



Civic Arts Commission
Office of Economic Development

Agenda Civic Arts Commission

Wednesday, October 23, 2019 at 6:00 – 8:00 p.m.

Tarea Hall Pittman South Branch Library, 1901 Russell St., Berkeley, CA 94703

Please refrain from wearing scented products to public meetings.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT**
4. **APPROVAL OF MINUTES**
 - a) September 25, 2019 Draft Minutes (Attachment 1)
5. **CHAIR'S REPORT**
 - a) October 29 Council Agenda: Referral to the Civic Arts Commission to develop a grant program available for arts and cultural organizations to support retaining and improving creative spaces for artists
 - b) November 19 Council Meeting: Short Term Rental Revenue and Arts Funding
 - c) Discuss Council Funding for the Arts in General
6. **ACTION ITEMS** *(All items for discussion and possible action)*
 - a) Affordable Housing for Artists and Cultural Workers - Advocacy Efforts and Letter of Support for Affordable Housing Framework
 - b) Discuss Artist Certification for Affordable Housing (Attachment 2)
 - c) Discuss John Hinkel Park Amphitheater
 - d) Approve Civic Art Grants Guidelines for FY21 (Attachment 3)
 - e) Approve Selected Artist and Proposal for San Pablo Park
 - f) Diana Rossi Mosaic - Approval of T1 budget contingency allocation of \$5,000 for installation location at Live Oak Park
 - g) Restrict Use of BART Plaza Speakers for Sound Installations and Live Events
7. **PRESENTATIONS and DISCUSSION** *(All items for discussion only and no action)*
8. **STAFF REPORT**
 - a) Update on Addison Street Poetry Panels (Attachment 4)

- b) Update on 1.5% for Public Art Funding Audit
- c) Civic Arts Grants Survey Results
- d) Private Percent for Art Quarterly Report

9. **COMMITTEE REPORTS**

- a. Grants
 - John Slattery, Chair
 - Kim Anno

- b. Policy
 - Kim Anno, Chair
 - Lisa Bullwinkel
 - Liz Ozol
 - Jennifer Ross

- c. Public Art
 - Matt Passmore, Chair
 - Kim Anno
 - Dana Blecher
 - Modesto Covarrubias

- d. Berkeley Cultural Trust Representative
 - Lisa Bullwinkel

- e. Berkeley Arts Education Steering Committee Representative
 - Liz Ozol

- f. Design Review
 - Modesto Covarrubias

10. **COMMUNICATIONS**

- a) Communication from Terry Taplin (Attachment 5)
- b) Communication from Luna Dance (Attachment 6)

11. **ADJOURNMENT**

Attachments:

1. September 25, 2019 Draft Minutes
2. New York City Artist Certification for Affordable Housing
3. Civic Art Grants Guidelines for FY21
4. Photos of Addison Street Poetry Panels Installation
5. Communication from Terry Taplin
6. Communication from Luna Dance

Staff Contact:
Jennifer Lovvorn
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(510) 981-7533
civicarts@cityofberkeley.info

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Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Civic Arts Office located at 2180 Milvia Street, Fifth Floor, Berkeley, CA 94704.

ADA Disclaimer

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Minutes

Civic Arts Commission

Wednesday, September 25, 2019 at 6:00 – 8:00 p.m.

Tarea Hall Pittman South Branch Library, 1901 Russell St., Berkeley, CA 94703

1. **CALL TO ORDER** 6:05 p.m.
2. **ROLL CALL**
Commissioners Present: Anno, Blecher, Bullwinkel, Covarrubias, Ozol, Passmore, Ross, Slattery.
Commissioner Tamano arrived at 6:07 p.m.
Staff Present: Jennifer Lovvorn, Commission Secretary & Chief Cultural Affairs and Mara Engelson, Civic Arts Analyst.
3. **PUBLIC COMMENT:**
2 Speakers
4. **APPROVAL OF MINUTES**
 - a) July 24, 2019 Draft Minutes (Attachment 3)
Action: M/S/C (Ozol/Covarrubias) to approve July 24, 2019 Draft Minutes.
Vote: Ayes – Anno, Blecher, Bullwinkel, Covarrubias, Ozol, Passmore, Ross, Tamano; Nays – None; Abstain – Slattery; Absent – None.
5. **CHAIRS REPORT**
 - a) The Chair stated that the presentation on the Cultural Plan at the September 17 Council Work Session was very well received and supported by Council.
 - b) The Chair reported that three Civic Arts Commissioners attended a joint meeting on September 9 of various Commissions including the Public Works Commission, Parks and Waterfront Commission, and Landmarks Commission to meet the consultants selected to develop a vision for Civic Center, City Hall, and Veterans Building and kick off the planning project. These commissions will be consultants throughout the process of developing the vision. Four Civic Arts Commissioners volunteered to serve on a subcommittee for this project: Blecher, Bullwinkel, Ozol, Tamano.
 - c) The Chair presented a draft Council Information Report regarding Short Term Rental Revenue and Arts Funding (Attachment 2) and explained that if the Civic Arts Commission votes to approve this information report, it will be submitted to Council to coincide with their discussion of Short Term Rental Revenue this fall.

The Chair reported on the Commission's request for an audit of the 1.5% for Public Art Funding. Staff indicated that the audit should be ready for the Commission's October meeting. The Chair further reported that the Policy Committee met to review the enabling legislation (Resolution 60.048N.S.). The Commission discussed making revisions to the legislation language and submitting it to Council with a recommendation that it be an ordinance. Commissioner Passmore volunteered to work on this along with the other members of the Public Art Committee and the Policy Committee.

6. **ACTION ITEMS** (*All items for discussion and possible action*).

a) **Approve Report to Council from Civic Arts Commission Regarding Short Term Rental Revenue (Attachment 4).**

Action: M/S/C (Anno/Slattery) to approve Report to Council with revisions.

Vote: Ayes – Anno, Blecher, Bullwinkel, Covarrubias, Ozol, Passmore, Ross, Slattery, Tamano; Nays – None; Abstain – None; Absent – None.

b) **Approve Annual Commission Work Plan FY20.**

Action: M/S/C (Anno/Slattery) to approve with addition of a Policy Committee item: #12 (With Public Art Committee) Advocate to Council to establish an ordinance to properly implement the 1.5% for Public Art requirement for City Construction Projects.

Vote: Ayes – Anno, Blecher, Bullwinkel, Covarrubias, Ozol, Passmore, Ross, Slattery, Tamano; Nays – None; Abstain – None; Absent – None.

c) **Heart Sounds Bench – Proposal for Temporary Display of Public Art (Attachment 5).**

Action: M/S/C (Passmore/Slattery) to approve pending confirmation by staff that the following recommendations have been implemented: make adjustments for ADA compliance; add more script with directions for use; and add visual art graphics.

Vote: Ayes – Anno, Blecher, Bullwinkel, Covarrubias, Ozol, Passmore, Ross, Slattery, Tamano; Nays – None; Abstain – None; Absent – None.

d) **Diana Rossi Mosaic – Approval of budget allocation of additional \$5,000 for installation location at Live Oak Park (Attachment 6). *Tabled.***

e) **North Berkeley Senior Center – Approval of Final Artwork Design by Masayuki Nagase including Eucalyptus Paver Design and Layout for Artwork (Attachment 7).**

Action: M/S/C (Anno/Blecher) to approve the final revised designs for the North Berkeley Senior Center.

Vote: Ayes – Anno, Blecher, Bullwinkel, Covarrubias, Ozol, Passmore, Ross, Slattery, Tamano; Nays – None; Abstain – None; Absent – None.

f) **Accept Suite of Civic Art Grant Funded Photos by Orin Rutchick into Civic Arts Collection.**

Action: M/S/C (Ozol/Blecher) to approve the acceptance of Orin Rutchick donated series of 10 preselected photographs.

Vote: Ayes – Anno, Blecher, Bullwinkel, Covarrubias, Ozol, Passmore, Ross, Slattery, Tamano; Nays – None; Abstain – None; Absent – None.

