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MEMORANDUM OF UNDERSTANDING:

Purpose: To transfer the Tier III program management functions from City Council (CC) to Arts and Venues Denver (AVD). Justification for this move is to return to the Charter-defined role of the Legislative and Administrative branches within the City and County of Denver and to gain resource efficiencies available within AVD.

Terms:

- 1) The management of the Tier III functions and supervision of the Program Administrator position will be moved to AVD effective July 1, 2011.
- 2) Legal authority to manage the budget and functions of the Tier III statutory responsibilities will be completed through two actions:
 - a) Amendment of Ordinance 288, Series of 1996; and
 - b) Journaling the City Council and AVD 2011 budget through the terms described in Item #3
- 3) The remaining 2011 budget for operations of this function will transfer to AVD Budget in the amount of \$26,027 (\$23,027 Sal/Tax/Benefits and \$3,000 for remaining professional services budget). AVD will prepare a monthly JV to transfer related expense from SRF 15815 to 01010-0201116. City Council will approve this JV within one week of receipt.
- 4) City Council will request that \$52,055 be allocated to AVD for the 2012 budget year (\$46,055 Sal/Tax/Benefits; \$6,000 Professional Services) to be allocated to the responsibilities identified in the second phase below. AVD will prepare a monthly JV to transfer related expense from SRF 15815 to 01010-0201116. City Council will approve this JV within one week of receipt.
- 5) The two parties, AVD and CC, understand that there are two phases to this transition. The first phase of the work to be performed by the Program Administrator includes July – December 2011:
 - a) Maintenance of the ongoing functions required to distribute Tier III funding to the various organizations as currently identified in the Program Administrator job description.
 - b) Cooperatively mentor identified staff within AVD as to the requirements of the position so the current knowledge base can be institutionalized within AVD staff.
 - c) Cooperate with AVD in an effort to utilize existing resources within AVD to improve the scope of the Tier III program.The second phase of the work to be performed by the Program Administrator, contingent on successful performance and integration into AVD, based on a new scope of work to be developed by AVD in conjunction with 2012 planning. (January 1, 2012 through December 31, 2012)
- 6) The Program Administrator's employment status will be transitioned from an at-will City Council employee to a contract employee within AVD. Term of the first contract will be July 1, 2011 through December 31st, 2011. Pending 2012 budget approval, a second contract will be executed to perform the above mentioned second phase of duties from January 2012 until December 2012.

7). Rent in the current office space at 899 Logan Street will be paid through Dec 31, 2011, per the current lease agreement. Location of the program administrator's office in the July 1, 2011 through Dec 31, 2011 period is at the discretion of AVD.