

**REPORT TO MAYOR AND COUNCIL****TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: February 3, 2015

SUBJECT: ESTABLISHING COMPOSITION OF CONCORD PAVILION OUTREACH COMMITTEE AND CALLING FOR RECRUITMENT**Report in Brief**

The Recreation, Cultural Affairs & Community Services City Council Committee has reviewed the composition, roles, and recruitment process for the Concord Pavilion Community Outreach Committee and recommends that the City Council approve the Committee description as outlined in Attachment 1. Further, staff recommends that the City Council announce a recruitment to fill four positions on the Concord Pavilion Community Outreach Committee and set March 6, 2015, 5 p.m. as the deadline for receipt of applications by the City Clerk.

Background

The City entered into a new Management Agreement with Live Nation for the operation of the Concord Pavilion at the beginning of 2014. A provision in the new Agreement (Section 4.14) provided for the formation of a Community/Pavilion Arts and Entertainment Advisory Committee “to provide input regarding use of the Pavilion for Community Events.” (Attachment 2)

Because Section 4.14 of the Management Agreement did not completely define the composition, roles, and recruitment process for the Committee, staff sought further guidance from the City Council Committee on Recreation, Cultural Affairs & Community Services (RCA&CS). The Annotated Agendas of the September 25 and November 17, 2014 RCA&CS Council Committee meetings are provided as Attachment 3.

Discussion

The RCA&CS Council Committee provided additional clarification and changes to the terms of Section 4.14 of the Management Agreement with Live Nation. They include:

- 1) changing the name to “Concord Pavilion Community Outreach Committee;”
- 2) defining terms of office as two years;
- 3) changing the appointment process to four (4) committee members appointed by the City Council with the requirement that the members be Concord residents;

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- 4) defining that the Chair of the Committee will be selected by a vote of the five Committee members;
- 5) defining that the Committee will be responsible for taking meeting notes and completing a record of annotated minutes;
- 6) defining that appointed Committee members shall not serve on any other City of Concord Board, Commission or Committee; and
- 7) defining that initial appointment of two of the four appointed Committee members will be for a term of one-year in order to create staggered terms.

The City Attorney has advised staff that once the City Council has approved the changes discussed in this report, a side letter to the Management Agreement with Live Nation will be created to reflect these approved changes as they relate to Section 4.14 of the Management Agreement.

Public Contact

Posting of the meeting agenda.

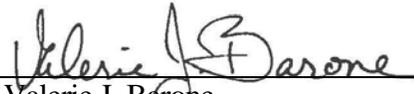
Council Committee Recommendation

The Recreation, Cultural Affairs & Community Services City Council Committee has reviewed the composition, roles, and recruitment process for the Concord Pavilion Community Outreach Committee and recommends that the City Council approve the Committee description as outlined in Attachment 1.

Recommendation for Action

Staff recommends that the City Council approve the RCA&CS Council Committee changes to the Concord Pavilion Community Outreach Committee composition, announce a recruitment to fill four positions on the Concord Pavilion Community Outreach Committee, and set Friday, March 6, 2015, at 5p.m. as the deadline for receipt of applications by the City Clerk.

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- Attachment 1: Concord Pavilion Community Outreach Committee Description
- Attachment 2: Section 4.14 of the Management Agreement between the City of Concord and Live Nation
- Attachment 3: Annotated Agendas from the RCA&CS City Council Committee meetings of September 25, and November 17, 2014

~~Pavilion Arts and Entertainment Advisory Committee
(To be renamed)~~

Potential New Names

Concord Pavilion Community Outreach Committee

Committee to consist of a total of 5 members holding 2-year terms, and comprised as follows:

~~4~~ 1 members - appointed by the Concord City Council (aka: City members)

1 member - appointed by the Manager of the Pavilion (Live Nation) (aka: Manager member)

~~1~~ member ~~appointed by consensus of the City member and Manager member, representative is to serve as Chair, and must be a Concord resident (aka: Chair position)~~

~~2~~ members ~~appointed by consensus of the above three members, and must be Concord residents~~

Role of the Committee:

- a) The Committee shall provide guidance to the Pavilion General Manager on outreach efforts to attract applications from local schools, cultural organizations and the community to bring additional community events to the Pavilion which will expand the use of the venue beyond the concert season.
- b) The Committee will assist the Pavilion General Manager in identifying potential community events, but will not have authority to approve or disapprove of event applications
- ~~c~~b) the Committee shall determine the frequency of its meetings, which shall be not more than once per quarter and will not conflict with Pavilion events
- ~~d~~e) the Committee will be responsible for assigning a Committee member to take notes of Committee meetings and complete a record of annotated minutes.

