



Strengthening arts, culture,
and creative expression as the
tools to cultivate a better
California for all.

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Jonathan Moscone, **Executive Director**
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MINUTES OF PUBLIC MEETING

November 17, 2023
10:00 a.m. to 4:00 p.m.

The members of the California Arts Council convened via web conference to discuss and vote on various items as listed in the minutes below.

PRESENT:

Council Members

Consuelo (Chelo) Montoya, Chair
Vicki Estrada, Vice-Chair
Gerald Clarke
Caleb Duarte
Ellen Gavin
Leah Goodwin
Phil Mercado
Roxanne Messina Captor
Nicola Miner
Olivia Raynor

Arts Council Staff

Jonathan Moscone, Executive Director
Kayla Ungar, Chief Deputy Director
Ayanna Kiburi, Deputy Director
Kristin Margolis, Director of Programs
Artemio Armenta, Public Affairs Director
Kimberly Brown, Public Affairs Specialist
Qiana Moore, Outreach Events Coordinator
Mason Diab, Council Liaison

1. Call to Order

Chair Montoya opened the meeting at 10:03 a.m.

2. Land and Peoples Acknowledgement

Council Member Messina Captor read the [CAC Land and Peoples Acknowledgement](#) into the record.

3. Roll Call, Establishment of Quorum, and Community Agreements

Council Liaison Mason Diab conducted a roll call.

Present: Chair Consuelo Montoya, Vice Chair Vicki Estrada, Gerald Clarke, Caleb Duarte, Ellen Gavin, Leah Goodwin, Phil Mercado, Roxanne Messina Captor, Nicola Miner and Olivia Raynor.

With 10 of 11 present, a quorum was achieved.

Community Agreements were read into the record by Chair Montoya and Vice Chair Estrada.w

4. [Chair's Report](#)

Chair Montoya reported that the CAC invests in California arts communities to build and sustain a healthy ecosystem. This helps the field extend outlets for creativity.

Discussions pertaining to the 2024 Grant Program recommendations provided by the Programs Policy Committee will take place at this meeting.

The Programs Policy Committee works with an iterative process and recent and longstanding programs will be discussed.

Public comments will be followed by Council discussion. The Programs Policy Committee will assess input and a vote will take place at our December meeting.

Chair Montoya welcomed Parliamentarian Lorenzo Cuesta, and had Cuesta introduce himself.

5. [Executive Director's Report](#)

Executive Director Moscone announced the outgoing status of his position. Moscone decided to step away from the next two Council meetings to allow for a free and unfettered discussion by Council and staff.

Moscone shared a brief, personal history with the CAC and a continued desire to support the Council and staff.

Travelling throughout the state conducting CAC business has been very rewarding.

Community meetings are vital and learning opportunities are enhanced using this venue.

The fragility, diversity, and interconnectedness of our ecosystems must be recognized. Diversity is our unique strength.

We must acknowledge that the intentions of everyone's actions and the CAC community are genuine and good.

Discussions to hone and refine Council policy and recommendations must continue with mutual respect. The best part of this position has been to be among people who care and are committed to our artists' ecosystem.

And to all of you, thank you for allowing me to serve as best I can.

Chair Montoya acknowledged and moved on to Approval of Minutes.

6. [Voting Item: Council Minutes from Previous Council Meeting](#)

There were no corrections to the minutes of the August 30, 2023 Council meeting and they were approved.

7. Public Comment

Chair Montoya explained the purpose and prohibitions for making Public Comment at CAC meetings. Public Affairs Specialist Kimberly Brown explained the process and provided specific instructions.

[Click here for the full meeting public comment.](#)

8. Discussion Item: Bylaws

On behalf of the Governance Committee, Council Member Miner gave a [brief overview](#) of some of the work done pertaining to bylaws and discussed with Chair Montoya specific areas changed and/or omitted or moved to another area.

Council Members read sections of the bylaws to Council Members for discussion.

Council Member Miner mentioned that the section on the duties and responsibilities of the Director is in the Council bylaws and the Council does not have jurisdiction over the Director. This gives the wrong impression that the Director is somehow hired by the Council, which they are not.

Parliamentarian Cuesta explained that Sections 8755 through 8756 is the ending part of the Dixon-Zenovich-Maddy-California Act, and that means that whatever was included must not contradict the conflict with that Act. If the contents of the Act are being repeated, they should be cited so as not to be confused with bylaws that can be amended.

