



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

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## MINUTES OF PUBLIC MEETING

April 28, 2023  
1 p.m. to 5:40 p.m.

University of the Pacific, College of the Pacific  
Alex and Jeri Vereschagin Alumni House  
1022 Dave Brubeck Way  
Stockton, CA 95211

The members of the California Arts Council convened in Stockton with web conference availability to discuss and vote on various items as listed in the minutes below. The full audio and video of the meeting can be accessed [here](#).

### PRESENT:

#### Council Members

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

#### Arts Council Staff

Jonathan Moscone, Executive Director  
Kayla Ungar, Chief Deputy Director  
Ayanna Kiburi, Deputy Director  
Artemio Armenta, Public Affairs Director  
Kimberly Brown, Public Affairs Specialist  
Qiana Moore, Outreach & Events Coordinator  
Wes Breazell, Graphic Designer  
Zachary Hill, Information Technology Associate

**[Note: Agenda Item 13 was taken out of order. These minutes reflect this agenda item as listed on the agenda and not as taken in chronological order.]**

## **1. Call to Order**

Chair Consuelo Montoya opened the meeting at 1:04 p.m. An acknowledgement was made thanking the University of the Pacific in Stockton for hosting the meeting. A number of particulars were mentioned in ways to participate in the meeting.

## **2. Land and People's Acknowledgement**

Council Member Caleb Duarte made a brief introduction in Spanish and transitioned to English.

I come with limited knowledge of this land and the indigenous peoples' relationship to the land. As of yet, there is no formula for land acknowledgement. Some Native Americans have a love/hate relationship with this ritual.

As part of the Equity Committee, we are trying to see what is ahead of us and what we want to see as land acknowledgments progress.

Land acknowledgement is a symbolic gesture to ignite urgent action. Land acknowledgement is a living entity. It is something that evolves as we learn and listen with humility and build and nurture relationships.

We attempt to decolonize our minds and our spirits away from viewing land as a commodity but rather as a living entity as part of our collective bodies.

My respect and gratitude goes out to all the ancestors that once lived here and to my native brothers and sisters who are here now living and thriving, resisting and celebrating that have been determined to always be in existence despite genocidal attempts to eliminate them.

Yokuts Plaza Monument placed on the Fresno City College Campus in 2014 has become an important site for celebration recognition.

I consider myself an economically displaced immigrant from Northern Mexico in the state of Sonora.

I understand that I am a guest on this land. This land is home to the Yokuts people who were forcibly removed from the once Tulare Lake in the Central Valley.

My relationship to the land is thick fog and a surreal corporate farm landscape.

My relationship as a campesino field worker is pesticides and repetition of labor.

I have a real strong disconnect to the place that I am from.

Before the arrival of European settlers Tulare Lake was home to more than 20,000 Yokuts. The disappearance of the Lake led to an almost entire genocide of the Yokuts people.

It is important to recognize this California genocide as we shift and tone here.

Between 1846 and 1873 it is estimated that non-Natives killed between 9,000 to 16,000 California Natives.

These acts were encouraged, tolerated and carried out by the state authorities and the militias.

In 1853 the first governor of California, Peter Burnett issued an order for all extermination of all Native Americans in the Central Valley.

By 1880 the population of the Yokuts was just over 600.

Just recently in 2019, California Governor Gavin Newsom apologized for the genocide and called for a research group to be formed to better understand the topic and to inform future generations.

Land acknowledgement has always been in indigenous culture for centuries.

It is not coming from the top/down. It is not coming from states or systems of power. It is the people who are shaking things up.

It is a centuries-old effort to be seen, recognized and validated but most importantly to be seen as free agents of Native communities in the pursuit of self-determination.

This is a commitment, and we have to be responsible for land acknowledgements in our personal lives.

As a Council we have to ask ourselves if we are acting in ways that strengthen our land acknowledgements and benefit Native communities.

We are going to continue doing land acknowledgements and we have to dedicate intentional funding to Native artists through Native community initiatives.

Land acknowledgements can be a form of dismantling white supremacy and to stimulate other forms of understanding our relationship to the Earth and to our bodies.

I am inspired by the Zapatista Movement of 1994.

We can use art as a main vehicle for social/political transformation.

I am inspired by the Zapatista's efforts to dismantle the capitalism/colonization status quo.

The unaccompanied indigenous youth from Guatemala that are currently residing in Oakland, California continue their struggle to improve Native American's situations. The water protectors are also an inspiration and have helped to cause shift change.

As the moral and ecological bankruptcy of the capitalist class becomes evident, indigenous people who have challenged the colonial paradigm of resource extraction and plunder are being vindicated.

Indigenous people are responsible for protecting 22 percent of the Earth's surface and 80 percent of its biodiversity.

We can think of these land acknowledgements as an urgent call for survival.

### **3. Roll Call and Establishment of a Quorum**

Public Affairs Director Armenta conducted a roll call.

**Present:** Chair Consuelo Montoya, Vice Chair Vicki Estrada, Council Members Gerald Clarke, Caleb Duarte, Leah Goodwin, Phil Mercado, Roxanne Messina Captor and Nicola Miner.

A quorum was established.

### **4. Welcome from University of the Pacific, College of the Pacific**

Executive Director Moscone introduced Agenda Item 4. I am honored to be here at the University of the Pacific, my father's alma mater when it was the College of the Pacific. To welcome us I have invited Dean Lee Skinner and the Vice President for University Development and Alumni Relations, Scott Biedermann.

Vice President for University Development and Alumni Relations Scott Biedermann addressed the Council:

Thank you to the California Arts Council and Jonathan it is always nice to see you again. Welcome to the University of the Pacific on our Stockton Campus.

We are the first chartered university in the state of California, and we are the oldest.

We started in the Bay Area and moved to Stockton in the 1920s.

We are a three-campus university with our main campus in Stockton and a campus in San Francisco and Sacramento.

We were the first co-educational institution in the state of California in 1871 and the first medical school.

We were also the first conservatory of music west of the Mississippi and the seventh oldest conservatory of music in the United States.  
We are the arts and cultural institution for San Joaquin County and the Central Valley.

Dean Lee Skinner spoke to attendees:

I welcome you to our campus, city and to our county.

The University of the Pacific is the first university in the state of California and College of the Pacific was the founding unit of that university.

We house all the visual and performing arts departments at the University.

We offer theater and film as well. These events are open to the public to enjoy the arts that we produce.

Art and the appreciation of art in all its manifestations I consider one of the crucial elements of being a human being.

Thank you for visiting with us today.

## **5. Chair's Report**

Chair Montoya continued with Agenda Item 5. Thank you so much and I will move to the Chair's Report.

April is a designated Arts, Culture and Creativity Advocacy Month. It is a month where the field gathers and advocates for the work that we do.

As a Council we have been selected to serve and bring to the table our dynamic perspectives and experiences.

This month has been an abundant one for me.

Just last week I was in San Diego and Palm Springs representing the CAC to our constituents.

Earth Day is also in April, and it is critical to be conscience of our physical environment, histories and creative ecosystems.

Stockton is in San Joaquin County which is one of the four counties who have not had a designated state local partner (SLP) since the program began.

Despite this the County has yielded scores of some of the most important creatives and leaders of our time.

I am going to request that after each name I read that you respond with, “*presente*”.

The following list was read followed by a group “*presente*”:

Poet and activist Janice Mirikatani  
Author and feminist Maxine Hong Kingston  
Radical artist Nao Bustamante  
Spoken word poet and winner of the 15th season of America’s Got Talent, Brandon Leake  
Labor leader and civil rights activist Dolores Huerta  
Contemporary artist Kara Walker

I am thrilled to see us move forward with our State and Local Partners Mentorship Program which will be one of the initiatives I hope to achieve as a result of my participation on this Council.

I look forward to the day when we can say that all 58 counties across the state of California have vibrant and thriving SLP programs.

Last week I attended the California Arts & Culture Summit at the Capitol with Council Members Ellen Gavin and Olivia Raynor.

Californians for the Arts CEO Julie Baker and the team put this convening together that fostered opportunities for sharing, coalition building and movement visioning.

Dancing was led by CFTA Board Member Tamaira “Miss Tee” Sandifer which helped wake everyone up in time for the first panel that I participated in. It was entitled, Lessons Learned Advancing Equity, Arts Education and Policy.

Panel members included Kristin Sakoda, Tara Lynn Gray, Jennifer Bates and Mark Slavkin. The panel was led by David Holland, Deputy Director of WESTAF.

The following day swarms of us participated in the Arts Advocacy Rally that features our joint Committee for the Arts co-chairs, Speaker Anthony Rendon and Senator Ben Allen among others.

Our representatives also were being refreshed with purpose after their marathon-long hearings.

I attended the Sub 4 Budget Committee chaired by Assemblywoman Wendy Carrillo.

Thank you, Jonathan, Kayla, Ayanna, Kristin and all the CAC staff for the diligent work that you are doing to make sure our legislatures know how these resources are connecting throughout California.

