

APPROVED
AUG 09 2006

REPORT OF GENERAL MANAGER

NO. 06-230

DATE August 9, 2006

**BOARD OF RECREATION
and PARK COMMISSIONERS**

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GRIFFITH OBSERVATORY - SCHEDULE OF RATES AND FEES -
AMENDMENT FOR OBSERVATORY EVENT USE, PLANETARIUM SHOW,
AND VISITOR ACCESS PROGRAM

J. Combs _____
F. Mok [Signature]
K. Regan _____
*B. Jensen _____

J. Kolb _____
S. Huntley _____
H. Fujita _____
M. Shull _____

Robert H Jensen (for)
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve an amendment to the Schedule of Rates and Fees to establish revised policies and fees for the Griffith Observatory in preparation for reopening, as outlined in the body of this report and specified in Attachment A, and authorize staff to make the changes effective immediately;
2. Approve a moratorium on Standard Use rental of the Observatory for the remainder of the fiscal year, through June 30, 2007; and,
3. Authorize the Friends Of The Observatory (FOTO) to produce the Galactic Gala and the Official Opening Ceremonies, in collaboration with other non-profit organizations or financial sponsors, and in conformance with the special use provisions established for FOTO in the proposed amendment to the Schedule of Rates and Fees, without the two events constituting a use of the Observatory as allowed annually.

SUMMARY:

In preparation for the reopening of Griffith Observatory targeted for the beginning of November 2006, staff has undertaken a review of the use policies in place prior to the close of the Observatory in January 2002. This review involved analysis by staff internally, input from consultants in events planning and concession operations, comparisons with pricing and policies instituted by local

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institutions of similar prestige and with missions other than events use (including Museum of Contemporary Art, California Science Center, Music Center and Disney Hall, Los Angeles County Museum of Art, and Getty Museum), and discussion with the Observatory's non-profit partner, FOTO. The objective of the research and analysis was to both address the physical differences of the Observatory after the Renovation and Expansion, and to ensure an appropriate slate of policies and fees which prioritize the Observatory's mission of public access and public astronomy, while balancing other public and educational use and ensuring a fair financial return to contribute to the on-going operational costs of the new Griffith Observatory.

The attached policies completely replace the previous sections on event use and filming, and are organized to address five areas: (1) general policies which realign the Observatory policies more closely with other Department facilities; (2) policies relating to FOTO use and other Special Use provisions; (3) fees for rental of various areas; (4) planetarium admission fees; (5) visitor access charge.

General Information and Policies

These sections establish that the City's contracted concessionaires have exclusivity, and prohibit other sales or admission charges. Policies for holding reservations, cancellation fees, refundable deposits, insurance requirements, and assessment of additional staffing fees, if necessary, are included in alignment with other Department rental facilities and special events activities. Particularly in consideration of concerns for event use is a requirement that alcohol service at catered events conclude by 9:00 p.m., and the stipulation that parking may be only allowed off-site. Use of the Observatory name, logo, or image is also controlled.

News media continues to be exempt from fees but must coordinate with the Observatory.

All Facilities at Griffith Observatory are primarily for use of the Observatory in accomplishing its public educational mission, and use of facilities by the Observatory or Observatory-sponsored activities takes priority over other use. With express authorization of the Observatory Director, any facility or combination of facilities within the Griffith Observatory premises can be utilized exclusively for Observatory or Observatory-sponsored activities in accordance with the Observatory's mission, at any time.

FOTO and Other Special Usage

Over the years, FOTO has supported the educational mission of Griffith Observatory in public astronomy through activities such as sponsoring lecture series; they have been active participants in the master planning and project planning efforts; and they have aggressively and successfully raised funds to complete the Observatory Renovation and Expansion project. The proposed Rates and Fees

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memorialize past practices of facility use by FOTO in connection with Observatory fundraising and public outreach, by allowing regular use of some areas and also authorizing limited use of event spaces outside the Standard fees and requirements applied to the general public. This use structure conforms to the Memorandum of Understanding recently approved between the City and FOTO.