7. **PRESENTATIONS and DISCUSSION** (All items for discussion only and no action)
None

8. **STAFF REPORT**

- a) Berkeley Big People – Emeryville Council asked Emeryville staff to research what it would take to accept the Recreation themed sculpture. Staff will keep the Commission informed as more is known.
- b) Civic Art Program Activities Gantt Chart (Attachment 8)
- c) Schedule for this year's Civic Arts Grants Process – see Activity Chart above.
- d) Recent Receptions: Cube Space & BART Plaza – success.
- e) Update on Art Space Study Procurement – underway.
- f) Update on San Pablo Park Public Art Proposals – on display until October 4.
- g) Update on Shattuck Realignment & Associated Public Art – underway.
- h) Update on Program Marketing - Email Newsletter Coming Soon!
- i) Update on Collection Inventory Status – underway. Estimated completion in October.
- j) Grants Funding by District Report (Attachment 9)
- k) Reminder that November Commission meeting is on November 20 due to Thanksgiving.

9. **COMMITTEE REPORTS**

- a) Grants – No meeting.
 - Jon Slattery, Chair
 - Kim Anno
- b) Policy – The Policy Committee met on 9/13/19 to discuss a recommendation to Council regarding Short Term Rental (STR) revenue and possible changes to the language in the 1.5% for Public Art Requirement.
 - Kim Anno, Chair
 - Lisa Bullwinkel
 - Liz Ozol
 - Jennifer Ross
- c) Public Art – The Public Art Committee met on 9/20/19 to discuss the upcoming 2nd selection panel for the San Pablo Park. They also noted that the City of

Emeryville has shown interest in perhaps obtaining one of the “*Big People*” sculptures by Scott Donahue, (specifically the recreation themed one).

- Matt Passmore, Chair
- Kim Anno
- Dana Blecher
- Modesto Covarrubias

- d) Berkeley Cultural Trust Representative – At the 9/11/19 meeting the attendees broke out into small groups to discuss and document organizational resources needed and offered by members in the room. This list will be reviewed at a later date in hopes of sharing these resources amongst the local organizations.
- Lisa Bullwinkel
- e) Berkeley Arts Education Steering Committee Representative – This group met on 9/23/19 to discuss the Art Education Steering Committee work plan.
- Liz Ozol
 - Jennifer Ross (Alternate)
- f) Design Review – Commissioner Covarrubias attended the Design Review meeting on 9/19/19 and reported that there are more buildings in the queue that will have on-site art or in-lieu fees.

10. ANNOUNCEMENTS and COMMUNICATIONS

- a) Memo from Berkeley Repertory Theatre (Attachment 10)
- b) Letter from Beatriz Leyva-Cutler regarding the Grant process and their Organization; the Cesar Chavez and Dolores Huerta Commemorative Committee. (Attachment 11)
- c) UC Chancellors Grant Kick of October 21st at 4:00 p.m.

11. ADJOURNMENT Motion to adjourn.

Action: M/S/C (Blecher/Anno) Motion to adjourn at 8:03 p.m.

Vote: Ayes – Anno, Blecher, Bullwinkel, Covarrubias, Ozol, Passmore, Ross, Slattery, Tamano; Nays – None; Abstain – None; Absent – None.

Staff Contact:

Jennifer

Lovvorn

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TOM FINKELPEARL
Commissioner

NOTICE TO APPLICANTS RE: ARTIST CERTIFICATION

The following information may be of help to you in understanding the procedures to be followed in obtaining artist certification and in preparing your application.

Under applicable state legislation and the City's Zoning Resolution, certification as a working artist is necessary in order for an individual to qualify for joint living-working space in the M1-MA and M1-MB zoning districts (SoHo NoHo). Under Sections 275-6 of Article 7-B of the Multiple Dwelling Law, an "artist" is defined--for the purpose of qualifying for joint living-working quarters in cities with populations of over one million--as "a person who is regularly engaged in the fine arts, such as painting and sculpture, or in the performing or creative arts, including choreography and filmmaking, or in the composition of music, on a professional basis and is so certified by the city department of cultural affairs and/or state council on the arts."

Pursuant to the City's Zoning Resolution, this Department has been designated as the certifying agency for purposes of the foregoing statute. The procedure followed by the Department in determining applications for artist certification is as follows: Applications for certification by this Department are reviewed by an advisory committee of professional artists, art educators, and administrators representing a variety of fine arts disciplines, who then make a recommendation to the Commissioner of Cultural Affairs. Based on Section 276 of Article 7-B of the Multiple Dwelling Law and the Rules of the City of New York, each applicant must demonstrate that he or she meets the following criteria to be granted certification:

1. *Regularly engaged.* The individual is currently engaged in and demonstrates a serious, consistent commitment to his or her art form or art occupation;
2. *Fine arts.* The individual is engaged in an art form or art occupation that can be considered and is pursued by the individual as a "fine art", evidenced by a substantial element of independent esthetic judgment and self-directed work. The production of work solely on a commercial, industrial or work-for-hire basis without evidence of the foregoing elements is not sufficient to demonstrate pursuit as a "fine art";
3. *Professional basis.* The individual is committed to the art form or art occupation as his/her primary vocation and others in the field recognize the individual as a professional with regard to the art form or occupation; and
4. *Intent to use joint living-work quarters.* The individual demonstrates the intent to use joint living-work quarters for the purpose of carrying out his/her art form or art form or occupation.

It should be noted that the word "professional" refers to the nature of the commitment of the artist to his or her art form as his or her primary vocation rather than the amount of financial remuneration earned from his or her creative endeavor.

The Artist Certification Committee meets once a month from September through June. If the Commissioner approves the application, a letter of certification will be sent to the applicant. Should the application be denied, the applicant is given the opportunity to submit additional information for reconsideration of the application, request an appeal of the decision, or withdraw the application. Artists must apply for and be granted certification prior to occupancy; DCA cannot assume responsibility for costs if individuals move in before receiving certification.

Once granted by the Department, the artist's certification is valid for as long as the individual certified resides in the loft unit in which he or she resided at the time of certification. Under the Department's current regulations governing artist certification, if the artist moves within one year following the date of certification, he or she can request a change of address in his or her certification. If more than one year has elapsed, the individual must apply for recertification, but need only submit information relevant to the period of time, which has elapsed since the date of the original certification.

The application form for artist certification, a copy of which is enclosed, is designed to give the Department as complete a picture as possible of the applicant's qualifications and need for joint living-working space. No one question is the determining factor for certification. The purpose of the application is not to have the Department make an aesthetic judgement as to the applicant's work, but to enable the Department to evaluate the applicant's degree of commitment to his or her work and the need for a large space in which to carry out such work.

The only legal significance that a letter of certification by this Department has is to evidence that an individual is qualified as an artist to live in a joint living-working space, where such use is permitted by law. Certification applies to the individual and not the space, i.e., the Department does not make the determination that joint living-working space in a particular building is legal under applicable zoning regulations; nor does the Department determine whether a particular loft meets the relevant specifications of the Buildings Department Code, or is eligible for coverage under the Loft Law.

The applicant should be aware that the submission of any information in connection with the application that the applicant knows to be false will result in the denial of the application or the revocation of any artist's certification set forth in a particular letter of certification based on such applications. It should also be noted that the artist certification set forth therein named and may not be transferred. Any person who alters or fraudulently uses a letter of certification will be subject to prosecution to the fullest extent of the law.

In applying for artist certification, please read the attached application carefully. Fill out the certification form (notarized signature), attach all documentation and return to:

**Director of Artist Certification
NYC Department of Cultural Affairs
31 Chambers Street
New York, New York 10007**

If you have any further questions regarding artist certification, you may call Artist Certification, Department of Cultural Affairs at (212) 513-9300.

ANSWERS TO COMMONLY ASKED QUESTIONS ABOUT ARTIST CERTIFICATION

What is Artist Certification?

The SoHo Zoning Resolution permits fine artists working on a professional level who demonstrate a need for a live/work loft to reside in specific lofts zoned for manufacturing. Artist certification provides the document that equates the person named therein with a light manufacturer.

Who is eligible for Artist Certification?

Any person who is regularly engaged in the fine arts, such as painting and sculpture, or in the performing or creative arts, including choreography and filmmaking, or in the composition of music, on a professional basis is eligible for certification. Students and others who do not yet have a professional body of work covering five years prior to their application are generally ineligible. Commercial artists, hobbyists, and others for whom fine arts are not a primary vocation are generally ineligible.

Do I have to make my living as an artist?

The Department recognizes that the majority of artists do not earn their living through sales of their artwork. "Professional" refers to the nature of the artist's commitment to his or her vocation.

Isn't artist Certification a pro-forma process?

Artist Certification exists to protect the artist community. The Artist Certification Committee, who is arts professionals representing a variety of fine arts disciplines, carefully considers applications.

