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Chief Executive Office.

COUNTY OF LOS ANGELES
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, CA 90012
(213) 973-1101 ceo.lacounty.gov

Chief Executive Officer
Fesia A. Davenport

"To Enrich Lives Through Effective and Caring Service"

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
16 January 10, 2023

CELIA ZAVALA
EXECUTIVE OFFICER

January 10, 2023

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

APPROVAL OF AMENDMENT NO. 6 (AMENDMENT) TO AGREEMENT NO. 67675 FOR FUNDING, OPERATION, AND MANAGEMENT OF THE LOS ANGELES COUNTY (COUNTY) MUSEUM OF NATURAL HISTORY (MUSEUM) AND AN APPROPRIATION ADJUSTMENT TO TRANSFER $1,000,000 FROM THE PROVISIONAL FINANCING USES (PFU) BUDGET UNIT TO THE MUSEUM
(ALL DISTRICTS AFFECTED) (3-VOTES)

SUBJECT

Recommendation to amend the 1994 funding agreement (Funding Agreement) between the County and the County Museum of Natural History Foundation (Museum Foundation) to increase the base amount of the County's funding obligation by $1.0 million beginning with Fiscal Year (FY) 2022-23 as a result of growth in facilities and programs at the Museum and approve an appropriation adjustment to transfer $1.0 million from the PFU budget unit to the Museum budget unit.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed action is not considered a project under the California Environmental Quality Act (CEQA) as stated in this Board letter and based on the record of the proposed activity.

2. Approve and instruct the Chair to execute Amendment No. 6 to County Agreement No. 67675 with the Museum Foundation which will amend the Funding Agreement to increase the base amount of the County's funding obligation by $1.0 million beginning in FY 2022-23. The increase will allow the County and the Museum Foundation to continue the successful operation of the Museum.

3. Approve an appropriation adjustment to transfer $1.0 million from the PFU budget unit to the Museum budget unit to increase the base amount of the County's funding obligation.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended action will find that it is not subject to CEQA and ensure the Museum maintains and enhances a robust program of services to the public pursuant to the County and Museum Foundation's Funding Agreement.

The Museum Foundation, in partnership with the County, provides services to County residents at the Museum in Exposition Park, La Brea Tar Pits and Museum in Hancock Park, and the William S. Hart Museum in Newhall. The Museum is recognized as one of the top natural history museums in the world and holds the largest natural and cultural history collection in the western United States. By exploring the intersection of nature and culture, the Museum aims to inspire diverse audiences – within the County and beyond – to better understand and connect with the world around them.

The Museum and the La Brea Tar Pits and Museum sites reopened in stages beginning in March 2021, following State, County, and City of Los Angeles COVID-19 safety protocols. Both Museum sites are now open seven days a week and closed the first Tuesday of the month for building and exhibition maintenance.

The County is essential to the Museum through its continued support of museum operations and facilities, which extends its reach to diverse communities through on-site and off-site programs. From July 2020 through December 2021, the Museum's school and teacher programs served nearly 70,000 students through virtual workshops, live animal presentations, lessons, and mobile museums. Since reopening in April 2021, Museum attendance has reached 85 percent of our pre COVID-19 levels in 2019. School and public engagement programs have strengthened through a combination of in-person and virtual programs. On-site school and public programs began to emerge in Spring 2022. Visitor survey results are extremely positive; guests feel safe in the Museums and are excited to engage with Museum exhibitions and educators.

The Museum's new wing, Commons, opens new doors to natural history community collaboration and belonging, which is a transformative expansion conceived in 2018 with an estimated completion in 2024. Envisioned as a dynamic community hub and designed by Los Angeles-based architecture firm, Frederick Fisher & Partners, the Museum's Commons wing will manifest into a multitude of new and refreshed spaces, bursting with vital, enriching, and accessible experiences that celebrate the intersections of science, nature, culture, heritage, and community. The new facilities will create a new level of accessibility to communal space, including a new Commons Theater, Welcome Center, and Community Plaza.

This additional $1.0 million County contribution will allow the Museum to continue its current and expansive community and educational public programs, maintain operations at the Museum sites, begin the Commons programming, and preserve the Museum's collection of 35 million specimens and artifacts.

Implementation of Strategic Plan Goals

The recommended action supports countywide Strategic Plan Goal 1: Operational Effectiveness/Fiscal Sustainability, to maximize the effectiveness of processes, structure, and operations to support timely delivery of customer-oriented and efficient public services; and Strategic Plan Goal 2: Community Support and Responsiveness, to enrich lives of County residents by

providing enhanced services, and effectively planning and responding to economic, social, and environmental challenges.

FISCAL IMPACT/FINANCING

The 2022-23 Final Adopted Budget, includes the County's $24.099 million base funding obligation under the Funding Agreement, as amended by Amendments Nos. 1, 2, 3, 4, and 5. Approval of this request will increase the County's base funding obligation by an additional $1.0 million in 2022-23 to $25.099 million. The attached FY 2022-23 appropriation adjustment transfers $1.0 million from the PFU budget unit to the Museum budget unit.