Also, major donors or organizations directly engaging in events connected with the Observatory mission are accommodated with fees at about one-third of the general public fees. This conforms to the general Department practice of charging three-times the non-profit rate for commercial activities.

FOTO has undertaken a leadership role in planning the reopening Galactic Gala and the Official Reopening Ceremony, currently partnering with the Los Angeles Sports and Entertainment Commission to plan the events and raise sponsorships to fund both events. Any proceeds remaining from the reopening events will be donated to FOTO in conformance with applicable laws and regulations. The Galactic Gala and Official Reopening will be handled as any other allowed FOTO fundraising or awareness activity under the proposed policy, without deducting from the total events allowed to FOTO per year in any category. As a point of information, FOTO will utilize one of their annual fundraising event days in 2007 for a special event to be granted to the Galactic Gala title sponsor (\$100,000.00 level).

Rental Fees and Parameters

For both Special Use and Standard Use, rental of any facility spaces ordinarily used in public operations will be permitted only as designated in the rate schedule, generally only when the Observatory is closed to the public and only during the Events Season, defined as October 1st through April 1st each year.

- Available for daily, year round use – Conference Room and Classroom (three hour blocks)
- Available for limited, year round use - East Terrace after 5:00 p.m. and Roof before 3:00 p.m., Monday-Thursday except holidays (five hour blocks)
- Available to schedule during Events Season only when Observatory is closed – All areas and combinations of areas, including Terraces at prime times, Roof at night, and the entire facility (twelve hour blocks)

The top charge for Standard outside rental of the entire Griffith Observatory facility is \$20,000.00. Costs for private outside rental of discrete areas such as the Leonard Nimoy Event Horizon theater or the Gunther Depths of Space range from \$3,000.00 to \$5,000.00, which is highly competitive with other museum and landmark venues.

Filming requires mandatory scouts, and the policies include provisions restricting timing and parking, and requiring Observatory staff to be present. All filming use will be at regular Standard Use fees and following the Standard Use, commercial fee schedule.

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In order to process the high number of visitors expected in the first months of operation and to allow sufficient time for Observatory staff to master building operations for the public prior to focusing on private uses, staff recommends a moratorium on general public rental availability at least through the remainder of the fiscal year.

Samuel Oschin Planetarium Admission

From a former adult rate of \$4.00, Senior \$3.00, and child \$2.00, the proposed fees are increased slightly in light of the amazing technology installed in the new Samuel Oschin Planetarium and the premiere show, *Centered in the Universe*, which represents an unprecedented artistic and educational presentation. Adults will be \$7.00, Seniors and Students \$5.00, and Children \$3.00. A school-specific show for either the Samuel Oschin Planetarium or the Leonard Nimoy Event Horizon theatre will not be available until the 2007 school year, so a school show price would be proposed in the next fiscal year.

Visitor Access Management Program Charge

Based on the per person costs plus credit card fees proposed by the contractor awarded the Timed Entry Reservation service and the Shuttle service, the cost per person will be \$5.50 for the Visitor Access package of reservation and shuttle trip to and from the Observatory. This system is expected to be in place through the first full year of operation, then phase out as attendance normalizes.

FISCAL IMPACT STATEMENT:

Estimated revenue for the 2006-2007 fiscal year from shows in the Samuel Oschin Planetarium (twelve shows average per operating day, starting in October) is about \$4 million, which has been factored into the City's budget to offset the costs of staff, equipment, and materials for the Visitor Access Management Program. No revenue was estimated from events in the current fiscal year due to the operational expectation that no outside events can be accommodated during the first months of heavy public attendance.