I was also very inspired last week by the intersectional conversations among presenters at the Mobius Conference in Palm Springs, which is organized by Tizoc DeAztlan and Team Mobius. I look forward to this meeting of innovative thinkers and critical conversations each year. There I met up with our Council Member Gerald Clarke and was able to see his thoughtful and playful work, Immersion, which honors Native American and Indigenous histories and is featured in Desert X.

Desert X closes next week, for those of you who have not made it out there yet and are needing some art and a recharge. How lucky we are to have such an amazing artist on our Council. Thank you, Gerald, for coming out and meeting up with me.

I have also been appreciating my chats with Council Members across California.

I also met up with a few Council Members virtually and will continue to meet with our Council throughout the year. It is important for us to get to know each other and our communities.

I would like to ask for volunteers to share with us what got you interested in the arts and what inspires you to serve.

Council Member Roxanne Messina Captor stated that the arts is the most important equalizer in the world. It is so important for young people to have the opportunity to experience and work in any field of the arts. And that is why I am here.

## **6. Executive Director's Report**

Executive Director Moscone provided the report as follows:

Thank you [Consuelo] and Caleb for a most provoking and deep-diving experience around something that is just the beginning of the work.

In the written report that I put in, you see a transcript of exactly what I said to the chair of the Sub 4 Budget Committee, Wendy Carrillo and also to the Assembly leader. It gives a very clear example of how we are equitably trying to spend our money to support our field.

Our six programs for 2023 are open and thank you team for making that happen. (Collective applause in room) Everything we know is on the website including all of the resources. We want to see as many people as possible apply for grants.

I know we use the word "community" a lot and in our press release I actually asked our Public Affairs team to replace the word "community" with "workforce." I do that for one

reason. Not because I don't like the word "community" but I think it is used a lot, used way too much. What is not used enough is exactly what we are, we are workers. We are cultural workers. Artists, culture bearers, cultural workers in arts organizations and service organizations are members of the workforce, the creative workforce.

That creative workforce exists at the California Arts Council. Our agency's staff are cultural workers. They are part of the workforce and I am going to name them: Leslie Giovanini, Anatasia Griffin, Josy Miller, Natalie Peeples, Jonathan Estrada, Zachary Hill, Palwinder Daliwal, Kristin Margolis, Qiana Moore, Gabrielle Rosado, Kimberly Brown, Charlie O'Malley, Amy Ng, Kayla Ungar, Kapua Kahumoko, Artemio Armenta, Carla Pareja, Mary Durkin, Richard Diaz, Kala Kowtha, Margaret Durkin, Lan Yan, Ayanna Kiburi, Amy Garrett, Mari Strickland, Elisa Gollub, Julie Starkey, Nicole Sanchez, and our other new addition, Wes Braezell. Welcome.

The final one is Yaquelin Ruiz, and I am mentioning her last because she, with staff support, put together our panelist pool. It is central to the way that we can have an equitable distribution of funds. We have published in the book so you can see the names of everybody who has said, yes – I want to do this.

Welcome Wes and Artemio and we now have a Public Affairs Team.

I want to acknowledge the loss to the agency of Elizabeth Azevedo. She has moved back to her previous job with the state. Liz brought a level of integrity and strategic thinking, active listening and deep rootedness that will stay with us. I wish her all the best. (Collective applause in the room and on screen)

Our workforce is going to be the key thing that we are going to need to focus on as we go forward. It is going to matter the most in California that we ensure that people have jobs and that is what the Creative Core Pilot is about. We can help our activists who will then support SB 628 which is unfunded legislation that supports the creative workforce. I know that is what the governor wants and we support the Speaker of the Assembly and the Senate Pro Tem leader.

We are going to have a retreat in May at the Japanese American Culture and Community Center inside Little Tokyo, one of our 14 designated cultural districts.

Next up I am going to Amador County to meet with the arts agency and the arts community there. We continue to actively listen. Thank you.

## **7. Voting Item: [Council Minutes from Previous Council Meeting, March 24, 2023](#)**

**MOTION 1:** Vice Chair Estrada moved approval of the March 24, 2023 CAC Meeting Minutes; seconded by Council Member Messina Captor.



**VOTE:** Yes: Chair Consuelo Montoya, Vice Chair Vicki Estrada, Council Members Gerald Clarke, Caleb Duarte, Leah Goodwin, Phil Mercado, Roxanne Messina Captor and Nicola Miner.

No: None.

The March 24, 2023 CAC Minutes were approved.

## **8. Public Comment (General)**

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

### **Live public comment in the meeting room:**

Mark Calonico, Vice President of the Stockton Chorale stated: My name is Mark Calonico. I am the Vice President of the Stockton Chorale. We are a very grateful umbrella chorale organization here in the Stockton and Lodi area. We were a beneficiary of your General Operating Relief Grant this year.

I am sorry that the UOP folks are gone because we have a really strong connection with both the University of the Pacific and the San Joaquin Delta College. All of our artistic staff are graduates of this conservatory and so we have roots in the musical community here.

Your grant allowed us to do several things this year coming out of the pandemic, the first of which is two collaborations. We were able to do a collaboration last October with an all-female mariachi group from Sacramento and in March we were able to do a collaboration with a local high school.

Because of your grant we also took a long look at our accessibility process and we have added ASL interpreters and large print documents to our concerts.

So I just wanted to thank you because the funds that you have given us this year have allowed us to expand our program and to dig a lot deeper into how we can make our art more accessible. So thank you very much.

Elazar Abraham addressed the Council: Thank you, [Consuelo]. Thank you everybody on the Arts Council for coming down to Stockton and all you virtually for hanging out with us. My name is Elazar Abraham, I am the Executive Director and co-founder of HATCH Workshop. I also serve on the boards of the Stockton Arts Foundation and the Stockton Art League.

So I just wanted to stand in front of you all for a second, again, to thank you for coming to Stockton because, unfortunately, this city and this region is underrepresented on a

statewide view. But also to kind of bring up some of these ideas that we have been working on here at the City.

We are a grassroots organization. We are located downtown. We have a woodshop, a metal shop and a ceramics studio. What I tell people is we are a community center and maker space. But truthfully what it has become is a resource and a platform for local artists. Because in a city like this, and I imagine in ways that I haven't seen, you all have seen a statewide issue where communities feel disempowered, which causes them to look away from the pathways that might bring them out of the darkness, so to speak.

I am just being very metaphorical because I don't have a lot of time. But it can be difficult when working with young people that are stringing together four or five part-time jobs. And we have to introduce people to words and concepts that are so high level that people don't really have time for. So we have been working on educating our community to some of these complex issues of economic and community development.

Jonathan, I want to commend you for focusing on workforce development. We have been doing the same thing down at HATCH is recognizing that if we don't actually talk about artists as workers and work to fill in that gap then we are going to be left behind.

And so again, thank you all. I want to say that we actually were able to apply to the KDA Creative Corps. They were the only ones I think that were serving San Joaquin County specifically. But I think the intention was really great to try to create an education and training program as well as jobs.

I passed Qiana some reports I am hoping that she will be able to pass out and you all can review and then I will send a virtual copy along as well. Thank you for your time.

Amy Portello Nelson commented: I am Amy Portello Nelson from the San Joaquin Community Foundation and I just want to echo what the other public commenters have said. Thank you so much for being here; being in our space in our county today.

As I said, I work for the Community Foundation in San Joaquin County. We are a local intermediary so we do grant-making locally but mainly what we are doing is we act as a connector. So we are trying to figure out what is going on in our community and how are we connecting people to resources and connect them to each other in a big arts club in a really beautiful way. And so we are trying to get the arts community in this space and to advocate.

So, we are definitely going to sharing out those grant opportunities. Thank you for highlighting those and making it as easy as possible. But we were really interested in continuing investment and blending and creating funding from things like California Arts Council and other state-funded opportunities because we have a beautiful, robust community of artists and creatives and our entrepreneurial workforce that is doing this great work but they don't always have the staff to connect, to communicate it out to collaborate.

I was lucky enough to be a facilitator for a strategic planning process with Elazar and other members of the Stockton Art League and Art Foundation a few years ago. The vision and the opportunity for collaboration and the desire to do that work here and the community of folks that want to do it is vast. But the funding for that kind of collaborative work and to be able to create a workforce that is not cobbled together part-time but that is sustainable, living wage jobs with benefits, is something that we sorely need. So we look forward to continuing to learn more about opportunities to collaborate and for investment in this community. And I have so much more to say but no time so hopefully we will continue to be in touch. Thank you so much for your time.

**Live public comment via teleconference:**

Orion Camero was recognized: Hello, everybody. Regretfully I can't make it in person, but I just wanted to come in and give a mirror of gratitude like previous commenters for coming to Stockton, particularly San Joaquin County. My name is Orion Camero. I am an arts activist and narrative strategist that is currently based in Oakland, California. But I have a love for Stockton and continue to try to community organize between both places, especially given the fact that root-cause issues impact multiple regions in different ways.