Chair Montoya noted that the existing bylaws were not authored the current Council, and Chief Deputy Director Ungar clarified that the code sections are from the CAC enabling legislation that established the agency which is known as the Dixon-Zenovich-Maddy-California Arts Act of 1975.

The Council decided that these Sections, along with the full text of the CAC's enabling legislation, which is already included in our Handbook, be moved out of the bylaws and be referred to within the Handbook only, since it is not on the Council to vote on this language, but it is very important to have it as a reference point.

Discussion

Parliamentarian Cuesta suggested that the phrase, "Dixon-Zenovich-Maddy-California Arts Act of 1975" should be in the first paragraph of the bylaws. He also mentions that the end of all bylaws includes how to amend them, and that has not been listed in these bylaws.

Vice Chair Estrada, Chair Montoya, and Council Member Goodwin endorsed the suggestions from the parliamentarian.

Definition of Terms was brought to the floor for discussion.

Council Member Clarke addressed the stipulated bi-annual budget review and recommended establishing specific dates for this to happen.

The stipulated number of CAC meetings per year is in the enabling legislation and cannot be amended through the bylaws process.

Chief Deputy Director Ungar discussed the timeline and procedure for establishing the annual state budget and offered hypotheticals for determining specific dates for review.

The Council's purview is the Local Assistance Budget which is how the CAC votes regarding programs and allocations.

Deputy Director Kiburi explained that the actual, total budget for the Council is posted on the Department of Finance website. It is publicly accessible to look at the budget.

The authority over the Executive Director is the State Controller's Office and viewing of budget line items is accessible to the public.

Council Member Raynor suggested that on necessary state training, the wording should be changed to "upon appointment to the Council."

Vice Chair Estrada requested clarification around the length of terms of service for individual Council Members.

Chief Deputy Director Ungar stated that it is part of our enabling legislation and not something that is up for change or debate in the bylaws.

Director of Programs Margolis also noted that the rationale for these terms being staggered was to ensure that the Council does not lose all of its existing members simultaneously.

Director of Programs Margolis suggested that the Council set two dates where it can comprehensively go over the budget.

It was suggested that the Strategic Plan does not seem like a bylaws issue and should be in the Handbook.

A discussion of the prohibition of sub-committees not meeting with other sub-committees unless in a publicly noticed venue was talked about and suggestions were made.

The CAC's role in advocacy was discussed and Chair Montoya noted that further information would be provided to the Council.

It was suggested that under the conflict-of-interest category, retired Council Members should not be allowed to lobby the Council for a period of one year from their leave of serve date.

The line of command and accountability of the Director's position was raised and the ramifications of this were discussed. These same issues were also mentioned pertaining to Council Members and staff.

Chief Deputy Director Ungar clarified that the Director serves at the pleasure of and is appointed by the governor and reports directly to the Governor's Office.

It was clarified that the CAC is a formal state agency and reports to the Department of Finance for anything related to its budget, and to the Governor's Office for policy and procedures.

Chair Montoya deferred further investigation to the Governance Committee.

Council Member Raynor made suggestions under the section pertaining to Responsibilities of the Chair, and advocated for a statement assuring that planning for access is incorporated into the daily operations of the agency and Council Meetings.

Wording stating that meetings are accessible and meet the requirements of the Americans with Disabilities Act should be included.

Chair Montoya stated that the utilization of ad hoc committees has become a fruitful tool and language enhancing their use should be explored.

It would be ideal to see a redline version of the bylaws at the next meeting to make sure Council members are aware of what moved off and what stayed on and what was added.

The Committee List and Descriptions has been removed. Chair Montoya requested input from the Committee or deferring to Parliamentarian Cuesta if that does not really belong in the bylaws and if it should live somewhere else.

Parliamentarian Cuesta stated that Committee Lists and Descriptions are found in bylaws because the ones listed are standing committees. The ones not listed are the disbanded ones and ad hoc committees.

He also clarified referring to changes as "amendments" and suggested instead referring to them as "revisions" to the bylaws.

Council Member Messina Captor clarified that a decision was made to include Committees and their responsibilities in the Handbook. If this needs to be in the bylaws, it can be put back but it was not just deleted.

Parliamentarian Cuesta stated that the custom is to leave them in the by-laws because they become “standing committees” and are very different from ad hoc.