Eighty percent (80%) of revenue from events fees and admission fees will be deposited directly to the General Fund. To meet the requirements of warranties on equipment donated by FOTO for the Samuel Oschin Planetarium and other maintenance responsibilities which have evolved from the \$93 million building renovation and expansion, 20% of revenue is recommended for deposit in the Observatory Surcharge account. This account previously accrued funds from use fees and concessions for support of the renovation and expansion.

Report prepared by Linda J. Barth, Observatory Reopening Project Manager

USE POLICIES- GENERAL INFORMATION

1. All catering services, including beverages, will be provided by the City's contracted Concessionaire for Café, Carts, and Catering. Official Observatory merchandise is provided exclusively by the City's contracted Stellar Emporium Concessionaire.
2. Events can be booked up to one year in advance only. To hold a reservation, 50% of fees must be paid in full. The total amount of all rental fees and deposits due shall be paid in full at least 90 days prior to the scheduled date of use.
3. The Observatory reserves the right to request advance copies of all publications, marketing materials, programs, advertisements, or other communications relating to the event. Use of the Observatory name, logo, or image, in any way other than as address or directional information requires coordination with the Observatory through the Events Office. The City's contracted Concessionaire for the Stellar Emporium is the exclusive provider of authorized Observatory merchandise.
4. No admission may be charged for events. No auctions or sales on the premises are permitted except those conducted by authorized Observatory Concessionaires under contract with the City.
5. For both Special Use and Standard Use, rental of any facility spaces ordinarily used in public operations will be permitted only as designated in rate schedule below, generally only when the Observatory is closed to the public and only during the Events Season, defined as October 1st through April 1st each year.
6. Standard Use Fees include Observatory administrative costs and event coordinator costs, and minimal security and maintenance.
7. Additional fees for security, maintenance, parking, technical and interpretive staff, or other services may apply and will be assessed at the discretion of the Events Office.
8. Insurance may be required. See Insurance Requirements.
9. A refundable building deposit of at minimum \$400 may be charged depending on scope of use and areas used, to be set by the Events Office.
10. Sale or dispensing of alcohol is permitted in connection with catered activities and special events only, and must conclude by 9:00 p.m.
11. Parking has limited availability. Vehicle parking or other guest and organizer access to the Observatory site is subject to arrangement with the Events Office and may require offsite parking use and/or additional charges.
12. News media and media wishing to interview Observatory staff members are exempt from

fees. News media must coordinate their activities through the Observatory to ensure orderly presence on the Observatory grounds. Requests for interviews with any staff member must be requested through the Observatory Director, and if approved, will be coordinated through the Events Office.

CANCELLATION FEES

- Cancellation or Postponement within 60 days of event 50% of all fees or \$150, whichever is greater
- Cancellation prior to 60 days \$150
- Postponement prior to 60 days \$50

OBSERVATORY USE

All Facilities at Griffith Observatory are primarily for use of the Observatory in accomplishing its public educational mission, and use of facilities by the Observatory or Observatory-sponsored activities takes priority over other use. With express authorization of the Observatory Director, any facility or combination of facilities within the Griffith Observatory premises can be utilized exclusively for Observatory or Observatory-sponsored activities in accordance with the Observatory's mission, at any time.

FRIENDS OF THE OBSERVATORY (FOTO) USE

As the designated non-profit partner with the Griffith Observatory, FOTO usage in connection with that relationship has priority over all other use except by the Observatory.

Subject to scheduling availability in every case, and in accordance with existing capacities, FOTO is authorized no-charge use of Observatory facilities according to the following schedule.

Without limitation as to frequency

- Conference Room and Classroom

Without limitation as to frequency, subject to express review and approval of the Observatory Director

- Leonard Nimoy Event Horizon theater
- Telescope Dome with operator

Twelve (12) times per calendar year, subject to express review and approval of the Observatory Director

- Roof
- East Terrace

Six (6) times per calendar year, subject to express review and approval of the Observatory Director

- Gunther Depths of Space (mezzanine and lower level)

Three (3) times per calendar year, subject to express review and approval of the Observatory Director

- Exclusive use of full building and grounds

Usage must comply with the following criteria.