I guess I just wanted to come on here to thank you all recently for really stewarding the California Creative Core Program. When it first came out the 60 million allocation to different groups to administer was really amazing; and to be able to see the different ways that that funding is really nurturing the next generation of creative cultural workers, artists, that are able to tap into and influence society and more broadly, in general. So I just want to give special gratitude for that.

As someone who has been working on really keeping an eye on the fields of creative place-making, radical philanthropy, decentralized ways in which we are working on workforce development, one of the curiosities I have is really thinking about programs that might be specifically attuned to cross-regional collaboration and ways in which communities that suffer the same sort of root struggles are able to connect and be able to be in kinship with each other and in solidarity, even if we don't live in the same proximity.

I think oftentimes I find myself and the experience of the Central Valley in particular not having the resources for young people to be able to be mobile and to experience different things. And just knowing that that stimuli, that ability to be in new spaces, to be able to connect to others that share the same struggles, are very impactful and very inspiring at the end of the day. So more to say but that's all I can say for now so much love.

Maeva addressed the Council: My name is Maeva, I am an interdisciplinary conceptual artist based in Los Angeles on Tonga land. Hello, everyone. It has been a little while. It

is nice to see everyone. And I love the land acknowledgement presentation now, I just want to comment on that. But let me get to what I wrote for this comment.

I do have an important question for the Council and it is about how do you design your methodology to ensure equitable financial stewardship? And the reason I am asking is because something very alarming came to my attention regarding the state cultural districts, which were chosen by the Council in 2017. So I know it was 2017.

So, there isn't a Black/African American cultural district. So, when I found this out, I immediately wondered about who else may have been left out of the conversation, and that each BIPOC group recognized on the California census data should have at least one specific cultural district clearly represented among the first class of districts that were chosen across the state. So there is not a Black/African American one, there is not a Native American/Indigenous cultural district, and there isn't a Pacific Islander cultural district either.

So it would seem like the Council would kind of push those back to be recognized in the second class of cultural districts, which would only happen if the program was expanded; which was a bit shortsighted because just last year is when the state budget decided to slate some funding for the districts, even though it hasn't been distributed yet. So it is imperative that we figure out a way to go back to the drawing board on this and reorganize that before the funding is actually distributed. And I am saying this for a couple of reasons.

One is because there is a new Assembly Bill 812 that was introduced by Assemblymember Horvath about adding artist housing to cultural districts. So those who weren't represented within the cultural districts are going to have to wait for that and that is how inequities are created and perpetuated in our culture and in our society.

Tim Taylor, Executive Director of the California Small School District Association spoke: Tim Taylor, I am the Executive Director of the California Small School District Association. We represent two-thirds of the districts in California, 585 to be exact, and we are out there in the rural frontier and small towns of California.

And I can't thank this Council and all you do to support the arts. I have been in education 33 years. And the work you guys are doing I missed when I was a teacher and really appreciate what you are doing.

I love hearing Chair Montoya; love the way you run meetings by the way. You can handle the gavel for my board anytime. I love hearing you mention Alpine and Glenn Counties.

I submitted something and I didn't know if it got through because I am not the best at technology but I just want to continue to emphasize the art communities have been devastated by wildfires. We had last year 240 that had to evacuate or close due to wildfires. We had floods throughout our state this year that were primarily in small, rural

towns such as Planada and they lost their entire school. I like the fact that you continue to focus on equitable funding for rural schools.

And secondly, I just hope you guys continue to commit. I am really a fan and I love the success when we see urban and suburban programs, embrace rural communities and have the kids come into their communities to help them diversify. I think that's the best spent money we can give to rural communities is get our youth down to those communities.

And then lastly, I just really want to say that I like your program Arts in Corrections. As a former correctional teacher, thank you so much.

Peace to all of you. And I'm sorry, even though I am in Sacramento, Go Warriors. Thank you.

Chair Montoya asked if there was anyone else that would like to contribute a public comment as there was time remaining in the Public Comment Period.

Audience member Rebecca stated: I wanted to be one of the panelists but I was really sick with bronchitis. I don't want to change the application at all, I'll let it stand. But I couldn't see really well so I am not sure if I let my correct address, email address or network. So I just wanted to know if there is a way that I can do that to make sure that you have it.

Executive Director Moscone replied: I am going to ask Kayla to work with you, okay?

Rebecca stated: Thank you.

**Written public comment submissions:**

- Tim Taylor (He/Him/His), Small School Districts' Association of California

I am Tim Taylor, Executive Director of the Small School Districts' Association and we represent 2/3 of all school districts in California and most of our schools are in rural, frontier, and small towns. I cannot thank the California Arts Council for all do to support the arts and beyond in our great state.

During Camp Fire devastated over 5000 families' lives and evacuated 50,000 people. The arts were instrumental in helping the children, teachers, and families recover from the trauma and loss. One example was music teacher Sam Gronseth from Paradise High School created a choir called Voices United with over 100 high school kids from 8 high schools. They sang in assemblies when the children returned to school in temporary facilities and throughout the state as part of the healing process.

Natural disasters continue to decimate our communities and it is imperative, we support the communities with funding and resources for the arts.

My request:

Provide specific funding for rural organizations or provide extra points in the process. It is nearly impossible for a program to compete in a small town in Modoc with organizations in cities like Los Angeles or the Bay Area.

Continue to encourage your current partners to reach out to me to connect their programs to our communities.

Create a program for youth in rural and tribal communities like the Arts in Corrections Programs.

I welcome any questions or further discussions with staff or the board.

- DeeAnn Hopings (She/Her/Hers), Cathedral City Public Arts Commission (Chair), Riverside County

As Chair of the Cathedral City Public Arts Commission, we continue to be inspired by the strength of the arts community in our State of California and the California Arts Council. We are aware of how public art adds to the livability of our city and how it attracts new residents and new business. Recently we received a bit of unsolicited recognition that I would like to share.

This relates to an article in the USA version of The Independent from the United Kingdom. The link is:

[https://www.independent.co.uk/travel/north-america/usa/california/cathedral-city-guide-california-best-hotels-restaurants-b2321910.html?fbclid=IwAR3Z8\\_b0RsfO2LTBebbRdjEPv5s2qx2QA9IajkhrHxIs1NAZfjsNBm2yq\\_I](https://www.independent.co.uk/travel/north-america/usa/california/cathedral-city-guide-california-best-hotels-restaurants-b2321910.html?fbclid=IwAR3Z8_b0RsfO2LTBebbRdjEPv5s2qx2QA9IajkhrHxIs1NAZfjsNBm2yq_I)

For the article titled:

“How to spend a day in Cathedral City, Palm Springs’ avant-garde neighbour in the California desert”

The first 3 paragraphs relate to the arts community here. Also, over time, a number of those 70+ professional artists living here in the city have participated in projects brought forth by the Public Arts Commission and some have served as commission members.

Note that in previous times, Cathedral City has been the home of nationally, and in some cases, internationally recognized artists, such as Agnes Pelton, Bill Anson, Tim Townsley and Joseph Novak. Although these 4 artists are no longer with us, they have been recognized by having their names included in the street signs where they lived.

- Ashley Little (She/Her/Hers), Los Angeles County  
Agenda Item 9. Voting Item: Grant Review Panelists Pool

Thank you for not only advocating for indigenous peoples but also for anyone who is a person of artistic nature. The most important point is to remember we are all people and

the more we are all seen as equal the better and more creative this world will be. The integration to view art as an expression and not only designated by race.

- Maeva (My-EEE-vuh) (She/Her/Hers), Artistically Elevated Design, Los Angeles County

It says on the CAC website: "Written comments may also be submitted in advance of the meeting of the Council and up through 10 a.m. on the next business day following the close of the meeting."

I thought I heard someone say during the meeting on Friday, 4/28/23, that written public comments were due at 10am tomorrow (at the time this was spoken, tomorrow meant Saturday). Does the CAC consider Saturday a business day, or did someone misspeak or did I mishear them? Also, I noticed that there is only one General Public Comment section now in the agenda and it is now limited to 10 speakers, so having the weekend to craft written comments is helpful so more voices are heard without people having to sacrifice sleep in order to meet a close goal date...(it's me...I'm people in this scenario.)

I also recall in the meeting that y'all were still trying to figure out better language to speak about deadlines...may I submit for your consideration: Goal Line or Goal Date.

Just Another Random Suggestion:

Since the meeting was at 1pm, written public comments should stay open until 1pm the following business day...rather than still close at 10am.

And maybe clarifying on the website that if a meeting is on a Friday, written public comments will be due on the following Monday...(or the next day on Saturday, if that's how y'all get down...just be clear about it.)

Thank you!

- Maeva (My-EEE-vuh) (She/Her/Hers), Artistically Elevated Design, Los Angeles County

Part 1:

"The past few tumultuous years have sparked a widening recognition that cultural prominence is directly tied to political and economic power, that it's easier to keep people down when their art and literature and even their cooking are swept to the sidelines." -Pete Wells from the NY Times

My company released an official stance on Cultural Districts. What follows is a blended summary and snippet of what is written. Feel free to contact me if you are interested in reading the entire document.