9. Presentation and Q-and-A on Grant Programs

Council Members read published descriptions of CAC programs under considering for the 2024 grant cycle, including Title, Purpose, History, Grant Amount Maximum, and End of Funding Period.

Council Member Raynor noted that the Arts and Accessibility program is missing, which was acknowledged by Chair Montoya.

Vice Chair Estrada wanted to know if maximum amounts of grants were ever revised based on any kind of feedback from the field and how the amounts were determined.

Director of Programs Margolis stated that the Allocations Committee established a range.

Council Member Clarke pondered what the impacts of Prop. 28 might be and that data showing high-demand programs would be useful.

Council Member Messina Captor pointed out that a lot of the educational programs are very similar and asked about grantee parameters with an eye to potential redundancy.

Director of Programs Margolis informed the Council that applicants can apply for more than one grant and across programs.

The impact of Prop. 28 is unknown at this time with over \$1 billion to be infused into our school systems.

It was mentioned that the Council developed the Impacts Projects program to use as an umbrella grant program to absorb previous individualized/specific project-based grant programs such as Reentry for the Arts, Veterans for the Arts, etc.

Attention was drawn to the fact that the Individual Artist Fellowship Program was not on the list or in the recommendations.

Council Member Raynor observed that the Individual Fellowship Program description in the packet did not include how funds were allocated to conduct specific outreach to be inclusive of disabled artists therefore making it an incomplete description.

Director of Programs Margolis talked about the Arts and Accessibility Program mentioning its purpose and targeted populations.

Vice Chair Estrada noted the poor response to the Folk and Traditional Arts Program and wondered if increased outreach might be in order. Chair Montoya responded by saying that the opportunity for Folk and Traditional Arts is an administering organization and had been opened to new applicants. Council Member Raynor cautioned against blaming the applicant pool when evaluating the value of any CAC program. There may be factors beyond the applicant's control that will determine the final numbers.

Deputy Director Kiburi emphasized that a change to language to be less direct with regard to racial equity was implemented to avoid any potential perception of a violation of Proposition 209 and the equal protections clause of the 14th Amendment.

10. Break

Chair Montoya called for a 30-min lunch break from 12:45 p.m. to 1:15 p.m.

11. 2024 Grant Programs Discussion

Council Members Ellen Gavin and Leah Goodwin [provided the overview of considerations](#) to lead the 2024 Grant Programs discussion on behalf of the Programs Policy Committee.

Council Member Gavin informed the Council of the efforts and process they used in gathering feedback from the field. Hearing from the SLPs and SRNs was very helpful.

Guidelines, principles, and suggestions regarding the CAC process and outcomes were shared with the Council.

Vice Chair Estrada inquired as to the basis for determining the suggested \$3 million budget limitation. Council Members Goodwin and Gavin explained that in order to save money, it made sense to cut funds based on budget size. Exceptions should be based on current conditions and more research is needed.

Council Member Raynor noted that State and Local Partners are a county-level network essentially, and State and Regional Networks are based under some other affinity. Redundancies are possible and refining is needed. SRNs were established as an emerging idea and often were very grassroots in the early days; technology has changed the dynamics on the concept of networks.

Council Member Messina Captor suggested that panels need to increase their conversations with their peer reviewers regarding potential grantees before making decisions. The current process often has decisions being made by individuals in silos without any discussion or input from other panelists or guidance from staff.

Council Member Clarke mentioned Prop. 28 and potential funding streams for a variety of programs under Item 4: Arts Education Programs. It was suggested that Council do a deeper dive pertaining to actual grants and timelines, and especially regarding the \$2 million figure. Chief Deputy Director Ungar explained that funding for Prop. 28 is dedicated only within the Department of Education to fund credentialed teacher positions as art teachers in classrooms only.

Staff reminds Council members that the budget is never final until around September of 2024.

Council discussed the possibility of different tiers of funding between statewide networks and regional networks. Networks are not always geographically based, and Council's preference should be established. Categories should be delineated and recognized with some type of order established contingent upon CAC priorities, especially funding going directly to artists.

The goal with SRNs is to focus on grantees involved with services for artists, creators, and tradition bearers. A description of what constitutes a network was read into the record from the Guidelines.

Staff can provide Council members with a clear analysis of the best way to utilize CAC funds to complement Prop 28 at a future meeting.

