



COUNCIL REPORT

DATE: May 13, 2025

CATEGORY: Consent

DEPT.: Community Services

TITLE: **Performing Arts Committee
Reestablishing Resolution**

RECOMMENDATION

Adopt a Resolution of the City Council of the City of Mountain View Repealing Resolution No. 18199, and All Amendments Thereto, and Adopting a New Resolution Reestablishing the Performing Arts Committee, to be read in title only, further reading waived (Attachment 1 to the Council report).

BACKGROUND

The Performing Arts Committee (PAC) consists of five members appointed by the City Council. All candidates for membership must have a demonstrated special interest or training in the performing arts and may not be a current or past (within 24 months) board member or employee of a licensee of the Mountain View Center for the Performing Arts (MVCPA) or a current office holder of the City. One member may be a nonresident. Members are eligible to serve a maximum of two consecutive terms.

The Committee's responsibilities include:

- Act in an advisory capacity to the City Council in matters pertaining to the Center for the Performing Arts.
- Perform such other duties as Council may direct.

At its [February 11, 2025](#) meeting, the City Council approved revisions to the formally named Home Company program, now named Resident Company program, as recommended by the PAC. These revisions included: limits to use of the MainStage and SecondStage to enable a robust and diverse schedule of programs; the name change of the program; and delegating approval authority to the Community Services Director or designee on all matters, other than fee adoption and Resident Company agreements, relating to the Resident Company program review and administration with the advisement of the PAC, and incorporating any modifications for Council approval during the renewal process of Resident Company agreements.

ANALYSIS

Since the MVCPA opened in 1991, the City Council has historically reviewed the Resident Company program every three to five years. This regular review was necessary because the facility was new, and the program was still in its early stages of development. Now in its 34th year, the MVCPA has established itself as a prominent performing arts venue in Silicon Valley. The City's Community Services Department (CSD) staff has successfully managed the MVCPA since its opening and has consistently demonstrated expertise and dedication to ensuring the smooth operation of the facility. Accordingly, the City Council approved the PAC's recommendation that, going forward, staff from CSD will conduct an internal review of the Resident Company program at a minimum of every five years.

The City Council also approved the PAC's recommendation that upon staff's review of the Resident Company program, if adjustments to the program are needed to address any unmet needs, staff would present recommendations to the PAC for their advisement. Staff would subsequently administer any Resident Company program adjustments to facilitate the efficient administration of the MVCPA and to support Council's focus on policy-related matters. The PAC is an advisory body to the City Council and its purview, as specified in its current establishing Resolution, does not include a review of the Resident Company program without subsequent Council approval. Consequently, this item recommends Council approval of a Resolution reestablishing the Performing Arts Committee, which includes specifying the Committee's purview to advise the Community Services Director or designee on matters pertaining to the Resident Company (Attachment 1). All matters related to fees and Resident Company agreements will continue to be under the authority of the City Council.

FISCAL IMPACT

Adopting the Performing Arts Committee Resolution will not affect the Committee's budget. No additional funding is required.

NEXT STEPS

As noted in the February 11, 2025 Council report, staff is developing new agreements with the Resident Companies. These agreements will incorporate the program changes approved by the City Council on February 11, 2025, and will be presented for City Council review and approval later this year.

LEVINE ACT

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a "license, permit, or other entitlement for use" if the official has received a campaign contribution exceeding \$500 from a party, participant, or

agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

EXEMPT FROM THE LEVINE ACT

☒ General policy and legislative actions

ALTERNATIVES

1. Decline to adopt the resolution and the City Council will continue to have approval authority for all matters of the Resident Company program.
2. Provide other direction.

PUBLIC NOTICING

Agenda posting and a copy of report to TheatreWorks Silicon Valley, Peninsula Youth Theatre, and Upstage Theater.

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Attachment: 1. Resolution