



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

Gavin Newsom, **Governor**
Jonathan Moscone, **Executive Director**
2750 Gateway Oaks Drive, Suite 300, Sacramento CA 95833
(916) 322-6555 | www.arts.ca.gov

**NOTICE OF PUBLIC MEETING
CALIFORNIA ARTS COUNCIL MEETING**

**Tuesday, December 12, 2023
10:00 a.m.–4:00 p.m.**

Virtual Meeting

Online meeting access will be provided at
<https://arts.ca.gov/about/council-meetings/>

ASL Interpretation will be provided via
Zoom. Interpretación simultánea en
español – transmisión de audio por
Zoom.

10:00 AM (5 min)	1. Call to Order	C. Montoya
10:05 AM (5 min)	2. Land and Peoples Acknowledgment	A. Israel
10:10 AM (5 min)	3. Roll Call, Establishment of Quorum, and Community Agreements	M. Diab C. Montoya V. Estrada
10:15 AM (10 min)	4. Chair’s Report (TAB I)	C. Montoya
10:25 AM (5 min)	5. 2024 Bagley-Keene Open Meeting Act Updates (TAB J)	K. Ungar
10:30 AM (15 min)	6. VOTING ITEM: Minutes from Previous Meetings (TAB K) 1. <i>Council Meeting: October 25 (Virtual)</i> 2. <i>Council Meeting: November 17 (Virtual)</i>	C. Montoya M. Diab



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<p>10:45 AM (30 min)</p>	<p>7. General Public Comment</p> <ul style="list-style-type: none"> Two forms of general public comment will be offered: <ol style="list-style-type: none"> <u>Comments will be accepted during the meeting on Zoom or over the phone.</u> <u>Written comment submissions will also be accepted online prior to and up through 10 a.m. on the business day following the close of the meeting.</u> Live public comments will be limited to 2 minutes per person and 30 minutes in total, as allowed by Bagley-Keene. 	<p>C. Montoya K. Brown Q. Moore</p>
<p>11:15 AM (105 min)</p>	<p>8. VOTING ITEM: 2024 Programs (TAB L)</p> <ul style="list-style-type: none"> Presentation by Programs Policy Committee (15 min) Voting Item Public Comment (30 min) Discussion and Vote (60 min) 	<p>C. Montoya E. Gavin L. Goodwin</p>
<p>1:00 PM (30 min)</p>	<p>9. LUNCH BREAK</p>	
<p>1:30 PM (75 min)</p>	<p>10. VOTING ITEM: Bylaws (TAB M)</p> <ul style="list-style-type: none"> Presentation by Governance Committee (10 min) Voting Item Public Comment (10 min) Discussion and Vote (55 min) 	<p>C. Montoya R. Captor N. Miner</p>
<p>2:45 PM (30 min)</p>	<p>11. VOTING ITEM: 2024 Executive Committee Election</p>	<p>C. Montoya</p>



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3:15 PM (15 min)	12. Committee Reports (TAB N) <i>Council committees will report out on their work.</i>	C. Montoya
3:30 PM (30 min)	13. In Memoriam (TAB O)	V. Estrada
4:00 PM	14. Adjournment	C. Montoya

**Agenda items included within this public notice may be added, removed or altered until 10 days prior to meeting time.*

1. All times indicated and the orders of business are approximate and subject to change.
2. **Any item listed on the Agenda is subject to possible Council action.**
3. A brief mid-meeting break may be taken at the call of the Chair.
4. The CAC retains the right to convene an advisory committee meeting pursuant to Government Code Sec. 11125 (d).
5. Per Executive Order N-29-20, the Council Meeting may be held via teleconference through December 31, 2023.
6. Public meetings held featuring a virtual/Zoom component will include online Spanish and ASL interpreters whenever possible. Should you need additional reasonable accommodations, please make sure you request no later than December 6, 2023 at 5 pm. Please direct your request to the Public Affairs Specialist, Kimberly Brown, at kimberly.brown@arts.ca.gov.
7. Public comment instructions will be provided at <https://arts.ca.gov/about/council-meetings/>.
8. Arts and cultural organizations or coalitions that wish to be scheduled on an upcoming agenda must submit a request to info@arts.ca.gov outlining a synopsis of their work and their purpose for inclusion at a Council meeting. All requests will be sent to the Council Chair for consideration and may or may not be accepted and subsequently scheduled.

TAB I

California Arts Council | Public Meeting | 12/12/2023

This document will be
provided at a later date
following the Council
Meeting

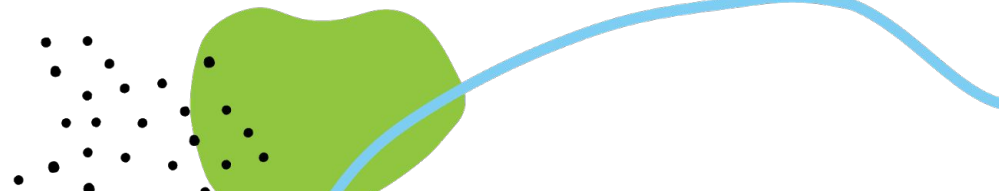
TAB J

California Arts Council | Public Meeting | 12/12/2023

Bagley-Keene Open Meeting Act: Updates for 2024

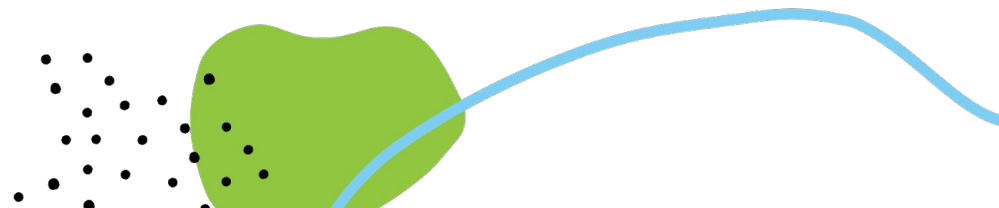
What's New

- The bill would require a state body to provide a means by which the public may remotely hear audio of the meeting, remotely observe the meeting, or attend the meeting by providing on the posted agenda a teleconference telephone number, an internet website or other online platform, and a physical address for at least one site, including, if available, access equivalent to the access for a member of the state body participating remotely.
- The bill would require any notice required by the act to specify the applicable teleconference telephone number, internet website or other online platform, and physical address indicating how the public can access the meeting remotely and in person.
- The bill would continue to require that the agenda provide an opportunity for members of the public to address the state body directly. The bill would require a member or staff to be physically present at the location specified in the notice of the meeting.



Meeting Scenario 1

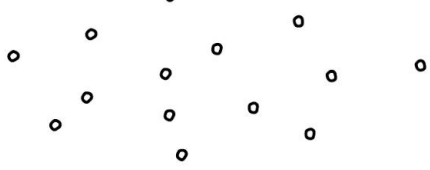
- Majority of members of the state body are physically present together with staff in a publicly accessible location.
- If a majority of the body is already together, additional members may attend and participate from a remote location that is not required to be accessible to the public.
- Any members of the state body meeting by teleconference shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform. If a member of the state body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their non appearance when they turn off their camera.



Meeting Scenario 2

- Council Members wish to participate remotely in order to count towards the majority. In order to so, the conditions must be met:
 - The member has a need related to a physical or mental disability, as those terms are defined in Sections 12926 and 12926.1, that is not otherwise reasonably accommodated pursuant to the federal Americans with Disability Act of 1990 (42 U.S.C. Sec. 12101 et seq.).
 - The member notifies the state body at the earliest opportunity possible, including at the start of a meeting, of their need to participate remotely, including providing a general description of the circumstances relating to their need to participate remotely at the given meeting.
 - If a member of the state body attends the meeting by teleconference from a remote location, the member shall disclose whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.





Thanks!



TAB K

California Arts Council | Public Meeting | 12/12/2023



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DRAFT MINUTES OF PUBLIC MEETING
October 25, 2023
10:00 a.m. to 3:00 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
Alex Israel
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
Artemio Armenta, Public Affairs Director
Kristin Margolis, Director of Programs
Kimberly Brown, Public Affairs Specialist
Mason Diab, Council Liaison
Qiana Moore, Outreach & Events Coordinator
Zachary Hill, Information Technology Associate

1. Call to Order

Chair Montoya opened the meeting at 10:02 a.m.

2. Land and Peoples Acknowledgement

Council member Caleb Duarte delivered the CAC's [Land Acknowledgement](#) at the top of the meeting. He also read his [personal statement](#).

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

Director of Public Affairs Armenta conducted a roll call.

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

With 11 of 11 present, a quorum was achieved.

Chair Montoya stated: Due to personal matters that needed immediate attention, our Executive Director Jonathan Moscone will not be at our meeting today but will watch the recording later.

Chair Montoya continued with the CAC Community Agreements. The list of Dos and Don'ts was read into the record by Chair Montoya and Vice Chair Estrada.

4. Chair's Report

Chair Montoya delivered her [Chair's report](#) to the Council and attendees, acknowledging the end of her term and thanking her fellow Council members for their service.

She reminded Council of the value of hearing one another's viewpoints to make informed and intentional decisions for the year ahead, and to remember that every decision has an impact to the field.

She then introduced Chief Deputy Director Kayla Ungar to deliver the Executive Director's Report on behalf of Executive Director Jonathan Moscone.

5. Executive Director's Report

Chief Deputy Director Ungar provided the [Executive Director's report](#):

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

Members of Council expressed their concerns over lack of clarity and corrections needed within the August Council meeting minutes. Parliamentarian Jim Stewart clarified that voting against the minutes is not the manner in which to proceed; instead, if the corrections are too significant to be addressed during this meeting, they should be returned to CAC staff for revision.

Chair Montoya then called for a motion to return the minutes to staff for revision.

MOTION: Council Member Clarke moved to have the August 20, 2023 Meeting Minutes returned to staff for revisions. Council Member Messina Captor.

VOTE: Yes: Chair Montoya, Vice Chair Estrada, Council Members Clarke, Duarte, Gavin, Goodwin, Israel, Mercado, Messina Captor, Miner, and Raynor.

Abstain: None.

The motion passes with yes=11 and no=0.

Chair Montoya clarified to ask Council to review the minutes once again and also the corresponding recording that is available. If they have specific corrections to make, they would provide that to the staff. Minutes would be re-presented at the next meeting.

Chair Montoya asked Chief Deputy Director Ungar to assign a staff member to receive this. Chief Deputy Director Ungar confirmed Council Liaison Mason Diab as the point person.

Chair Montoya acknowledged: Okay.

Parliamentarian Jim Stewart Madame made one more correction to the process, indicating that the roll call vote should have the Chair vote last, not first, and the Vice Chair should be second to the last.

7. Presentation: Californians for the Arts (CFTA)

Chair Montoya introduced Californians for the Arts CEO Julie Baker to deliver a presentation.

CEO Julie Baker covered work and areas affected by CFTA. Examples included a number of artist organizations and cultural groups.

She mentioned the CFTA's lobbying efforts for an additional \$20 million to the California Arts Council for 2024 to aide the Council in their funding decisions.

Council Member Gavin asked for clarification on meeting with elected officials to advocate for funding.

