



City of El Segundo
Arts and Culture Advisory Committee
Special Meeting Minutes
for February 19, 2020 5:30 p.m.
at El Segundo Public Library
Rose Garden Room

Land Acknowledgement: We acknowledge that we are holding this meeting on the traditional, ancestral, and unceded territory of the Tongva. We recognize the Tongva people as the traditional land caretakers of Tovaangar (Los Angeles basin, So. Channel Islands). We also acknowledge that Los Angeles County is home to the largest Indigenous populations in the US.

A. CALL TO ORDER – The meeting was called to order at 5:30pm by Chairperson Neal Von Flue.

B. ROLL CALL

Members present: Jeff Cason, Kristen Dorsey (arrived at 5:45pm), Maureen Kingsley, Mark Knight, Michael Kreski, Brian Mitchell, Natalie Strong, Vice Chairperson Eva Sweeney and Chairperson Neal Von Flue

Members absent: George Renfro

City Council Liaisons:

Councilmember Scot Nicol: present (left at 7pm)

Councilmember Pimentel: present (arrived at 5:53pm, left at 6:10pm)

City Staff present: Melissa McCollum, Library Director
Julie Todd, Senior Librarian

C. PRESENTATIONS

1. Discussion led by City Attorney's Office relating to potential conflicts of interest of ACC Members with respect to the City's new Cultural Development Program (David King/15 minutes)

David King mentioned two laws that ACC members should be aware of when making decisions on behalf of the City. Government Code Section 1090 restricts local public officers and employees from making a contract in which they are financially interested. If the City is going to enter into a contract with an entity that anyone at the City's side of the table or any ACC members wanted to benefit from in their private capacity that would violate Section 1090.

Regarding non-profits, if a non-profit employee receives a salary, called "remote interest," ACC members should step aside, leave the room and recuse themselves from the voting process. If the member of the non-profit does not receive a salary, called "non-interest," this does not violate Section 1090.

The Political Reform Act applies more generally, discusses conflicts of interest in general, applies to business entities, sources of income, and property you own in the City. Even though there may not be any money awarded, the Political Reform Act addresses any benefits to businesses, property owned and sources of income. Bottom line is if you do not receive a salary from a non-profit and are just

a member of the non-profit, you can participate in decisions without a conflict of interest. Ask yourself “Does the decision benefit a source of income that benefits me directly?” If so, you will need to step aside (regarding non-profits). When in doubt regarding the possibility of a conflict of interest, please contact the City Attorney’s office for further information.

2. AB 5 Impact on the Arts: An ACC Member’s Perspective (Jeff Cason/15 minutes) Link to California Legislative Information: <https://leginfo.legislature.ca.gov/>

Jeff Cason shared information about the new Assembly Bill 5 (AB 5) and its impact on the arts. AB 5 was passed by the California Legislature and went into effect January 1, 2020. AB 5 outlines specific rules for classifying workers as employees vs. independent contractors. Jeff said AB 5 originated from a 2018 Supreme Court case where a business was incorrectly classifying employees as independent contractors to save money.

There are now guidelines called the “ABC Test” for classifying someone as an independent contractor. They need to meet the following: Part A, is the worker free from direct control of the hirer? Part B, does the worker perform work that is outside the usual course of the hirer’s business? Part C, does the worker have an independently established trade of the same nature as the work performed?

The law does have some exemptions. Pertaining to the arts, these exemptions include: grant writers, fine artists (artists who are creating something such as painting, sculpting, crafting), graphic artists, business to business (i.e. hiring a labor company who would then hire the independent contractors), and volunteers. Non-exempt include non-profits, small organizations, and individuals.

What does employment mean according to AB 5? Jeff Cason used his Broadway in the Park example. If he were to hire an electrician to hang lights, focus them, and run all of the cables for a show. Since the payment is under \$600, there would be no need to 1099 the worker. Under AB 5, the same electrician for the same job would now need a W2, be paid minimum wage or greater, the business would have to cover the employer’s share of employee taxes, observe all of the regulations regarding work weeks, overtime, health benefits depending on how many employees there are, provide worker’s compensation insurance, and according to California law, three paid sick days per year. Violations can be as much as \$5,000 - \$25,000 per violation.

AB 5 can also have an impact on arts education. Jeff said if art/music teachers are now required to be hired as employees for their services, costs of lessons may become prohibitive for many students and families.

Jeff also shared that Californians for the Arts has been lobbying to try to help build exemptions within AB 5 or to help overturn the law due to all of the unintended consequences that are negatively impacting small businesses and arts organizations.

Jeff shared the following resources:

AB-5 Bill Text:

https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB5

Californians for the Arts: <https://www.californiansforthearts.org/>

D. PUBLIC COMMUNICATIONS - NONE

E. APPROVAL OF MINUTES for December 11, 2019

1. Approval of minutes of the Arts and Culture Advisory Committee Meeting of January 28, 2020.

MOTIONED by Natalie Strong and SECONDED by Mark Knight to approve the minutes of the January 28, 2020 meeting as presented. Motion CARRIED 9-0.

F. SPECIAL BUSINESS - NONE

G. UNFINISHED BUSINESS - NONE

H. NEW BUSINESS

1. Arts and Culture Advisory Committee Vision Document (Michael Kreski and Eva Sweeney/15 minutes)

Michael Kreski shared with the ACC members the draft ACC Vision Document. Values include responsibility, authenticity, intelligence, synergy, and equity.