Process for Recruitment of Members:

- a) City Council will open a recruitment calling for applications from interested Concord residents. Recruitment will close on March 6, 2015 .
- b) During that recruitment period, Live Nation will supply the name and contact information of the person who will serve ~~as~~ the Manager member.
- c) Upon close of the recruitment, the Recreation, Cultural Affairs and Community Services Council Subcommittee (RCA&CS) will review the applications and invite applicants to ~~invite up to 10 persons to~~ interview for the positions of City member.

- d) Interviews will be scheduled by the City Clerk's office and held by the RCA&CS and the Committee will make a recommendations for appointment by the whole City Council at an upcoming City Council meeting. City Council will confirm appointmentts.
- ~~e) Manager member and appointed City member will review the original list of applicants and invite up to 10 persons to interview for the Chair position. (Note: this list of 10 applicants may consist of one or more of the same individuals who were selected to interview for the Chair position.)~~
- ~~f) Interviews will be scheduled by the City Clerk's office and held by an ad hoc committee consisting of the Manager member and City member. The Ad Hoc Committee will recommend via memorandum to the entire City Council at an upcoming City Council meeting an applicant who is to serve as Chair. City Council will confirm appointment.~~
- ~~g) The Chair position, Manager member and City member will review the combined lists used to select the City member and the Chair position and invite any applicants they desire to interview or re-interview and select two members to complete the 5 member Committee. City Clerk's office will support and manage the process.~~
- e) The Committee members will nominate and vote on a member to serve as the Chair of the Committee.
- f) During a members appointed term to the Committee, they shall not serve on any other City of Concord Board, Commission, or Committee.
- g) During the initial formation and appointments to the Committee, two of the four City members will be appointed for a one-year term in order to create staggered terms.

ATTACHMENT 2

Section 4.14. Relationship with City and Community/Pavilion Arts and Entertainment Advisory Committee. As soon as reasonably possible prior to or during the first full Fiscal Year of this Management Agreement, City and Manager shall coordinate the formation of a community-based Pavilion Arts and Entertainment Advisory Committee ("Committee"), which may adopt a different title in the future. The purpose of the Committee shall be to provide input regarding use of the Pavilion for Community Events. The Committee shall consist of at least five (5) members, one (1) of whom shall be appointed by City, one (1) of whom shall be appointed by Manager, and three (3) of whom shall be representatives of the community. City and Manager shall mutually select one community representative, who shall be the Chair of the Committee. Thereafter, the Committee shall meet and select the other two community representatives. The Committee shall be deemed a City Council appointed body, and shall follow all applicable requirements of the Ralph M. Brown Act (California Government Code Section 54950, *et. seq.*). Manager's representative shall attend all Committee meetings during each year in which this Management Agreement is in effect. The Committee shall determine the frequency of its meetings; which shall be not more than once per quarter and not conflict with any Event. Manager's representative shall also meet regularly as reasonably necessary with City representatives for the purposes of providing City with information to which City is entitled of Manager's activities hereunder. In addition, when reasonably requested to do so by City upon reasonable notice and subject to Manager's availability, Manager shall meet with representatives of various community groups and organizations, in order to promote public understanding of the Pavilion Facilities and input regarding use of the Pavilion for Community Events; provided that such meetings shall be not more than once per quarter and not conflict with any Event. Notwithstanding anything to the contrary contained in this Agreement, in the event that Manager cannot or does not attend any of the foregoing required meetings, then Manager shall not be in default if such lack of attendance was due to *force majeure* or if after Manager's receipt of notice of breach for such lack of attendance, Manager reschedules the missed meeting and attends such rescheduled meeting.

7.04. Participation in Pavilion Arts and Entertainment Advisory Committee. During each Fiscal Year of this Management Agreement, Manager shall participate in the requisite number of meetings of the Pavilion Arts and Entertainment Advisory Committee, as required by and subject to the terms of Section 4.14 of this Management Agreement.

CITY COUNCIL COMMITTEE

**RECREATION, CULTURAL AFFAIRS &
COMMUNITY SERVICES**

Edi Birsan, Chair

Tim Grayson, Committee Member

6:00 p.m., Thursday, September 25, 2014
(please note later start time)

**Building A, City Manager Conference Room
1950 Parkside Drive, Concord**

- ANNOTATED AGENDA -

ROLL CALL: All present

STAFF PRESENT: Scott Johnson, Assistant City Manager; Joan Carrico, Director of Parks & Recreation

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COMMITTEE: Bill Graham-Reefer and Ray Barbour

PUBLIC COMMENT PERIOD: Bill Graham-Reefer spoke about the failure to attract seniors from the Hispanic community to participate in programs at the Concord Senior Center, the need to provide more health care programs and health care preventative services, and the transportation challenges that create an impediment to residents of the Monument Corridor attending programs at the Concord Senior Center.