Baker stated that Council members cannot advocate as Council Members for the state agency itself, but can as a taxpaying individual, meet with district-elected officials and let them know how important the California Arts Council and public funding for the arts is.

She encouraged all Council Members to let the Governor's Office know what they are seeing and what the needs are. That information exchange would be welcomed, and it is important for them to hear from the Council.

Chief Deputy Director Ungar highlighted that information regarding communication with state officials is contained in the Handbook, which was shared in June and will be updated before the end of this year.

8. [Voting Item: Allocations Addition to 2023 Grants](#)

Chair Montoya invited Council Members Olivia Raynor and Vicki Estrada our Vice Chair to provide their [report which will include the Committee's recommendations](#).

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

Chair Montoya called for a motion on this item. Vice Chair Estrada moved to approve the Allocations Committee recommended scenario.

MOTION: Vice Chair Estrada moved to approve the allocation of \$399,998 as follows:

- In GenOps Tier 2: 2 organizations ranked 5.25 funded at 67% of their requested amounts.
- In GenOps Tier 3: 7 organizations ranked 5.2 funded at 83% of their requested amounts; and 11 organizations ranked 5 funded at 56% of their requested amounts.

Coming from a Committee, a second to the motion is not needed.

VOTE: Yes: Council Member Raynor, Miner, Messina Captor, Mercado, Israel, Goodwin, Gavin, Duarte, Clarke, Vice Chair Estrada, and Chair Montoya.

No: None.

Abstain: None.

The motion passes with yes=11 and no=0.

9. General Public Comment

Chair Montoya explained the purpose and prohibitions for making Public Comment at CAC meetings. Public Affairs Director Artemio Armenta explained the process and provided specific instructions.

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

10. Break

A break was taken from 12:10 p.m. to 12:25 p.m.

11. 2024 Grant Cycle Discussion

We want to merge the Program Policy and Allocations Committee to avoid the conflicts of one Committee's work with another's providing a consistent voice. Option 2 would be to conduct ad hoc, publicly noticed meetings of the two committees at crucial times.

We are going to read through the Memo and go back and discuss it point by point. That is how we laid this out.

The second is to incorporate our Guiding Principles into the work. We will remind you of what those are:

- To position artists and art producing organizations front and center.
- To design programs and encourage interstate culture exchange, north to south, rural to urban.
- To safeguard the creation of original artwork in all of its forms.
- To ensure that practicing artists and arts organizations have a primary seat at the table in all collaborations with prisons, with schools, cultural districts, social service agencies, and all other state agencies.
- To support and encourage a living wage with benefits for artists at various career stages.
- To nurture growth and the stability of diverse organizations that have different levels of development.
- And to ensure Council staff will always have the resources and capacity and funding to implement programs, particularly when they are called on by other state agencies to do work.

To design a panel process to select diverse panelists with professional expertise and provide them with reasonable compensation in trying to engage with each other to achieve fair outcomes.

Council Member Goodwin continued: We also want to prioritize our programs using our CAC stated values:

- Acceptability and inclusion.
- Economy with accountability.
- Equity prioritizing racial injustice, representation and disabilities of all groups.
- And sustainability, wise impactful and responsive growth.

We are suggesting that the CAC programs limit the size of eligible groups to organizations with budgets under three million. This would allow us to refocus our limited resources on the diverse majority – those arts organizations operating in the small, midsize, and slightly larger categories.

So, how are we looking at equity, autonomy, sustainability when we have a one-size-fits-all, everybody gets a \$60,000 grant program.

So, we are suggesting that unless it is a small, entry level grant – and we can design grants that have not match but we should design them for smaller groups. CAC grants above 25,000 should require at least a one-to-one match. And the grants should be commensurate with budget size.

Let's set aside two million dollars and see if we can create some education programs that match well with that new Prop 28 money.

So, this is a suggestion that we look at this program and redesign it. And redesigning it in a way that perhaps could also accommodate this new idea which is the Anchor Institution Project.

Council Member Goodwin continued: We are proposing that we implement three pilot programs.

The Native American Initiative

The Multi-Cultural Anchor Institutions Project.

The Multi-Cultural Anchor Institutions Project.

We love the idea of a touring program, but it is undercooked. We are asking that a \$25,000 commitment be made to come up with a plan for this. We need a modern take on the old touring program. We are asking for a focus group.

Regarding SLPs – I have always thought that we give way too much money for general operating. There is not another granting organization that will give you money for general operating. If there are places to cut, it is cutting in areas where we are giving money just for general operating. I want to see this money going to programs. Programs that are advancing the arts in communities that do not have the opportunities that the bigger cities do.

Chair Montoya continued: Item 3, if we want to have any comments.

Vice Chair Estrada was recognized: Organizations should not be looked at as just the organization itself. We need to look at the impact they have in the community. How many people come in and see programs or shows and exhibits?

Chair Montoya announced: Item 4 regarding State and Local Partners.

I want to make sure that the Council Committee hears, is our endorsement to defund organizations over a certain amount of money? Do you want them to move forward with that recommendation? Because that is the recommendation on the table.

Council Member Duarte was recognized: Just to clarify, limiting the State and Local Partners funding that exceed a certain amount, would that be reallocated to a State and Local Partner that need more support, or it is going to go into a different bucket?

I want to move on to Item 5, GenOps.

Council Member Gavin chimed in: The proposal is that when grants are 25,000, they should require at least a one-to-one match.

Chair Montoya stated: I want to move on to Item 6, Education Programming. Any perspectives on this item?

Vice Chair Estrada stated: I like this proposal. It is very much worth considering.

Chair Montoya continued: Let's move on to Item 7, the State and Regional Networks.

We will now move on to Item 8. There is the Native American Initiative and Emerging Cultural Districts, all the new programs we want to bring to the table. Do we have any feedback on any of this?

I also support the Multi-Cultural Anchor Institutions Project. I fully support all three of those ideas.

Chair Montoya summarized: We have addressed the Native American Initiative, Emerging Cultural Districts. Does anyone have comments on the Multi-Cultural Anchor Institutions Project?

Chair Montoya noted: I think you have an agreement. Thank you, Council, for this really rich and robust discussion and there is a lot more work to be done.

12. Presentation: Alameda County Arts Commission (ACAC).

Rachel Osajima presented information and activities pertinent to the Alameda County Arts Commission via a slide presentation. Historical data as well as ongoing developments were discussed.

13. Presentation: Oakland City Cultural Affairs Division of Economic and Workforce Development.

Roberto Bedoya addressed the Council and presented historical data relating to work done by the Cultural Affairs Division. Roberto covered a number of government activities and current undertakings of the Division.

14. Committee Reports.

Council Member Mercado asked on behalf of the Strategic Framework Committee that the other committees – the Executive, the Governance, the Race, Equity, Programs Policy, Legislative, Allocations, and Nominating – to identify their top three priorities from those listed on the worksheet provided. He asked that Council Members configure them as smart goals – being specific, measurable, relevant, and timely.

Council Member Mercado requested the Strategic Framework Committee receive this data and information from you by November 7 so that it can be discussed it at the November 17 meeting if at all possible.

Council Member Raynor chimed in: It seems like all the committees are pretty active right now. In light of the discussions around the principles and the decision-making tool, it would be really useful for us to at least have some preliminary information to present at that time.

Chair Montoya encouraged Council Members to aim for the deadline that has been requested.

Chair Montoya asked staff to clarify the significant of the Cultural Pathways opportunity when vetted against Prop 209.

Director of Programs Kristin Margolis replied that staff is happy to present more information on that at the next Council meeting, where they can then go into detail and answer questions specifically.

15. In Memoriam.

- Ernesto Palomino was the grand daddy of Chicano art in the Central Valley.
- William Howard contributed to a lot of nonprofit organizations.
- Abel Silvas was a local indigenous activist in San Diego.
- Juanishi Orosco was an amazing artist known in the Chicano Movement.

16. Adjournment

Chair Montoya adjourned the meeting at 3:14 p.m.



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DRAFT 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.

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 chimed in to say 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.

a

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.

TAB L

California Arts Council | Public Meeting | 12/12/2023



Policy Memorandum

2750 Gateway Oaks Drive, Suite 300, Sacramento CA 95833
T: (916) 322-6555 | F: (916) 322-6575
www.arts.ca.gov

Date: December 12, 2023

To: California Arts Council Members

From: Programs Policy Committee: Ellen Gavin and Leah Goodwin

Re: Voting Item – Programs to Open in 2024

VOTING ITEM: 2024 Program Recommended Motion:

The CAC Programs to be funded for 2024/25 cycle will include: Impact Projects, Arts & Cultural Organizations General Operating Support Tier 2 and Tier 3, Statewide and Regional Networks, State-Local Partners (SLP), SLP-Mentorships, Arts & Youth Programs and Emerging Cultural Districts. Once approved, guidelines and allocations will be determined in an open meeting format in 2024.

2024 PROGRAM RECOMMENDATIONS:

The following programs are recommended for 2024. The notes provided represent potential guidelines that have been discussed at previous meetings and refined for future consideration during the next phase, which is the guidelines procedure.

IMPACT PROJECT GRANTS

Impact Projects supports arts organizations for collaborations between local artist(s) and community members to develop projects that address a community-defined need. Collaborative projects utilize various creative practices to impact issues experienced by historically/systemically under-resourced communities in California. This program has been running as the main or only project-based program for the past few cycles, acting as an umbrella covering previous CAC programs such as Re-Entry Through the Arts and Veterans in the Arts. The committee recommends limiting this opportunity to applicants with operating budgets under 3 million and requiring a one-on-one match.

ARTS & CULTURAL ORGANIZATIONS GENERAL OPERATING SUPPORT GRANTS TIER 2 & TIER 3

General Operating Grants provide direct funding to arts and cultural organizations in support of ongoing operations. This grant supports the well-being of California's cultural vitality by helping sustain a robust and diverse arts workforce and infrastructure. Funds may be used to support any eligible expenses associated with the general operations of

an arts or cultural organization, including but not limited to rent, utilities, and staff salaries.

Due to the overwhelming response and proposals from high-ranking organizations (Tier 2 (331 applicants) applicants and Tier 3 – (65 applicants) who contribute to the ecosystem of our arts community, and the limited funds available for support, the committee recommends adding one year of GEN-OP funding for Tier 2 (budgets from \$250,000 to 1 million) and Tier 3 (budgets from 1 million to 1.5 million) using existing guidelines.

STATEWIDE AND REGIONAL NETWORKS

Statewide and Regional Networks (SRN) serve the unique purpose of supporting artists and arts service organizations by building resilient networks throughout the state. Grantees further the interests of artists, creators, tradition bearers, and arts and cultural organizations, by providing specialized services and programs responsive to the needs of culturally specific and geographically diverse communities. The committee recommends that applications will describe how funds will directly serve artists and arts producing organizations with either funding, technical assistance, convenings, performance fees, and/or travel expenses, etc. and not simply provide administrative staff overhead. The committee also recommends that applicants must be under 3 million in operating funds.

STATE-LOCAL PARTNERS

State-Local Partners (SLP) provides general operating support and technical assistance for county-designated local arts agencies. The purpose of the program is to foster cultural development on the local level through a partnership between the State and the Counties of California. The committee recommends funding all 53 State and Local Partners with a focus on funding to be used to technical assistance to smaller historically underrepresented artists and organizations. The committee recommends that organizations with budgets over \$3.5 million be capped at a \$40,000 a year request.