How does the CAC design its methodologies to ensure equitable financial stewardship as an outcome of its efforts?

The answer to that question is important because something very alarming came to my attention regarding the State Cultural Districts, which were chosen by the Council in 2017. There isn't a Black/African American Cultural District. When I found this out, I immediately wondered about who else may have been left out of the conversation. At the very least, each BIPOC group recognized on the California census data should have had one specific Cultural District clearly represented amongst the first class of districts that were chosen across the State. This is how we respect and honor BIPOC communities and voices.

(Note: I am aware that there was a competitive process involved; however, there should have been some checks and balances to ensure that the chosen districts reflected, honored and respected the rich diversity of California's residents.)

- Maeva (My-EEE-vuh) (She/Her/Hers), Artistically Elevated Design, Los Angeles County

Part 2:

Not only is there not a Black/African American Cultural District, there isn't a Native American Cultural District, nor is there a Pacific Islander Cultural District. Even if there weren't any applications from those cultural groups, outreach could have taken place because as of right now, it seems like the Council pushed those districts to be recognized in the 2nd class of Cultural Districts, which would only happen if the program were expanded. (And it just so happens to be the cultures that are known for being a bit more melanated, more connected to the land...and tend to have more Indigenous/ancestral practices. Perhaps some form of implicit bias was at work here?)

These cultural populations are not a bargaining tool to secure future funding and if that was the strategy used in 2017, shame on the Council for playing with the lives of their constituents. (I'm sure that is a game that these cultural communities did not and would not consent to play as it is harmful to them.) This injustice should have been fixed the moment anyone on the State level realized that it wasn't representative and that there were holes in the foundation. The pandemic didn't happen until 2020 so the State had 2017 until the first couple months of 2020 to rectify this issue.

I'm left wondering:

Did anyone on the 2017 CAC speak up for those excluded? Did anyone even oppose their exclusion? Did anyone even notice or were these cultural groups invisible to them?

- Maeva (My-EEE-vuh) (She/Her/Hers), Artistically Elevated Design, Los Angeles County

Part 3:

Cultural preservation and investment shouldn't be a luxury only enjoyed by lightly melanated populations. What we do in the micro reflects in the macro (and vice versa) so deciding not to represent all of CA's residents within the Cultural Districts builds an unwelcoming environment, especially for those who are highly melanated. We need representatives on all levels of government that have the foresight to account for these



types of discrepancies so that CA isn't actively participating in the erasure of cultural communities.

"There is healing in recognition." - Abigail DeVille, NY-based Artist

Delaying the State recognition of the BIPOC groups that were excluded was shortsighted because it was only last year that the districts were slated for funding in the state budget...(even though it hasn't been distributed as of yet.) I am also aware that the 14 Districts have been enjoying some benefits since being recognized by the State in 2017. It is imperative that we figure out a way to go back to the drawing board on this and reorganize the Cultural Districts by adding the groups that were wrongfully excluded prior to distributing funding and further building the districts; this is to ensure the expansion actually happens and that these cultural groups are included in receiving funding and other investments with the original 14. Based on CA census data, at the very least, it would change 14 Districts to 17 Districts.

(This struggle should never have existed.)

- Maeva (My-EEE-vuh) (She/Her/Hers), Artistically Elevated Design, Los Angeles County

Part 4:

"You can use an eraser on the drafting table or a sledgehammer on the construction site." - Frank Lloyd Wright

Due to the way things were founded and built within this country, there's been a lot of sledgehammering in the past decade. To not repeat the mistakes of the colonizers, it is much better to fix these inequities now prior to the funding being distributed to the 14 Cultural Districts. It is worth the time and the effort NOW; it will be much harder to fix later, especially since it exacerbates an already oozing wound in our society. In an effort to invest in the Creative Economy, our State is trying to build upon this unstable and unhealthy foundation that the CAC set in 2017. (Although not always available, foresight is much better than hindsight.)

As you may already know, there is a proposal to add Artist Housing to Cultural Districts (AB 812, introduced by ASM Horvath in 2023). I think this is fantastic and I love the investment in the Creative Economy; HOWEVER, due to the inequity created by the 2017 CAC, this will only perpetuate injustice in our country. Waiting for the expansion of the Cultural District program would delay housing and any subsequent investments for Black/African American artists who would like to live/remain in a Cultural District that reflects their heritage; this would also be the case for any other demographic left out of the conversation.

"You can't activate what you don't have access to." - Bishop TD Jakes

- Maeva (My-EEE-vuh) (She/Her/Hers), Artistically Elevated Design, Los Angeles County

Part 5:

What we do in the micro reflects in the macro and vice versa.

(The urgency of diversifying the Cultural Districts that are represented cannot be overstated.)

I don't know the demographic make up of the CAC in 2017 but in 2023, there aren't any highly melanated individuals on the Council. However, no matter the ethnicity or amount of melanin of our representatives, they should still be able to see beyond themselves and authentically respect, honor and elevate those who don't look like them or share their heritage.

And as I mentioned in my public comment that can be found in the meeting minutes from 9/15/22:

"When it comes to improving the landscape of California's creative economy and the lives of our workers, Impact wins over Intention every time...(as it should.)"

I support a reorganization of the first class of Cultural Districts by adding three Cultural Districts that represent the remaining ethnic populations that are recognized on the CA Census prior to distributing the funds that were allocated to the Districts and prior to adding Artist Housing. (The three groups from the CA census that were excluded were listed earlier in Part 2 of my comment.)

- Maeva (My-EEE-vuh) (She/Her/Hers), Artistically Elevated Design, Los Angeles County

Part 6:

Also, it is worth noting that the census can sometimes incorrectly lump groups of people together for simplicity's sake and for the convenience of those creating the census, which can sometimes result in the cultural erasure and the invisibility of some communities. For instance, the South Asian community is distinctly different from the East Asian community so hopefully, that was considered when there were talks of expanding the program to include other cultural districts.

You can never go wrong with respect...and it is always a better place to start.

There is beauty and strength in diversity.

No longer will we accept lip service from those who say that equity, equality and the liberation of all peoples is their goal but then don't take any significant action when the opportunity presents itself...or they don't put in the effort to create such opportunities where there are none. Our Cultural Communities and the Creative Workforce deserve better than that.

No longer are we willing to be a dream deferred. (Shout out to Langston Hughes)

- Amy Portello-Nelson (She/Her/Hers), Tuleburg Press (representing as a volunteer), San Joaquin County  
Former or Current Grantee: Veterans in the Arts

I am a Stockton resident and participant in the CAC-funded Pieces to Peace (P2P) project with Tuleburg Press. This program started in 2019 as a Veterans Grant, helping vets process trauma by transforming uniforms or other items into handmade paper, then journals, to process their experiences. I had heard about the program's success and thought it could help me. As a survivor of an abusive marriage that still co-parents with my abuser, my trauma is a daily battle. In 2020, I took my wedding dress and turned it into a journal to create a writing practice to process my journey. It was a cathartic, incredible experience that pushed me to look at pieces of my life I wanted to forget. Afterward, I was asked if I'd write about my experience and perform it. Tuleburg had started a partnership with a Medi-Cal provider to host an event for folks to perform spoken word pieces created through P2P. I was terrified to perform something so vulnerable but decided to be brave. It was life-changing ([https://youtu.be/D\\_cBK-FQzYo](https://youtu.be/D_cBK-FQzYo)).

Since then, I've become an advocate, connecting other orgs working with youth and survivors of violence and creating documents for facilitators to use to refer participants to clinical care, as needed. Mental health is still daunting and stigmatized, but this program allows space to begin that work without judgement. Please continue to fund therapeutic programs like this that catalyze healing and create space for people like me to find their way back to themselves.

## **9. Voting Item: [Grant Review Panelists Pool](#)**

Chair Montoya moved on to Agenda Item 9.

### **Live Public Comment via Teleconference:**

Deputy Director Ayana Kiburi presented the following: I am happy to be here today to talk to you about something that is very important to our agency which is our panel process.

We do not adjudicate panels. We convene a panel of community members and art practitioners and cultural bearers to do that work for us so that we can keep it grounded in equity and grounded in community and responsive to the community needs.

I want to give a lot of kudos to the staff that Jonathan so graciously honored earlier. I want to acknowledge all the hard work that staff did on this particular item.

The purpose of the memo we have shared with you today is help the Council review the process of the recruitment of panelists and our pool of panelists as well as to look at the demographics that represent the panelist pool.

This year we got a whopping 801 applicants wanting to be a panelist. So we have a huge panel pool and we are very grateful for that.

We do a lot of work to ensure that the panelist pool is as diverse as possible. We publicize the opportunities and we include former panelists. We work with our organizational partners, statewide regional networks, state and local partners, California Creative Corps grantees and cultural district grantees. We also share this widely through social media and communications channels.

Another outreach strategy that we used this time was that we actually put these opportunities in libraries across the state.