A continuation of funding for SLPs was proposed, and it was noted that some of the larger SLPs don't mind the reduction of their funds.

Chair Montoya recalled questioning the SLP model – the per capita versus the equity model. Removing SLPs entirely breaks the idea of covering California. Engaging the SLP Coalition will help the Council understand the variations and different needs of the field.

Council Member Messina Captor asked for the rationale behind the request limitation for organizations with budgets in excess \$3.5 million per year.

There is ongoing debate on this. Destabilization is not wanted. Perhaps an across-the-board reduction is warranted.

Vice Chair Estrada questioned committing to the specific number of adding 10 new Cultural Districts to creating an artificial situation considering new or emerging cultural districts. Stipulating “up to” and not necessarily declaring a definite number might be useful.

Leftover money for Cultural Districts could be used for planning grants or developing cultural districts nearing a level of development to qualify them for funding was suggested by staff.

The idea of the Cultural Anchors Institutions Project was discussed; this is based on the old Multicultural Advancement program, and these would be organizations within the CAC’s equity priorities.

Council Member Gavin stated that the intention of this proposed program is to provide support for institutions who are survivors and represent underserved communities who have evolved to be hubs of the community. They have decades of experience and potentially been cut out from support through the GenOps program due to budget limitations within the guidelines. They are unrelated to State and Regional Networks.

Guidelines should be very clear as to what the CAC is looking for from the field, and staff should screen that. If they do not meet the criteria, then they should not be considered.

Council discussed the GenOps program ensuring that organizations are not double or triple “dipping” funding and to see guidelines are clear on granting parameters. Staff recommended that Guidelines restrictions should be discussed in finalizing this document. GenOps funding should be reviewed for possible redundancies.

An earlier discussion by staff on Item 10 concluded that the Native American Initiative needed more vetting and input before bringing it up for a vote by Council.

It was noted that Items 10, 11, and 12 are all connected because they are all related to being able to fund work necessary for a variety of programs.

Council Member Clarke strongly encourage and advocated for consideration of the Cultural Pathways program to return in the 2024 cycle.

The Governance Committee’s decision to omit Cultural Pathways was based on 80 percent of the GenOps funds going to smaller organizations in this last grant cycle.

Staff stressed that funding restrictions within guidelines have made it clear that at no time can an organization get two operational support grants at the same time.

Council needs to make sure that redundancies are not being created and that gaps are covered – the Committee should discuss this with staff and analyze any additional data.

Chair Montoya asked Council Members to mention any other programs that were not discussed or that needed to be discussed further.

Council Member Gavin wondered if it was possible to go back and fund midsized groups that ranked high but did not get funded during the GenOps vote in August. Committee members Gavin and Goodwin discussed potential hypotheticals pertaining to funding in these categories.

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The Individual Artists Fellowship Program was mentioned by Chair Montoya as not appearing on the list and asked what thoughts Council might have on this.

Council Member Goodwin thought highly of this program but was uncertain how it could be funded with the dearth of funds available – Council input was sought.

The Council's discussion included various potential strategies for extending monies to benefit the largest possible number of organizations. Consistent feedback from the field is the need to get money directly to artists. Data allows the Council to target organizations for funding with the most effective programs.

Support for particular programs was voiced, especially funding individual artists.

Staff is happy to provide data relating to funding based on budget size and total revenue.

Timeliness of deliberations affecting programs is essential and choices must be made. Decisions are cycle specific but have multi-year ramifications.

The Committee studied all the potentialities contingent upon available funding. The retention of programs funneling money directly to artists was prioritized.

The Council acknowledged the tremendous work done by the Committee and discussion was conducive to voicing diverse perspectives as opposed to diminishing the latitude, depth and value of work wrought by the Committee.

The issue of having to vote in December on these items was raised because budgetary timelines seem to be moving targets. An open meeting of the Committee might be appropriate in contributing to enhanced feedback.

If Impact Projects and GenOps grants are indeed agreed upon as priorities as Council Member Gavin suggested, the question was asked as to how Council expresses that priority in intended funding for specific programs without creating additional procedural requirements.

Parliamentarian Cuesta pointed out that the bylaws stipulate that it is the Council that has complete accountability. Priority setting has been left up to a Committee without Council voting on anything, and establishment of priorities as a body is critical to enable Council to vote on program funding in alignment with these priorities. He suggests a vote on instructions to the committee so that priorities are made clear.