STATE-LOCAL PARTNER MENTORSHIP

State-Local Partner Mentorship: supports the establishment of a county-designated local arts agency in each of the four counties in which no such agency has currently been identified (Alpine, Glenn, Kings, San Joaquin). Grant funds will go to up to four existing State-Local Partners (SLP) to foster the development of new SLPs in these counties.

ARTS & YOUTH PROGRAMS:

ARTISTS IN SCHOOLS: supports projects that integrate community arts partners and art educators into culturally and linguistically responsive, sequential, standards-based arts learning for students in preschool through Grade 12, with a focus on hands-on participant learning that takes place over a sustained period.

ARTS EDUCATION EXPOSURE: supports attendance at high-quality performances and exhibits for students who would particularly benefit from these experiences. Exposure program experiences may include art exhibits and performances, field trips to arts venues, and/or in-school assemblies. The impact of student attendance at artistic events should be complemented by pre- and post-attendance activities, such as artist talkbacks, teaching artist workshops, and/or facility tours.

ARTS INTEGRATION TRAINING: supports nonprofit arts organizations and teaching artists to plan and deliver professional development in arts integration strategies to classroom teachers, as well as site, district, and county-level administrators. Arts Integration Training projects should be designed to pave a pathway for increased equitable student learning in, through, and about the arts.

CREATIVE YOUTH DEVELOPMENT: is rooted in the CAC's belief that arts learning is an essential tool for healthy human development and that it should be available to all young people throughout California. All projects occur outside of traditional school hours, taking place in arts venues, community centers, school sites, and other youth-oriented settings.

EMERGING CULTURAL DISTRICTS

Cultural Districts created a new tool for the development, support, and preservation of California's extensive and diverse cultural assets. The cultural district (CD) certification process began as a two-year pilot project in 2017 offering a \$5,000 stipend annually (for a total of \$10,000) and state-designation for five years, for 14 cultural districts statewide. New emerging cultural districts and hubs will be within our equity priorities and work closely with the coalition of existing cultural districts. For 2024/25, (the Programs Policy Committee recommends up to ten) emerging cultural districts will have the opportunity to apply for program identification and inclusion.

ADDITIONAL CONSIDERATIONS:

The CAC staff will research, convene, and design up to four new programs for 2025: a Native American Initiative, Touring and Presenting, Disability Program and Anchor Institutions Project.

a. Native American Initiative

Implementing the recent work of the Equity Committee and to honor a commitment made at a historic statewide CAC convening of Native artists in 2019, we propose a new Native American Initiative to be available in 2025. As a part of the research, we will conduct a Native Artists Summit in 2024, request the assistance of SRN's, SLP's, and consult tribal leaders to design such a program.

b. Statewide Touring and Presenting Initiative

Reflecting the current realities for California touring artists and various presenters throughout the state, we will research and design a Touring and

Presenting Program for 2025. Statewide data collection by SRN's, SLP's and a focus group (compensated) will help design the new program and prepare for the creation of a catalogue of touring artists for 2025.

c. Disabled Artists Initiative

Following up on 20 years of investment, we will survey the field with the help of SLP's and SRN's, conduct an online summit and or regional meetings with disabled artists and arts organizations and redesign a program for 2025.

d. Cultural Anchor Institutions Project

Supporting arts institutions with over 20 years of experience serving historically underrepresented communities within our equity priorities. These organizations produce, present, and exhibit original performances, visual, music, media, and other arts, often in their own venues, conduct youth development and promote community activism. This program would provide institutional stability through a multi-year investment.

Footnote: Programs Already Approved for Funding Cycle 2024/25:

FOLK AND TRADITIONAL ARTS: grant program redirects resources at the local level by funding one or more Administering Organizations (AO) with demonstrated capacity for statewide and regional reach that will regrant funds, provide technical assistance, and/or build capacity with artists and arts organizations in support of folk and traditional arts expressions. The AO will work directly with artists who practice traditional art forms, and the forms of traditional expression can include but are not limited to crafts, music, dance, ritual, and technical skills. This program centralizes local artists and their artistic processes as vehicles for community vitality. This funding opportunity recognizes that artists are integral to healthy communities, and that the arts are a societal cornerstone that brings people together, builds community, and fosters social progress.

Grant Amount (max request amount): \$903,751/yr.: 2-year Grant

End of Funding Period: December 31, 2025

ARTS & CULTURAL ORGANIZATION GENERAL OPERATING SUPPORT: provide direct funding to arts and cultural organizations in support of ongoing operations. This grant supports the well-being of California's cultural vitality by helping sustain a robust and diverse arts workforce and infrastructure. Funds may be used to support any eligible expenses associated with the general operations of an arts or cultural organization, including but not limited to rent, utilities, and staff salaries. Applying for this grant does not restrict an organization from applying for other CAC project-based grants. General Operating grants are intended to support the applicant organization in carrying out its mission. Funding is not intended to support a specific project. Grant Amount (max request amount): \$30K/yr.: 2-year Grant. End of Funding Period: September 30, 2025.

TAB M

California Arts Council | Public Meeting | 12/12/2023



Policy Memorandum

2750 Gateway Oaks Drive, Suite 300, Sacramento CA 95833

T: (916) 322-6555 | F: (916) 322-6575

www.arts.ca.gov

Date: December 5, 2023

To: California Arts Council Members

From: Governance Committee (Roxanne Messina Captor, Nicola Miner)

Re: VOTING ITEM- Amendments to Council Bylaws

The Governance Committee met on December 4 to discuss proposed changes to the Bylaws that govern the Council and Agency's operations and decisions. These changes included those presented at the November 17 Council Meeting, as well as other based on feedback gathered at that meeting.

The current Bylaws were adopted on January 30, 2019. The Committee has worked with Agency staff to provide proposed revisions and additions to the current Bylaws, which will be voted on at the December 12 Council Meeting. Attached are the current Bylaws from 2019, as well as a clean copy of the new proposed Bylaws. It should be noted that these Bylaws have been streamlined to pertain only to Council Member roles and responsibilities, with any information regarding Agency staff or legislation having been relegated to the Council handbook.

Any additional amendments should be proposed during the discussion time, and can be incorporated into the final draft that is voted on. One item not currently included that is up for discussion is the requirement that the Council Chair and Vice Chair each be required to serve on either the Allocations or the Programs committees, respectively.

**California Arts Council
Bylaws
Adopted January 30, 2019**



DEFINITION OF TERMS

"Council" is defined as 11 member body of appointees.

"Agency" is defined as California Arts Council staff.

CALIFORNIA ARTS COUNCIL

The California Arts Council exists under California General Government Code, Chapter 9. Article 8750-8756.

COUNCIL MEMBERS

Nine Council Members are appointed by the Governor, one by the Senate President pro Tempore and one by the Assembly Speaker.

Five of the eleven members shall hold office for four years, four shall hold office for three years, and two shall hold office for two years.

Gubernatorial appointees require Senate confirmation.

The Council Members will perform the following duties:

- Represent the people of the entire state of California.
- Encourage artistic awareness, participation and expression among the people throughout California, acting as delegates of all geographic areas, particular arts disciplines, institutions, and specific interest groups.
- Establish general policy within the framework of policy established by the Legislature and the Governor; and in accordance with state and federal laws and regulations.
- Approve local assistance funding allocations.
- Advise the Governor and the Legislature on matters of council policy, in consultation with the Director.
- Review its policies and programs on a regular basis.
- Possess sound judgment, as demonstrated by the management of their own affairs.
- Attend regularly scheduled and special meetings of the Council and, upon request of the Chair, other meetings, events, forums, seminars and the like, that further Council objectives.
- Actively acquaint themselves with the arts in California to the greatest extent possible; provided, however that this responsibility shall not obligate the agency to incur any specific expense.
- Inform the Chair and the Director of any activities wherein they act in an official capacity representing the Council. This

applies to any written correspondence, which shall be forwarded to the Chair and Director.

- Abide by the conflict of interest policy and code of responsibility.

THE CHAIR

The following applies to the Chair of the California Arts Council:

- Elected by the Council in December and begins their term in January.
- Serves as the spokesperson on policy matters for the Council.
- Presides at Council meetings and activities.
- Works in partnership with the Vice Chair, Director, and fellow Council Members.
- Serves, in partnership with the Director, as liaison to other agencies and organizations.
- Establishes and maintains effective working relationships with the Governor and staff, Senate President pro Tempore, Assembly Speaker, and other stakeholders.
- May recommend potential Council members to the Governor and/or the Speaker and President pro Tempore.
- Notifies members of the Council about issues of major concern to the agency.
- Must obtain authorization of the Council as a whole, before committing the Council to any action.

THE VICE CHAIR

The following applies to the Vice Chair of the Council:

- Elected by Council in December and begins their term in January.
- Carries out the duties of the Chair with the powers and duties prescribed by these Bylaws, when the Chair is absent.

THE DIRECTOR

The following applies to the Director of the Agency:

- Appointed by, serves at the pleasure of, and reports to the Cabinet Secretary (or designee) in the Governor's office.
- Works in cooperation with the Chair of the Council.
- Working with the Deputy Director, is responsible for the management and administration of the agency staff and the implementation of Council policy.
- Working with the Deputy Director, the Director of Legislative Affairs, and the Director of Public Affairs, establishes and maintains continuing liaison with the Governor, Legislature and all national and state agencies, institutions, associations and entities working with the Agency to develop cultural

- programs and implement the direction of the Agency.
- May recommend potential Council members to the Governor and/or the Speaker and President pro Tempore.
- Serves as staff on all Council committees.
- Implements Council approved policies and develops operational policies.
- Must act in compliance with the “Incompatibility Statement” in California Government Code section 19990.

MEETINGS

The following applies to the Meetings of the Council:

- Held at the call of the Chair no more than eight times each calendar year.
- Must be preceded by at least ten days public notice, unless there are extraordinary circumstances.
- Must have a quorum, consisting of a majority of the Council members, in order to transact business.
- Must be held in various places throughout the state so as to encourage broad and diverse attendance.
- All are subject to the Bagley-Keene Act.
- The Chair shall preside at all meetings. In the absence of the Chair, the Vice-Chair(s) shall preside at meetings.
- Meetings shall be conducted in accordance with rules, procedures and protocols established by the Council.

STRATEGIC PLAN

The Council shall establish, maintain, and regularly update a strategic plan which shall set forth the following:

- Clearly stated goals and objectives with a timeline.
- A delineation of the broad programs and activities required in order to achieve Council objectives.
- An implementation plan with benchmarks for the Council to discuss and evaluate.
- In developing the Strategic Plan, persons may be designated as advisors and advisory groups may be created. Advisor and advisory group input will be reported at each Council meeting; committees will make recommendations to full Council, not set policy; and all policy votes and decisions will be in public.

COMMITTEES

The following applies to the Committees of the Council:

- The Chair shall establish and appoint standing committees.
- The Chair may establish and appoint ad hoc committees utilizing Council members and/or non-voting non-Council members as necessary. An ad hoc committee dissolves once it has completed its task.