1. Integral to the purpose of the event or activity and the use of the Observatory are goals of civic responsibility; promotion of science and astronomy; collaboration on issues in which the Observatory has a functional relationship, such as education; celebration of the Park, its donor, or the facility itself; collaboration with a donor.
2. Event cannot be competitive with the Observatory program or fundraising efforts;
3. Direct costs beyond standard services will be reimbursed to the City.

STANDARD USE PROGRAM

20% to Department 89, Fund 302, Account 610K (Observatory Surcharge)

Programs of the Observatory have priority over any other proposed use.

Filming requires a mandatory scout to be scheduled by the Observatory Events staff at no charge. A second scout or technical scout will also be accommodated at no charge. Time for scouts in addition to the two scouts will be charged at the current film monitoring rate per hour.

Additional policies:

- Load-in and load-out cannot be done after 10:30 p.m. or before 6:00 a.m.
- No public parking spaces or areas for transit drop-off and pick-up may be taken during operating days and hours.
- Monitors will be assigned for prep, hold, filming, and tear down, at the discretion of the Events Office, and charged at the current film monitoring fee rate.
- All filming and photography pays use fees according to the schedules below.

Special Use is applicable to a person or an entity complying with one of the two categories below. Special Use is available on weekdays, Monday through Friday, except holidays.

- Donor who has contributed at the level of \$10,000 for three or more consecutive years or who has equaled \$30,000 in their cumulative donations.

OR

- Meets all the following criteria
 1. Planning and executing the event is subject to review of the Observatory.
 2. Integral to the purpose of the event and the use of the Observatory are goals of civic responsibility; promotion of science and astronomy; collaboration on issues

in which the Observatory has a functional relationship, such as education; or celebration of the Park, its donor, or the facility itself.

3. Event cannot be competitive with Observatory programs or fundraising effort.
4. Event holder reimburses direct costs to the City.

Daily, year round use. Facility spaces which can be used year-round, during regularly staffed hours, subject to scheduling availability. Base rental is for a two hour block of time.

Space	Capacity	Special Use	All Other Rental, including Filming
Conference Room	12	\$75/\$40 ea add hr	\$225/\$120 ea add hr
Classroom	35	\$125/\$70 ea add hr	\$375/\$210 ea add hr

Limited, year round use. Facility spaces which can be used Monday-Thursday (no holidays) year-round during regularly staffed hours as noted below, subject to scheduling availability. Base rental is for the available block of time (five hours) including event, set up and tear down.

Space	Capacity	Special Use	All Other Rental, including Filming
East Terrace after 5:00 p.m. to 10:00 p.m. only	50	\$500	\$1500
Roof before 3:00 p.m. only	150	\$1000	\$3000

Available to schedule during Events Season only. Spaces which can be used when the Observatory is closed to the public, during Events Season October 1 to April 1 annually. Total hours per booking is 12; six for preparation and clean up, six for event. Additional hours are available at the hourly rate.

Space	Capacity	Special Use	All Other Rental, including Filming
East Terrace	50	\$1000/\$75 ea add hr technical staff additional	\$3000/\$225 ea add hr technical staff additional
Leonard Nimoy Event Horizon theater	200	\$1000/\$75 ea add hr technical staff additional	\$3000/\$225 ea add hr technical staff additional

ATTACHMENT A - Observatory Rates and Fees – 5

Gunther Depths of Space - Mezzanine and Lower Level	350	\$1750/\$125 ea add hr	\$5000/\$375 ea add hr
Roof	150	\$1750/\$125 ea add hr	\$5000/\$375 ea add hr
West Terrace	200	\$1750/\$125 ea add hr	\$5000/\$375 ea add hr
Front Lawn	1000	\$1750/\$125 ea add hr	\$5000/\$375 ea add hr
Samuel Oschin Planetarium theater	300	\$1750/\$125 ea add hr +\$500 for show	\$5000/\$375 ea add hr +\$500 for show
All Facilities Interior and Exterior	3000	\$7500/\$500 ea add hr	\$20,000/\$1500 ea add hr

