

## MINUTES OF PUBLIC MEETING

**Thursday, November 30, 2017  
10:00 a.m. to 2:40 p.m.**

**E. Claire Raley Studios for the Performing Arts  
2420 N Street  
Sacramento, CA 95816  
(916) 823-5078**

### **PRESENT:**

#### Council Members

Donn K. Harris, Chair  
Nashormeh Lindo, Vice Chair  
Larry Baza  
Phoebe Beasley  
Kathleen Gallegos  
Louise McGuinness  
Steve Oliver

*Council Members absent: Christopher Coppola, Juan Devis, Jaime Galli, Rosalind Wyman*

#### Arts Council Staff

Ayanna Kiburi, Interim Executive Director  
Caitlin Fitzwater, Director of Public Affairs  
Shelly Gilbride, Programs Officer  
Kristin Margolis, Director of Legislative Affairs  
Debra Waltman, Director of Administrative Services  
Hilary Amnah, Arts Program Specialist  
Jaren Bonillo, Arts Program Specialist  
Jason Jong, Arts Program Specialist  
Josy Miller, Arts Education Program Specialist  
Andrea Porras, Arts Program Specialist  
Stephanie Anderson, Arts in Corrections Program Manager  
Kimberly Brown, Public Affairs Specialist  
Wendy Moran, Graphic Designer  
Mariana Moscoso, Arts in Corrections Program Analyst  
Lariza Barcena, Administrative Analyst  
Kala Kowtha, Information Technology Specialist  
Nicole Sanchez, Procurement and Contract Analyst  
Bintou Coulibaly, Senior Accounting Officer

Yurika Jimenez, Accountant I  
Jared Hamlin, Accountant I

Invited Attendees

Megan Wygant, Executive Director, E. Claire Raley Studios for the Performing Arts  
Katharine Hayward, Ph.D., Director of Research and Evaluation, National Arts and Disabilities Center

Other Attendees / Members of the Public

Tomas Benitez, Latino Art Network and Latino Center for the Arts and Culture  
Ruth Chase, Nevada County Arts Council  
Rich Beckermeyer, Beckermeyer Visuals  
Vicki Boyd, Black Women Organized for Political Action  
Heather Llewellyn, Michael Llewellyn Photography  
Eliza Tudor, Nevada Arts Council  
Scott Heckes

**I. Call to Order and Welcome from Venue**

The Chair called the meeting to order at 10:20 a.m.

At 10:21 a.m., the Chair introduced Megan Wygant, the Executive Director of E. Claire Raley Studios for the Performing Arts (CLARA), who provided a background on the nonprofit organization. Wygant explained that CLARA is a new business model in the Sacramento cultural fabric. The building was built in 1921 as a school and was closed in 2012. In 2016, CLARA was established and now houses arts organization tenants as well as providing arts education services for 1,400 students of the Sacramento Unified School District. By offering a reduced rent rate, the tenants are able to invest their budget toward their programs. Wygant added that the past 18 months have been successful and CLARA looks forward to implementing more programs in the future.

**II. Performance from Casa de Brazilian Folkloric Arts of Sacramento**

Fitzwater introduced Casa de Brazilian Folkloric Arts of Sacramento, a nonprofit organization that strives to expose Brazilian folkloric arts to communities anywhere. The organization is led by Mestre Caboclinho, who has 40 years of experience in the art and is a certified master of Brazilian capoeira. The organization is a California Arts Council grantee and, with its support, is able to provide access to arts in underserved communities and organize the Brazilian Day Sacramento Street Festival. The group gave a demonstration of the Maculelê and capoeira dances.

**III. Roll Call and Establishment of a Quorum**

Harris and Kiburi acknowledged the California Arts Council staff present at the meeting. Barcena took the roll at 10:41 a.m. and a quorum was established.

**IV. Approval of Minutes from September 19, 2017**

At 10:42 a.m., Baza moved to approve the minutes from September 19, 2017. Beasley seconded.

Kiburi provided an update on follow-up items stated in the previous meeting minutes:

- Page 4, creating a timeline chart with application deadlines: An updated Programs flyer was brought to the current meeting. Workshops have been planned for December 13 in Visalia, San Bernardino, and Joshua Tree.
- Page 5, insurance coverage for the artists: no updates.
- Page 6, clarification on in-kind matches: The staff developed an informational document on in-kind matching that is linked to the applications.
- Page 9, the use of the terms “underserved” and “at-risk”: Staff and the Programs Committee thoroughly discussed “underserved” in relation to Local Impact program. The staff, Programs Committee and Equity Committee will continue to research asset-based language.
- Page 10, identifying how grants impact grantees: Programs staff will be conducting final report analysis in the coming months (after the grants launch), and will be able to report what the impact of the Professional Development program has been.
- Page 10, technical assistance to State-Local Partnership applicants: Training and understanding around equity is a priority and is currently being addressed in the Equity Committee.
- Page 11, providing technical assistance to organizations who scored low on SLP applications: The staff and Programs Committee is considering a site-visit protocol for SLPs as well as a convening for SLPs to network and learn together.