- The Director shall assign staff to assist the committee chair(s) with the operation of each committee.
- Each committee shall have a charge, which shall include its objective(s), its proposed work schedule, reporting deadlines and termination date.
- Committee members shall be responsible for implementation of committee assignments.
- Committee Chair(s) shall be Council members, and preside over meetings and report to the Council as necessary.
- Committees will make a concerted effort to meet in person whenever convenient to foster meaningful engagement.
- All Committees are subject to the Bagley-Keene Act.

CURRENT STANDING COMMITTEES

Equity Committee	The Equity Committee is charged with ensuring that grants invest in the evolving and diverse demographics of California. The committee defines equitable grant making as fair, accessible, inclusive and effectively serving to dismantle structural racism and other inequities.
Executive Committee	The Executive Committee shall consist of the Chair, the Vice-Chair(s), the Director and others as appointed by the Chair
Governance Committee	The Governance Committee shall review and draft revisions to the CAC Member Handbook including the CAC By-Laws and make recommendations to the Council.
Innovations and Aspirations Committee	The Innovations and Aspirations Committee shall explore new directions and concepts for the Council's activities and make recommendations to the Council.
Legislative Committee	The Legislative Committee shall develop materials and strategy for Council's engagement with the Governor and Legislature, provide updates on CAC government affairs activities, and make recommendations to the Council.
Nominating Committee	The Nominating Committee shall consist of two Council members appointed annually by the Governance Committee in advance of the December meeting. The Committee shall nominate officers for one-year terms. The Committee shall nominate the officers and the Council shall vote to elect the officers at the December annual meeting. Officers shall consist of a Chair, one Vice-Chair and other officers the Council may, from time to time, designate.

Programs Allocations Committee

The Programs Allocations Committee shall provide input on the grant funding formula based on panel ranks, help formulate the projected grants budget, review staff and panel recommendations, and make recommendations to the Council.

Programs Policy Committee

The Programs Policy Committee shall provide input on program guidelines and policies, consider framework for Council on the adoption of new pilot grant programs based on Council priorities, and make recommendations to the Council.

Special Liaison Committee

The Special Liaison Committee shall support relationships and communications between the Council process and outcomes with the Governor’s office.

Strategic Plan Committee

The Strategic Plan Committee shall maintain an active role of the Council in strategic planning by reviewing/assessing the current strategic plan, reporting on Council progress related to a strategic plan, establishing Council priorities for a planning process, considering public input strategies, and making recommendations to the Council.

POLICY

The following outlines the policies that impact the California Arts Council.

- Council policies are the objectives of the Council and the rules and procedures enacted by the Council for its governance. Policy recommendations may come from any Council member.
 - All policies shall be in writing and shall set forth clearly and concisely the policy objectives and the designation of responsibility for enactment of the policy.
 - Copies of all policies adopted by the Council shall be distributed to each member and be available to the public.
- State Policy includes the California Arts Council’s enabling legislation and all applicable state laws, rules and regulations.
- Council members shall approve all policy statements at meetings with a quorum present.

PROGRAM DEVELOPMENT AND IMPLEMENTATION

Programs supported by local assistance funds shall be developed in accordance with established Council policies. Programs shall be implemented by staff, under the direction of the Director and Deputy Director.

The Council shall approve financial assistance as contained in the programming guidelines.

Council members shall not, jointly and/or separately, attempt to approve the granting of funds to any person or organization outside the policies and procedures established by the Council.

CONFLICT OF INTEREST, APPEARANCE OF CONFLICT OF INTEREST, AND CODE OF RESPONSIBILITY

Council members shall be subject to the California State Ethics and Conflict of Interest Code, and any rules adopted by the Council.

Council members shall file the Statement of Economic Interest form 700 annually as required by law.

Council members shall not be present nor participate in any communication or discussion with any other council member, nor vote on any matter, involving an individual or organization with which there is an association as board member, officer, advisory panel or staff, salaried or volunteer, or where there is, or has been, any economic interest for twelve months prior to the discussion or vote.

Council members shall excuse themselves from the discussion and/or vote on any matter where an outside observer might have reasonable cause to believe the Council member might not be impartial, whether positively or negatively, on behalf of the issue or entity.

Seeking and Receiving Gifts

Council members shall adhere to and abide by all relevant provisions of the regulations of the Fair Political Practices Commission.

What constitutes a gift:

Council members shall not seek gifts, gratuities, or gratis admission to programs, events or performances for which the public is charged a price for admission or at which a meal is provided (or other things of value) from any CAC grant applicant, nor shall Council members request of any grant applicant anything that would have the appearance of impropriety.

In the event of the unsolicited receipt and use of something described in the preceding paragraph for use by an individual Council member or his or her spouse or immediate family member, such receipt and/or use shall constitute receipt of a gift under the regulations of the Fair Political Practices Commission, the State Franchise Tax Board, and the Internal Revenue Service. Reporting receipt of such a gift shall be the obligation of the Council member.

What does NOT constitute a gift:

Tickets/passes to programs, events, performances, lunches/dinners or otherwise, provided to Council member(s), their spouses and/or immediate family, in conjunction with a request by the Director and/or Chair, for the Council member to represent the agency at such event, performance, lunch/dinner or otherwise shall not be considered a gift to said Council member(s). Tickets/passes provided to a Council member, his or her spouse and/or immediate family, for an event at which the Council member has an official or ceremonial role shall not be considered a gift to the Council member. Council member(s) invited to perform an official and/or ceremonial role shall notify the Chair and Director of such invitation.

Use of Council Appointment

Council members should be alert to avoid any actions which could possibly be interpreted as a use of Council appointment to attain personal financial gain, favors, or special treatment, or act in any way which furthers the economic interests of an organization or person with which they are affiliated in any way.

Future Affiliations

Once appointed, the Director and Council members are requested, during the term of their service, not to join the boards of or initiate affiliations of a policy-making or financial nature with actual or potential applicant organizations.

Acting Without Self-Interest

Council members shall make every reasonable effort to act without self-interest or without serving the self-interest of fellow Council members, recognizing that loyalties to a particular geographic area, arts discipline, institution, or specific interest group must be subordinated to the broader purposes of acting in the best interest of the entire arts field.

Responsibilities of Director

The Director shall call the Conflict of Interest Code, Appearance of Conflict of Interest, and Code of Responsibility to the attention of all Council members upon appointment to the Council.

REIMBURSEMENT FOR COUNCIL MEMBERS

Council members are entitled to \$100 per Council meeting. Council members shall be reimbursed for eligible expenses incurred to:

1. Attend regular and special meetings of the Council and its committees; or
2. Attend special activities/events approved in advance by the Chair and Director.

In the event the Chair and/or Director desire a Council member to represent the agency at a specific event, meeting, performance,

lunch/dinner or otherwise to be held in the state, the Chair and/or Director will first make such request of the Council member(s) living in the immediate geographical area of opportunity unless said representation would be within the province of a specific committee chaired by a Council member outside said immediate geographical area; or, in the discretion of the Chair and/or Director, the agency would be best represented by a specific Council member.

All out of state travel is subject to prior approval by the Chair, Director, and the Governor's office in accordance with governing rules and procedures.

Reimbursement of Expenses

Council members shall be reimbursed for eligible expenses incurred using budgetary limitations as established by the state and the agency budget. To receive reimbursement, Council members shall file, within 90 days of incurring the eligible expense, an itemized expense form with the agency's administrative Deputy Director. Reimbursement shall be made in accordance with state governing regulations. The agency will make every attempt to issue authorized reimbursement within 30 days of receipt from the Council member.

Travel and Expense Budget

The Agency budget shall include an amount sufficient to cover the cost of authorized and eligible Council member reimbursable travel and other expenses as reasonably projected by the Chair in consultation with the Director on an annual basis. Said travel budget line item within the agency's budget shall be within the requirements of the Department of Finance and other control agencies, based on the operational needs and requirements of the agency.

REPRESENTATIVE ROLE IN RELATIONSHIP TO THE GOVERNOR'S OFFICE AND THE LEGISLATURE

Council members, at the request of the Chair and/or Director, may actively participate in the promulgation and advocacy of positions regarding legislation affecting the arts, to the extent permissible under all applicable state laws, rules, regulations and the policies of the legislature and the office of the Governor.

The Director and Director of Legislative Affairs shall advocate on behalf of the agency and the health of the arts, including advocacy in favor of specific legislation, to the extent permissible under all applicable state laws, rules, regulations and the policies of the legislature and the office of the Governor.

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Definition of Terms

“Council” is defined as 11-member body of appointees.
“Agency” is defined as California Arts Council staff.

California Arts Council

The California Arts Council exists under California General Government Code, Chapter 9. Article 8750-8756 (Dixon-Zenovich-Maddy California Arts Act of 1975).

Council Members

Nine Council Members are appointed by the Governor, one by the Senate President pro Tempore, and one by the Assembly Speaker.

Five of the eleven members shall hold office for four years, four shall hold office for three years, and two shall hold office for two years. Gubernatorial appointees require Senate confirmation. The Council will have a Chair, a Vice Chair, and may have other officers it may need.

The Council Members will perform the following duties:

- Represent the people of the entire state of California and act as delegates of all geographic areas, arts disciplines, institutions, and communities.
 - Encourage artistic awareness, participation, and expression among the people throughout California.
 - Establish and approve policy regarding the Council's programs and allocations in accordance with state and federal laws and regulations.
 - Agency Director and staff abide by the policies set by the Council regarding programs, procedures, and allocations.
 - Advise the Governor and the Legislature on matters of Council policy, in consultation with the Director.
 - Review its policies, local assistance budgets, and programs biannually, at minimum.
 - Attend and be prepared for regularly scheduled and special meetings of the Council and, upon request of the Chair, other meetings, events, forums, or seminars that further Council objectives.
 - Actively acquaint themselves with the arts in California to the greatest extent possible, without incurring any additional expenses to the agency.
 - Upon appointment, complete all mandatory State trainings, including agency-led Racial Equity training, and familiarize themselves with the Bagley-Keene Open Meeting Act and Robert's Rules of Order for meeting procedures.
 - Inform the Chair and the Director of any activities wherein they act in an official capacity representing the Council, including written correspondence, which shall be forwarded to the Chair and Director.
-

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- Abide by the state's conflict of interest policy.
 - Treat fellow Council members and agency staff with respect and decorum.
 - May recommend potential Council members to the Governor and/or the Speaker and President Pro Tempore
-

The Chair

The following applies to the Chair of the California Arts Council:

- Elected by the Council in December and begins their term in January.
 - Presides at Council meetings and activities and uses Robert's Rules of Order as the basis to conduct Council meetings.
 - President may call a Special Meeting as permitted by Government Code Section 11125.4.
 - Establishes and upholds decorum to foster and facilitate discussion during council meetings.
 - Serves, in partnership with the Vice Chair and Director, to lead the Council and set agendas for Council meetings.
 - Appoints the Chair of all committees.
 - Assigns committee roles for all Council members in consultation with the members and assigns work processes for committees.
 - Serves as the sole spokesperson for the Council to the press.
 - Establishes and maintains working relationships with the Governor and staff, Senate President pro Tempore, Assembly Speaker, and other stakeholders.
 - Obtains authorization of the Council as a whole, before committing the Council to any action outside of those approved with votes.
 - Establishes and appoints standing committees and ad hoc committees as necessary.
-

The Vice Chair

The following applies to the Vice Chair of the Council:

- Elected by Council in December and begins their term in January.
 - Carries out the duties of the Chair with the powers and duties prescribed by these Bylaws, when the Chair is absent.
 - Fulfills other duties as assigned by the Chair
-

Meetings

The following applies to the Meetings of the Council:

- Held at the call of the Chair no more than eight times each calendar year.
 - Must be preceded by at least ten days public notice, except as permitted by Government Code Section 11125.3.
 - Must have a quorum, consisting of a majority of the Council members, in order to transact business.
-

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- Must be held in various places throughout the state so as to encourage broad and diverse attendance.
- Are subject to the Bagley-Keene Open Meeting Act.
- The agenda of a meeting of more than one Committee or of a majority of the Council members must be posted and the meeting must be open to the public.
- If more than one Committee wishes to meet, the members of one of these Committees will have discussion and voting power. The members of the other Committees may participate in the discussion but may not vote.
- Time for public comment may be limited by time per speaker or by time per issue, but not by time for the public comment section of the agenda.
- The Chair shall preside at all meetings. In the absence of the Chair, the Vice Chair shall preside at meetings.
- The Council members may participate in the meeting by teleconference as long as each Council member can be heard and can hear everyone else.
- The Council members may vote by teleconference in any manner that the Council determines suitable.
- Meetings shall be conducted in accordance with rules, procedures and protocols established by the Council.