The Museum Foundation is required to contribute towards its operations for the benefit of the Museum an amount equal to 80 percent of the County's contribution. The Museum Foundation has exceeded this requirement every year and has over contributed the 80 percent by an average of 78 percent over the last five years (total average contribution of 158 percent per year).

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On July 12, 1994, the Board and the Museum Foundation confirmed their mutual funding responsibilities for the operation and maintenance of the Museum facilities under the Funding Agreement with an initial term of 25 years. On September 26, 2006, the Board approved Amendment No. 1 that extended the term of the Funding Agreement by 75 years to September 26, 2081.

Additionally, on September 26, 2013, October 8, 2013, June 23, 2014, and June 22, 2015, the Board approved Amendment Nos. 2, 3, 4, and 5, respectively, to the Funding Agreement that increased the County's base funding obligation to assure continued stable funding and operation of the Museum after the Funding Agreement was executed.

Amendment No. 6 will further increase the County base funding obligation under the Funding Agreement and is made in recognition of the long-standing public/private partnership between the County and the Museum Foundation.

County Counsel has approved this Amendment No. 6 as to form.

ENVIRONMENTAL DOCUMENTATION

The recommended action is not subject to CEQA because approval of Amendment No.6 is excluded from the definition of a project by Public Resources Code section 21065 and CEQA Guidelines section 15378(b)(4). The proposed action would create a government funding mechanism that does not involve any commitment to a specific project that may result in a potentially significant physical impact on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

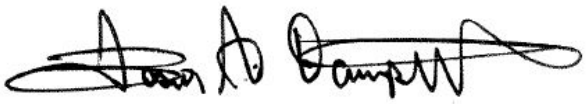
There is no negative impact on current services. Approval of Amendment No. 6 will ensure affordable, quality cultural experiences and life-long learning opportunities for the community, as well

as bolster the Museum Foundation's ability to increase its base of private support through enhanced donor and investor confidence.

CONCLUSION

Upon the Board's approval, the Executive Officer, Board of Supervisors is requested to return one original signed copy of the Amendment and one adopted stamped Board letter to the Museum Foundation, Attention: Dr. Lori Bettison-Varga, President and Director, 900 Exposition Boulevard, Los Angeles, CA 90007; as well as one adopted copy of the Board letter and Amendment to the Chief Executive Office.

Respectfully submitted,



FESIA A. DAVENPORT

Chief Executive Officer

FAD:JMN:MM
SW:AB:JD:kn

Enclosures

c: Executive Office, Board of Supervisors
County Counsel
Los Angeles County Museum of Natural History Foundation
Museum of Natural History

AMENDMENT NO. 6
TO
FUNDING AGREEMENT
FOR THE
LOS ANGELES COUNTY MUSEUM OF NATURAL HISTORY

67675, Supplement 6

This Amendment No. 6 to the Funding Agreement for the Los Angeles County Museum of Natural History is made and entered into as of January 10, 2023, by and between the COUNTY OF LOS ANGELES ("County"), a body corporate and politic and a political subdivision of the State of California, and the LOS ANGELES COUNTY MUSEUM OF NATURAL HISTORY FOUNDATION ("Foundation"), a nonprofit public benefit corporation organized under the laws of the State of California.

WITNESSETH

WHEREAS, the County and the Foundation entered into that certain Funding Agreement for the Los Angeles County Museum of Natural History ("Natural History Museum") dated July 12, 1994 (the "Funding Agreement") providing for, among other things, mutual funding obligations based on an annual amount certain, subject to a yearly adjustment; and

WHEREAS, the County and the Foundation entered into that certain Amendment No. 1 to the Funding Agreement, dated September 26, 2006 ("Amendment No. 1"), which extended the term of the Funding Agreement an additional 75 years from the date Amendment No. 1 was executed, and made other amendments to the Funding Agreement to ensure the continued stable funding and operation of the Natural History Museum and to implement potential improvements in funding and operations that were identified after the Funding Agreement was executed; and

WHEREAS, the County and the Foundation entered into that certain Amendment No. 2 to the Funding Agreement, dated June 24, 2013 ("Amendment No. 2"), which increased the base amount of the County's funding obligation under the

Funding Agreement to the sum of fifteen million nine hundred sixty-five thousand dollars ($15,965,000) for fiscal year July 1, 2013 - June 30, 2014 ("Fiscal Year 2014"); and

WHEREAS, the County and the Foundation entered into that certain Amendment No. 3 to the Funding Agreement, dated October 8, 2013 ("Amendment No. 3"), which increased the base amount of the County's funding obligation under the Funding Agreement to the sum of sixteen million four hundred sixty-five thousand dollars ($16,465,000) for Fiscal Year 2014; and

WHEREAS, the County and the Foundation entered into that certain Amendment No. 4 to the Funding Agreement, dated June 23, 2014 ("Amendment No. 4"), which increased the base amount of the County's funding obligation under the Funding Agreement to the sum of eighteen million one hundred forty-six thousand dollars ($18,146,000) for fiscal year July 1, 2014, to June 30, 2015 ("Fiscal Year 2015"); and