Staff informed Council that December is when voting on the slate of programs for 2024 is scheduled followed by voting on the guidelines in January. Committee recommendations are still to be voted on by the Council, and the first iteration of the governor's budget in January will better inform Council as to where they are in terms of local assistance funds available.

Staff also reminded Council that money from 2024 has already been reserved to fund the second year of the two-year Folk and Traditional Arts and GenOps programs.

Council Member Goodwin asked the Council to clarify a strategy for 2024.

Sentiments on this were as follows:

- Council is asking grantee institutions to tighten their belts.
- Overlapping grant programs have the potential to be consolidated.
- Cuts must be across the board.
- Additional cuts may still exist and should be explored.
- New programs are probably not fundable at the present time.
- Committee clearly carried out their mission.
- Creating pathways that are not redundant is necessary.

A concern about the tone, vote, and decision regarding GenOps was raised by Council Member Raynor. She opined that a suggestion that Council's decision was a mistake is unfounded, and to frame a previous decision as a mistake and Council proposing something to compensate for that mistake is dislikeable. If priorities are clear, then programs can be anchored to them. Decisions should be made based on clearly established priorities.

Council Member Gavin feels that a mistake was made in that 80 percent of GenOps money is going to organizations with budgets under \$250,000, and that Tiers 2 and 3 with higher budgets did not get the percentage of allocations that were estimated within the program guidelines.

Staff informed the Committee that packages have been prepared that will allow them to chat with the Legislature about how additional funds could be used.

Chair Montoya referenced the GenOps vote and the previous request the Chair received to review that vote. An extensive amount of time was taken, exhausting all directions with great integrity and great respect for each participant on the Council. The Chair made a decision informed by consultation with many different perspectives. It was a legal vote, and Council needs abide by their procedures and move forward.

12. Committee Reports.

Chair Montoya reminded the Council Members of the Strategic Framework Committee's request to submit their priorities to be incorporated in the aspirations of the Strategic Framework.

This will then be brought to Council for discussion for integration of priorities into the Strategic Framework.

Committee Reports consisted of the Ad Hoc Partnerships Committee and the Ad Hoc Disabilities, Access and Inclusion Committee.

Council Member Mercado introduced the Ad Hoc Partnerships Committee, noting that an extension of their deadline would be needed to establish a baseline of partnership development, which will focus on partnership development within state government. This is being done with the intent of enhancing, strengthening, and informing state government of the CAC's work and activities to foster increased support.

Council Member Raynor introduced the Disability, Access and Inclusion Committee. Historical Council developments were mentioned as well as emphasizing the long history of the CAC working with the disability community. Information needs to be gathered to update the Council on existing field conditions to better serve the disability community.

13. In Memoriam

Vice Chair Estrada read into the record the poem "When I Think of Death" by Maya Angelou, and acknowledged the recent passing and celebrated the legacies of the following creatives:

- Radcliffe Bailey, visual artist
- Kan, Japanese singer-songwriter
- Mohammed al Amin, Sudanese musician

- Conny Van Dyke, American singer and actress
- Angelita Vargas, Spanish flamenco singer and dancer
- John Bailey, former president of the Academy of Motion Picture Arts and Sciences
- Manuel Gusmao, Portuguese academic, poet and politician
- C-Knight, rapper
- Ivan Cruz, Peruvian bolero singer and composer
- Pat Johnson, martial artist
- Robert Butler, director
- Ian Ferrier, Canadian artist and poet
- Georgina Almanza, Cuban actress
- Peter White, actor
- Aaron Spears, American drummer

Council Member Goodwin mentioned a young woman who sent in the name of her friend Migwa Nthiga, a commercial and documentary photographer based in Kenya with work focusing on indigenous communities.

Director of Programs Margolis added Robert Laos, who was a former staff member at the CAC for many years and a musician.

14. Adjournment

In closing thoughts, Parliamentarian Cuesta mentioned committees may have meetings and consist of more than two Council members provided that the meetings are open with public notice.

It was noted that individuals who are running for Chair and Vice Chair for 2024 will need to put themselves forward at the December meeting via a self-nomination process. Director of Programs Margolis added that this methodology is to ensure that there is no outside-of-public-meeting coordination or communication among Council Members. Any discussions around candidacy and nominations should take place in the open as is required.

Chair Montoya adjourned the meeting at 3:59 p.m.