Strategic Plan

The Council shall establish, maintain, and regularly update a strategic plan which shall set forth the following:

- Clearly stated goals and objectives with a timeline.
- A delineation of the broad programs and activities required in order to achieve Council objectives.
- An implementation plan with benchmarks for the Council to discuss and evaluate.
- In developing the Strategic Plan, persons may be designated as advisors and advisory groups may be created. Advisor and advisory group input will be reported at each Council meeting; committees will make recommendations to full Council, not set policy; and all policy votes and decisions will be in public.

Committees

The following applies to the Committees of the Council:

- Each committee shall have a charge, which shall include its objective(s), its proposed work schedule, reporting deadlines and termination date.
 - Each committee will report out to the full Council at least twice per year to share updates and decisions.
-

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- Committee members shall be responsible for implementation of all committee assignments.
- All Committees are subject to the Bagley-Keene Open Meeting Act.

Standing Committees of the California Arts Council:

- Allocations
- Executive
- Governance
- Legislative
- Nominating
- Programs Policy
- Race Equity
- Strategic Framework

Policy

Policy recommendations may come from any Council member.

- Council policies establish and approve policy regarding the Council's programs and allocations in accordance with state and federal laws and regulations.
 - All policies shall be in writing and shall set forth clearly and concisely the policy objectives and the designation of responsibility for enactment of the policy.
 - Copies of all policies adopted by the Council shall be distributed to each member and be available to the public.
- State Policy includes the California Arts Council's enabling legislation and all applicable state laws, rules and regulations.
- Council members shall approve all policy statements at meetings with a quorum present.

Program Development and Implementation

Programs supported by local assistance funds shall be developed in accordance with established Council policies. Programs shall be implemented by staff, under the direction of the Executive Director and staff.

The Council shall approve financial assistance as contained in the programming guidelines.

Council members shall not, jointly and/or separately, attempt to approve the granting of funds to any person or organization outside the policies and procedures established by the Council.

Conflict of Interest, Appearance of Conflict of Interest, and Code of Responsibility

Council members shall be subject to the California State Ethics and Conflict of Interest Code, and any rules adopted by the Council.

Council members shall file the Statement of Economic Interest form 700 annually as required by law.

Council members shall not be present nor participate in any communication or discussion with any other council member nor vote on

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any matter involving an individual or organization with which there is an association as board member, officer, advisory panel, or staff, salaried or volunteer, or where there is, or has been, any economic interest for twelve months prior to the discussion or vote.

Council members shall excuse themselves from the discussion and ~~or~~ vote on any matter where an outside observer might have reasonable cause to believe the Council member might not be impartial, whether positively or negatively, on behalf of the issue or entity.

Seeking and Receiving Gifts

Council members shall adhere to and abide by all relevant provisions of the regulations of the Fair Political Practices Commission.

What Constitutes a Gift

Council members shall not seek gifts, gratuities, or gratis admission to programs, events or performances for which the public is charged a price for admission or at which a meal is provided (or other things of value) from any CAC grant applicant, nor shall Council members request of any grant applicant anything that would have the appearance of impropriety.

In the event of the unsolicited receipt and use of something described in the preceding paragraph for use by an individual Council member or his or her spouse or immediate family member, such receipt and/or use shall constitute receipt of a gift under the regulations of the Fair Political Practices Commission, the State Franchise Tax Board, and the Internal Revenue Service. Reporting receipt of such a gift shall be the obligation of the Council member.

What does NOT constitute a gift:

Tickets/passes to programs, events, performances, lunches/dinners or otherwise, provided to Council member(s), their spouses and/or immediate family, in conjunction with a request by the Director and/or Chair, for the Council member to represent the agency at such event, performance, lunch/dinner or otherwise shall not be considered a gift to said Council member(s). Tickets/passes provided to a Council member, his or her spouse and/or immediate family, for an event at which the Council member has an official or ceremonial role shall not be considered a gift to the Council member. Council member(s) invited to perform an official and/or ceremonial role shall notify the Chair and Director of such invitation.

Use of Council Appointment

Council members should be alert to avoid any actions which could possibly be interpreted as a use of Council appointment to attain personal financial gain, favors, or special treatment, or act in any way which furthers the economic interests of an organization or person with which they are affiliated in any way.

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Future Affiliations	Once appointed, the Director and Council members are requested, during the term of their service, not to join the boards of or initiate affiliations of a policy-making or financial nature with actual or potential applicant organizations.
Acting Without Self-Interest	Council members shall make every reasonable effort to act without self-interest or without serving the self-interest of fellow Council members, recognizing that loyalties to a particular geographic area, arts discipline, institution, or specific interest group must be subordinated to the broader purposes of acting in the best interest of the entire arts field.
Responsibilities of Director	The Director shall call the Conflict of Interest Code, Appearance of Conflict of Interest, and Code of Responsibility to the attention of all Council members upon appointment to the Council.
Reimbursement for Council Members	<p>Council members are entitled to \$100 per Council meeting. Council members shall be reimbursed for eligible expenses incurred to:</p> <ol style="list-style-type: none">1. Attend regular and special meetings of the Council and its committees; or2. Attend special activities/events approved in advance by the Chair and Director. <p>In the event the Chair and/or Director desire a Council member to represent the agency at a specific event, meeting, performance, lunch/dinner or otherwise to be held in the state, the Chair and/or Director will first make such request of the Council member(s) living in the immediate geographical area of opportunity unless said representation would be within the province of a specific committee chaired by a Council member outside said immediate geographical area; or, in the discretion of the Chair and/or Director, the agency would be best represented by a specific Council member.</p> <p>All out of state travel is subject to prior approval by the Chair, Director, and the Governor's office in accordance with governing rules and procedures.</p>
Reimbursement of Expenses	Council members shall be reimbursed for eligible expenses incurred using budgetary limitations as established by the state and the agency budget. To receive reimbursement, Council members shall file, within 90 days of incurring the eligible expense, an itemized expense form with the agency's administrative Executive Director. Reimbursement shall be made in accordance with state governing regulations. The agency will make every attempt to issue authorized reimbursement within 30 days of receipt from the Council member.

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Travel and Expense Budget

The Agency budget shall include an amount sufficient to cover the cost of authorized and eligible Council member reimbursable travel and other expenses as reasonably projected by the Chair in consultation with the Director on an annual basis. Said travel budget line item within the agency's budget shall be within the requirements of the Department of Finance and other control agencies, based on the operational needs and requirements of the agency.

Representative Role in Relationship to the Governor and the Governor's Office

Council members, at the request of the Chair and/or Director, may actively participate in the promulgation and advocacy of positions regarding legislation affecting the arts, to the extent permissible under all applicable state laws, rules, regulations and the policies of the legislature and the office of the Governor. The Director and Director of Legislative Affairs shall advocate on behalf of the agency and the health of the arts, including advocacy in favor of specific legislation, to the extent permissible under all applicable state laws, rules, regulations and the policies of the legislature and the office of the Governor.

Amendments to Bylaws

Proposed amendments should be presented to the Governance committee and then presented to the Council at the next public Council meeting.

All amendments will be voted on in public Council meetings. Amendments to the original amendments require a simple majority vote.

The adoption of the original amendment to the Bylaws will require 2/3 of the votes cast.

Parliamentary Authority

On all matters of procedure not otherwise covered by the provisions of these Bylaws, *Roberts' Rules of Order (Newly Revised)* shall be the official guide.

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The following content will not be included in the amended bylaws. It includes sections that were removed and will be included in the Council handbook in order to keep the bylaws focused and also ensure that Council members have access to all relevant information.

The Director

The following applies to the Director of the Agency:

- Appointed by, serves at the pleasure of, and reports to the Governor and Governor's office.
- Works in cooperation with the Chair and Vice Chair of the Council.
- Responsible for the management and administration of the agency staff and the implementation of Council policy.
- Establishes and maintains working relationships with the Governor and Governor's Office, Legislature and all national and state agencies, institutions, associations and entities working with the Agency to develop programs and implement the direction of the Agency.
- May recommend potential Council members to the Governor and/or the Speaker and President pro Tempore.
- Assigns staff to all Council committees.
- Implements Council approved policies and develops operational policies.
- Must act in compliance with the "Incompatibility Statement" in California Government Code Section 19990.

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Establishing Legislation:

GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]

(Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 1. GENERAL [8000 - 8899.95]

(Division 1 enacted by Stats. 1943, Ch. 134.)

CHAPTER 9. Art [8750 - 8756]

(Chapter 9 repealed and added by Stats. 1975, Ch. 1192.)

8750.

The Legislature perceives that life in California is enriched by art.

The source of art is in the natural flow of the human mind. Realizing craft and beauty is demanding, however, the people of the state desire to encourage and nourish these skills wherever they occur, to the benefit of all.

(Repealed and added by Stats. 1975, Ch. 1192.)

8751.

(a) There is in the state government an Arts Council which shall be composed of 11 members. On or before January 10, 1979, the Speaker of the Assembly and the Senate Rules Committee shall each appoint one member to represent the general public. Prior to appointing the remaining nine members, the Governor shall request and consider recommendations from organizations representing the arts community and when making his appointments shall give consideration to the various arts disciplines and ethnic and geographic parts of the state. All appointments made to the council by the Governor shall be subject to confirmation by the Senate.

(b) Five of the eleven members shall hold office for four years, four shall hold office for three years, and two shall hold office for two years. Terms of office shall be determined by lot at the first meeting of the council after January 1, 1979.

(c) Nothing in this section shall prevent the reappointment or replacement of any individual presently serving on the existing Arts Council unless such person has already served for more than four consecutive years as a member of the California Arts Council or Arts Commission.