WHEREAS, the County and the Foundation entered into that certain Amendment No. 5 to the Funding Agreement, dated June 22, 2015 (“Amendment No. 5”) which increased the base amount of the County's funding obligation under the Funding Agreement by one million five hundred thousand dollars ($1,500,000) to the sum of nineteen million seven hundred and seventy-seven thousand ($19,773,000) for fiscal year July 1, 2015, to June 30, 2016 ("Fiscal Year 2016"); and

WHEREAS, the County and the Foundation wish to increase the base amount of the County’s funding obligation under the Funding Agreement for fiscal year July 1, 2022, to June 30, 2023 ("Fiscal Year 2023") by an additional one million dollars ($1,000,000), for a total base amount for Fiscal Year 2023 of twenty-five million ninety-nine thousand ($25,099,000), and as a result thereof increase the Foundation’s funding contribution, in order to ensure the continued stable funding and operation of the Natural History Museum;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the County and Foundation hereby agree as follows:

I. Subsection (K) of Section 8 of the Funding Agreement, which subsection was added by Amendment No. 5, is deleted in its entirety and replaced with the following:

(K) Adjustment to County Contribution and Base Year Amount:

(1) Notwithstanding Section 8(C), above, the County Contribution for the fiscal year July 1, 2022 - June 30, 2023 ("Fiscal Year 2023") shall be the sum of twenty-five million ninety-nine thousand dollars ($25,099,000).

(2) Beginning in Fiscal Year 2023, the Base Year Amount established in Section 8(B) of this Agreement shall be the amount of the County Contribution set forth in Section 8(K)(1) of this Agreement.

(3) The Foundation Contribution, as defined in Section 8(D) of this Agreement, shall be calculated based on and reflect any upward adjustments and/or other increases provided by the County pursuant to this Subsection (K).

II. Except as expressly set forth in this Amendment No. 6 to the Funding Agreement, the Funding Agreement, Amendment No. 1, Amendment No. 2, Amendment No. 3, Amendment No. 4 and Amendment 5 thereto, shall remain in full force and effect according to their terms.

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IN WITNESS WHEREOF, this Amendment No. 6 to the Funding Agreement has been executed for the parties by their duly authorized officers as of the date first written above.

LOS ANGELES COUNTY MUSEUM OF NATURAL HISTORY FOUNDATION

By: _____
Dr. Lori Bettison-Varga

COUNTY OF LOS ANGELES

By: _____
Chair, Board of Supervisors

APPROVED AS TO FORM:
Dawyn R. Harrison
Interim County Counsel

By: _____
Casey Yourn
Principal Deputy County Counsel

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

CELIA ZAVALA
Executive Officer
Clerk of the Board of Supervisors

By _____
Deputy

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
16 January 10, 2023

CELIA ZAVALA
EXECUTIVE OFFICER

ATTEST: CELIA ZAVALA
EXECUTIVE OFFICER
CLERK OF THE BOARD OF SUPERVISORS

By: _____
Deputy

67675, Supplement 6

PINK

BOARD OF SUPERVISORS
BA FORM 05262022 OFFICIAL COPY

October 20, 2022

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPARTMENT OF CHIEF EXECUTIVE OFFICER

AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HER RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFORE
FY 2022-23
3 - VOTES

SOURCES		USES	
PFU-VARIOUS		**MUSEUM OF NATURAL HISTORY**	
A01-CB-2000-13749-13760		A01-NH-2000-28300	
SERVICES & SUPPLIES		SERVICES & SUPPLIES	
DECREASE APPROPRIATION	**1,000,000**	**INCREASE APPROPRIATION**	**1,000,000**
SOURCES TOTAL	**$ 1,000,000**	**USES TOTAL**	**$ 1,000,000**

JUSTIFICATION

Reflects the transfer of $1,000,000 from the Provisional Financing Uses budget unit to the Natural History Museum to increase the FY 2022-23 base amount of the County's funding obligation.

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
16 JAN 10 2023

Anthony Baker
Digitally signed by Anthony Baker
Date: 2022.11.30 15:42:00 -08'00'

AUTHORIZED SIGNATURE ANTHONY BAKER, MANAGER, CEO

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

CELIA ZAVALA
EXECUTIVE OFFICER

REFERRED TO THE CHIEF EXECUTIVE OFFICER FOR---

☐ ACTION
☑ RECOMMENDATION

AUDITOR-CONTROLLER

BY Lan Sam Digitally signed by Lan Sam Date: 2022.12.01 09:45:31 -08'00'

B.A. NO. 061

DATE 12/01/2022

☑ APPROVED AS REQUESTED
☐ APPROVED AS REVISED

CHIEF EXECUTIVE OFFICER

BY Yolanda Reyes Digitally signed by Yolanda Reyes Date: 2022.12.05 09:55:48 -08'00'

DATE 12/05/2022