



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: November 19, 2013

Agenda Item 6F

Approvals:

City Manager PP

Dept. Head 3

Attorney JAG

Finance AV

Department: Beaches, Parks & Recreation
Prepared By: Pam Passow, Recreation Manager

Subject: *REQUEST FOR FEE WAIVER FOR ALL AMERICAN BOYS CHORUS TO USE CITY FACILITY*

Fiscal Impact: General fund revenue reduced by \$1,662 – Community Center rental income account #001-34222

Summary: The All American Boys Chorus would like to produce a community concert saluting veterans in San Clemente. They have requested use of the Community Center Auditorium and have asked that City Council consider a full fee waiver of the facility site fees.

Background: The All American Boys Chorus (AABC) is a non-profit choral group with headquarters in Costa Mesa, California. They are currently producing a concert series to honor veterans in several Orange County cities, and would like to include San Clemente as an additional venue. They have requested to utilize the Community Center Auditorium for a one day show on March 27, 2014 from 6:30pm-8:00pm.

AABC Concerts for Veterans is a community outreach project of the All American Boys Chorus saluting United States' veterans. These are free concerts for veterans with a nominal fee for other adults. Their primary goal is to incorporate benefits for all involved with the following objectives:

- a. Entertain and honor the veterans who will be given free entry to the show;
- b. Give AABC choristers the honor of performing for the veterans, and get to meet and greet those who have sacrificed much on behalf of freedom;
- c. Allow the City to offer a worthwhile community outreach program; and
- d. Donate funds raised to a local veteran's organization.

Discussion: This concert series is dedicated to saluting all veterans, and in that spirit, any veteran will be given free entry. The general public will be asked to pay door fee of \$10 per person and \$5 for children under 12 years old. The AABC will donate 100% of the net proceeds to local veterans' organizations. In return, they are asking for use of the Community Center for a total of 9 hours which costs \$1662. The fee includes set up time, a 1 ½ hour show, tear down, facility staff and security guard fees. The AABC would bring the risers, all necessary equipment, and sound technicians to support the show, and absorb about \$1000 in related show costs. They have stated they cannot afford the venue fees, and have also requested the City's assistance in selling tickets and marketing. As the City Partnership policies generally restrict the City from taking on printing costs for event flyers, it is

suggested that City not take on their request to manage marketing, and that we ask that the veteran's group or the AABC take on this responsibility. As a neighboring community to Camp Pendleton, the City has several organizations that would likely be interested in this partnership and could be asked to manage the marketing and ticket sales in lieu of the City. In return, they could be considered the benefactor of the ticket sales.

At this time, the Auditorium is available at the Community Center. Since the AABC is trying to fundraise, a full fee waiver of \$1662 has been requested.

Recommended

Action:

STAFF RECOMMENDS THAT the City Council

1. Waive the fees of \$1,662 for the Community Center Auditorium rental, so that the AABC Veterans Concert planned on March 27, 2014 can be conducted with no associated site fees; and
2. Authorize staff to consider Veteran's groups who would take a lead on selling tickets, assist with marketing the event, and be the benefactor of the proceeds.

Attachments:

1. Applicant's Request for Fee Waiver
2. Facility Rental Application
3. The All American Boys Chorus Tax Exempt Documents
4. Marketing Flyer for Similar Venue in Orange County

Notification:

All American Boys Chorus Director, Anthony Manrique



September 20, 2013

Pall Gudgeirsson
City Manager
City of San Clemente
100 Ave Presidio
San Clemente, CA 92672

Dear Mr. Gudgeirsson

I write to respectfully request a waiver of the fees for the use of the San Clemente Community Center on March 27, 2014, so that The All-American Boys Chorus may present a "Concert for Veterans" honoring and saluting our nation's heroes.

AABC Concerts for Veterans is a community outreach project of The All-American Boys Chorus saluting the USA's Veterans. These are free concerts for veterans; with a nominal charge (approx. \$10) for others.

The concert in San Clemente would be the fourth in our series, with the others taking place in:

Garden Grove on September 26, 2013;
Costa Mesa on October 24, 2013;
Anaheim on February 27, 2014.

We would very much like to schedule our 4th concert in San Clemente, and as stated above, the **date that works best for us is March 27, 2014 at 6:30 pm.**

Below is a short proposal and outline for presentation to the San Clemente City Council as they consider the fee waiver.

PROPOSAL FOR THE CITY OF SAN CLEMENTE

The AABC Concerts for Veterans incorporate benefits for all involved organizations:

- Our wonderful veterans will be entertained and honored.
- AABC choristers will have the honor of performing for, and will get to meet, great Americans who have given and sacrificed much on behalf of freedom.
- Cities and sponsoring companies will be involved in a very worthwhile and needed community outreach.
- Funds raised will be donated back to a veterans' organization in each city.