(d) In January of each year, the members of the council shall select a chairperson. Members of the council shall receive one hundred dollars (\$100) per meeting and shall be reimbursed for necessary traveling and other expenses incurred in the performance of official duties.

(Repealed and added by Stats. 1978, Ch. 1356.)

8751.5.

If any member of the council is an employee, member, director, or officer of any arts organization that has applied to the council for a grant, such member shall not

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communicate with any other member of the council or any member of an advisory panel regarding such grant application and such member shall not be present when such is considered by the council or panel.

(Added by Stats. 1975, Ch. 1192.)

8752.

The council shall meet at the call of the chairperson no more than eight times each calendar year. Unless there are extraordinary circumstances, all meetings are to be preceded by at least eight days public notice, and shall be held in various places throughout the state so as to encourage broad and diverse attendance.

(Amended by Stats. 1978, Ch. 1356.)

8753.

The council shall:

- (a) Encourage artistic awareness, participation and expression.
- (b) Help independent local groups develop their own art programs.
- (c) Promote the employment of artists and those skilled in crafts in both the public and private sector.
- (d) Provide for the exhibition of art works in public buildings throughout California.
- (e) Enlist the aid of all state agencies in the task of ensuring the fullest expression of our artistic potential.
- (f) Adopt regulations in accordance with the provisions of the Administrative Procedure Act necessary for proper execution of the powers and duties granted to the council by this chapter.
- (g) Employ such administrative, technical, and other personnel as may be necessary.
- (h) Fix the salaries of the personnel employed pursuant to this chapter which salaries shall be fixed as nearly as possible to conform to the salaries established by the State Personnel Board for classes of positions in the state civil service involving comparable duties and responsibilities.
- (i) Appoint advisory committees whenever necessary. Members of an advisory committee shall serve without compensation, but each may be reimbursed for necessary traveling and other expenses incurred in the performance of official duties.
- (j) Request and obtain from any department, division, board, bureau, commission, or other agency of the state such assistance and data as will enable it properly to carry on its power and duties.
- (k) Hold hearings, execute agreements, and perform any acts necessary and proper to carry out the purposes of this chapter.
- (l) Accept federal grants, for any of the purposes of this chapter.
- (m) Accept only unrestricted gifts, donations, bequests, or grants of funds from private sources and public agencies, for any of the purposes of this chapter. However, the council shall give careful consideration to any donor requests concerning specific dispositions.
- (n) Establish grant application criteria and procedure.

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(o) Award prizes or direct grants to individuals or organizations in accordance with such regulations as the council may prescribe. In awarding prizes or directing grants, the council shall notify the offices of the legislators in whose district the recipient resides.

(p) Have the authority to appoint peer review panels whenever necessary. Each member of a peer review panel may, at the discretion of the council, receive a per diem and honorarium for each day of service and be reimbursed for necessary travel and other expenses incurred in the performance of official duties.

(Amended by Stats. 2018, Ch. 869, Sec. 1. (AB 2456) Effective January 1, 2019.)

8753.5.

The council shall not make any grants or fund any program which has not been established pursuant to the powers granted by this chapter or the California Creative Workforce Act of 2021 (Article 4 (commencing with Section 14240) of Chapter 4 of Division 7 of the Unemployment Insurance Code).

(Amended by Stats. 2021, Ch. 767, Sec. 2. (SB 628) Effective January 1, 2022.)

8753.6.

(a) The California Arts Council Contribution and Donations Fund is hereby created in the State Treasury to receive funds pursuant to subdivision (m) of Section 8753. Notwithstanding Section 13340, the moneys in the fund are continuously appropriated, without regard to fiscal years, to the Arts Council for the purposes of this chapter.

(b) Any moneys in the Art Council Donations Account in the Special Deposit Fund shall be transferred to the California Arts Council Contribution and Donations Fund.

(Amended by Stats. 2015, Ch. 303, Sec. 187. (AB 731) Effective January 1, 2016.)

8754.

The Governor shall appoint a director for the Arts Council. The council may delegate to the director the responsibilities for carrying out council policy.

The director shall assist the council in the carrying out of its work, be responsible for the hiring of council staff, including, but not limited to, deputy directors, be responsible for the management and administration of the council staff, and perform other duties as directed by the council.

(Amended by Stats. 2017, Ch. 21, Sec. 6. (AB 119) Effective June 27, 2017.)

8755.

Upon nomination by the council, the Governor may grant special recognition to any citizen with exceptional talent who has made a unique contribution to the cultural or artistic heritage of the State of California.

(Repealed and added by Stats. 1975, Ch. 1192.)

8755.5.

The executive or principal office of the Arts Council shall be located in the County of Sacramento. The council may establish one or more secondary offices in other locations within the state if it determines that such office or offices are needed to properly carry out the provisions of this chapter.

(Added by Stats. 1976, Ch. 169.)

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8756.

This chapter shall be known and may be cited as the Dixon-Zenovich-Maddy California Arts Act of 1975.

(Repealed and added by Stats. 1975, Ch. 1192.)

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Disability Accommodations included in the Bagley-Keene Act

GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]

(Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15986]

(Division 3 added by Stats. 1945, Ch. 111.)

PART 1. STATE DEPARTMENTS AND AGENCIES [11000 - 11898]

(Part 1 added by Stats. 1945, Ch. 111.)

CHAPTER 1. State Agencies [11000 - 11148.5]

(Chapter 1 added by Stats. 1945, Ch. 111.)

ARTICLE 9. Meetings [11120 - 11133]

(Article 9 added by Stats. 1967, Ch. 1656.)

11123.1.

All meetings of a state body that are open and public shall meet the protections and prohibitions contained in Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(Amended by Stats. 2021, Ch. 615, Sec. 161. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

11125.

(f) The notice shall be made available in appropriate alternative formats, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof, upon request by any person with a disability. The notice shall include information regarding how, to whom, and by when a request for any disability-related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires these aids or services in order to participate in the public meeting.

(Amended by Stats. 2002, Ch. 300, Sec. 2. Effective January 1, 2003.)

11125.1.

(a) Notwithstanding Section 7922.000 or any other provisions of law, agendas of public meetings and other writings, when distributed to all, or a majority of all, of the members of a state body by any person in connection with a matter subject to discussion or

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consideration at a public meeting of the body, are disclosable public records under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be made available upon request without delay. However, this section shall not include any writing exempt from public disclosure under Section 7924.100, 7924.105, 7924.110, 7924.510, or 7924.700 of this code, any provision listed in Section 7920.505 of this code, or Section 489.1 or 583 of the Public Utilities Code.

(b) Writings that are public records under subdivision (a) and that are distributed to members of the state body prior to or during a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting if prepared by the state body or a member of the state body, or after the meeting if prepared by some other person. These writings shall be made available in appropriate alternative formats, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof, upon request by a person with a disability.

(e) Nothing in this section shall be construed to prevent a state body from charging a fee or deposit for a copy of a public record pursuant to Section 7922.530, except that no surcharge shall be imposed on persons with disabilities in violation of Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The writings described in subdivision (b) are subject to the requirements of the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall not be construed to limit or delay the public's right to inspect any record required to be disclosed by that act, or to limit the public's right to inspect any record covered by that act. This section shall not be construed to be applicable to any writings solely because they are properly discussed in a closed session of a state body. Nothing in this article shall be construed to require a state body to place any paid advertisement or any other paid notice in any publication.

(f) "Writing" for purposes of this section means "writing" as defined under Section 7920.545.

(Amended by Stats. 2021, Ch. 615, Sec. 162. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

11131.

No state agency shall conduct any meeting, conference, or other function in any facility that prohibits the admittance of any person, or persons, on the basis of ancestry or any characteristic listed or defined in Section 11135, or that is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase. As used in this section, "state agency" means and includes every state body, office, officer, department, division, bureau, board, council, commission, or other state agency.

(Amended by Stats. 2007, Ch. 568, Sec. 32. Effective January 1, 2008.)

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(Added by Stats. 1987, Ch. 1320, Sec. 4.)

11133.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

Council Bylaws Side-By-Side Comparison

CATEGORY	2019 ADOPTED LANGUAGE	2023 PROPOSED LANGUAGE
Definition of Terms	<p>“Council” is defined as 11-member body of appointees. “Agency” is defined as California Arts Council staff.</p>	<p><i>No changes.</i></p>
California Arts Council	<p>The California Arts Council exists under California General Government Code, Chapter 9. Article 8750-8756.</p>	<p>The California Arts Council exists under California General Government Code, Chapter 9. Article 8750-8756 (Dixon-Zenovich-Maddy California Arts Act of 1975).</p>
Council Members	<p>Nine Council Members are appointed by the Governor, one by the Senate President pro Tempore, and one by the Assembly Speaker.</p> <p>Five of the eleven members shall hold office for four years, four shall hold office for three years, and two shall hold office for two years. Gubernatorial appointees require Senate confirmation.</p> <p>The Council Members will perform the following duties:</p> <ul style="list-style-type: none"> • Represent the people of the entire state of California. • Encourage artistic awareness, participation, and expression among the people throughout California, acting as delegates of all geographic areas, particular arts disciplines, institutions, and specific interest groups. • Establish general policy within the framework of policy established by the Legislature and the Governor; and in accordance with state and federal laws and regulations. • Approve local assistance funding allocations. • Advise the Governor and the Legislature on matters of council policy, in consultation with the Director. • Review its policies and programs on a regular basis. • Possess sound judgment, as demonstrated by the management of their own affairs. • Attend regularly scheduled and special meetings of the Council and, upon request of the Chair, other meetings, events, forums, seminars, and the like, that further Council objectives. • Actively acquaint themselves with the arts in California to the greatest extent possible; provided, however that this responsibility shall not obligate the agency to incur any specific expense. • Inform the chair and the director of any activities wherein they act in an official capacity representing the Council. This applies to any written correspondence, which shall be forwarded to the Chair and Director. • Abide by the conflict of interest policy and code of responsibility. 	<p>Nine Council Members are appointed by the Governor, one by the Senate President pro Tempore, and one by the Assembly Speaker.</p> <p>Five of the eleven members shall hold office for four years, four shall hold office for three years, and two shall hold office for two years. Gubernatorial appointees require Senate confirmation. The Council will have a Chair, a Vice Chair, and may have other officers it may need.</p> <p>The Council Members will perform the following duties:</p> <ul style="list-style-type: none"> • Represent the people of the entire state of California and act as delegates of all geographic areas, arts disciplines, institutions, and communities. • Encourage artistic awareness, participation, and expression among the people throughout California. • Establish and approve policy regarding the Council's programs and allocations in accordance with state and federal laws and regulations. <ul style="list-style-type: none"> ○ Agency Director and staff abide by the policies set by the Council regarding programs, procedures, and allocations. • Advise the Governor and the Legislature on matters of Council policy, in consultation with the Director. • Review its policies, local assistance budgets, and programs biannually, at minimum. • Attend and be prepared for regularly scheduled and special meetings of the Council and, upon request of the Chair, other meetings, events, forums, or seminars that further Council objectives. • Actively acquaint themselves with the arts in California to the greatest extent possible, without incurring any additional expenses to the agency. • Upon appointment, complete all mandatory State trainings, including agency-led Racial Equity training, and familiarize themselves with the Bagley-Keene Open Meeting Act and Robert's Rules of Order for meeting procedures. • Inform the Chair and the Director of any activities wherein they act in an official capacity representing the Council, including written correspondence, which shall be forwarded to the Chair and Director. • Abide by the state's conflict of interest policy. • Treat fellow Council members and agency staff with respect and decorum. • May recommend potential Council members to the Governor and/or the Speaker and President Pro Tempore