SAMUEL OSCHIN PLANETARIUM SHOWS

20% to Department 89, Fund 302, Account 610K (Observatory Surcharge)

Standard Discount for promotions -\$2.00 adult, no discount for Seniors, Students, Children

- Adults \$7.00
- Seniors \$5.00
- Students \$5.00 (valid, current school identification required)
- Children \$3.00

Show Buyouts:

No more than one show can be bought out per pricing period each day.

- Before 6:00 p.m. Monday-Friday except holidays: \$1500 per show
- After 6:00 p.m. Monday-Friday, weeks and holidays: \$2100 per show

FOTO receives standard discount per ticket and first-in theater seating.

VISITOR ACCESS MANAGEMENT PROGRAM

Per person charge for visitor access package of timed reservation and shuttle ticket to and from Observatory, inclusive of all credit card and other applicable charges except mailing fees, if applicable:

\$5.50

OBSERVATORY
(Revised 09/02)

PLANETARIUM ADMISSION

Adults (13 and over)	\$ 4.00
Children (5-12)	\$2.00
Students (School Shows only)	\$1.00
Senior Citizens (65 and over)	\$3.00

"GRIFFITH OBSERVER"

Individual copies	\$2.50 each	
Subscriptions:	<u>1 Year</u>	<u>Agency Rates</u>
U.S., Third Class, 1 year	\$23.00	\$21.25
(for California deliveries)*	\$24.90	
U.S., First Class, 1 year	\$30.00	\$28.25
(for California deliveries)*	\$32.48	
Individual copies (RESALE) Canada, 1 year	\$30.00	\$28.25
(First Class Only)		
Mexico, 1 year (First Class Only)	\$31.00	\$29.25
Overseas, Surface Mail, 1 year	\$35.00	\$33.25
Overseas, Airmail, 1 year	\$40.00	\$38.25
Back issues of current year	\$2.50 each	
Back issues other than current year**	\$4.00 each	
Xerox copy of out of print copies	\$8.00 each	
Board-approved organizations	\$1.20 each	

*Includes California Sales Tax of 8.25 percent

**Director may classify certain issues as excess and allow them to be sold at their cover price until backlog is reduced to regular level. The price would then revert to the \$4.00 rate. Director may also distribute excess issues free until regular level is reached.

OBSERVATORY SURCHARGE ACCOUNT 20%

Rental Policy

A. Rules and Regulations

- ~~1. Any rental of the Observatory must have a specific stated purpose, and that purpose must be compatible with the Observatory's astronomical identity, scientific reputation, and location.~~
- ~~2. No rental may be staged for the purpose of making a profit.~~

OBSERVATORY - (continued)

- ~~3. No rental may be staged with an admission fee, or with the sale of refreshments, merchandise, or other items.~~
- ~~4. Rental events by City Sponsored/supported, non profit agencies or organizations as part of a Fund raising activity for the Observatory can be exempted from the above rules and regulations by the Board of Recreation and Parks Commissioners.~~
- ~~5. Griffith Observatory Rental Agreement form must be completed by the prospective renter and approved by the Observatory Director before rental can be scheduled.~~

~~B. Determination of Fee Schedule~~

~~The primary reason for allowing private rental of Griffith Observatory is to raise extra income to offset operating costs. In addition, such rentals may in themselves benefit the Observatory, directly or indirectly, through association with the renter or participation in the event. Such opportunities may justify, therefore, the rental apart from any potential revenue.~~

~~1. Rental of the Observatory With Charge~~

~~Rentals for such events as promotional programs and receptions for corporations, the media, or similar private groups.~~