Mr. Paul Gudgeirsson
September 20, 2013
Page Two

The concert will consist of a 60 to 70 minute performance that will feature patriotic music such as our *Salute to the USA Armed Forces* as well as fun music.

The All-American Boys Chorus will provide the technical requirements (*e.g., choral risers, audio system, lights, tech crew, etc.*). The All-American Boys Chorus will also reach out to local companies to ask them for help in underwriting the other costs (*e.g., tickets, transportation, printing of flyers, etc.*).

The cities of Garden Grove, Costa Mesa and Anaheim have all donated the use of their community/meeting centers for the concerts in their cities.

We respectfully ask the City of San Clemente to donate the use of the city's Community Center. The likely fees to be waived include:

- **\$750 for auditorium rental (at the non-profit rate for 5 hours)**
- **Security Guard at \$44 total for one guard for 2 hours.**

We also ask the city to provide guidance in helping us publicize the concerts, and to provide a list of veteran's organizations that would be appropriate donees for the funds raised.

Enclosed with this letter is the City of San Clemente Facility Rental Application, and a copy of the AABC's 501(c)(3) non-profit letter from the United States Internal Revenue Service.

I am happy to meet with a representative from San Clemente's city government to discuss this idea and to answer questions. I am also available via email at a.manrique@taabc.org or phone at (714) 708-1670 x11.

Thank you for your consideration of this worthy project.

Sincerely,



Anthony S. Manrique,
Executive Director

61-4



City of San Clemente
Beaches, Parks & Recreation Department
 100 N. Calle Seville, San Clemente, CA 92672
 Phone: (949) 361-8265 Fax: (949) 361-8280

FACILITY RENTAL APPLICATION

Please read our rental policies prior to completing and signing this rental application. Please print clearly.

Applicant: ALL-AMERICAN BOYS CHORUS

(wedding: please list bride's full maiden name and groom's full name; company: list company name and contact person)

Address: 1055 ARLINGTON DRIVE

City: COSTA MESA **State:** CA **Zip Code:** 92626

Primary Phone: 714-708-1670 ext 11 **Alternate Phone:** 714-886-8689

E-Mail Address: a.manrique@taabc.org

Facility: Ole Hanson Beach Club Community Center Aquatics Center Library Annex

Event Date: March 27, 2014 **Start Time:** 2:00 pm **End Time:** 9:00 pm

Room(s): _____

Type of event: Concert for Veterans **Number of guests:** 250

Will the following be present at your event?

Alcohol	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Amplified Sound (Band, DJ, etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Open Flames (BBQ, candles, etc.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Applicant Needs: Please select the equipment you will need.

Tables Chairs Screen Podium Public Address System (Limited Availability)
 Sound System (Community Center Auditorium only) Other: _____

Would you like to order parking permits? Yes No **If yes, how many?** _____
 (Ole Hanson Beach Club events only. Permits are \$3.00 each, metered parking is from 9am to 6pm.)

RELEASE FROM LIABILITY AND INDEMNIFICATION

In consideration for and as a condition of the use of the above stated facility, applicant hereby agrees to hold harmless the City, its officers, employees, and agents, against any and all claims, demands, causes of action, damages (including damages to City property), costs and liabilities, directly or proximately resulting from or caused by the use and occupation of the facility hereinabove described, whether such use is authorized or not or from any act of applicant or any of its officers, agents, employees, guests, patrons, or invitees. The applicant shall at its sole risk and expense, defend any and all suits, actions, or legal proceedings which may be brought against the City, its officers and employees in which in any way arise from or relate to applicant's use of the above facility. Applicant shall also pay for any and all damages to any property of City including any damages for loss or theft of such property, done or caused by Applicant, its officers, agents, employees, guests, patrons and invitees.

I have read, understand and agree to abide by the Recreation Rental Policies and Fees for the type of facility I am applying to rent and I will be present at the facility during its use. I further realize the ramifications of failure to abide by the policies and/or permit requirements. I understand that submittal of this application does not guarantee approval of my application.

Applicant's Signature: _____
 (Applicant must be 21 years of age)

Date: 9/20/2013

61-5



THE ALL-AMERICAN BOYS CHORUS

A 501(c)(3) Tax-Exempt, Non-Profit, Corporation

FEDERAL ID#: 23-7376151

CALIFORNIA ORGANIZATION #: 6788800

THE ALL-AMERICAN BOYS CHORUS is a fully tax-exempt, non-profit corporation, registered with the United States Internal Revenue Service and the State of California Franchise Tax Board.