Goals include integrating art and culture into City life, building a better City with art, making El Segundo a prime tourist destination, creating/supporting cultural events, and supporting local cultural institutions and artists.

Chairperson Neal Von Flue asked how tight the Vision Document will be applied when considering projects to fund. Mark Knight mentioned using the idea of balancing the ACC project portfolio in applying the values and goals.

Chairperson Neal Von Flue asked how the committee viewed the difference between values and goals. Vice Chairperson Eva Sweeney expressed that the ACC has values, overall ideas of what the committee wants to achieve and the goals are actions taken to achieve the values. Brian Mitchell also added that over time, the goals will adapt and change, but the values will most likely stay the same.

MOTIONED by Chairperson Neal Von Flue and SECONDED by Natalie Strong that the Cultural Development Program Subcommittee members continue to take a look at the proposed Arts and Culture Advisory Committee Vision Document and bring it back to the group for discussion and approval next month. Motion CARRIED 9-0.

2. ACC Logo Strategy (Maureen Kingsley/10 minutes)

Maureen Kingsley shared examples of existing logos for arts organizations and shared with the committee her interest in pursuing a logo design for the ACC. The

logo would be able to be used to help promote, identify and market the ACC and be used both digitally and on printed material.

Maureen suggested the Marketing and Events Subcommittee should oversee this project. Things to consider include who would design the logo, who is our audience, who will have input into the design and what symbols and typefaces will be used. Brian Mitchell added that the committee's values and goals should inspire the logo design.

I. SUBCOMMITTEE UPDATES

1. Events/Marketing – Natalie Strong reported the subcommittee discussed the public art map and what would be included on it, the creation of an ACC logo, and a video that would represent the committee's Vision Statement. Maureen shared that she is using the Creative Economy Report to begin to identify public art for inclusion on the website's public art map. Natalie Strong asked if they needed to wait until they have identified all public art to be included, or if it would be possible to send Julie Todd the public art pieces to be included gradually. Julie is ok with gradually receiving items to be added to the art map.
2. Grants – none
3. Cultural Development Program – none
4. Projects – Chairperson Neal Von Flue shared that they met and discussed the Centennial Utility Box project. Julie Todd has all submitted proposals. The selection committee for the designer and printer/installer for the project will include representatives who served on the Centennial Committee. The Poet Laureate proposal was discussed as well. Additional research and discussion is necessary before returning to the ACC with a recommendation.

J. GOVERNANCE

Melissa McCollum shared that the City Council held ACC interviews on February 18th. There were five candidates, and an appointment is expected at the March 5th meeting. There is currently one vacancy to fill, but there will be additional vacancies due to term expirations in June. Melissa mentioned that the new member should be in place by the March 24th meeting. The next Gateway meeting is scheduled for March 12th at 9:30AM, most likely at City Hall. It will be a public meeting.

K. ADVISORY COMMITTEE MEMBER COMMENTS

Chairperson Neal Von Flue – Thanked ACC members for their service and acknowledged Jeff Cason for doing a great job as former Chairperson. After reflecting on the year, Vice Chairperson Eva Sweeney and Chairperson Neal Von Flue met with all new ACC candidates and they will be making their suggestions to Council based on what the ACC hopes to accomplish in 2020. Chairperson Neal Von Flue looks forward to having many lively discussions as a committee in 2020.

Vice Chairperson Eva Sweeney – Excited about all of the new applicants for ACC. Vice Chairperson Eva Sweeney shared ESMoA's current exhibit, Experience 45: Stardust, is on view from February 13 through May 16th, 2020. She also mentioned

that ESMoA is hosting a fundraiser through Plant a Seed nonprofit for Jespa Awomah to assist with his medical treatments and college assistance.

Jeff Cason – none

Kristen Dorsey – Shared that she is going to Texas for final metal check for a sculpture piece she is working on that will be installed in a hotel in Oklahoma on March 14th.

Maureen Kingsley – none

Mark Knight – The exhibit America's Wildplaces came to Southern California. Both ESMoA and Mark provided a resting place for the participants to regroup before moving on to their next exhibit. Wildplaces members were impressed with El Segundo and hope to return in the near future to present a talk on America's National Parks at ESMoA.

Michael Kreski – none

Brian Mitchell – none

Natalie Strong – The Library Board is hosting a National Library Week Breakfast on April 22. Julie Todd reached out to Natalie on the Board's behalf to see if members of the ACC would be interested in creating table decorations for the event that would also help promote the ACC. Natalie would like to move forward in creating table decorations. The *What We Keep* Book to Action events are coming up in April. Maureen and Natalie are meeting with Richmond Street School to plan a program around Book to Action involving the 1st grade and 5th grade buddies. Library Assistant Roz Templin is working on an adult show and tell program inspired by the book's theme.

CITY COUNCIL LIAISON COMMENTS

Councilmember Scot Nicol – not present
Councilmember Chris Pimentel – not present

M. CITY LIAISON UPDATES

Julie Todd thanked the ACC members who volunteered during the John Van Hamersveld/Henry Diltz program on January 31st. The event attracted 252 attendees.

N. ADJOURNMENT – Meeting adjourned at 7:17pm.

NEXT MEETING: on Tuesday, March 24, 2020 at 5:30 p.m., at the El Segundo Public Library, Rose Garden Conference Room, 111 West Mariposa Avenue, El Segundo, CA 90245.

Posted by: Julie Todd
Date & Time: 5/21/20, 5:00PM