Can I move in and then apply for Artist Certification?

Any person who rents, subleases, or purchases a loft in SoHo, NoHo, and/or AIR space elsewhere should be certified by the Department of Cultural Affairs PRIOR TO OCCUPANCY. The Department of Cultural Affairs cannot be responsible for any costs incurred if an applicant moves in before certification is granted.

How often does the Artist Certification Committee meet?

The Committee meets once each month from September through June. Over the summer months, emergency requests may occasionally be considered.

Is there a fee for Artist Certification?

There is no fee for Artist Certification.

Can an outside agent present my application?

The Department prefers to be in contact solely with the applicant.

Will the Department return my support material?

The Department returns support material provided the application includes a self-addressed return mailer with correct postage.

APPLICATION FOR ARTIST CERTIFICATION

NAME _____ HOME PHONE () _____

ADDRESS _____ APT./FL. _____ ZIP _____

ADDRESS ON CERTIFICATE _____

BUS. PHONE () _____ SOCIAL SECURITY NUMBER ____ / ____ / ____

PROFESSIONAL NAME (if different) _____

FINE ARTS DISCIPLINE _____

1. Do you now reside in a (check one) Loft? * _____ Apartment with Workspace? _____ Apartment with separate Workspace? _____ Other (please specify) _____
*attach copy of lease.

2. What is your present amount of LIVING space in sq. ft.? _____. What is your present amount of WORK space in sq. ft.? _____.

3. Are you planning to move into a loft? * _____ If located, what is the address? _____
What is the total sq. ft. of the loft? _____
How much WORK space will you need in sq. ft. of the loft? _____
*attach copy of lease. Full address to appear on certificate.

4. Have you been certified before? _____ If YES, at what date and for what address?
DATE: _____ ADDRESS: _____

ON A SEPARATE SHEET, PLEASE PROVIDE THE FOLLOWING INFORMATION:

5. Describe your particular art form and explain why a large space is imperative for its creation.

6. Include a professional fine arts resume pertinent to your work. Include educational background, professional training, public exhibitions and/or performances, critical reviews, grants, awards or fellowships. Be sure to include dates.

7. Submit documentation appropriate to your particular art form. Your documentation should reflect a body of work over the last 5 years, up to and including recent work. Student work, in and of itself, will not meet the criteria for certification. Below is a general guideline for some fine arts fields, and the kinds of support materials that should accompany your application:

- **Visual artists:** 15-20 labeled slides and/or photographs of work, exhibition announcements, catalogues, reviews, etc.
- **Music composition:** scores, tapes (including works-in-progress), reviews, performance announcements, etc.

- **Choreography:** videos, written notations, reviews, performance announcements, etc.
- **Fiction/Poetry:** published and unpublished works and drafts, reviews, announcements of readings/staging, etc.
- **Film/Video/Performance Art:** examples of work, reviews, and announcements

All documentation should include, where appropriate, the date of creation, medium, size, and title of the work. All support materials must be submitted in an envelope or folder not larger than 9" X 12". Do not submit original work. PLEASE INCLUDE A STAMPED, SELF-ADDRESSED ENVELOPE, IF YOU WISH MATERIALS TO BE RETURNED FOLLOWING THE CERTIFICATION COMMITTEE MEETING. *

8. If you are already residing in a loft, include a scale drawing or photographs showing your living and working space. If you are planning to move into a loft, provide a scale drawing showing your intended living and working space.

9. Submit letters of recommendation on letterhead from two people, known in your field, regarding your professional involvement as an artist and your need for live/work space.

The undersigned hereby certifies that the statements and information set forth above and/or annexed to this application are true to the best of his or her knowledge and that the materials submitted in support of this application represent the applicant's own work. It is understood and agreed to by the undersigned that the Department of Cultural Affairs may rely thereon in determining this application for certification, and that the making of any knowingly false statement or fraudulent submission in connection with this application will result, in either the denial thereof or in the revocation of any artist's certification based on such application.

Notarized Signature Date

STATE
ss.:COUNTY OF NEW YORK)

On this day of , 20 , before me personally came , to me known and known to me to be the person described in and which executed the foregoing instrument; and (s)he acknowledged to me that (s)he executed the foregoing instrument; and (s)he acknowledged to me that (s)he executed the same for the purposes therein mentioned

NOTARY PUBLIC

**City of Berkeley Arts Organizations and Arts Programs Grants Guidelines
 FY21 Grant Cycle for Berkeley-based Arts Nonprofit Organizations and Arts Programs of Service
 Nonprofits: July 1, 2020 — June 30, 2021**

1. PURPOSE, ELIGIBILITY, STANDARDS, GRANT AMOUNTS, USE RESTRICTIONS & FISCAL SPONSORS

1.1 Purpose

Recognizing that arts and culture are integral to the Berkeley’s identity, history and desirability as a place to live and visit, the Berkeley Civic Arts Commission utilizes its grant making to foster a healthy civic arts ecosystem and to strengthen diverse cultural expressions in order to enrich the city as a whole. Civic Arts grant funds provide general operating support that is strategically targeted to: bolster the growth and stability of Berkeley’s arts community; support a wide array of nonprofit arts organizations, and arts programs of service nonprofits throughout the City of Berkeley; and empower and promote equitable representation of cultural perspectives that have been historically marginalized.

1.2 Eligibility

Applications that are complete and submitted by the deadline will be accepted from ALL applicants that meet the following conditions:

- Organization must be housed in the City of Berkeley with its corporate address in the City of Berkeley or operate within a City of Berkeley-owned facility. Organization and fiscal sponsor address will be verified in GuideStar by City staff. (Fiscal Sponsor does not need to be located within the City of Berkeley.)
- Have a majority (at least 51%) of its arts activities in Berkeley for no less than two years.
- Applicant’s grant funded operations, programs, or activities take place during July 1, 2020 – June 30, 2021.
- Applicants to the Arts Organization Funding Category are able to also submit an application to the Festivals Funding Category.
- Applicant is in good standing on previous and/or current City of Berkeley Civic Arts Grants and any other City department grants or agreements. Note: Any previously awarded Civic Arts Grants programming must be completed and closed out and final report submitted before grantees are eligible to apply for new funding.
- Demonstrate current nonprofit and tax-exempt status, as identified by Section 501(c)(3) of the Internal Revenue Code. The following additional documentation must be made available upon request: organizational by-laws, roster and meeting calendar for a functioning Board of Directors or advisory group, copies of meeting minutes and resolutions.
- Applicants WITHOUT tax-exempt 501(c)(3) status must acquire a nonprofit and tax-exempt 501(c)(3) fiscal sponsor and must submit a letter of agreement between the applicant organization and fiscal sponsor.
- Applicant must be one of the following:
 - A nonprofit organization with a mission statement clearly focused on the development, production, and/or presentation of arts and culture.
 - An ongoing program of a non-arts or service-based nonprofit organization that is focused on the development, production, and/or presentation of arts and culture. The

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applicant's organizational budget category will be based on the arts-program budget only.

- Organizations that are not primarily arts or cultural providers are eligible to apply **only** if they are committed to the development of an ongoing, substantial, and integral arts program within their organization.
- The organization must operate and offer its arts programs in a non-discriminatory manner and in compliance with all applicable laws, including, without limitation, anti-discrimination laws covering protected classes.

1.3 Standards of Practice

The following Standards of Practice provide practical benchmarks to guide and measure organizational grant applicants relative to professional practices in the field which support the overall well-being of the arts ecosystem. An organization's adherence to these standards is taken into consideration by the review panel as part of the grant application evaluation as described Section 3.1: Evaluation Criteria and Weighting.

Recommended Minimum Standards of Practice for All Applicant Organizations

- Artists who are participating in programming in a substantial way are compensated with at least an honorarium, except for:
 - Artists enrolled as students who are receiving course credit for their involvement with the organization.
 - Artists who are amateur participants in a community arts organization such as a community chorus or a community orchestra.
 - Artists who are amateur participants in a non-accredited arts and cultural training program, such as a school of theater or school of dance.

Additional Recommended Standards for Applicant Organizations with average annual budgets above \$500,000

- At least the equivalent of one full-time paid employee with duties including executive and/or artistic management.
- Current practice of Annual Reviewed Year-End Financial Reports.
- Healthy ratio of budget spent on administration and overhead to programs and artist fees.
- Artists and staff compensated at generally accepted professional standards for the field within the San Francisco Bay Area.
- Provide reasonable accommodations for people with disabilities to ensure access to offices, rehearsal spaces, training and other facilities necessary to prepare programs.

