



CITY COUNCIL AGENDA REPORT

MEETING DATE: APRIL 20, 2010

ITEM NUMBER:

SUBJECT: STAFF TIME REQUEST FOR SUMMER CONCERT SEASON PLANNING

DATE: MARCH 16, 2010

FROM: ADMINISTRATIVE SERVICES/RECREATION DIVISION

PRESENTATION BY: WILLIAM TURPIT, PRESIDENT, COSTA MESA COMMUNITY FOUNDATION
AND JANA M. RANSOM, RECREATION MANAGER

FOR FURTHER INFORMATION CONTACT: JANA M. RANSOM AT (714) 754-5654

RECOMMENDATION

In response to an offer by the Costa Mesa Community Foundation to fund two concerts and solicit funding for two additional concerts for the Summer 2010 season, it is requested that City Council:

1. Approve up to ten (10) hours of City staff time to work with the Costa Mesa Community Foundation Board of Directors to plan up to four concerts to be held at Fairview Park July, 2010.
2. Approve up to an additional forty (40) hours of City staff time to administer the 2010 Concert Series should the Costa Mesa Community Foundation secure donated funds to cover the direct costs.
3. Authorize the Administrative Services Director to approve up to four contracts with Reality Entertainment not to exceed \$7,000 total to provide bands and sound services for up to four concerts if funding is secured by the Costa Mesa Community Foundation sufficient to cover the full direct costs of the concerts (Attachment 1).

BACKGROUND

Last year, Council eliminated general fund support for the 2009 Summer Concert season. The Costa Mesa Community Foundation (CMCF) requested the opportunity to raise funds sufficient to cover the City's direct costs for the 2009 season. Full time staff was authorized by City Council to cover planning and venue management. Direct costs totaling \$10,000 were charged to the City budget and CMCF was then invoiced for all direct cost expenditures not including full-time staff hours. Full time staff hours expended in connection with the 2009 concerts was approximately 80 hours. CMCF covered the cost of part time staff.

ANALYSIS

The Costa Mesa Community Foundation Board of Directors has voted (see Attachment 2) to sponsor two concerts and to initiate efforts to raise funds for an additional two concerts in the 2010 Summer Concert season at Fairview Park this July. Ten (10) full time staff hours are needed to begin the preliminary planning for the concerts in anticipation of the CMCF being successful in their fund raising efforts. There currently is no General Fund budget allocation for the 2010 Summer Concerts nor authorization to expend staff resources for planning in the expectation that CMCF or any other entity are able to provide funds to cover the costs.

The additional forty (40) full time staff hours will not be expended until, and if, the CMCF secures sufficient funding commitments to cover the direct costs of up to four concerts. The Community Foundation will inform the City Manager of their intention and ability to fund up to four community concerts by May 21, 2010.

To reduce the amount of full time staff needed to plan and implement concerts, staff recommends that a promoter be retained to secure the bands and provide sound services for the concerts. The cost of the promoter is included in the costs CMCF has agreed to fund. Using a promoter to contract with the bands relieves staff of many responsibilities both in advance of the concerts and on the actual days concerts are held.

Reality Entertainment is a promoter that works with many cities and has an established reputation in the community concert industry. The promoter's staff will secure bands according to the genre of music desired and will guarantee the band will play appropriate family-oriented music, that the band will be on time, that the band will perform the full amount of time contracted for and will follow City rules and conditions.

As the City is currently licensed by only one music industry catalog, ASCAP, all music performed by the bands must be chosen from that catalog. If music performed at a City concert is found to be in another company's catalog (such as BMI or SESAC), the City could be fined. The promoter will be responsible for assuring that all music performed is ASCAP licensed.

Reality Entertainment would also provide the sound system, technician, and staff for each concert to make sure that all elements agreed upon are provided.

The Agreement with Reality Entertainment is for a maximum \$7,000, or \$1,750 per concert, to provide bands and sound for up to four concerts this Summer on July 6, 13, 20 and 27, 2010 from 6:15 - 7:45 p.m. at Fairview Park. Final compensation is dependent upon funds raised by CMCF.

A suggestion has been received by staff that the City considers using community bands that would perform at the concerts for no payment. This would reduce the amount of funding that CMCF would have to raise. However, the commitment of full time staff hours would increase under this alternative by an additional 20 hours to initiate call-out, review, and negotiate no-fee contracts with potential bands. A cost comparison and procedure is provided as Attachment 3 should Council wish to explore this alternative further.

FISCAL REVIEW

There is no direct cost related to authorization of full time staff hours to begin planning for the concerts. The value of the 50 total hours of staff time requested is approximately \$3,000. As Recreation Division full time staff will flex their schedules for hours spent managing the concerts, these hours will be regular and not overtime hours.

ALTERNATIVES CONSIDERED

- Do not authorize staff to expend more than four hours of full time staff time to begin planning the concert season until Costa Mesa Community Foundation secures funding to cover concert costs.
- Authorize some other amount of full time staff time for the planning and implementation of the concert season.
- Do not authorize any City staff involvement in Summer concerts.

CONCLUSION

The Costa Mesa Community Foundation is initiating efforts to raise sufficient funds to cover the direct costs to provide up to four concerts at Fairview Park this Summer. In order to have sufficient plans in place should the Community Foundation achieve their funding goal, staff requests authorization to expend up to ten (10) hours of staff time for the planning phase, and forty (40) hours of staff time for the implementation phase.

JANA M. RANSOM
Recreation Manager

STEPHEN N. MANDOKI
Director of Administrative Services

ATTACHMENTS: 1 [Reality Entertainment Sample Contract](#)
2 [Minutes of February 23, 2010 Costa Mesa Community Foundation Board Meeting](#)
3 [Cost Assessment for Free Bands](#)

DISTRIBUTION: William Turpit, CMCF President
Lisa McPherson, Recreation Supervisor