Council Bylaws Side-By-Side Comparison

<p>The Chair</p>	<p>The following applies to the Chair of the California Arts Council:</p> <ul style="list-style-type: none"> • Elected by the Council in December and begins their term in January. • Serves as the spokesperson on policy matters for the Council. • Presides at Council meetings and activities. • Works in partnership with the Vice Chair, Director, and fellow Council Members. • Serves, in partnership with the Director, as liaison to the other agencies and organizations. • Establishes and maintains effective working relationships with the Governor and staff, Senate President pro Tempore, Assembly Speaker, and other stakeholders. • May recommend potential Council members to the Governor and/or the Speaker and President pro Tempore. • Notifies members of the council about issues of major concern to the agency. • Must obtain authorization of the Council as a whole, before committing the Council to any action. 	<p>The following applies to the Chair of the California Arts Council:</p> <ul style="list-style-type: none"> • Elected by the Council in December and begins their term in January. • Presides at Council meetings and activities and uses Robert's Rules of Order as the basis to conduct Council meetings. • President may call a Special Meeting as permitted by Government Code Section 11125.4. • Establishes and upholds decorum to foster and facilitate discussion during council meetings. • Serves, in partnership with the Vice Chair and Director, to lead the Council and set agendas for Council meetings. • Appoints the Chair of all committees. • Assigns committee roles for all Council members in consultation with the members and assigns work processes for committees. • Serves as the sole spokesperson for the Council to the press. • Establishes and maintains working relationships with the Governor and staff, Senate President pro Tempore, Assembly Speaker, and other stakeholders. • Obtains authorization of the Council as a whole, before committing the Council to any action outside of those approved with votes. <p>Establishes and appoints standing committees and ad hoc committees as necessary.</p>
<p>The Vice Chair</p>	<p>The following applies to the Vice Chair of the Council:</p> <ul style="list-style-type: none"> • Elected by Council in December and begins their term in January. • Carries out the duties of the Chair with the powers and duties prescribed by these Bylaws, when the Chair is absent. 	<p>The following applies to the Vice Chair of the Council:</p> <ul style="list-style-type: none"> • Elected by Council in December and begins their term in January. • Carries out the duties of the Chair with the powers and duties prescribed by these Bylaws, when the Chair is absent. • Fulfills other duties as assigned by the Chair
<p>The Director</p>	<p>The following applies to the Director of the Agency:</p> <ul style="list-style-type: none"> • Appointed by, serves at the pleasure of, and reports to the Cabinet Secretary (or designee) in the Governor's office. • Works in cooperation with the Chair of the Council. • Working with the Deputy Director, is responsible for the management and administration of the agency staff and the implementation of Council policy. • Working with the Deputy director, the Director of Legislative Affairs, and the Director of Public Affairs, establishes and maintains continuing liaison with the Governor, Legislature, and all national and state agencies, institutions, associations, and entities working with the Agency to develop cultural programs and implement the direction of the Agency. • May recommend potential Council members to the Governor and/or the Speaker and President pro Tempore. • Assigns staff to all Council committees. • Implements Council approved policies and develops operational policies. • Must act in compliance with the "Incompatibility Statement" in California Government Code Section 19990. 	<p><i>Removed from bylaws, to be included in handbook.</i></p>

Council Bylaws Side-By-Side Comparison

<p>Meetings</p>	<p>The following applies to the Meetings of the Council:</p> <ul style="list-style-type: none"> • Held at the call of the Chair no more than eight times each calendar year. • Must be preceded by at least ten days public notice, unless there are extraordinary circumstances. • Must have a quorum, consisting of a majority of the Council members, in order to transact business. • Must be held in various places throughout the state so as to encourage broad and diverse attendance. • Are subject to the Bagley-Keene Act. • The Chair shall preside at all meetings. In the absence of the Chair, the Vice-Chair(s) shall preside at meetings. <p>Meetings shall be conducted in accordance with rules, procedures and protocols established by the Council.</p>	<p>The following applies to the Meetings of the Council:</p> <ul style="list-style-type: none"> • Held at the call of the Chair no more than eight times each calendar year. • Must be preceded by at least ten days public notice, except as permitted by Government Code Section 11125.3. • Must have a quorum, consisting of a majority of the Council members, in order to transact business. • Must be held in various places throughout the state so as to encourage broad and diverse attendance. • Are subject to the Bagley-Keene Open Meeting Act. • The agenda of a meeting of more than one Committee or of a majority of the Council members must be posted and the meeting must be open to the public. • If more than one Committee wishes to meet, the members of one of these Committees will have discussion and voting power. The members of the other Committees may participate in the discussion but may not vote. • Time for public comment may be limited by time per speaker or by time per issue, but not by time for the public comment section of the agenda. • The Chair shall preside at all meetings. In the absence of the Chair, the Vice Chair shall preside at meetings. • The Council members may participate in the meeting by teleconference as long as each Council member can be heard and can hear everyone else. • The Council members may vote by teleconference in any manner that the Council determines suitable. • Meetings shall be conducted in accordance with rules, procedures and protocols established by the Council.
<p>Strategic Plan</p>	<p>The Council shall establish, maintain, and regularly update a strategic plan which shall set forth the following:</p> <ul style="list-style-type: none"> • Clearly stated goals and objectives with a timeline. • A delineation of the broad programs and activities required in order to achieve Council objectives. • An implementation plan with benchmarks for the Council to discuss and evaluate. • In developing the Strategic Plan, persons may be designated as advisors and advisory groups may be created. Advisor and advisory group input will be reported at each Council meeting; committees will make recommendations to full Council, not set policy; and all policy votes and decisions will be in public. 	<p><i>No changes.</i></p>

Council Bylaws Side-By-Side Comparison

<p>Committees</p>	<p>The following applies to the Committees of the Council:</p> <ul style="list-style-type: none">• The Chair shall establish and appoint standing committees.• The Chair may establish and appoint ad hoc committees utilizing Council members and/or non-voting non-Council members as necessary. An ad hoc committee dissolves once it has completed its task.• The Director shall assign staff to assist the committee chair(s) with the operation of each committee.• Each committee shall have a charge, which shall include its objective(s), its proposed work schedule, reporting deadlines, and termination date.• Committee members shall be responsible for the implementation of committee assignments.• Committee Chair(s) shall be Council members, and preside over meetings and report to the Council as necessary.• Committees will make a concerted effort to meet in person whenever convenient to foster meaningful engagement.• All Committees are subject to the Bagley-Keene Act. <p>CURRENT STANDING COMMITTEES</p> <p>Equity Committee: The Equity Committee is charged with ensuring that grants invest in the evolving and diverse demographics of California. The committee defines equitable grant making as fair, accessible, inclusive and effectively serving to dismantle structural racism and other inequities.</p> <p>Executive Committee: The Executive Committee shall consist of the Chair, the Vice-Chair(s), the Director and others as appointed by the Chair</p> <p>Governance Committee: The Governance Committee shall review and draft revisions to the CAC Member Handbook including the CAC By-Laws and make recommendations to the Council.</p> <p>Innovations and Aspirations Committee: The Innovations and Aspirations Committee shall explore new directions and concepts for the Council's activities and make recommendations to the Council.</p> <p>Legislative Committee: The Legislative Committee shall develop materials and strategy for Council's engagement with the Governor and Legislature, provide updates on CAC government affairs activities, and make recommendations to the Council.</p> <p>Nominating Committee: The Nominating Committee shall consist of two Council members appointed annually by the Governance Committee in advance of the December meeting.</p>	<p>The following applies to the Committees of the Council:</p> <ul style="list-style-type: none">• Each committee shall have a charge, which shall include its objective(s), its proposed work schedule, reporting deadlines and termination date.• Each committee will report out to the full Council at least twice per year to share updates and decisions.• Committee members shall be responsible for implementation of all committee assignments.• All Committees are subject to the Bagley-Keene Open Meeting Act. <p>Standing Committees of the California Arts Council:</p> <ul style="list-style-type: none">• Allocations• Executive• Governance• Legislative• Nominating• Programs Policy• Race Equity• Strategic Framework
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Council Bylaws Side-By-Side Comparison

	<p>The Committee shall nominate officers for one-year terms. The Committee shall nominate the officers and the Council shall vote to elect the officers at the December annual meeting. Officers shall consist of a Chair, one Vice-Chair and other officers the Council may, from time to time, designate.</p> <p>Programs Allocations Committee: The Programs Allocations Committee shall provide input on the grant funding formula based on panel ranks, help formulate the projected grants budget, review staff and panel recommendations, and make recommendations to the Council.</p> <p>Programs Policy Committee: The Programs Policy Committee shall provide input on program guidelines and policies, consider framework for Council on the adoption of new pilot grant programs based on Council priorities, and make recommendations to the Council.</p> <p>Special Liaison Committee: The Special Liaison Committee shall support relationships and communications between the Council process and outcomes with the Governor’s office.</p> <p>Strategic Plan Committee: The Strategic Plan Committee shall maintain an active role of the Council in strategic planning by reviewing/assessing the current strategic plan, reporting on Council progress related to a strategic plan, establishing Council priorities for a planning process, considering public input strategies, and making recommendations to the Council.</p>	
<p>Policy</p>	<p>The following outlines the policies that impact the California Arts Council.</p> <ul style="list-style-type: none"> • Council policies are the objectives of the Council and the rules and procedures enacted by the Council for its governance. Policy recommendations may come from any Council member. <ul style="list-style-type: none"> ○ All policies shall be in writing and shall set forth clearly and concisely the policy objectives and the designation of responsibility for enactment of the policy. ○ Copies of all policies adopted by the Council shall be distributed to each member and be available to the public. • State Policy includes the California Arts Council’s enabling legislation and all applicable state laws, rules and regulations. • Council members shall approve all policy statements at meetings with a quorum present. 	<p>Policy recommendations may come from any Council member.</p> <ul style="list-style-type: none"> • Council policies establish and approve policy regarding the Council's programs and allocations in accordance with state and federal laws and regulations. <ul style="list-style-type: none"> ○ All policies shall be in writing and shall set forth clearly and concisely the policy objectives and the designation of responsibility for enactment of the policy. ○ Copies of all policies adopted by the Council shall be distributed to each member and be available to the public. • State Policy includes the California Arts Council's enabling legislation and all applicable state laws, rules and regulations. • Council members shall approve all policy statements at meetings with a quorum present.

