solutions contractor with whom they worked last year to do an early walk-through and determine the best locations for MIFI mobile hotspot(s) outside of the structure to provide increased connectivity and strength. To strengthen the Wi-Fi at Parcel B or the Fire Station, IT would have to rebuild and relocate the existing system or add new access points to the system that don't exist now.

Please note that the event producers have still not been able to identify a space that will work for their awards show and plan to have it in Santa Monica at the Women's Center once again this year.

Staff recommends that the City Council consider waiving property rental fees and provide in-kind staff time and equipment to IndieCade, which would constitute a City sponsorship. Staff recommends that the City Council provide direction regarding new requests and consider appropriating additional funds to pay for storage and/or office space or providing potential alternate solutions. Staff also recommends that City Council consider waiving the requirement for CCPD at the Veteran's events where alcohol will be served.

City Sponsorship

In the past, IndieCade was annually designated specifically as a City-sponsored event, which allowed the organization to post banners in the public right-of-way. 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. confirming 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. If approved by the City Council, the City would be contributing at least \$1,000 each in waivers to IndieCade.

The CCMC requires 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.

City of Culver City, California Agenda Item Report

FISCAL ANALYSIS:

Dedication of in-kind staff time to each of 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. As detailed in Attachment 3, it is proposed that property and equipment rental fees be waived as follows¹:

In-Kind Staff Costs:	\$ 3,500
Fees Waived:	\$ 9,786
Total	\$13,286

Hard Costs to be paid by event producer: \$1,768.42

ATTACHMENTS:

1. IndieCade Itemized Request for 2013 Assistance
2. Itemized costs for use of Veteran's Memorial Building.
3. Cost Estimates for IndieCade's Assistance Requests

MOTION:

That the City Council:

1. Determine what level of in-kind financial assistance to provide to Creative Media Collaborative, Inc. related to the 2013 IndieCade Event in an amount of \$ or \$ (some other amount determined by the City Council); and,
2. (In the case such in-kind financial assistance is determined to be at least \$1,000), consider designating the 2013 IndieCade Event as a City Sponsored event; and,
3. Approve a License Agreement between the City and Creative Media Collaborative, Inc. for the use of City public rights-of-way, property, and equipment as part of the 2013 IndieCade event; and,
4. Authorize the City Attorney to review/prepare the necessary documents; and,
5. Authorize the City Manager to execute such documents on behalf of the City.

¹ Costs provided are estimates based on staff and equipment costs in prior years.