At 10:48 a.m. the Chair called for the vote. The motion passed 7-0.

#### **V. Chair’s Report**

Harris thanked the Council for the hard work performed during his tenure as Chair.

#### **VI. Interim Director’s Report**

Kiburi read her report provided in the Council book.

#### **VII. Grant Guidelines 2017-2018 – Voting Items**

Beasley introduced the members of the Programs Committee: Council member Baza, Programs Officer Dr. Gilbride, and Interim Executive Director Kiburi.

#### **Corrections and Additions**

- The date of the memo in Tab 4 is November 30, 2017.
- Local Impact in Tab 6 contains an addition on in-kind matches with detailed instructions and a web link to access additional information.
- Local Impact’s program deadline is March 18, 2018.
- In Tab 8, the Reentry Through the Arts program deadline is March 22, 2018.
- In Tab 9, Page 9 of the Statewide and Regional Networks program: California Arts Council does not support or contribute to lobbying activities.

A) Arts and Public Media

ACTION ITEM: Gallegos moved to give staff authority to fine-tune and publish the Arts and Public Media guidelines as documented in Tab 5.

Baza stated that all application requests in FY17-18 cannot exceed 50 percent of an organization's total operating revenue from the last completed fiscal year with a maximum request amount of \$18,000. In FY16-17, the maximum amount requested by applicants was \$15,000 and the average award granted was \$12,652. Baza added this grant program supports Pillar I of the CAC Strategic Plan, which is building public will and resources for the arts in California.

Gallegos asked for clarification on the funding restrictions rule outlining that fiscal sponsors are not allowed in this program. Gallegos added there was previous discussion on changing language to allow small organizations to benefit from fiscal sponsors. She emphasized that there are current young organizations in new media outlets that do not possess nonprofit status.

Gilbride replied that no significant changes were made from last year's program guidelines. The specific limitation was created to avoid the grant program from supporting individual media projects as opposed to media organizations.

Gallegos stated her concern with equity, adding that the limitation may prevent smaller organizations from applying. Gilbride replied that media organizations tend to have larger budgets compared to the arts organization, where an operational fund of \$75,000 may be considered a small organization in media. Fitzwater added that, per the program guidelines, the grant panel focuses on impact rather than size when awarding grantee; many small organizations were highly ranked in the FY16-17 process.

Gallegos thanked the staff for the addition of the in-kind match description. She expressed concerns on the requirements for third-party matching in-kind funds, and the possibility of not complying with the Code of Federal Regulations, CFR 200.306, on cost sharing or matching. Gilbride replied the CAC language is based off of the National Endowment for the Arts, the CFR, and the Financial Accounting Standards Board. Gilbride clarified the regulations regarding in-kind matching.

Oliver suggested scheduling a time for all Council members to discuss program guidelines as opposed to relying on committee reports.

Kiburi replied all suggestions can be applied to the future grant application process if the Council agrees to do so.

Kiburi recommended the Council request to revisit the CAC language and policy on matching funds for the future if they find it important to do so. Oliver suggested revisiting the language to clarify it.

Gallegos suggested clarifying the language for fiscal sponsors further by adding that the limitation applies to individual media projects.

At 11:49 a.m., the motion passed 6-1 with “yes” votes from Baza, Beasley, Harris, Lindo, McGuinness, and Oliver, and a “no” vote from Gallegos.

*B) Local Impact*

ACTION ITEM: Beasley moved to give staff authority to fine-tune and publish the Local Impact guidelines as documented in Tab 6. Oliver seconded.

Baza stated that in FY16-17, 130 grants were awarded for a total of \$1,878,600. The Programs Committee focused on specific language to differentiate Local Impact from Artists in Communities. It reframed the term “underserved” to “historically marginalized” to clarify the type of communities the CAC wants to serve with the grant program.

Gallegos asked if an artist residing outside of the United States can be involved in a grantee’s program. Beasley replied the artist has to reside in California to be considered for the grant program.

At 11:56 a.m., the motion passes 7-0.

*C) Organizational Development*

ACTION ITEM: At 11:56 a.m., Lindo moved to give staff authority to fine-tune and publish the Professional Development guidelines as documented in Tab 7. McGuinness seconded.

Baza stated there were no significant changes to the guidelines. The Professional Development and Consulting program were separated into two applications; the Consulting program was renamed as “Organizational Development.”