We are really trying to ensure that the workforce is aware of these opportunities to become a panelist in our pool.

We are going to be looking at new strategies for extending that recruitment process and ensuring diversity of our pool.

The pool is a number of people that are committed to being a panelist. We procure that pool when we are ready to do our programs and we ensure that the panels themselves are diverse based on backgrounds, race, ethnicity, age and gender.

The demographics of the pool will show some distinct differences between the pool, the total number of folks that are on panels and those that actually end up being panelists.

When we finish our panels at the end of the year, we will bring that back so that you will be able to see that those panels are very diverse.

We have provided information and background information of people applying to be panelists.

The data entries were submitted directly by panel applicants, the language, spelling, grammar and capitalization remain as originally recorded. We want to make these authentic applications, so we do not want to alter them very much.

Deputy Director Kiburi discussed and summarized the demographic data supplied to the Council.

Chair Montoya asked for public comment on Agenda Item 9.

Susie Tanner stated: I am Susie Tanner. I am the founder and director of Theater Workers Project. I am very proud to have once again been included in the panelists Pool. I am looking forward to possibly being chosen to adjudicate one of the grants this year. I have been on numerous panels before and they have always been in person and I would imagine that these are going to be virtual. I am hoping that even though they may be virtual that the panelists will be able to meet virtually and discuss their scores,

talk about the progress of the programs and collaborate. I understand that that has not always been done in the past when the panels are virtual and I think being able to talk to your fellow panelists and dialogue really does increase the quality of adjudication. It gets everybody to be able to share their thoughts and their passions. I am hoping that the Council will consider it and the staff will consider it this time around. So thank you very much. I am excited. You guys are fabulous, you are doing a great job. I love the tone that Jonathan has set for this Council so rock on everybody.

Tim Taylor was recognized: Real quick I just want to thank the staff or whoever put together the data. That is fantastic. For someone who is not a detail person I love having that at my fingertips and for everybody else. To staff or whoever put that together, or to staff, thank you very much. Thanks.

**MOTION 2:** Council Member Clarke moved to approve the Grant Review Panelists Pool as presented; seconded by Council Member Goodwin.

**VOTE:** Yes: Chair Consuelo Montoya, Vice Chair Vicki Estrada, Council Members Gerald Clarke, Caleb Duarte, Leah Goodwin, Phil Mercado, Roxanne Messina Captor and Nicola Miner.

No: None.

The Grant Review Panelists Pool was approved as presented.

Council discussion was as follows:

Vice Chair Estrada had a question for Deputy Director Kiburi. It is important to meet in person and have face-to-face discussions as opposed to just meeting virtually. Is it a possibility to have each panel get together before the rankings are finalized?

Deputy Director Kiburi stated: I would offer that it certainly has been discussed and we need to think about the logistics of how to do that. We are going into a hybrid world so the opportunity is there but I know that it is quite a lot of labor to have that included into the process. So, as an agency we would really have to consider how we are going to do that.

I do not think it is off the table. I think it is something that we need to talk about.

Council Member Clarke was recognized: I would just echo what Vicki said. I too have heard the same comments that the panelists have a desire to discuss their rankings. I encourage staff to consider that possibility.

Council Member Goodwin stated: I want to stand in solidarity with my colleagues. I have had people that wanted to serve as panelists so they could talk about it. I also feel that as we move into equity, having people being able to talk about the

organizations, that they may know more about the healthy index. When you get into those small-point averages; having the chance to collaborate makes sense. Chair Montoya stated: There is a great improvement that I have seen in the panelists pool since I started on the Council.

## **10. Presentation and Discussion on Bagley-Keene**

Chair Montoya introduced Agenda Item 10. The Chair welcomed Milad Dalju from the California Department of Justice who made a virtual presentation to the Council.

Milad Dalju presented the following: I am a Deputy Attorney General with the Department of Justice. An in-depth discussion of the Bagley-Keene Act was given to the attendees with a robust presentation of detail and legal parameters inherent in the Act via a slide presentation.

Questions and clarifications sought by Council Members were held until Milad Dalju completed their entire presentation.

Vice Chair Estrada started the discussion. This was a good presentation and knowing our Council perhaps a few more examples would be useful. For example, we have subcommittees of two people right now. The issue is if we have three people on the subcommittees then we have to notice all those meetings.

Council Member Messina Captor stated that this is confusing to me. When we have a committee meeting we are only allowed to have two people if it is a closed session, is that correct?

Milad Dalju asked for clarification. When you say a subcommittee, you mean a subcommittee of this Council? This was affirmed and the Deputy Attorney stated that if that subcommittee does not have decision-making authority; they are only going to make presentations to the full Council and it is two members, then they do not qualify as a body that has to adhere to Bagley Keene and a public meeting is not required.

Once you have more than two people on a subcommittee it becomes what is called an advisory committee and you have to follow Bagley Keene at that point. So you would not be able to have non-public meetings if it is more than two.

Council Member Messina Captor asked if public comments had to be at the beginning of a meeting or could they be at the end, the major part of the public comment, not the individual ones on the voting items.

The response was that as long as you are having public comment before or during deliberation of each item, when you have open forum when people can comment on anything, there is no legal requirement to have that before, after or during the meeting. You can put that wherever you want. You can have general public comment anywhere in your meeting.

You have to allow for public comment during or before every decision and every discussion that is agendaized. If you are not allowing for public comment after every agenda item, then it makes more sense to have one at the very beginning because then you are covering everything.

Chair Montoya stated that the public comments at the Sub 4 Budget Committee were at the end of the meeting. They were not voting on anything at that meeting. My understanding is that if we have an agenda with voting items that we should always have an opportunity for public comments which can be at the top of the meeting to cover our bases; is that right.

Milad Dalju agreed that this was correct.

Executive Director Moscone asked about “serial communications”. It refers to the term, quorum. You cannot have a quorum of people in a serial communication. When I hear that word I keep thinking about six people, that is six out of eleven. Can you clarify that for us, Milad?

In the response it was explained that serial communication is prohibited when it leads to a meeting of the majority of the body. So if you create a three-member subcommittee then you cannot have serial communication between any of those three members because if any two members communicate with each other outside of a public meeting; that is an unnoticed, non-public meeting and that is a prohibited serial meeting.

But when it comes to your full Council of 11 Members, then we advise against this. To stay safe you should never have more than two people communicating outside of a meeting. Technically, if only three people communicated with each other outside of a meeting about a matter that is going to be before the full Council, it is not prohibited. It does have to be a quorum for it to become a meeting and be prohibited.

Executive Director Moscone added: And a quorum in this context would be six, correct? We are an 11-member body. Milad Dalju agreed with this.

Milad Dalju added that this is assuming that we are not talking about a subcommittee.

Vice Chair Estrada offered a hypothetical: So, if we get the agenda sent to us and one of us has a question, not on how to vote, but a specific clarification question; and then they send it out to the entire Board – you cannot do that?

Milad Dalju explained that this would be considered a meeting and it would be prohibited. For an item that is agendaized we very strongly suggest that you never send communication out to the whole Council. There is an exception where individual members can discuss items with staffers. So if you have a clarifying question about a staff presentation, Vice Chair, you could send a message or call the staffer and discuss

that item as long as that staff person is not then communicating your questions or your comments to other Council Members. That is called, the staff briefing exception. Vice Chair Estrada continued: But if the staff sent six emails only to two people each, without communicating to the whole Council, I mean, it is kind of going around the issue. But is that something that would be okay? Words have to get out to us on a particular matter, right? Go ahead Ayana.

Deputy Director Kiburi stated: Well, the way that we have handled it so far is that we always bcc communications to the whole Council. You are just getting the information and cannot respond and have everybody else hear your concerns.

Vice Chair Estrada noted: So if you have questions on it then that is a different issue.

Deputy Director Kiburi added that if you had specific questions then you could talk about that.

Executive Director Moscone chimed in: Let's go back to Vicki's actual example. Milad, the question is – Vicki, propose that scenario again about two people.

Vice Chair Estrada responded by saying, well, say it is just clarification. Staff wants to tell us to consider a this issue or this issue in your evaluation; you cannot send that to all 11 of us but if they send in six different emails, five and a half different emails, whatever you want to call it; is that okay?

Milad Dalju responded by seeking clarification of the example. If staff has something they want to clarify or some point they want to make about a presentation or something that is on the agenda; they can blast it out to all the Council Members. They do not have to bcc everybody. We very strongly recommend bcc-ing because you do not anyone to accidentally, "Reply All". If any of the Council Members, "Reply All", even if they just, "Reply All" with a thumbs up or a smiley face; that is still potentially a violation of Bagley Keene. And that is why most staff members will use bcc on all communications whenever they are communicating with a majority of the members.

Council Member Goodwin noted that the Council is doing statewide work and it is really tricky to not communicate with one another on issues. My question is because we have committees of two, Policy and Programs is Ellen and I, Equity is Gerald and Caleb. Am I hearing that Gerald and Ellen can meet?