1.4 Grant Amounts

The Arts Organizations Grants operate on a one-year cycle based on the City of Berkeley's Fiscal Year (July 1 – June 30). Awards are contingent upon the allocation of funds from the City Council each year. The total amount allocated to each of the three grant categories (Arts Organizations, Festivals, and Individual Artists) will be recommended by the Civic Arts Commission's Grants Committee after an evaluation of the review panel results and based upon the size of the applicant pools and the corresponding scores. The Grants Committee's recommendation will be forwarded to the full Civic Arts

Commission for approval.

Arts Organizations Grants are awarded according to the following categories:

Small Organizations with a 2-year average budget of up to \$100,000	up to \$10,000
Mid-Size Organizations with a 2-year average budget between \$100,000 - \$1,000,000	up to \$14,000
Large Organizations with a 2-year average budget over \$1,000,000	up to \$17,000

Budget levels will be calculated based on cash income. In-kind donations and volunteer work may be listed but should be kept separately from the budget numbers used for calculating eligibility.

1.5 Funding Use Restrictions

The following restrictions apply to **ALL applicants**:

- Applicant organization may not be an agency or department within the City of Berkeley.
- Applicant organizations may only apply for one Arts Organizations Grant, however Applicant may apply for both an Arts Organization Grant and a Festival Grant.
- Any previously awarded Arts Organizations Grant programming must be completed and closed out and final report submitted before new grant funds will be disbursed.
- Public and private K-12 schools and school districts are not eligible for funding. Organizations may apply to work in after-school programs, but grant funded activities may not be part of the school day curriculum.
- The awarding of funds does not imply that the Civic Arts Program or any other City department will produce, exhibit, or present the art created. It is the responsibility of the applicant to secure a venue and any required permits for public activities.

The City of Berkeley DOES NOT fund the following:

- Organizations or activities that are part of the curriculum of colleges or universities (this does not apply to artistic presenting units of a university or college that are working on a program outside of the curriculum).
- For-profit organizations.
- Start-up costs/seed money for new organizations or businesses.
- Social service-oriented projects that are not primarily arts focused.
- Operating expenses for private commercial facilities.
- Programs taking place in school during the daily curriculum.
- Out-of-state travel.
- Programming or activities taking place outside of the grant window.
- Capital construction and/or acquisitions (except for ADA accessibility improvements).
- Equipment purchases.
- Events where fundraising is the primary purpose.
- Deficit or debt reduction.

1.6 Fiscal Sponsors

Definition of Fiscal Sponsor: Fiscal sponsor is a 501(c)(3) tax exempt and nonprofit organization that has

Deleted: Important Note: Grants are awarded on a competitive basis. Past grant awards are no assurance of future awards. ¶

been assigned the responsibility to process the funds of another organization. This can take the form of processing a single check or providing complex accounting services and project oversight and is unique to each circumstance.

Organizations applying for funding through a Fiscal Sponsor should take particular note of the following requirements that the Fiscal Sponsor must meet:

- Fiscal Sponsor shall be responsible for all fiscal obligations of the grantee's awarded funds.
- Fiscal sponsors may be located anywhere within the United States.
- A written contract or Letter of Agreement between the applicant and the Fiscal Sponsor specifying the conditions of the Fiscal Sponsor arrangement must accompany the Grant application. **(This agreement must be between the Fiscal Sponsor and the organization; a memorandum or letter to the Civic Arts Commission is not sufficient).**
- If the Fiscal Sponsor is also an applicant to the Arts Organizations Grants Program for their own organization, any funds awarded to the organizations that they fiscally sponsor will not be counted as part of the fiscal sponsor's application budget.
- Information submitted in the grant application, including all budget information, applies to the organization conducting the program, not the Fiscal Sponsor.

Deleted: must be based in Berkeley

2. GRANT APPLICATION MATERIALS

In order to be considered for funding, applicants must submit fully completed grant applications and all required application materials. The Arts Organizations Grants Program application consists of the following components:

- General Application.
- Narrative Description.
- Program Calendar (last, current, and projected year).
- Staff and/or Project Personnel Bios (relevant to program focus).
- List of Board of Directors.
- 2 Year Budget Form, including budget notes.
- 501(c)(3) Federal Tax Exempt Status Letter (unless fiscally sponsored).
- **If fiscally sponsored:** Fiscal Sponsor Supplement including a letter of agreement between applicant and fiscal sponsor and the fiscal sponsor's Federal Tax Exempt Status Letter.
- Work Samples and Descriptions of Art Programs/Activities from within the last two years.

3. EVALUATION CRITERIA & SCORING SYSTEM

3.1 Evaluation Criteria and Weighting

Applications will be evaluated according to the following criteria which are described so that applicants may have an idea of how the panel will score each application:

Artistic Merit & Professional Quality _____ **25 percent**

- The applicant's art and cultural work demonstrates high quality and strong artistic merit or promise through its artistic history, accomplishments, and examples of previous work.

Quality of Identified Goals and Strategy _____ **25 percent**

- Applicant’s programmatic and operational goals align with organization’s mission and programmatic trajectory; processes to implement work are clear; and work demonstrates high quality and relevance to identified communities. Given its mission, the applicant’s ability to define and achieve appropriate artistic goals, its commitment to creativity and quality and, if appropriate to its mission, the development of new work.

Capacity _____ **25 percent**

- Applicant demonstrates qualifications and capacity of staff and board relative to programming and operational goals, and organization demonstrates ability to obtain necessary funding.
- Demonstrated financial health for no less than two years as evidenced by:
 - Receiving diverse sources of funding and not being overly dependent on any one source of contributed income.
 - Managing a budget size and percentage of earned revenue appropriate to the programming or arts activity.
 - Not carrying an operating deficit unless it is strategically planned with reserves to cover the deficit.
- Given the applicant’s budget size and age, the general state of its governance and organizational development, management, and operational and financial soundness, ability to achieve appropriate audience and fundraising goals; extent of operational innovativeness and adaptability to external trends.
- Applicant is in good standing with the City of Berkeley and has met final reporting requirements for previously awarded grants in a timely manner. Organizations who have submitted prior year’s final report late will have their scores reduced according to how late the report was submitted: up to one week late (minus 1 point) and up to one month late (minus 2 points) and over one month late (minus 3 points).
- Adherence to Standards of Practice outlined in Section 1.

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Cultural Equity Impact _____ **15 percent**

- Demonstrated ability of the applicant to support Berkeley’s diverse cultural traditions and values, including capacity to support and empower the City’s underserved communities.
- Applicant clearly articulates how their program, project or artistic expression is rooted in and reflective of historically marginalized communities and geographically underserved areas of the city.
- Programming and other activities that reach out to economically disadvantaged communities and communities that lack conventional arts venues or formal arts programs.
- The organization demonstrates a commitment to cultural equity. For example, strategic board development to ensure that the board of directors includes members from historically marginalized communities.

Community Impact _____ **10 percent**

- Applicant clearly articulates programs and outreach appropriate to their identified audience(s); programs clearly and significantly support the communities, partners, and

artists identified.

- The reach of the applicant’s core programs and the extent to which they engage audiences and provide opportunities for participatory involvement in the arts, including targeted engagement and lifelong arts learning opportunities (i.e., youth, seniors, etc.); the effectiveness of its audience-development activities and its plans for reaching a diverse, broad-based audience and the contribution it makes to sustaining a local community of artists.

3.2 Rating System

When evaluating each criterion, panelists will use the following 10-point scale, which is then translated to the appropriate weight for each criterion:

- Exceptional (9 - 10 points)
- Somewhat Exceeds Expectations (8 – 8.9 points)
- Meeting Accepted Standards (7 – 7.9 points)
- Needs Improvement to Warrant Funding (6 – 6.9 points)
- Does Not Merit Funding (0 – 5.9 points)

An application must receive an overall score of at least 70 percent of total possible points in order for the panel to consider it for funding. However, achieving a score of at least 70 percent of total possible points does not guarantee that the panel will recommend an application for funding, as funds may not be sufficient to recommend a grant for all applicants that score above the minimum threshold.

Prior success in receiving an Arts Organizations Grant is no assurance that an applicant will be awarded another grant.