Council Bylaws Side-By-Side Comparison

<p>Program Development and Implementation</p>	<p>Programs supported by local assistance funds shall be developed in accordance with established Council policies. Programs shall be implemented by staff, under the direction of the Executive Director and staff.</p> <p>The Council shall approve financial assistance as contained in the programming guidelines. Council members shall not, jointly and/or separately, attempt to approve the granting of funds to any person or organization outside the policies and procedures established by the Council.</p>	<p><i>No changes.</i></p>
<p>Conflict of Interest, Appearance of Conflict of Interest, and Code of Responsibility</p>	<p>Council members shall be subject to the California State Ethics and Conflict of Interest Code, and any rules adopted by the Council.</p> <p>Council members shall file the Statement of Economic Interest form 700 annually as required by law.</p> <p>Council members shall not be present nor participate in any communication or discussion with any other council member nor vote on any matter involving an individual or organization with which there is an association as board member, officer, advisory panel, or staff, salaried or volunteer, or where there is, or has been, any economic interest for twelve months prior to the discussion or vote.</p> <p>Council members shall excuse themselves from the discussion and/or vote on any matter where an outside observer might have reasonable cause to believe the Council member might not be impartial, whether positively or negatively, on behalf of the issue or entity.</p>	<p><i>No changes.</i></p>
<p>Seeking and Receiving Gifts</p>	<p>Council members shall adhere to and abide by all relevant provisions of the regulations of the Fair Political Practices Commission.</p>	<p><i>No changes.</i></p>
<p>What Constitutes a Gift</p>	<p>Council members shall not seek gifts, gratuities, or gratis admission to programs, events or performances for which the public is charged a price for admission or at which a meal is provided (or other things of value) from any CAC grant applicant, nor shall Council members request of any grant applicant anything that would have the appearance of impropriety.</p> <p>In the event of the unsolicited receipt and use of something described in the preceding paragraph for use by an individual Council member or his or her spouse or immediate family member, such receipt and/or use shall constitute receipt of a gift under the regulations of the Fair Political Practices Commission, the State Franchise Tax Board, and the Internal Revenue Service. Reporting receipt of such a gift shall be the obligation of the Council member.</p>	<p><i>No changes.</i></p>

Council Bylaws Side-By-Side Comparison

<p>What does NOT constitute a gift:</p>	<p>Tickets/passes to programs, events, performances, lunches/dinners or otherwise, provided to Council member(s), their spouses and/or immediate family, in conjunction with a request by the Director and/or Chair, for the Council member to represent the agency at such event, performance, lunch/dinner or otherwise shall not be considered a gift to said Council member(s). Tickets/passes provided to a Council member, his or her spouse and/or immediate family, for an event at which the Council member has an official or ceremonial role shall not be considered a gift to the Council member. Council member(s) invited to perform an official and/or ceremonial role shall notify the Chair and Director of such invitation.</p>	<p><i>No changes.</i></p>
<p>Use of Council Appointment</p>	<p>Council members should be alert to avoid any actions which could possibly be interpreted as a use of Council appointment to attain personal financial gain, favors, or special treatment, or act in any way which furthers the economic interests of an organization or person with which they are affiliated in any way.</p>	<p><i>No changes.</i></p>
<p>Future Affiliations</p>	<p>Once appointed, the Director and Council members are requested, during the term of their service, not to join the boards of or initiate affiliations of a policy-making or financial nature with actual or potential applicant organizations.</p>	<p><i>No changes.</i></p>
<p>Acting Without Self-Interest</p>	<p>Council members shall make every reasonable effort to act without self-interest or without serving the self-interest of fellow Council members, recognizing that loyalties to a particular geographic area, arts discipline, institution, or specific interest group must be subordinated to the broader purposes of acting in the best interest of the entire arts field.</p>	<p><i>No changes.</i></p>
<p>Responsibilities of Director</p>	<p>The Director shall call the Conflict of Interest Code, Appearance of Conflict of Interest, and Code of Responsibility to the attention of all Council members upon appointment to the Council.</p>	<p><i>No changes.</i></p>
<p>Reimbursement for Council Members</p>	<p>Council members are entitled to \$100 per Council meeting. Council members shall be reimbursed for eligible expenses incurred to:</p> <ol style="list-style-type: none"> 1. Attend regular and special meetings of the Council and its committees; or 2. Attend special activities/events approved in advance by the Chair and Director. <p>In the event the Chair and/or Director desire a Council member to represent the agency at a specific event, meeting, performance, lunch/dinner or otherwise to be held in the state, the Chair and/or Director will first make such request of the Council member(s) living in the immediate geographical area of opportunity unless said representation would be within the province of a specific committee chaired by a Council member outside said immediate geographical area; or, in the discretion of the Chair and/or Director, the agency would be best represented by a specific Council member.</p> <p>All out of state travel is subject to prior approval by the Chair, Director, and the Governor's office in accordance with governing rules and procedures.</p>	<p><i>No changes.</i></p>

Council Bylaws Side-By-Side Comparison

Reimbursement of Expenses	Council members shall be reimbursed for eligible expenses incurred using budgetary limitations as established by the state and the agency budget. To receive reimbursement, Council members shall file, within 90 days of incurring the eligible expense, an itemized expense form with the agency's administrative Executive Director. Reimbursement shall be made in accordance with state governing regulations. The agency will make every attempt to issue authorized reimbursement within 30 days of receipt from the Council member.	<i>No changes.</i>
Travel and Expense Budget	The Agency budget shall include an amount sufficient to cover the cost of authorized and eligible Council member reimbursable travel and other expenses as reasonably projected by the Chair in consultation with the Director on an annual basis. Said travel budget line item within the agency's budget shall be within the requirements of the Department of Finance and other control agencies, based on the operational needs and requirements of the agency.	<i>No changes.</i>
Representative Role in Relationship to the Governor and the Governor's Office	Council members, at the request of the Chair and/or Director, may actively participate in the promulgation and advocacy of positions regarding legislation affecting the arts, to the extent permissible under all applicable state laws, rules, regulations and the policies of the legislature and the office of the Governor. The Director and Director of Legislative Affairs shall advocate on behalf of the agency and the health of the arts, including advocacy in favor of specific legislation, to the extent permissible under all applicable state laws, rules, regulations and the policies of the legislature and the office of the Governor.	<i>No changes</i>
Amendments to Bylaws	<i>No language included.</i>	<p>Proposed amendments should be presented to the Governance committee and then presented to the Council at the next public Council meeting.</p> <p>All amendments will be voted on in public Council meetings. Amendments to the original amendments require a simple majority vote.</p> <p>The adoption of the original amendment to the Bylaws will require 2/3 of the votes cast.</p>
Parliamentary Authority	<i>No language included.</i>	On all matters of procedure not otherwise covered by the provisions of these Bylaws, <i>Roberts' Rules of Order (Newly Revised)</i> shall be the official guide.

TAB N

California Arts Council | Public Meeting | 12/12/2023

Memorandum

2750 Gateway Oaks Drive, Suite 300, Sacramento CA 95833
T: (916) 322-6555 | F: (916) 322-6575
www.arts.ca.gov

Date: 12/7/2023

To: California Arts Council Members

From: Equity Committee: Gerald Clarke, and Caleb Duarte

Re: Calendar Year End Report

Background

As 2023 comes to a close, the Equity Committee would like to provide an update on Chair Montoya's 2023 Council Committee Assignments and outline where we are on progress and completion.

The following assignments were tasked to the Equity Committee:

- Follow through with developing a robust equity committee module to be used at the Council retreat, focusing on race equity, and considering supporting SLPs to develop their equity statements and share best practices.
- Adjust panel guidelines and outreach strategies to encourage diversity before panel guidelines are released.
- Finalize equity language recommendation for grant guidelines and the race equity statement.
- Develop a next level Land and People's acknowledgement.
- Complete a Decision Support Tool for the recommendations on the review criterion and race equity statement.

Progress

- *Develop a next level Land and People's acknowledgement:* Completed and posted to [CAC website](#).
- *Complete a Decision Support Tool for the recommendations on the review criterion and race equity statement:* DST is completed for the Race Equity Statement and recommendations for review criterion are newly completed and will be shared in Q1 of 2024 to the Strategic Framework Committee for continued progress.

- *Finalize equity language recommendation for grant guidelines and the race equity statement:* Committee completed this assignment in Q1 of 2023.
- *Adjust panel guidelines and outreach strategies to encourage diversity before panel guidelines are released:* Committee completed the panel guideline revisions in Q1 of 2023. Given the shifts in Public Affairs and Programs staff and leadership this year, we expect to be able to provide more comprehensive, concrete, and robust recommendations to encourage diversity and outreach for the 2024 and 2025 cycles.
- *Follow through with developing a robust equity committee module to be used at the Council retreat, focusing on race equity, and consider supporting SLPs to develop their equity statements and share best practices:*
 - The Council Advance took place the first week of June and we were unable to meet this timeline in part due to the Race Equity Manager position being vacant until June. If the incoming Executive Director and Council Chair agree on this assignment and a Council Retreat, we can develop this more fully in 2024.
 - The anticipated SLP Convening did not occur this year, and as such we couldn't help launch this initiative to develop equity statements and share best practices.

Committee Ideas for Next Moves

- Work with new Equity Measures and Evaluations Manager and new Public Affairs Director and existing Race Equity and Programs Managers to inform any additional panel guideline changes and outreach strategies to encourage diversity.
- Share Decision Support Tool equity language revisions to the Strategic Framework Committee in Q1 2024.
- Develop approaches to support SLPs to develop their equity statements and share their best practices at 2024 SLP Convening (*Pending confirmation of convening*).
- Internally, the CAC uses a Race Equity Logic Model that consists of Normalize, Organize and Operationalize. This is a measurement tool to see if we are Developing, Implementing or Sustaining in our efforts. We are suggesting we might also want to consider using this for our work, and highlighting Council specific applications for consistency. Equity Committee can share this with the Council for review in 2024.

Memorandum

2750 Gateway Oaks Drive, Suite 300, Sacramento CA 95833
T: (916) 322-6555 | F: (916) 322-6575
www.arts.ca.gov

Date: December 12, 2023

To: California Arts Council Members

From: Executive Committee (Chair, Consuelo Montoya and Vice-Chair, Vicki Estrada)

Re: 2024 Council Meeting Calendar

Council Meeting Timeline: Fall 2023 - 2024

Fall 2023 Schedule

December 12: Council Meeting

- Voting Item: FY 2024-25 Programs
- Voting Item: Council Elections

Tentative 2024 Schedule

January 12: Council Meeting #1

Location: Sacramento*

- Voting Item: Approve Final Guidelines
- *Note: Doodle Poll sent to get Council approval on this date*

March 13: Council Meeting #2

Location: Oakland*

- Voting Item: New Eligible Panel Pool List
- *Note: Doodle Poll sent to get Council approval on this date*

July 10: Council Meeting #3

- Voting Item: 2024 Grant Awards

August 28: Council Meeting #4

- Discussion: Budget Review for 2025 Cycle

September 25: Open Policy Committee Meeting

- Discussion Items: 2025 Grant Programs discussion

November 20: Council Meeting #5

- Voting Item: Grant Programs for 2025

December 11: Council Meeting #6

- Voting Item: Council Election

*New Bagley-Keene rules start in 2024 requiring a majority of Council members to attend in person, with a minority of members able to participate online. The meetings will remain hybrid for members of the public to join in-person or virtually. Locations in March and onwards to be determined very soon.

TAB O

California Arts Council | Public Meeting | 12/12/2023

This document will be
provided at a later date
following the Council
Meeting