

**APPROVED**  
12-14-2016

**BOARD REPORT**

**BOARD OF RECREATION  
AND PARK COMMISSIONERS**

NO. 16-238

DATE December 14, 2016

CD 4

**BOARD OF RECREATION AND PARK COMMISSIONERS**

**SUBJECT: GRIFFITH OBSERVATORY – AMENDMENT NO. 2 TO MEMORANDUM OF UNDERSTANDING WITH FRIENDS OF THE OBSERVATORY TO EXTEND TERM OF AGREEMENT BY ONE YEAR**

AP Diaz	_____	*V. Israel	_____
R. Barajas	_____	K. Regan	_____
H. Fujita	_____	N. Williams	_____

  
General Manager

Approved  Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION

1. Approve a proposed Amendment No. 2, herein included as Attachment 1, to the current Memorandum of Understanding (MOU) with Friends Of The Observatory to extend the term of the MOU by one year to December 31, 2017, subject to the approval of the Mayor and of the City Attorney as to form.
2. Direct the Board Secretary to transmit the proposed MOU to the Mayor for approval in accordance with Executive Directive No. 3, and to the City Attorney for review and approval as to form; and,
3. Authorize the Board President and Secretary to execute the MOU, subsequent to receipt of the necessary approvals.

SUMMARY

The City of Los Angeles and Friends Of The Observatory (FOTO) signed a three-year Memorandum of Understanding (MOU) in early 2013 to continue their partnership with regard to support for Griffith Observatory. The initial MOU term (Report No. 12-253) was effective from January 1, 2013 through December 31, 2015. An Amendment (Report No. 15-255) to extend the term of that MOU by one year was approved on December 9, 2015, and executed on June 15, 2016. Given the ongoing success of the collaboration between the City and FOTO, both parties are interested in negotiating a new MOU. Negotiations for a new MOU will not be completed prior to the termination date of the current extended MOU; therefore, it is proposed to extend the term of the existing MOU by one additional year with an amended termination date of December 31, 2017.

BOARD REPORT

PG 2 NO. 16-238

FISCAL IMPACT STATEMENT

Neither this Amendment nor the MOU have any impact on the General Fund, as there is no cost to the Department for its implementation.

This Report was prepared by Mark A. Pine, Observatory Deputy Director.

LIST OF ATTACHMENT(S)

- 1 Proposed Amendment No. 2 to MOU with Friends Of The Observatory

**AMENDMENT NO. 2  
TO  
MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE CITY OF LOS ANGELES  
AND  
FRIENDS OF THE OBSERVATORY**

THIS AMENDMENT NO. 2 TO THE MEMORANDUM OF UNDERSTANDING (hereinafter referred to as MOU) DATED FEBRUARY 7, 2013, is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the City of Los Angeles, a municipal corporation, acting by and through its Board of Recreation and Park Commissioners (CITY) and Friends Of The Observatory, a 501(c)(3) public benefit corporation acting by and through its Board of Directors (FOTO).

**WITNESSETH**

**WHEREAS**, on September 5, 2012, the CITY approved a Memorandum of Understanding (MOU) with FOTO through Report No. 12-253; and

**WHEREAS**, on February 7, 2013, CITY executed the MOU with FOTO for the term of three (3) years commencing on January 1, 2013 and terminating on December 31, 2015, to establish the roles, responsibilities, and relationship between CITY and FOTO regarding ongoing support for Griffith Observatory; and

**WHEREAS**, on June 15, 2016, CITY executed a one-year extension to the MOU with FOTO through Report No. 15-255 which extended the MOU termination date to December 31, 2016; and

**WHEREAS**, FOTO has continued to provide invaluable support to Griffith Observatory and the Department of Recreation and Parks through its efforts in fundraising, advocacy, and collaboration; and

**WHEREAS**, it is the desire of both parties to continue their relationship through the negotiation of a new MOU; and

**WHEREAS**, both parties acknowledge there is not sufficient time to accomplish the negotiation of a new MOU before the expiration of the existing agreement on December 31, 2016; and

**WHEREAS**, both parties agree it would be in their mutual interest to extend again the term of the current MOU by twelve (12) months (to December 31, 2017) to enable time for the negotiation of the new MOU;

**NOW THEREFORE**, in consideration of the foregoing, CITY and FOTO hereby agree to amend MOU as follows:

**1. Page 3, Section 10. Term**

Delete the paragraph in its entirety and replace with:

The term of this Memorandum of Understanding shall be for five (5) years beginning on January 1, 2013, and ending on December 31, 2017.

2. All other provisions of the MOU shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 2 to the Memorandum of Understanding to be executed.

THE CITY OF LOS ANGELES,  
a municipal corporation,  
acting by and through its Board of  
Recreation and Park Commissioners

FRIENDS OF THE OBSERVATORY,  
a 501(c)(3) public benefit corporation,  
acting by and through its Board of  
Directors

By: \_\_\_\_\_  
President

By: \_\_\_\_\_  
Rich Semler  
President

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Ethan Eller  
Treasurer

Date: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM:

Michael N. Feuer, City Attorney

By: \_\_\_\_\_  
Strefan Fauble  
Deputy City Attorney III

Date: \_\_\_\_\_