4. APPLICATION REVIEW PROCESS

4.1 Eligibility Screening

Civic Arts Program staff will review for completeness and eligibility all applications that meet the deadline. Applications that pass this initial review will then be evaluated for their strengths by a separate Grant Review Panel, which will rely on the application and related materials submitted by applicants.

4.2 Grant Review Panel

Applications will be reviewed in categories differentiated into three categories (Small, Mid-Size Organizations, and Large Organizations) in order to make the competition among applications more equitable.

The Review Panel is comprised of individuals with substantial background in the arts and a demonstrated commitment to cultural equity, usually drawn from the ranks of experienced and skilled managers and board members of greater Bay Area arts organizations, professional practicing artists from visual and performing arts fields, and experienced arts grant-makers from the philanthropic and public sectors. An open call and application for potential review panelists will be advertised. Review panelists will be approved by the Civic Arts Commission.

Review panelists must not have any conflict of interest, which is defined as a situation in which a

panelist has a competing professional, financial, or personal interest, which might make it difficult to fulfill his or her duties impartially and could impair an individual's ability to perform his or her duties and responsibilities objectively. A conflict of interest exists even if no unethical or improper act results. A conflict of interest can create an appearance of impropriety that can undermine confidence in the selection process, the Grants Program, the Civic Arts Commission and the City. If a panelist has a conflict of interest, they must recuse themselves and they must notify the City staff in advance of the panel (so that they're not assigned a lead reader role for those cases) and they must leave the room during any panel discussions regarding the applicant with whom there is a conflict of interest so that the panelist does not influence the process.

The City may engage an experienced consultant to conduct an in-depth examination of aspects of selected applications, in which case the consultant's reports will also be provided to the Review Panel. In addition, the City may provide prior grant report information and other officially gathered information to the Review Panel.

Applicants are encouraged to attend the Grant Review Panel meeting which will be held during normal City business hours and will be publicly accessible. Staff will send the grant review schedule and meeting location to applicants before the Review Panel meeting.

Applicants are not permitted to address the Review Panel. Panel notes summarizing the Review Panel comments will be made available to applicants upon request following City Council's approval of the annual budget.

4.3 Civic Arts Commission Approval and City Council Review

After the Grant Review Panel has scored all applications, the Civic Arts Commission's Grants Committee meets to develop funding recommendations in alignment with the ranking of scores within each category and to align proposed grant awards with available funds and for consistency with granting policies and guidelines, before forwarding the recommendations to the full Civic Arts Commission.

The award amounts as recommended by the Grants Committee are made public at least five business days prior to the Civic Arts Commission approval. The Civic Arts Commission reviews the funding recommendations for approval and once approved sends the slate of selected grantees and grant amounts to City Council for review. Grant awards are subject to the City Council's adoption of the annual budget, which usually occurs in June.

5. SELECTED GRANTEE CONTRACTUAL REQUIREMENTS

5.1 Business License

Successful grant applicants must have a current Berkeley Business License in order for their grant awards to be processed.

5.2 Invoices

Grantees may invoice for 100% of the grant amount once they have received the grant award invoice/agreement from the City of Berkeley's Civic Arts Program following City Council's approval of the

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~~fiscal year's budget.~~

5.3 Final Report

All Grantees must complete and submit the City's Final Report form for the grant no later than 60 days after the fiscal year end. Grantees must be current on filing required reports before they can receive grant funding. ~~Submitting a final report later than the deadline will affect the applicant's score for the following year's grant application as noted in the scoring criteria – see section 3.1 "Evaluation Criteria and Weighting." Applicants who have not submitted a final report will be ineligible from applying for any future Civic Arts Grants.~~

5.4 Acknowledging City Support

It is important that the Berkeley community know that their local tax dollars make it possible for them to enjoy the caliber of arts produced in Berkeley. All grantees should recognize Civic Arts Grants in the same manner in which it recognizes other contributors in terms of benefits, type size on publications, and frequency of acknowledgement. Failure to comply with this request may affect future grant opportunities.

Grant recipients must acknowledge the City's financial support in all appropriate materials and media. The acknowledgement should read, "Supported in part by a Civic Arts Grant for Arts Organizations from the City of Berkeley" or similar language, unless the City is a part of a list of supporters. In the latter case, the acknowledgement may say simply City of Berkeley. Grantees must display the City's logo whenever other sponsor logos are displayed, and in accordance with City logo use guidelines.

Deleted: Grantees may invoice for remaining grant funds upon approval of the Final Report by Civic Arts staff.

Deleted: Programs and projects must have been developed and presented in Berkeley with meaningful, accessible engagement of the public during the grant period.

Deleted: 5.4 Financial Penalty for Late Final Reports¶
If Final Reports are not submitted by the deadline, the City of Berkeley may assess a financial penalty of \$25 per day for each business day a submission is late beyond the submission requirements deadline. The penalty amount will be deducted from the final invoice payment. The penalty amount is capped at 10% of the total grant amount. ¶

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Deleted: 5.6 Project Notification¶
Grantees must provide a 30 day advance notice to their City Council Office and Civic Arts Program to invite representatives to the public presentation of the funded program.¶

City of Berkeley Individual Artist Project Grant Guidelines
FY21 Grant Cycle for Berkeley-based Artists' Projects: July 1, 2020 — June 30, 2021

1. PURPOSE, ELIGIBILITY, GRANT AMOUNT, USE RESTRICTIONS & FISCAL SPONSORS

1.1 Purpose

The Individual Artist Project Grants support individual artists living and producing art in Berkeley culminating in a local public presentation of their work for the benefit of the community within the grant period. Such activities may include, but are not limited to: performances of dance, music or theater; visual art presentations, exhibitions or public art projects; social practice projects; media arts or film screenings; literary presentations; or artist talks. The public presentation can be of a work-in-progress or of the final, polished piece. Grant funds are to be used to generate new work, not to stage pre-existing work.

1.2 Eligibility

Applications that are complete and submitted by the deadline will be accepted from applicants that meet the following conditions:

- Artist is a continuous resident of the City of Berkeley since January 1, 2018. Applicants must submit paperwork demonstrating Berkeley residency with their application.
- Proposed projects must include a public presentation within Berkeley with meaningful, accessible engagement of the public during the grant period.
- Artists in any phase of their artistic career may apply including emerging, midcareer, and established artists.
- Artist may not be enrolled as a full-time student at the time of the application or during the grant period.
- Artist may not be an employee of the City of Berkeley, nor plan to be employed by the City of Berkeley at any time during the grant window.
- Applicants cannot receive funding for two consecutive grant cycles in the Individual Artist Project category. Individual Artist Grantees are required to sit out for one year after each funded grant cycle. In addition, grantees are required to close out a grant before applying for new funding.

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Please note: Individual Artists are not required to use a Fiscal Sponsor to apply for an Individual Artist grant. Individual Artist Grantees will be paid directly from the City of Berkeley and not through a Fiscal Sponsor.

1.3 Grant Amount

Grant amounts are up to \$5,000.

Note: Although a budget is not required for the grant application, applicants should be aware of the tax implications upon receiving the award and maintain the documents required for reporting on state and federal income taxes.

1.4 Funding Use Restrictions

Grant funds may not be used for the following:

- Project activities outside of the City of Berkeley.
- Projects for which the main intent is curation, archiving, or journalism.
- Deficit or debt reduction.

2. GRANT APPLICATION MATERIALS

In order to be considered for funding, applicants must submit fully completed grant applications and all required application materials. The Individual Artist Grant application consists of the following components:

- General Application.
- Resume.
- Proof of Residency.
- Work Samples and Descriptions.
- Project Description.

3. EVALUATION CRITERIA & SCORING SYSTEM

3.1 Evaluation Criteria and Weighting

Applications will be evaluated according to the following criteria which are described so that applicants may have an idea of how the panel will score each application:

Artistic & Professional Quality _____ **35 percent**

- The applicant's art and cultural work demonstrates high quality or promise through its artistic history, accomplishments, and examples of previous work.

Quality of Proposed Project _____ **40 percent**

- Project goals and processes are clearly defined, demonstrate originality, clarity and depth of concepts.
- Artist demonstrates that the proposed project will impact their development and future opportunities.

Cultural Equity Impact _____ **15 percent**

- Demonstrated ability of the applicant to support Berkeley's diverse cultural traditions and values, including capacity to support the City's underserved communities.
- Applicant clearly articulates how their project or artistic expression is rooted in and reflective of historically marginalized communities and geographically underserved areas of the city.
- Public Programming or other activities that reach out to economically disadvantaged communities and communities that lack conventional arts venues or formal arts programs.

