



City of Culver City

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Staff Report

File #: 19-1458, **Version:** 1

Item #: A-3.

CC - (1) Consideration of Approval of a Revised Memorandum of Understanding between the Culver City Cultural Affairs Foundation and the City of Culver City; or (2) Alternate Direction to the City Manager as Deemed Appropriate.

Meeting Date: June 24, 2019

Contact Person/Dept: Serena Wright-Black/Administrative Services
Heather Baker/City Attorney

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Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☐

Public Hearing: ☐

Action Item: ☒

Attachments: ☒

Public Notification: (E-Mail) Meetings and Agendas - City Council (06/19/19); (Email) Meetings and Agendas - Cultural Affairs (06/19/19)

Department Approval: Serena Wright-Black, Assistant City Manager (06/18/19)

RECOMMENDATION

Staff recommends City Council (1) consider the approval of a revised memorandum of understanding between the Culver City Cultural Affairs Foundation and the City of Culver City; or (2) provide alternate direction to the City manager as deemed appropriate.

BACKGROUND/DISCUSSION

In 2016 the City Council formed an Ad Hoc Subcommittee ("Subcommittee") for the purpose of revising the structure of the Culver City Cultural Affairs Foundation ("CAF"). The goal of the Subcommittee was to explore options for a new CAF structure that would allow it to work independently from the City. The CAF subsequently approved the recommendation made by the Subcommittee and the matter was considered by the City Council for final approval. The amended Bylaws were presented to City Council and a new MOU between the City and the CAF was adopted by the City Council on March 12, 2018.

The CAF has been functioning as an independent 501(c)(3) organization since April 2018. It has recruited to fill all nine (9) Board seats, formed an advisory committee, opened a new bank account, obtained insurance coverage, created a logo and has held a number of successful fundraising events.

Memorandum of Understanding (MOU) with the City

The MOU establishes the relationship between the City and the CAF. It gives general guidance on the services provided by the CAF to the City, as well as resources the City provides to the CAF.

As City staff began to work with the CAF Board of Directors ("Board") to transition various administrative, legal and financial documents and functions, it was determined that there were several areas that needed clarity and direction from the City Council.

Staff brought this issue forward to City Council on February 11, 2019. City Council directed staff to meet with the Board and the Cultural Affairs Commission Liaison Ad Hoc Subcommittee ("CAC Subcommittee") to work collaboratively on solutions and strengthen the working relationship between the City and the CAF. In addition, City Council directed that the Cultural Affairs Commission review the proposed revisions prior to this matter returning to City Council.

Staff, the CAC Subcommittee and the Board met twice and collectively addressed the identified issues as reflected in the attached revised MOU. The CAF and the Cultural Affairs Commission have reviewed the revised MOU and are in agreement with the changes.

A summary of the substantive revisions include:

- Inclusion of gift acceptance guidelines.
- Clarification of the CAF's role in development of the Cultural Affairs Division's Work Plan.
- Language stating that (1) the CAF will prioritize funding in support of the City's Cultural Affairs programs, as outlined in the Work Plan, and (2) the City will continue its financial commitment to Cultural Affairs programs and activities and not decrease funding based on potential fundraising by the CAF.

Outstanding Loan

As part of the MOU, the City provided to CAF seed money in the amount of \$35,000. The agreement states that the loan needs to be repaid by June 30, 2019 or upon termination of the agreement. The CAF is requesting that City Council consider extending the loan repayment to June 30, 2020.

FISCAL ANALYSIS

There is no fiscal impact associated with this item.

ATTACHMENTS

1. 19-06-24_ATT No. 1_Revised Memorandum of Understanding Between the City of Culver City and the Culver City Cultural Affairs Foundation.

MOTION

That the City Council:

1. Consider and approve the revised Memorandum of Understanding between the City of Culver City and the Culver City Cultural Affairs Foundation; or
2. Provide alternate direction to the City Manager, as deemed appropriate.