



## Legislation Details (With Text)

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Date	Ver.	Action By	Action	Result
8/2/2016	1	City Council		

## Report to Mayor and City Council

Tuesday, August 02, 2016

Discussion

### SUBJECT:

**CONSIDER OPTIONS FOR THE DR. MARTIN LUTHER KING, JR. MONUMENT FUND (CITY COUNCIL)**

### I. SUMMARY

The Council requested additional information on the status of the Dr. Martin Luther King, Jr. Monument Committee and the request by donors to refund donated funds.

### II. RECOMMENDATION

TAKE the following actions:

1. REQUEST written verification and documentation from the Abe Thomas ATUCO of their organizations officers, information on the organization and a written letter requesting the refund.
2. CONSIDER if the City Council wishes to continue with the Dr. Martin Luther King, Jr. Statue Project or if the project should be considered by the Carson Community Foundation.
3. CONSIDER reactivating the Dr. Martin Luther King, Jr. Project Committee and

appointing new members and officers.

1.

### **III. ALTERNATIVES**

TAKE other actions as the City Council deems appropriate.

### **IV. BACKGROUND**

In August of 2014, The Dr. Martin Luther King, Jr. Monument Committee was established by the City Council for the purpose of collecting funds through private donations and grants so that a monument could be constructed and erected in the City's International Sculpture Garden. The Committee appears to have operated on a very informal level, since there is no record of their officers or minutes since its formation in 2015. The Co-Chairs were Mr. Jim Dear and Mr. Marvin Clayton, who has since passed away. The City Council adopted City Council Policy (CCP) 1.6.01 to provide guidance to the committee. The CCP authorized the establishment of a City Trust Account to hold donated funds for the statue. The trust account contained a total of \$2,850. The CCP does not permit any disbursements of the funds unless authorized by the co-chairs. The fund was to exist for an initial two year period; however the Committee could request a time extension.

The item originally appeared on the Council Agenda of July 19th, since the City Treasurer had received a request for a refund from Mr. Jim Dear and Ms. Janice Schaffer. These refunds (both totaling \$100) were paid.

The City Treasurer was approached by a Mr. Horie Taylor and a Mr. James Winston requesting a refund for Abe Thomas ATUCO. The City is holding \$2,400 in the trust account. Mr. Taylor and Mr. Winston could not provide written proof that they were officers of the Abe Taylor ATUCO and could not provide documentation from the organization requesting the refund. The City continues to hold this amount. The City Treasurer contacted Mr. Paul Randell, the remaining donor, who desired the City to continue to hold his funds for the statue project.

The City Treasurer was also told that the Dr. Martin Luther King, Jr. Monument Committee had made a decision in June of 2016 to close the trust account. The City has no record of a meeting being held. The Committee has not provided any meeting notices, agenda or minutes to the City Clerk's Office, there is no current record of the committee members and the co-chair has passed away, so it is impossible to determine the validity of this request.

#### **Options**

The City Council can consider various options. The Abe Thomas ATUCO funds can be returned with proper written documentation. However, staff has been informed that the funds were collected at a charity event where the proceeds were specifically called out for donations to the Dr. Martin Luther King, Jr. statue.

Since there is one donor who supports the Dr. Martin Luther King, Jr. project, the Council could continue to maintain the trust account for the construction of an Dr. Martin Luther King, Jr. statue. However, with the formation of the Carson Community Foundation, the City has been moving away from establishing these trust accounts. In the past, donors may have relied upon the City's tax identification number believing that their donations were tax deductible. The Carson Community Foundation was incorporated as charitable non-profit under IRS rules to rectify this problem.

The City Council could forward a request that the Carson Community Foundation sponsor the project. If approved by the Carson Community Foundation, the funds would then be forwarded to the Foundation for the statue project. The City Treasurer can then close the Trust Account.

If the City Council decides to continue with the project, it is recommended that new committee appointments be made.

**V. FISCAL IMPACT**

None.

**VI. EXHIBITS**

1. Staff Report, August 5, 2014, Item No. 25. (pg. 4-5)

Prepared by: Kenneth C. Farfsing, City Manager