Community Impact _____ **10 percent**

- The proposed public presentation is appropriate to the project goals and feasible in its potential to share the work with a defined Berkeley audience. Artist has identified at least one venue for public presentation.

3.2 Rating System

When evaluating each criterion, panelists will use the following 10-point scale, which is then translated to the appropriate weight for each criterion:

- Exceptional (9 - 10 points)
- Somewhat Exceeds Expectations (8 – 8.9 points)
- Meeting Accepted Standards (7 – 7.9 points)
- Needs Improvement to Warrant Funding (6 – 6.9 points)
- Does Not Merit Funding (0 – 5.9 points)

An application must receive an overall score of at least 70 percent of total possible points in order for the panel to consider it for funding. However, achieving a score of at least 70 percent of total possible points does not guarantee that the panel will recommend an application for funding, as funds may not be sufficient to recommend a grant for all applicants that score above the minimum threshold.

4. APPLICATION REVIEW PROCESS

4.1 Eligibility Screening

Civic Arts Program staff will review for completeness and eligibility all applications that meet the deadline. Applications that pass this initial review will then be evaluated for their strengths by a separate Grant Review Panel, which will rely on the application and related materials submitted by applicants.

4.2 Grant Review Panel

The Review Panel is comprised of individuals with substantial background in the arts, usually drawn from the ranks of experienced and skilled managers and board members of greater Bay Area arts organizations, professional practicing artists from visual and performing arts fields, and experienced arts grant-makers from the philanthropic and public sectors. An open call and application for potential review panelists will be advertised. Review panelists will be approved by the Civic Arts Commission.

Review Panelists must not have any conflict of interest, which is defined as a situation in which a panelist has a competing professional, financial, or personal interest, which might make it difficult to fulfill his or her duties impartially and could impair an individual's ability to perform his or her duties and responsibilities objectively. A conflict of interest exists even if no unethical or improper act results. A conflict of interest can create an appearance of impropriety that can undermine confidence in the selection process, the Grants Program, the Civic Arts Commission and the City. If a panelist has a conflict of interest, they must recuse themselves and they must notify the City staff in advance of the panel (so that they're not assigned a lead reader role for those cases) and they must leave the room during any panel discussions regarding the applicant with whom there is a conflict of interest so that the panelist does not influence the process.

Applicants are encouraged to attend the Grant Review Panel meeting which will be held during normal City business hours and will be publicly accessible. Staff will send the grant review schedule and meeting location to applicants before the Review Panel meeting.

Applicants are not permitted to address the Review Panel. Panel notes summarizing the Review Panel comments will be made available to applicants upon request following City Council's approval of the annual budget.

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4.3 Civic Arts Commission Approval and City Council Review

After the Grant Review Panel has scored all applications, the Civic Arts Commission's Grants Committee meets to develop funding recommendations in alignment with the ranking of scores within each category and to align proposed grant awards with available funds and for consistency with granting policies and guidelines, before forwarding the recommendations to the full Civic Arts Commission.

The award amounts as recommended by the Grants Committee are made public at least five business days prior to the Civic Arts Commission approval. The Civic Arts Commission reviews the funding recommendations for approval and once approved sends the slate of selected grantees and grant amounts to City Council for review. Grant awards are subject to the City Council's adoption of the annual budget, which usually occurs in June.

5. SELECTED GRANTEE CONTRACTUAL REQUIREMENTS

5.1 Invoices

Grantees may invoice for 100% of the grant amount once they have received the grant award invoice/agreement from the City of Berkeley's Civic Arts Program following City Council's approval of the fiscal year's budget.

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5.2 Final Report

All Grantees must complete and submit the City's Final Report form for the grant no later than 60 days after the fiscal year end and must demonstrate that the grant-funded project was developed and presented in Berkeley with meaningful, accessible engagement of the public during the grant period. Applicants who do not submit a final report will be ineligible from applying for any future Civic Arts Grants.

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5.3 Acknowledging City Support

It is important that the Berkeley community know that their local tax dollars make it possible for them to enjoy the caliber of arts produced in Berkeley. All grantees should recognize Civic Arts Grants in the same manner in which it recognizes other contributors in terms of benefits, type size on publications, and frequency of acknowledgement. Failure to comply with this request may affect future grant opportunities.

Deleted: 5.3 Financial Penalty for Late Final Reports¶
If Final Reports are not submitted by the deadline, the City of Berkeley may assess a financial penalty of \$25 per day for each business day a submission is late beyond the submission requirements deadline. The penalty amount will be deducted from the final invoice payment. The penalty amount is capped at 10% of the total grant amount.¶

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Grant recipients must acknowledge the City's financial support in all appropriate materials and media.

The acknowledgement should read, “Supported in part by a Civic Arts Grant for Individual Artists from the City of Berkeley” or similar language, unless the City is a part of a list of supporters. In the latter case, the acknowledgement may say simply City of Berkeley. Grantees must display the City’s logo whenever other sponsor logos are displayed, and in accordance with City logo use guidelines.

5.4 City Permits and Permissions

The awarding of funds does not imply that the Civic Arts Program or any other City department will produce, exhibit, promote or present the art created. It is the responsibility of the applicant to secure a venue, appropriate insurance and any required permits for public presentations.

If the proposal includes components that require City permits or approval such as publicly installed art, street closures, sound amplification in public space, or murals, the applicant will be solely responsible for securing the necessary permits, permissions, and approvals. This planning should be reflected in your project timeline.

Please note that any art installed with these grant funds on property owned by the City of Berkeley must be reviewed and approved by the Civic Arts Commission starting with the Public Art Committee of the Commission. This applies to murals, public sculpture, and similar projects. It will be the responsibility of the grantee to build this process into their grant plan and timeline. Please contact Civic Art Program staff if you have questions.

Deleted: 5.5 Project Notification¶
Grantees must provide a 30 day advance notice to their City Council Office and Civic Arts Program to invite representatives to the public presentation of the funded project.¶

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City of Berkeley Festival Grant Guidelines

FY21 Grant Cycle for Festivals and Special Events Taking Place: July 1, 2020 — June 30, 2021

1. DEFINITION, PURPOSE, ELIGIBILITY, GRANT AMOUNTS, USE, RESTRICTIONS, & FISCAL SPONSORS

1.1 Definition

Festivals are defined as a wide variety of public events including arts festivals, celebrations of cultural heritage relevant to Berkeley residents, and other events that celebrate a community, a neighborhood or a shared cultural interest.

1.2 Purpose

The purpose of the Festival Grant Program is to support community festivals and special events that: celebrate and preserve a rich variety of cultural opportunities for Berkeley’s residents; bolster the city’s vitality; and increase Berkeley’s visibility and reputation as a desirable destination for visitors. The Festival Grant Program supports a range of events throughout the City from small-scale and first-time events to large scale and established festivals. Festival Grant Program-funded events must be open to the entire public and have at least some portion of the festival which is free admission, although festivals may include fee-based access to select portions of the event.

1.3 Eligibility

Applications that are complete and submitted by the deadline will be accepted from organizations that meet the following conditions:

- At least one of the applicant team members (applicant organization or event producer) must have produced at least two events at a comparable scale to the proposed grant-funded event.
- Designated as a not-for-profit corporation under Section 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. Organization/fiscal sponsor 501(c) status must be current and may be verified by City staff.
- Organization must be housed in the City of Berkeley with its corporate address in the City of Berkeley. Organization address will be verified by City staff.
- Organization’s event takes place at some point during July 1, 2020 – June 30, 2021, in the City of Berkeley.
- Organization a) is not a division/department within the City of Berkeley; and b) is in good standing on previous and/or current City of Berkeley grants and with other City departments.
- Applicant is in good standing on previous and/or current City of Berkeley Civic Arts Grants and any other City department grants or agreements. Note: Any previously awarded Civic Arts Grants programming must be completed and closed out and final report submitted before grantees are eligible to apply for new funding.
- Declared ability to meet City requirements for funded events:
 - Be able to meet the City of Berkeley’s business license and special event permit requirements. See Section 5. “Selected Grantee Contractual Requirements” for details.
 - Projects must be developed and presented in Berkeley and culminate in a local event or festival with meaningful, accessible engagement of the public within the grant period.