At 11:57 a.m., the motion passed 7-0.

*D) Reentry Through the Arts*

ACTION ITEM: At 11:58 a.m., Lindo moved to give staff authority to fine-tune and publish the Reentry Through the Arts guidelines as documented in Tab 8. McGuinness seconded.

Beasley noted that the program is now on a two-year cycle, and an existing grantee can apply for the current application deadline if it’s to support a different project than the one currently being funded.

Gallegos asked if the grant program is applicable to both youth- and adult-based programs. Beasley replied anyone in the juvenile justice system is considered a youth and those serving that population should consider the JUMP StArts grant program. Programs focused on incarcerated individuals above 26 years of age can apply to Reentry Through the Arts.

At 12:00 p.m., the motion passed 7-0.

*E) Statewide and Regional Networks*

ACTION ITEM: At 12:06 p.m., Oliver moved to give staff authority to fine-tune and publish the Statewide and Regional Network guidelines as documented in Tab 9. Lindo seconded.

Beasley stated the only addition to the guidelines is that the CAC does not support lobbying activities. Harris asked what the reason for the addition was. Kiburi replied the rule was always existent but it was now more explicitly stated in the guidelines for transparency.

In reference to the requirement that applicants using a fiscal sponsor must submit the fiscal sponsor's IRS Form 990 with the application, Gallegos asked if the fiscal sponsor's budget may have an impact on the application. Kiburi replied the fiscal sponsor has to meet the criteria for the program's grant guidelines and be financially capable of supporting the applicant's program. Beasley replied that an applicant must select a fiscal sponsor with a budget that meets the criteria for the grant program. The maximum request amount must be allowable given the applicant organization's budget. The Fiscal Sponsor's fiscal health is taken into consideration in panel deliberations.

At 12:06 p.m., the motion passed 7-0.

*F) Veterans in the Arts*

ACTION ITEM: At 12:06 p.m., McGuinness moved to give staff authority to fine-tune and publish the Veterans in the Arts guidelines as documented in Tab 10. Baza seconded.

Beasley stated that the name of the program has been changed from Veterans Initiative in the Arts to Veterans in the Arts.

Jong added that the goal of the program guidelines is to increase participation of local veterans.

At 12:09 p.m., the motion passed 7-0.

At 12:09 p.m., a break was taken.

### **VIII. National Arts and Disabilities Center Presentation**

Jong introduced Dr. Katharine Hayward, the Director of Research and Evaluation for the Tarjan Center at UCLA and the National Arts and Disability Center (NADC). Jong added that Hayward has over 15 years of experience in working with the Tarjan Center staff and faculty to develop evaluation methods and instruments to assess the impact of various projects, spanning the areas of access to health care, postsecondary education, employment, and the arts for people with disabilities.

Hayward stated the NADC's objective is to expand the arts and cultural community's capacity to include individuals with disabilities and support opportunities that advance careers of artists with disabilities. Historically, art has been used as a form of therapy with many benefits. The NADC provides technical assistance and training, and national resources, and has administered two programs to support the full inclusion of audiences and artists with disabilities.

She added that the NADC addresses challenges for artists with disabilities, such as limited arts education and training opportunities, disability not being included in the diversity agenda, the isolation among artists with disabilities, the arts not being seen as a viable career, limited funding opportunities, and the fear of losing public benefits.

Hayward outlined NADC and CAC's collaborative activities. In 1994, the NADC conducted accessibility surveys of the CAC grantees. From 2001 to now, the CAC has awarded the NADC with a grant supporting the Arts and Accessibility grant program. The program provides grants to arts organizations for support and accessibility, and to artists with disabilities on their paths to becoming working artists.

Hayward thanked the CAC on behalf of the NADC for its continued support, even in years where the CAC's budget was challenged, and for providing increased support as the CAC has gained additional resources in recent years.

### **IX. Panel Pool Approval**

ACTION ITEM: At 1:03 p.m., Beasley moved to approve the 2018 Panel Pool as presented in Tab 12. Baza seconded.

No further discussion.

At 1:03 p.m., the motion passed 7-0.

### **X. Discussion of Chair's Proposal**

At 1:03 p.m., Beasley moved to vote on one of the Chair's proposals for the staff to create a feasibility study and report its findings to Council. Baza seconded.

Harris proposed the Diverse Leadership Pathway to be the chosen program to propose for the study.

Beasley proposed to table the discussion on the proposal as the incoming chair would be in charge of enacting the proposal. She suggested creating a committee where all Council members can participate and propose ideas.

Baza seconded Beasley's proposal. He thanked Harris for the amount of work put into the proposals.