Milad Dalju sought clarification: You are talking about crossing between the two subcommittees? And Council Member Goodwin asserted this was what she was referencing. Milad Dalju said that we see this quite a bit. So technically, if only four members discuss something, technically, it is not a violation of Bagley Keene because it is not a quorum. We really discourage cross contaminating between subcommittees because if one of those four people happens to have discussed something with one or two other subcommittees, it becomes really difficult for you to control or to be aware of what another subcommittee member may have discussed with a third subcommittee, for



example. We recommend that you keep it to two people because that is just the safest but the scenario you just described is four people are only talking to each other about a matter and they are not doing it consistently, regularly – then no, it is not a violation of Bagley Keene. In this particular case because a quorum requires six people.

Executive Director Moscone sought clarification by saying; and Milad, by regularly and consistently equals what?

Milad Dalju replied that this fact pattern of, regularly meeting, came from a decision or advice that came out a while ago where a group of members of a commission were having a weekly brunch together to discuss items so that they could be in uniform when they went and voted later in the day. If it is something that is done regularly and it is organized, it can be seen as a subcommittee of an advisory body and thus have to adhere to Bagley Keene. But if it is just once in a while, one subcommittee talks to another subcommittee about something, it is not regular, it is not sanctioned by the full council, then again, it is not going to be a Bagley Keene violation if it is just within those four members.

Vice Chair Estrada stated that this is a fine line. Just on occasion or too much, it is hard to decide when is it and when is it not? You can understand our dilemma.

Milad Dalju replied that I absolutely can. It is very fact specific unfortunately. It really depends on the specific facts and that is why we have the, “The Rule of Two” which is – if you want to be really sure that you are complying with Bagley Keene, the only sure way to do it is to stay within two. I would say that if you have subcommittees talking to each other and it is not regular, so you are not planning on always talking to each other before you go before the full council or you do not plan on regularly discussing things; then you are going to be okay. But again, once it becomes more regular, you are kind of getting close to the line.

Deputy Director Kiburi had a specific example that was shared with the attendees. There are two of the committees that often want to speak with one another because at the end of the day, what is going to be presented at the Council meeting, the two policy recommendations are related. So, the Policy Committee is meeting separately, and the Equity Committee is meeting separately about a different piece of that elephant, if you will, so what happens is a lot of times both of them want to talk, they want to talk about it to each other so that they can be on the same page. But what happens is, we said no to that because now we are into four people talking about something that is actually going to be presented as a recommendation to the Council. So, what is your advice on that?

Milad Dalju stated that I cannot tell you for sure whether that would be considered a Bagley Keene violation or not, but I would tell you our office tends to give pretty conservative advice to our clients. And my conservative advice would be to stay within the subcommittees. Again, if once in a while there is just the topic where the subject is so overlapping that it just does not make sense not to coordinate it before bringing it to

the full council; as an exception you can do that but I would say that staying away from that is probably the safest bet.

Deputy Director Kiburi mentioned that when you all came before us a few years ago one of the thoughts that was conveyed was that when we have Council meetings – all issues that are coming to vote should be discussed at the Council meeting so therefore everybody is hearing it, have a discussion, and vote on it. I am curious about your perspective on this. Rather than having different committees discussing different parts of an issue in separate committees that are not public. So, do you have an opinion about that?

Milad Dalju repeated for clarification: So, if those separate committees are not making decisions but they are gathering information and deliberating on something; as far as Bagley Keene goes, as long as it comes before the full council for a final decision, that is pretty standard practice. There are a lot of state bodies that do that. As long as it is two people it just gives you a lot more freedom in information gathering. So those two people can go out and meet with people or gather information without having to notice it for 10 days and without the logistics of having a public meeting. But again, if you want full public participation as a policy decision, you could decide to have that information gathering process as a full council. The way that you described it now is completely compliant with Bagley Keene.

Vice Chair Estrada followed up by citing another hypothetical, say it is just incredibly important that two subcommittees and issues that they are going to propose to the full Council, they need to talk about it. So we send out, if we have a group of four, two and two meet, then we have to have a 10 day notice put on the website. Now on the website, it just to say, here is a meeting between these committees; if you are interested click here. You do not put the information on the web. They just have to be aware of it and if they want more information then that would be sent to them. That is what I thought you said.

Milad Dalju replied that if you qualify as an advisory body, you have the same notice and public meeting requirements as the full Council. So, you would have to post an agenda at least 10 days before and you would have to have the meeting available to the public. Right now, you can do it remotely if you have remote participation available. But, historically, you would have to have a public meeting like you have now where members of the public can come and participate.

Executive Director Moscone stated that I feel like maybe I heard two very different things. What I heard from Milad Dalju is that if subcommittee one needs really important information from subcommittee two so subcommittee one can do its work, get information; that does not need to be 10 days and noticed. Correct?

Milad Dalju answered, yes. If it is not a regular and it is not – yes. Basically, if it does not qualify as an advisory committee, right, then no, they can talk to each other as long as none of those four members have discussed it with anybody else.

Executive Director Moscone replied, that is great. That is good. I just wanted to get that clear because that is different from what Vicki said.

Vice Chair Estrada chimed in by saying, my question was, yes, sort of, can everybody hear that? Do you understand that Leah?

Chair Montoya added, extend that to five. What if it is five? It is still under quorum. Milad Dalju stated, correct, technically it is. I am sorry to keep bringing this up but the more people you get involved the more likely it is that one of those people has discussed it with another Council Member.

Technically, if only five people are discussing it, it is still not a meeting.

Chair Montoya agreed, yes – because the example would be subcommittee one really needs to talk to subcommittee two but they are inquiring if they could do that or the chair would be the interface person to know about these meetings or attend if needed. We have been trying to explore this because it has been a challenge with Policy Committee and Equity Committee working on guidelines, for example, that incorporate equity as a principle. So that has been a very challenging thing. But what you are sharing with us kind of leans towards that it is permissible, it is not advisable. Right? And you have to be extremely careful to leak past that five circle. Once you get past that five circle you are in the territory of Bagley Keene. This is always in advance of a discussion. It is in preparation of an item to be recommended for discussion. Then there is another meeting before a vote. It is just a very difficult layering of our work to dance around this issue when these four people cannot meet to get that work done.

Council Member Goodwin added, this is not like every month, all these people want to get together and start creating a subcommittee. But if it is because it is a project that is something that we have to do together, I think that this is encouraging.

Chair Montoya repeated: Okay, if they meet once it is not a serial meeting. If a follow-up meeting is necessary, you know the information that they needed they discuss in the meeting. And then they need one more meeting to make sure the language that they want to recommend is, everyone is on the same page, that is two meetings, a serial meeting.

Milad Dalju stated that this is really getting fact specific and I do not want to give you information and then sort of –

Chair Montoya interjected, we just want to make it –

Milad Dalju continued, right and honestly, if you have something really fact specific you can always have staff send us the specifics and have us do the research and give you a much better researched answer. I hate to give you off-the-cuff advice right now. It sounds like you are talking about something that is pretty, is going to happen soon to your Council. I would suggest writing in and getting advice from us. We give advice on

Bagley Keene a lot. It is just safer to do it when we have time to do the background on it.

Executive Director Moscone stated, well, this is actually referencing work that has already been done. We have stayed within the rules very strictly. But it made it really, really hard. And now we are trying to understand as we move forward. So, it is not an imminent issue, it is not like next month, next week, but it is something very important for us to understand.

Chair Montoya added that our solution was that we held an open committee meeting just to make sure it was publicly noticed that allowed any and the specific Council Members that needed to inquire that discussion as well as other who wanted to participate. But it is helpful to know. We do not want to encourage the four or five. It gets really close to cross-pollinating which we do not want to do.

Vice Chair Estrada stated that I want to make sure that we fully understand what we can or cannot do and what the boundaries and the guidelines are. Before we send them emails and get back very conservative answers, I would like to have our entire Council be able to ask questions or staff.

Deputy Director Kiburi said that I just wanted Milad Dalju to go over the actual liability. Who is liable for a violation of Bagley Keene. Can you explain how that happens? What happens?

Milad Dalju answered that I usually do not go over a lot details but I can tell you generally there are two areas. The most common area is having a decision reversed by a court. If a judge finds that you were not in substantial compliance of Bagley Keene, they have the right to reverse the decision of the Council. That can cause a lot of issues because you do not want to end up in litigation for a year and then a year and a half later after all these resources have been spent a judge decides to reverse a decision that you made; especially if that decision has financial – I know that your Council issues a lot of grants, involves a lot of money. So, I think it would be detrimental for something like that to be reversed a year later. It would cause a lot of issues for not just yourself but also the person who receives the grants, potentially. So that is the most common. It does not happen very often but that is kind of – you can see people getting sued because people are claiming that the public did not have the right or the public was not allowed to participate in the decision-making. The second and the more extreme version which does not happen very often but it definitely is a possibility, is a criminal liability for an individual Council Member. I do not have the language right in front of me, it is something I can share with staff and they can share it with the rest of the Council. Essentially, if a Council Member knowingly violates Bagley Keene and violates somebody's right to be involved in the process, there are criminal sanctions that are available.