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Receiving outside sources of funding.¶
Managing a budget size and percentage of earned revenue appropriate to the activity.¶
Not carrying an accumulated debt greater than 25% of the proposed festival budget. ¶
For large and mid-size festivals: Having more than one source of funding for event. Small festivals may rely on only one source of contributed income. ¶

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An active advisory board or working committee that takes responsibility for event.¶
A budget and staff appropriate to the scale of the activity.¶
A reasonable plan to retire debt—if applicable.¶

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1.4 Grant Amounts

The Festival Grant Program operates on a one-year cycle based on the City of Berkeley Fiscal Year (July 1-June 30). Awards will be contingent on the allocation of funds from the City Council each year. The total amount allocated to each of the three grant categories (Arts Organizations, Festivals, and Individual Artists) will be recommended by the Civic Arts Commission's Grants Committee after an evaluation of the review panel results and based upon the size of the applicant pools and the corresponding scores. The Grants Committee's recommendation will be forwarded to the full Civic Arts Commission for approval.

Festival Grants will be awarded accordingly:

Small Events with a proposed budget of up to \$5,000	Grants up to \$5,000
Mid-Size Events with a proposed budget between \$5,001 - \$50,000	Grants up to \$14,000
Large Events with a proposed budget over \$50,000	Grants up to \$17,000

Budget levels will be calculated based on cash income. In-kind donations may be listed but should be kept separately from the budget numbers used for calculating category eligibility.

1.5 Funding Use Restrictions

- Grant funds may not be used for:
 - Previous year's operating deficit.
 - Administrative costs or other organizational costs unrelated to production of the event.
 - Capital improvement projects.
 - Programs in the schools during school hours.
 - Ongoing and continuous programs.
- No part of the grant shall be used to promote or inhibit religion nor for any political advocacy.
- Applicant organization cannot submit more than one application for the Festival Grant Program category. (This does not apply to fiscal sponsors who are submitting applications on behalf of different fiscally sponsored projects or event producers who may be producing other festivals.)
- Activities not available to the general public.
- Activities taking place outside the City of Berkeley. If the festival takes place in other cities in addition to Berkeley, Civic Arts Grants funding may only be used for the events taking place within the City of Berkeley. Budgets must distinguish which portion of the funds will be spent within Berkeley and which portion will be spent outside of Berkeley.
- Events where fundraising is the primary purpose.

1.6 Fiscal Sponsors

Definition of Fiscal Sponsor: Fiscal sponsor is a 501(c) tax exempt and nonprofit organization that has been assigned the responsibility to process the funds of another organization. It is the responsibility of the fiscal sponsor organization to consult with a tax professional to determine whether their particular tax exempt designation allows them to fiscally sponsor another organization. Fiscal sponsorship may take the form of processing a single check or providing complex accounting services and project oversight and is unique to each circumstance.

Organizations applying for funding through a Fiscal Sponsor should take particular note of the following requirements that the Fiscal Sponsor must meet:

- Fiscal Sponsor shall be responsible for all fiscal obligations of the grantee’s awarded funds.
- Fiscal sponsor ~~may be located anywhere within the United States,~~
- A written contract or Letter of Agreement between the applicant and the Fiscal Sponsor specifying the conditions of the Fiscal Sponsor arrangement must accompany the grant application. **(This agreement must be between the Fiscal Sponsor and the organization; a memorandum or letter to the Civic Arts Commission is not sufficient).**
- If the Fiscal Sponsor is also an applicant to the Festival Grant Program for their own organization’s festival grant applications, any funds awarded to the organizations that they fiscally sponsor will not be counted as part of the fiscal sponsor’s application budget.
- Information submitted in the grant application, including all budget information, applies to the organization conducting the festival, not the Fiscal Sponsor.

Deleted: must be based in Berkeley.

2. GRANT APPLICATION MATERIALS

In order to be considered for funding applicants must submit fully completed grant applications and all required application materials. The Festival Grant Program application consists of the following components:

- General Organization and Event Information.
- Event Narrative.
- ~~Staff and/or Event Personnel Bios and/or Event producer’s Resume,~~
- Board of Directors or Working Group Roster, including occupation, city of residence and term of office.
- ~~Event Budget Form and Budget notes.~~
- Current 501(c) Letter.
- **If fiscally sponsored:** Fiscal Sponsor Supplement including a letter of agreement between applicant and fiscal sponsor and the fiscal sponsor’s Federal Tax Exempt Status Letter.
- Supporting Materials: Maximum of three items total that reflect the applicant’s event. Examples include PDF copy of the following: brochures, catalogues, programs or other collateral produced by the applicant and/or press reviews or articles from sources outside the organization.
- Declaration to meet City Special Event Requirements.
- Staff may request that the applicant provide the following updated documents prior to the Panel Review:
 - Current 501(c) determination letter from the Internal Revenue Service.
 - Certified Articles of Incorporation and organization By-Laws.

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3. EVALUATION CRITERIA & SCORING SYSTEM

3.1 Evaluation Criteria and Weighting

Applications will be evaluated according to the following criteria which are described so that applicants may have an idea of how the panel will score each application:

Event narrative & significance & community impact _____ 25 percent

- Clarity of the event’s vision and how well the event relates to the applicant’s mission, purpose and goals.
- How well the event demonstrates celebration of cultural richness, historical significance and/or the significance of their neighborhood’s uniqueness.
- Evaluation of estimated attendance and participatory activities.
- Extent to which the entire festival is free of admission.
- Demonstrated community benefit through indicators such as: contribution to the City of Berkeley as a cultural destination, attraction of people and volume of activities in a specific location that result in the vibrancy of a geographic area, number of participating artists, and local organization participation.
- Extent of positive impact on neighborhood where event occurs. How well the event aligns with the culture of the neighborhood where event occurs. How well the event reaches the targeted audience.

Communications, marketing, and outreach _____ 20 percent

- Ability to build a greater community understanding of the event.
- Effectiveness of conducting outreach through public awareness campaigns (social media, press releases, flyers, posters, newspaper ads, speakers’ bureaus, etc.)

Financial and budgetary capabilities/leveraging of City funding _____ 20 percent

- Demonstrated financial health, evidenced by:
 - Receiving outside sources of funding.
 - Managing a budget size and percentage of earned revenue appropriate to the activity.
 - Not carrying an accumulated debt greater than 25% of the proposed festival budget.
 - For large and mid-size festivals: Having more than one source of funding for event. Small festivals may rely on only one source of contributed income.
- Ability to produce a profitable or break-even event measured on a cash basis.
- Extent of diversified financial support and in-kind contributions and/or volunteer resources used to leverage the City’s grant funding.
- Evaluation of event’s dependence on City funds and City in-kind donations of services and City waiver of fees – Does the event receive simultaneous funds from multiple City of Berkeley funding sources including collaborators seeking funds from the City to work on different components of the same project? How much funding is being provided by City departments and individual Council members?
- Applicant is in good standing with the City of Berkeley and has met final reporting requirements for previously awarded grants in a timely manner. Organizations who have submitted prior year’s final report late will have their scores reduced according to how late the report was submitted: up to one week late (minus 1 point) and up to one month late (minus 2 points) and over one month late (minus 3 points).

Ability to produce a quality, well-planned, safe event _____ 20 percent

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- Organization/event producer demonstrates strong accomplishments, and provides examples of previous achievements that are relevant to the proposed event.
- Ability to acquire necessary permits in a timely fashion.
- Experience in producing and promoting well-planned, safe events.
- Depth of managerial and organizational capacity.
- Demonstrated sound administration and fiscal management, evidenced by:
 - An active advisory board or working committee that takes responsibility for event.
 - A budget and staff appropriate to the scale of the activity.
 - A reasonable plan to retire debt—if applicable.

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Cultural equity impact _____ 15 percent

- Demonstrated ability of the applicant to support Berkeley’s diverse cultural traditions and values, including capacity to support the City’s underserved communities.
- Applicant clearly articulates how their event is rooted in and reflective of historically marginalized communities and geographically underserved areas of the city.
- Event reaches out to economically disadvantaged communities and communities that lack conventional arts venues or formal arts programs.
- The applicant organization demonstrate a commitment to cultural equity. For example, strategic board development to ensure that the board of directors includes members from historically marginalized communities.