**ACTION ITEM:** At 1:09 p.m., Beasley moved to amend the existing motion as follows: to table the discussion of new proposals to a new committee to be formed after the new chair is elected for further study. Baza seconded.

At 1:10 p.m., the motion passed 7-0.

#### **XI. Announcement of 2017 Committee Members**

Harris stated that each year, the Chair announces the members of the Nominations, Governance, and Legislative Committee. As a new chair will be elected at the January Council meeting, the members appointed at this meeting will have tenure until then.

Harris announced the following Committees and their members:

- Nominations Committee: Juan Devis and Steve Oliver
- Governance Committee: Louise McGuinness and Donn Harris
- Legislative Committee: Rosalind Wyman and Kathleen Gallegos

#### **XII. Equity Committee Update**

Lindo stated that the members of the committee are herself and Gallegos, and staff members Kiburi and Bonillo. The committee has been working on gathering material and information to support the Council's work in enabling diversity and equity. The purpose of the committee is to uphold the CAC strategic pillars and ensure CAC work is reflective of California's diversity; not only racial and ethnic, but to include accessibility issues as well.

Gallegos added that with California's changing demographics, the CAC has to guarantee that the grants reflect all communities.

Kiburi acknowledged Bonillo for her work and support in the committee as a staff member. She added that equity work includes analyzing every aspect of CAC work and certifying it reflects its vision and mission.

### **XIII. Statement of Economic Interests**

Barcena explained that the presentation is in anticipation of the 2018 Statement of Economic Interests (Form 700) filing by the Fair Political Practices Commission (FPPC). The requirement originated from the Political Reform Act, which prohibits a public official from participating in Governmental decisions in which he or she has a financial interest that may be materially affected. The submitted Form 700s are accessible to the public upon request.

She further explained the Conflict of Interest Code and the CAC bylaws outline what the Council members are required to disclose in their Statements; as they fall under Category I of disclosure, they need to report the following:

- Investments and business positions in entities which are arts organizations or art-related
- Income, including gifts, loans and travel payments from sources which are arts organizations or art-related business entities, including nonprofit arts organizations

Barcena added one of the frequent questions received is what constitutes a gift. The FPPC guidelines state a gift limit of \$470, and the CAC bylaws further explain what a gift is and the difference between solicited and unsolicited gifts.

Beasley asked if an invitation to an event where she has a ceremonial role in which she represents the California Arts Council constitutes a gift. Barcena replied it does not.

### **XIV. Break: Council Members Paperwork**

At 1:28 p.m., a break was taken.

### **XV. Legislative Overview for Council Part II**

Margolis resumed the second part of her presentation to the Council members. She expanded on the importance of building a positive bipartisan relationship with legislative members representing the Council members' areas, with a grantee representative to explain the work and impact of the CAC. She explained the legislative calendar and which periods are best to set up an appointment to speak with legislators.

Lindo supported the importance of bipartisan support. Gallegos suggested meeting legislators at their community events. Margolis added fundraising events are key events as well.

### **XVI. Public Comment**

At 2:12 p.m., Harris called for the public comment. The following individuals provided public comment:

- Tomas Benitez, Latino Art Network and Latino Center for the Arts and Culture  
Benitez announced that the Latino Center for the Arts and Culture will be presenting its annual Pastorela de Sacramento. The show is a traditional Mexican Christmas play, and it is funded through the Local Impact grant. The show will be December 7-10 and tickets are \$15.

He advised the CAC to revisit its policy on in-kind match language in the next application cycle. Many Latino arts organizations have a small operational budget and are run by individuals over 40 years old. In grassroots organizations, this presents a challenge in innovation due to lack of resources.

■ Scott Heckes, former CAC Deputy Director

Heckes congratulated the CAC on its work on stabilizing the budget and commended the staff and Council on its work developing and discussing program guidelines. He added that diversity leadership is a program he'd like the CAC to pursue in the future. The Council had a fellowship program in the past where fellows worked for the Council and completed staff work on a stipend; many fellows became staff members.

**XVII. Retreat Brainstorming**

Lindo led the discussion on a future Council and staff retreat. She added it would be helpful if the future strategic plan development were to include a retreat where Council can collectively brainstorm program guidelines and diversity leadership. As individuals, this is an opportunity to share ideas.

Kiburi added that a consultant will be hired to help write the CAC strategic plan, and the retreat will be a part of this process. Oliver expressed interested in participating in the planning of a retreat.

**XVIII. Adjournment**

The meeting adjourned at 2:40 p.m. in honor of Bernie Casey; Robert Guillaume; and of those who lost their lives in the recent North Bay fires, including the young Ukiah High School student artist Kressa Jean Shepherd.