Vice Chair Estrada stated that I want to make sure that Council Members are sure of the details discussed. The Vice Chair asked individual Council Members if they were

clear on the matter and received varying degrees of affirmation from them. The consensus was that as long as subcommittees were kept at two members each then this was the safest thing to do.

Council Member Goodwin stated that keeping it at two members was a good general practice but in circumstances that for the greater good of the organization that four, maximum five with the Chair, would be something like once a year or once in a while we would not be in violation. That is what I heard.

Vice Chair Estrada made one more round of calling on Council Members to ascertain that they were all comfortable with the details. No further comments were received. After receiving no questions from staff, Vice Chair Estrada yielded the floor to Chair Montoya.

Chair Montoya emphasized that this was a whole new cohort of Council Members and that is why this was extremely important that the Council be grounded on this. The Chair was moving to break but announced that after the break, Item 13, The Committee Updates, would be discussed and that this was not per the Agenda order because we are ahead of time.

(A 30-minute break was taken)

## **11. Presentation from San Joaquin County Office of Education**

Chair Montoya introduced Agenda Item 11. I want to introduce Erika Chapman and Jane Steinkamp of the San Joaquin County Office of Education (SJCOE) to present their arts education programming and their Color the Summer Art Camp.

Erika Chapman presented the following: I want to thank Jane Steinkamp for being here with me via Zoom. I would like to share a brief video with all of you. (A slide presentation was played for the attendees) Here are pictures of our young ones that joined us last year. In 2022 we started the Color the Summer Art Camp. We brought 100 elementary students as participants and 12 high school students to be the teachers and cabin leaders. It generated lots and lots of interest. Erika introduced the Student Events Team along with individual pictures of the team.

Our camp has doubled this year, so we have hired an Assistant Camp Director. Our CAC Grant has enabled us to do this wonderful work with our youth. This year we are offering 70 scholarships enabling the grantees to attend for free. We will repeat this next summer as well. Some of the scholarships did go unused. We reached out to local organizations like the Boys and Girls Club and other programs to be able to send students for this next summer.

Erika shared the history of SJCOE enumerating a list of activities and promotions that enhanced art opportunities for district students. We are exploding at the seams right now and we are trying to keep up with the demand.

Jane Steinkamp addressed the Council: Thank you for inviting us to present this to you today. We are excited to talk about our art and music programs.

We have a number of challenges that we are dealing with. We have limited art organizations in San Joaquin County. Our business environments tend to be around administration and ag focus. So, how do we create additional partnerships? How do we expand industry focus to create art? Teacher credentialing and retention is always an issue. Obtaining a single-subject art credential is a daunting task. A lot of art teachers enjoy teaching, but they also enjoy being artists and sometimes they do not want to necessarily teach art in a school. They want to teach art as an artist.

Prior to AB 185 there was a lack of funding. AB 185 is super exciting for us. It is infusing additional monies into the schools. The response from the governor has been to reduce the Art and Music Block Grant substantially. One of the problems with AB 185 is that it is a school-based focus rather than a district focus. Since approximately 80 percent of it has to be around staffing, it is difficult to hire staff. We are hoping we can partner with districts to be able to hire one, full-time, credentialed teacher that they can share among multiple schools.

Another challenge is when art is an elective because they are not always given the broad breadth and depth that they need in order for art to really take hold. When budget cuts come these are some of the first classes to go.

Erika mentioned that the, Best of the Best Art Show, for high school students was well received and winners were chosen. A total of 59 students were awarded in the San Joaquin County Art Show.

We are trying to grow the Visual and Performing Arts Department at SJCOE and get some district and college connections established. We have a number of art activities that we are currently conducting to expand the art experience for our students. We are showing school districts that art can really help develop the core curriculum and help students that have a hard time learning in certain areas.

Executive Director Moscone noted that this organization is one of the very few grantees in San Joaquin County. We thought this was an opportune time for the Council to learn about art and youth programs. This is a perfect example of work that is happening right now and the challenges faced in the field.

Chair Montoya thanked the presenters and moved to Agenda Item 12.

## **12. CAC Youth and Arts Programming: Presentation and Discussion**

Deputy Director Kiburi presented the following: I want to thank the staff that put these slides together. This update is intended to support new Council Members who have heard about Arts & Youth Programming.

CAC Arts & Youth Programming is funded through the General Fund Local Assistance funds under Arts & Youth. These programs are focused on supporting arts aspects for youth. The programs funded include: Artists in Schools, Arts Education Exposure, Arts Integration Training, Creative Youth Development and JUMP StArts.

The CYD funding has helped support the ongoing programs already established. In 2021 there was a one-time infusion of \$40 million which helped the CAC expand the quantity and quality of art programs throughout the state of California.

Creative Youth Development provides youth access to art outside of the school system. These programs are provided during school and outside of the school environment. And this is really an equity program that honors the fact that art exposure can happen in a very meaningful and culturally relevant way outside of the school environment. It also supports inter-generational education and exposure to art for young people.

Some considerations moving forward are as follows: Need Remains High, One-Time Funding Allocation may not be renewed causing a decrease in grantees, Culturally and Linguistically-Responsive Arts Education is often not included in standard curricula and, Leveraging Other Arts Funding has the potential to increase CAC programs.

### **Council Discussion**

Vice Chair Estrada asked how geographically dispersed was the program throughout the state? How does CAC get the word out to counties that may not even know about the program? Are we doing our best to actually serve those counties that are not aware of the program?

Deputy Director Kiburi stated that we are doing our best and we are getting ready to do a lot better. We now have a Public Affairs team and we have more capacity now than in the past. We are going to be working with the Public Affairs team and the Program Department to develop real solid strategies along with the Equity Committee to make sure that the strategies are based on equity objectives.

Council Member Clarke added that we had a public comment from the California Small School Districts Association which I did not know existed. What a perfect source for networking. I jotted that down.

Council Member Goodwin stated that the CAC is doing great work. I want to figure out what our advocacy plan is and what is our plan as a Council so that when we move into next year's funding we need to keep our momentum going. We need to establish a working balance of advocacy and connectivity to keep moving the needle forward.

Chair Montoya stated that one of the things that came up with panelists the process, there is a shortage of certified teaching artists. We are behind the curve on that and we need to look at it holistically and our grant programs help fill in some of those gaps. There is a lot more work to be done.

Deputy Director Kiburi noted that CAC has programs in 44 of the 58 counties in California. We will be prioritizing those counties that are not yet participating.

Executive Director Moscone was recognized, It is an opportunity to deepen our partnerships. We are in great partnership with Californians for the Arts. They really carry the advocacy for the arts. We need to strengthen our relationship with Creative California. This is going to be a time where there is not going to be extra money for quite some time. It is about leveraging partnerships where there are opportunities for more money so we are not retracting so dramatically.

Deputy Director Kiburi used the word, “impact”. We must always remember that the number of grantees is important but really what we are doing is, serving the communities. We need to focus on, impact. The difference between a great application and a great applicant is one who is focused on a deep impact to those communities. That is our lens and we focus on that. That is where we are going to have to win. That is who we are here for. That is our mission, all Californians – not all California grantees – all Californians. I just wanted to emphasize this.

Chair Montoya noted that in observing the budget process, the decision-makers want to see data. They want to see the results so that they can continue to fund those things. People running programs in communities must be able to capture this quantitatively and qualitatively. You must find the right tools to show the progress and impact that you are making.

Deputy Director Kiburi noted that elevating that impact in ways that will affect funding is advantageous and important. We are currently recruiting for a research data specialist.

### **13. Committee Updates**

Chair Montoya reconvened the meeting at 3:50 p.m. We are moving Item 13 up for the next item on the Agenda. We will start with the Legislative Committee. I am going to invite our new Chief Deputy Director, Kayla Unger, to come present.

#### **Legislative**

Chief Deputy Director Unger presented the following: I am going to present today on the state’s budget process. I will not get into detail on the CAC’s budget process. The state budget occurs throughout January through July 1 for each fiscal year.

Crafting the budget provides an opportunity for California to present values and express priorities as a state.

The state of California works on three budgets simultaneously, the past fiscal year, the current fiscal year, and planning for the upcoming fiscal year.

Fiscal years for the state begin on July 1 and end on June 30.



The governor is required per the State Constitution to present a proposed budget on or before January 10 of each year.

After the proposed budget is presented departments within the Executive Branch must clear their proposals through legislative hearings during which legislative members review the governor's proposals and make initial decisions.

The Senate and the Assembly each have their own budget committees that hear the budget bills.

Budget hearings are conducted throughout the spring.

The Department of Finance is required to give the legislature all proposed adjustments by April 1.

The governor must release the May revision on or before May 14.

The legislature typically waits for the May revision update before final budget decisions are made or any major programs are axed.

The governor's budget must be accompanied by a budget bill which itemizes recommended expenditures and which shall be introduced in each house of the legislature.

Upon adoption of the budget by the full committee, a recommendation is made to the floor for a full house vote.