Membership in the Chorus is open to boys of all races, faiths, creeds, nationalities, and ethnic origins.

Federal tax exempt status, under section 501(c)(3) of the Internal Revenue Code, was first granted on June 25, 1974, under the Chorus's original corporate name - Christ the King Boys Choir School (Exhibit 1).

On December 5, 1974, the Chorus officially changed its corporate name to BOYS CHOIR SCHOOL OF ORANGE COUNTY, and on August 12, 1999 the Chorus officially changed its corporate name to THE ALL-AMERICAN BOYS CHORUS. Federal tax exemption was not affected and continues in effect (Exhibits 2 & 3).

On August 26, 1975, the Chorus was granted State of California tax exemption (effective as of January 1, 1975) by the Franchise Tax Board under Section 23701d of the California Revenue and Taxation Code, and on June 27, 2001 received notice that the name change to THE ALL-AMERICAN BOYS CHORUS did not affect our California tax-exempt status (Exhibits 4 & 5).

Visit our Web Site at: www.AllAmericanBoysChorus.org
E-MAIL: TAABC@aol.com

Internal Revenue Service

District
Director

Department of the Treasury
EP/EO Division - Classification
2 Cupania Circle
Monterey Park, Ca. 91755-7406

THE ALL-AMERICAN BOYS CHORUS
PO BOX 1527
COSTA MESA, CA. 92628-1527

Person to Contact: Lee Gann #9504580
Telephone Number: (323) 869-3920
Refer Reply to: EOMF Coordinator
Internal Revenue Code Section: 501(c)(03)
EIN: 23-7376151
Date: August 12, 1999

. Dear Sir or Madam:

Thank you for submitting the information shown below or on the enclosure.
We have made it a part of your file.

The changes indicated do not adversely affect your exempt status and the
exemption letter issued to you continues in effect.

Please let us know about any future change in the character, purpose,
method of operation, name or address of your organization. This is a
requirement for retaining your exempt status.

Thank you for your cooperation.

Sincerely your,


Steven A. Jensen
District Director

Item Changed

PRIMARY
NAME

From

BOYS CHOIR SCHOOL OF
ORANGE COUNTY

To

THE ALL-AMERICAN BOYS
CHORUS

Letter 976(DO) (Rev. 1-87)

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STATE OF CALIFORNIA
FRANCHISE TAX BOARD
PO BOX 1286
RANCHO CORDOVA CA 95741-1286

In reply refer to
755:G :ENR

June 27, 2001

THE ALL-AMERICAN BOYS CHORUS
PO BOX 1527
COSTA MESA CA 92628-1527

Purpose : EDUCATIONAL
Code Section : 23701d
Form of Organization : Corporation
Accounting Period Ending: December 31
Organization Number : 0678880

This letter confirms your previous exemption from state franchise and income tax under Section 23701d, Revenue and Taxation Code. In confirming your exempt status, we have made no examination of your current activities. If the organization has changed its operation, character, or purpose since exemption was originally granted, that change must be reported immediately to this office.

You may be required to file Form 199 (Exempt Organization Annual Information Return) on or before the 15th day of the 5th month (4 1/2 months) after the close of your accounting period. See annual instructions with forms for requirements.

You are not required to file state franchise or income tax returns unless you have income subject to the unrelated business income tax under Section 23731 of the Code. In this event, you are required to file Form 109 (Exempt Organization Business Income Tax Return) by the 15th day of the 5th month (4 1/2 months) after the close of your annual accounting period.

E RYPICH
EXEMPT ORGANIZATIONS
BUSINESS ENTITIES SECTION
TELEPHONE (916) 845-4766

RTF:

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ALL-AMERICAN BOYS CHORUS

Concert for Veterans

Saluting Our Nation's Heroes

Join The All-American Boys Chorus and the City of Garden Grove as they salute and celebrate the men and women of the United States Armed Forces in a special concert.

The internationally acclaimed choristers, ages 10 to 15, will present patriotic, inspirational and fun music from the jazz, pop and folk charts by Leonard Bernstein, Duke Ellington, Hank Williams, the *Beach Boys*, *Chicago*, the *Mamas and the Papas*, Michael Jackson . . . and John Philip Sousa!

Thursday, Oct. 24, 2013 – 6:30 PM

FREE admission for U.S.A. Armed Forces veterans & active military

Other Adults: \$10 • Children under 12: \$5 • General Admission Seating

Proceeds benefit the Freedom Committee of Orange County

"Living History" Educational Outreach

Neighborhood Community Center

1845 Park Avenue, Costa Mesa, CA

Tickets & information: (714) 708-1670 x16



or visit

www.taabc.org