~~Military or government agencies wishing to use special facilities of the Observatory, such as the Planetarium Theater, for training purposes.~~

~~2. Rental of the Observatory Without Charge~~

~~Events of such a scientific or educational value that the Observatory and/or the public will benefit from the event taking place.~~

~~Events put on by City sponsored/supported, non profit agency/organizations that will benefit the Observatory.~~

~~C. Breakdown of Rental Fees~~

~~The Rental Fee will be based on the actual costs to the Observatory in handling the event, the parts of the Observatory to be used, the equipment and materials the Observatory is to provide, the impact of the event on the public and the facility, and the value to the Observatory's image and reputation of the rental. *Of all rental fees 40% will be deposited to Observatory MRP account; 60% to the General Fund #2790.*~~

~~Types of Charges~~

~~The prices indicated are minimum flat rate fees for the use of portions of the Observatory as noted. Specific rentals may require use of more than one area, as well as use of equipment or projectors. For this reason a fee may be negotiated in excess of that given below.~~

OBSERVATORY - (continued)

	<u>Roof</u>	<u>Theater</u>	<u>Front Lawn</u> (includes the terrace)
Rentals of the Observatory on Mondays when the Observatory would normally be closed to the public.	\$2,000.00	\$2,000.00	\$2,000.00
Rentals of the Observatory at times when it would normally be open to the public	<u>Weekdays:</u> \$3,500.00	\$3,500.00	\$3,500.00
	<u>Weekends:</u> \$5,000.00	\$5,000.00	\$5,000.00

Time of Payment

The total appropriate fee will be collected in advance where possible; but in any case, total payment is due seven days before the event is scheduled to take place.

CERTIFIED ASTRONOMICAL LETTERS

Attorneys= law offices and insurance companies shall be charged a minimum fee for Certified Astronomical Letters of \$75.00 minimum.

SEE SCHEDULE Commercial Productions

1. The fee for filming on Mondays through Thursdays is \$2,500.00.
2. The fee for still photography on Mondays through Thursdays is \$2,000.00.

Sixty percent of the funds received from the above commercial productions fees would be deposited in the General Fund #2790 and 40% would be deposited in the Griffith Observatory MRP.

The 40% of filming fees deposited in the Griffith Observatory MRP account would be used to pay for part time personnel to coordinate all of the activities required for filming at the Griffith Observatory. This includes handling telephone calls, setting up and attending meetings and walk throughs, drawing up contracts, scheduling dates and time for filming, scheduling personnel for filming, and receiving and processing payments.

3. No filming or still photography is permitted on Fridays, Saturdays, Sundays, or Monday holidays.

OBSERVATORY - (continued)

EXEMPTIONS

A. NEWS MEDIA

~~The news media are excepted from all fees and restrictions outlined above. News media must coordinate their activities, however, with the Observatory staff to ensure an orderly presence on Observatory grounds.~~

B. STUDENTS

~~Student film makers and photographers may be exempted from the production fee, but to qualify they must provide a letter signed by an authorized administrator of the school or institution they attend and prepared on official school or institution letterhead. The letter should state that the student is enrolled at the school and is working on a student project which will not be presented commercially.~~

C. EDUCATIONAL PROGRAMMING

~~Any bona fide educational production which enhances the image of Griffith Observatory and substantively informs a wide audience of the Observatory's resources and programming may be exempted from this fee, by the Observatory Director. In addition, any commercial production in which the Observatory's operations and programming are specifically presented to a wide audience may be exempted from the fee.~~

D. INTERVIEWS WITH OBSERVATORY STAFF

~~Any producer who wishes to film or photograph an Observatory staff member in connection with astronomical or other scientific matters or with Observatory matters may be exempted from the fee. All such interviews must be authorized by the Observatory Director. If the Observatory staff member is compensated for such an appearance, the time spent with the production crew is to be considered off duty.~~