Upon a simple majority of the house, the budget bill is passed to the other house.

A budget conference committee is then appointed to work out the differences between the two houses, the Senate and Assembly versions of the same bill.

Upon completion of action by the conferey committee, a simple majority vote, the conference version is then sent to both houses for approval.

The Constitution requires that the legislature pass the bill by June 15.

The governor may sign the budget bill and budget-related bills as well as any vetoes by July 1.

We are in the period right now where there is a lot of legislative activity, a lot of advocacy activities, this is prime time in the budget process to make our voices heard.

After the May revision there will be a renewed period of legislative interest and advocacy interest in the budget process. Thank you, Madame Chair.

Executive Director Moscone stated: At the Sub 4 Committee that I testified at, Gustavo Herrera from Arts for LA spent the entire day there so that he could testify in support of arts funding, as did Julie Baker. We had four people comment, which was three more than any other agency. It is great to know that we have the field behind us to support this work.

Chair Montoya added that since we were totally virtual, this is the first year we were able to participate in the knocking on doors of legislatures. We can do this all the time. You can make appointments with your legislature. You can make appointments with their staff. People actually do matter, that people power. So please continue to advocate, especially during prime time.

## **Governance**

Council Member Nicola Miner addressed the Council: We are working the Board Handbook right now. Staff is doing a fantastic job and there is a lot of better information in there. We will present it at the Board Retreat.

## **Equity**

Council Member Clarke presented the following: Much of what the Equity Committee has been working on what we have somewhat discussed already at today's meeting.

We are relooking at the Land Acknowledgement of not just making a statement but also creating a plan of action.

Another thing we are looking at is the outreach strategy for finding our panelists. We want to look at the whole process. We want our panelist pool to represent the diversity of our state.

We are also researching appropriate and legal language that we can use to revamp our Equity Statement. We did have an information-gathering call with the Attorney General's Office regarding Prop 209 regarding what other state agencies are doing with allowable language that will help us identify and target these communities that historically have been excluded from many of these types of programs.

These are all the things that we are looking at in order to be able to accurately and legally guide our different grant programs and get resources to the communities that need it the most.

Chair Montoya continued: Thank you very much. Any brief comments?

Executive Director Moscone stated that what was great about the meeting with the AG's Office is that we were in touch with the Civil Rights Division which was a different division than we were originally in touch with which was the Government Law Division, which is a very strict, most conservative division. The Civil Rights Division has to follow

the law as well but is seeing this as a question that many other agencies are also asking.

Council Member Clarke added that in that outreach we spelled out all our needs, all our challenges, and we are waiting for a response from them. They are taking a look at our issues.

Council Member Goodwin was recognized: As we are talking about panels and the Equity Committee, I am hoping that there is a little extra layer about educating our panelists on the importance of equity. When we are looking at a really well-funded organization saying they are doing inclusion work versus the boots-on-the-ground organization that may have their students writing a grant, that they are understanding that it is not always about the perfect grant. It is about the perfect grantee. I do not know if there are ideas about how we actually train our panelists; but give them some real training.

Deputy Director Kiburi stated that a lot of energy is being put into how we train panelists, and we keep evolving our training curriculum for our panelists. We have done implicit bias training. We have actually called out – do not get caught up in the glossiness of the application, look at the content. We hope that our review criteria reflects that. And the review criteria is actually approved by the Council. So, everybody has an opportunity to see, what are we asking the panelists to assess? And we can always use our equity lens when we look at that. We are always open to doing that. We are going to be allocating more staff resources to look at that training coming up soon. It is a time of looking at innovation around how we are training our panelists. Please let us know what you are seeing.

Council Member Clarke added that our earlier discussion about getting panelists together so that they can discuss these things and learn from each other is another important reason why that would be important.

#### **14. Voting Item: [Fiscal Sponsor Change Request](#)**

Chair Montoya yielded the floor to Council Member Goodwin.

Council Member Goodwin presented the following: On behalf of myself and our Chair Ellen Gavin we would like to consider this recommendation. Our grantee, SAPP, needs to change their fiscal sponsor. Under our actual statement, it says that an awardee can change their fiscal sponsor when it is necessary and reasonable and if an organization is not able to support them in their work.

They would like to have their fiscal sponsor to be, Community Partners. We need to allow them to make a change to a new fiscal sponsor so that their grant can be continued.

**MOTION 3:** Vice Chair Estrada moved to approve the Fiscal Sponsor Change Request; seconded by Council Member Mercado.

**VOTE:** Yes: Chair Consuelo Montoya, Vice Chair Vicki Estrada, Council Members, Caleb Duarte, Leah Goodwin, Phil Mercado, and Nicola Miner.

No: None.

The Fiscal Sponsor Change Request was approved as presented.

Council discussion was as follows:

Vice Chair Estrada asked if this was something that had happened before? Is this the first time that this has happened?

Deputy Director Kiburi stated that this was not the first time this has occurred. Before if the grantee did not have their sponsor, they would just lose the opportunity for the funding. Now the Council has agreed that in exceptional circumstances it can come to the Council for a reconsideration.

Executive Director Moscone stated that the Council voted on a policy that when it was out of the control of the fiscally-sponsored organization, that they were allowed to make that request. I would like the Council to consider making that the policy and that enabling the staff to then just do that and trust that the staff will do that because is 100 percent committed to not breaking any law. I feel fully entrusting of the program team and operations team to really understand the individual case as long as we commit to the policy. So, I would recommend that you consider that as part of the future of the work so that we do not have to actually each and every one of those to the Council for voting.

Deputy Director Kiburi said that it will come to the table of the Programs Policy Committee.

Council Member Goodwin stated that is a great presentation. I was a little surprised that we had to come all the way up to us for this change. We cannot amend the motion on the table but we can definitely bring it into the policy.

Deputy Director Kiburi added that it is a fair and equitable decision to allow for some flexibility. I have shifted and have had a shift of my perspective over the years because there are unforeseen circumstances that these grantees encounter where their fiscal sponsor just dropped completely out and it is very unfair for them to not be able to have a grant. We appreciate your consideration on that.

Chair Montoya clarified that the next opportunity to include that language would be in our next round of grants for next year. So, the Policy Committee would then

work those in and that would be how we move forward. I agree that it should not further delay payment of those grantees.

## 15. In Memoriam

Chair Montoya moved to Agenda Item 15, In Memoriam.

Vice Chair Estrada presented the following: This is always the bittersweet part of our meetings. The first person died yesterday and I struggled with categorizing this person. The Vice Chair shared some inspirational quotes with the Council.

The first person is Jerry Springer. He changed the whole genre of that kind of show. It was performance in a sense. A lot of it was made up and there was some value in that.

The next person is Harry Belafonte. He was a civil rights activist in addition to his singing and acting.

I am sharing, Ginnie Newhart, Bob Newhart's widow. Ginnie Newhart came up with the last episode of the Bob Newhart Show where he wakes up in bed and shares a most intriguing dream with his stage wife, Emily. Behind the scenes that was the best episode Bob had.

Carol Locatell was an actress that lived in LA. She died on April 11 after a battle with cancer. She was 82 and was in tons of TV shows for 45 years.

I grew up with *Mad Magazine* and I consider it art. Al Jaffee wrote for *Mad Magazine* until he was 99 in 2020. He kept writing and never retired. He affected a lot of different people.

Michael Lerner played as a character actor in a lot of TV shows. He was involved in numerous shows.

Vivian Trimble performed in a band known as, Luscious Jackson, all women. She died April 4 from cancer at 59 years old.

Again musically, Ryuichi Sakamoto wrote music heard in *The Last Emperor*. People behind the scenes have impacts.

Keith Reid wrote, A Whiter Shade of Pale, a song from Procol Harum during the 1960s. He never sang and never performed but without those lyrics we never would have heard the song.

Robert Patrick was a playwright and he died in LA on April 23. He participated in around 300 productions of plays.

Executive Director Moscone added that Heklina was an American actor and drag queen and a central figure in San Francisco queer arts and community. She started what was called, Tranny Shack, then changed the name to, Mother, and performed since the 1990s. She then, along with other drag performers, opened The Oasis, which is a home to our community. It is a very sad day especially when we are being pummeled around trans rights, around drag. This is one that was meaningful to me.

Staff member, Josie Miller, Arts Program Specialist commented. I wanted to honor John Iacovelli who we lost at the age of 64 to cancer. He was one of the heartbeats of the Los Angeles theater scene. John was an Emmy Award scenic designer and designed over 300 productions in his career of over four decades. John was a professor of design at U.C. Davis where I got to know him. He was an incredible educator, devoted collaborator and wonderful professor.

Vice Chair Estrada stated that in the future during the closing of the meeting to have each Council Member make a quick announcement that might be of importance to attendees. For example, on Tuesday, the county of San Diego had their first Art Commission meeting. This is a good time to do this. Things of this nature are of interest.

## **16. Adjournment**

Chair Montoya adjourned the meeting at 5:03 p.m.