Ray Barbour provided additional feedback to Mr. Graham-Reefer's comments by indicating that cultural sensitivities can sometimes be a factor in why certain ethnic groups do not participate more fully in Senior Center programs.

- 1. CONSIDERATION** – Community/Pavilion Arts and Entertainment Advisory Committee. Report by Joan Carrico, Director of Parks & Recreation.

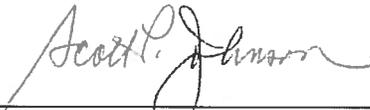
ACTION: The three key points of the staff report were reviewed with the Council Committee members. These were: 1) a preferred name for the Pavilion Committee; 2) a preferred term of membership for the Committee members, and 3) whether the Committee membership should be limited to Concord residents.

The Council Committee members provided the following direction to staff. To return to the next Recreation, Cultural Affairs and Community Services Council Committee meeting with recommended options for the Pavilion Committee name, preferring that the word Advisory not be a part of the name. The Committee members noted that the role of the Pavilion Committee should be defined, and they asked staff to return at the next meeting with some further definition to the role of the Pavilion Committee. The Council Committee members were clear that the Pavilion Committee's role should be one of outreach to the community but that the Committee does not have a role of approval or disapproval of community event applications.

The Council Committee members provided further direction to staff indicating that the term of office of Pavilion Committee members should be for two years and the Committee should be responsible for taking notes of their meetings and completing a record of annotated minutes within their Committee membership.

Finally, the Council Committee provided direction that the Pavilion Committee members should be residents of the City of Concord.

2. ADJOURNMENT at 6:55 p.m.



In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3361, at least five days in advance of the meeting. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

Distribution: City Council
Valerie Barone, City Manager
Scott Johnson, Assistant City Manager
Mark Coon, City Attorney
Joan Carrico, Director of Parks & Recreation
Administrative Services

CITY COUNCIL COMMITTEE

SPECIAL MEETING

**RECREATION, CULTURAL AFFAIRS &
COMMUNITY SERVICES**

Edi Birsan, Chair

Tim Grayson, Committee Member

5:30 p.m., Monday, November 17, 2014

**Building A, Garden Conference Room
1950 Parkside Drive, Concord**

- ANNOTATED AGENDA -

ROLL CALL: All present

STAFF PRESENT: Joan Carrico, Director of Parks & Recreation

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COMMITTEE: Aaron Hawkins,
General Manager of the Concord Pavilion with Live Nation

PUBLIC COMMENT PERIOD: None

- 1. CONSIDERATION** – Concord Pavilion Community Outreach Committee. Report by Joan Carrico, Director of Parks & Recreation.

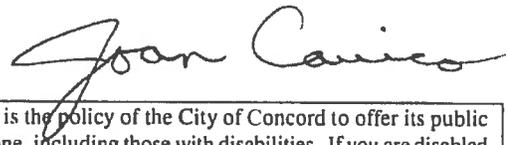
ACTION: The Council Committee Members reviewed the information contained in the staff report and provided the following direction to staff. The recommended name, "*Concord Pavilion Community Outreach Committee*" was approved by the Council Committee Members. The following changes to Attachment 1 of the staff report which outlined the composition, roles, and recruitment process for the Concord Pavilion Community Outreach Committee were recommended and approved by the Council Committee Members. These changes included:

- The appointment of members to the Community Outreach Committee was changed to four (4) members appointed by the Concord City Council, and must be a Concord resident

- The Chair of the Committee will be selected by the five (5) members appointed to the Committee
- In order to create staggered terms, two of the four Concord residents appointed to the Committee will serve for a 1-year term. The Live Nation appointed member (fifth Committee member) will be appointed for a two-year term.
- An additional clause was added to the Concord Pavilion Community Outreach Committee description (Attachment 1) which shall state, "During a members appointed term to the Committee, they shall not serve on any other City of Concord Board, Commission or Committee."

The attached "Concord Pavilion Community Outreach Committee" description (Attachment 1) reflects the changes made by the City Council Committee on Recreation, Cultural Affairs, and Community Services.

2. ADJOURNMENT at 5:47 p.m.



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