3.2 Rating System

When evaluating each criterion, panelists will use the following 10-point scale, which is then translated to the appropriate weight for each criterion:

- Exceptional (9 - 10 points)
- Somewhat Exceeds Expectations (8 – 8.9 points)
- Meeting Accepted Standards (7 – 7.9 points)
- Needs Improvement to Warrant Funding (6 – 6.9 points)
- Does Not Merit Funding (0 – 5.9 points)

An applications must receive an overall score of at least 70 percent of total possible points in order for the panel to consider it for funding. However, achieving a score of at least 70 percent of total possible points does not guarantee that the panel will recommend an application for funding, as funds may not be sufficient to recommend a grant for all applicants that score above the minimum threshold.

4. APPLICATION REVIEW PROCESS

4.1 Eligibility Screening

Civic Arts Program staff will review for completeness and eligibility all applications that meet the deadline. Applications that pass this initial review will then be evaluated for their strengths by a separate Grant Review Panel, which will review the applications and related materials submitted by applicants.

4.2 Grant Review Panel

Applications will be reviewed in three differentiated categories (Small, Medium and Large events) based upon proposed event budget in order to make the competition among applications more equitable.

The Review Panel will be comprised of individuals experienced in special event grant funding and City staff familiar with special events in Berkeley. An open call and application for potential review panelists will be advertised. Review panelists will be approved by the Civic Arts Commission.

Review Panelists must not have any conflict of interest, which is defined as a situation in which a panelist has a competing professional, financial, or personal interest, which might make it difficult to fulfill his or her duties impartially and could impair an individual's ability to perform his or her duties and responsibilities objectively. A conflict of interest exists even if no unethical or improper act results. A conflict of interest can create an appearance of impropriety that can undermine confidence in the selection process, the Grants Program, the Civic Arts Commission and the City. If a panelist has a conflict of interest, they must recuse themselves and they must notify the City staff in advance of the panel (so that they're not assigned a lead reader role for those cases) and they must leave the room during any panel discussions regarding the applicant with whom there is a conflict of interest so that the panelist does not influence the process.

Applicants are encouraged to attend the Grant Review Panel meeting which will be held during normal City business hours and will be publicly accessible. Staff will send the grant review schedule and meeting location to applicants before the Review Panel meeting.

Applicants are not permitted to address the Review Panel. Panel notes summarizing the Review Panel comments will be made available to applicants upon request following City Council's approval of the annual budget.

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4.3 Civic Arts Commission Approval and City Council Review

After the Grant Review Panel has scored all applications, the Civic Arts Commission's Grants Committee meets to develop funding recommendations in alignment with the ranking of scores within each category and to align proposed grant awards with available funds and for consistency with granting policies and guidelines, before forwarding the recommendations to the full Civic Arts Commission.

The award amounts as recommended by the Grants Committee are made public at least five business days prior to the Civic Arts Commission approval. The Civic Arts Commission reviews the funding recommendations for approval and once approved sends the slate of selected grantees and grant amounts to City Council for review. Grant awards are subject to the City Council's adoption of the annual budget, which usually occurs in June.

5. SELECTED GRANTEE CONTRACTUAL REQUIREMENTS

5.1 Business License

All team members (fiscal sponsor, applicant organization and event producer) from the successful grant applicant team must have a current Berkeley Business License.

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Moved down [1]: In addition, successful grant applicants must comply with the City of Berkeley's insurance requirements demonstrating adequate insurance and liability coverage for their event.

5.2 Invoices

Grantees may invoice for 100% of the grant amount once they have received the grant award invoice/agreement from the City of Berkeley's Civic Arts Program following City Council's approval of the fiscal year's budget.

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5.3 Final Report

Festival grantees must submit a Final Report for the event on a City-provided form (to include a post-event evaluation, estimated attendance and final budget). While grantees may submit final reports as soon as the grant funded event has taken place, they must submit the final report no later than 60 days after the grant period ends at the latest. Grantees must be current on filing required reports before they can receive grant funding. Final report must demonstrate that the projects was developed and presented in Berkeley and culminated in a local event or festival with meaningful, accessible engagement of the public within the grant period. Submitting a final report later than the deadline will affect the applicant's score for the following year's grant application as noted in the scoring criteria – see section 3.1 "Evaluation Criteria and Weighting." Applicants who have not submitted a final report will be ineligible from applying for any future Civic Arts Grants.

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5.4. Financial Penalty for Late Final Reports¶
If Final Reports are not submitted by the deadline, the City of Berkeley may assess a financial penalty of \$25 per day for each business day a submission is late beyond the submission requirements deadline. The penalty amount will be deducted from the final invoice payment. The penalty amount is capped at 10% of the total grant amount.¶

5.4 Acknowledging City Support

Grant recipients must acknowledge the City's financial support in all appropriate materials and media. The acknowledgement should read, "Supported in part by a Civic Arts Grant for Festivals from the City of Berkeley" or similar language, unless the City is a part of a list of supporters. In the latter case, the acknowledgement may say simply City of Berkeley Festival Grant. Grantees must display the City's logo wherever other sponsor logos are displayed, and in accordance with City logo use guidelines.

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5.5 Permits

The awarding of funds does not imply that the City of Berkeley's Civic Arts Program or any other City department will produce, exhibit, or present the event or art created for the event. It is the responsibility of the festival grantee to secure the event venue and obtain the necessary event permits from the appropriate City departments and governmental agencies. The awarding of a Festival Grant does not guarantee event permit approval from the City. Organizations planning to conduct an event on outdoor public property in the City of Berkeley must submit a Special Event Permit Application to the City of Berkeley and are responsible for all permit fees and costs. In addition, successful grant applicants must comply with the City of Berkeley's insurance requirements demonstrating adequate insurance and liability coverage for their event.

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5.6 Refund of City Funds if Event is not Permitted

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If grantee is unable to obtain a Special Event Permit from the City, the grantee must refund any grant payments received from the City for the funded but not-permitted project.



FREIGHT FEST
FREE
9/28

P
19040

NO PARKING
10:00 AM TO 3:30 PM
10/4/11 TO 10/4/11
City of Berkeley
STREETS DIVISION

STREETS
DIVISION
644-6620

C.O.B.
STREETS DIV.

311

CA EXEM
108192

Pickle
PICKLES
BRANDS
PRESERVE



Lowvorn, Jennifer

From: T. Taplin <terryataplin@gmail.com>
Sent: Wednesday, October 16, 2019 9:36 AM
To: Lowvorn, Jennifer
Cc: Jill Randall; Bruce Coughran; Kim Anno; Susan Felix; Berkeley Mayor's Office
Subject: The Deaccession of Berkeley Big People

Dear Jen, et alia.

In the aftermath of the deaccession of the Berkeley Big People from the Pedestrian Bridge I can't help but feel a sense of loss. I am often at Aquatic Park and will miss these sculptures very much.

I feel that District 2 is really loosing out on the arts front. Between the loss of Fantasy Studios, the potential displacement of the Murray tenants, the finite amount of commercial and industrial space in D2 on top of prohibitive zoning driving MU-LI tenants to compete with one another beyond the limit of economic sustainability, and the removal of public art, as the former D2 Civic Arts Commissioner having worked on the Arts & Culture Plan update I feel that my district has been let down by our representative leadership on Council.

I'm wondering whether it may be possible to A) Identify potential locations in D2 between Aquatic Park and the Marina to install public art should the Pedestrian Bridge no longer remain a public art sight and B) if we can approach the Mayor's office, here cc'd, about introducing legislation to declare District 2 an Historic Arts + Industrial District ratifying protections for both commercial and industrial tenants as well as the media production uses in the zones where media orgs have operated, either currently or formerly which need not preclude expansive office usages .

Districts 4, 2, & 3 are each an arts district. Indeed, the entire City should be arts-driven.

Sincerely,
Terry Taplin

--

Nutrisco et Extinguo

LUNA DANCE INSTITUTE

September 10, 2019

Jennifer Lovvorn
Chief Cultural Affairs Officer, City of Berkeley
2180 Milvia Street, 5th Floor
Berkeley, CA 94704

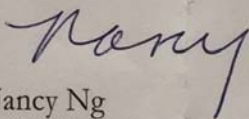
Dear Jennifer,

The Berkeley Civic Arts Commission has been instrumental in changing the lives of thousands of Berkeley children and families through the art of dance. Luna Dance Institute's board and staff gratefully acknowledge the recent contribution of \$8,324 for our dance education programming focused on creativity, equity, and community. We recognize there are many exemplary organizations in Berkeley, and we are honored to be included as a community-based organization in your portfolio.

Support from the Berkeley Civic Arts Commission ensures that Luna can bring high quality, developmentally appropriate dance education to dance artists, schools and community agencies, and children and their families. For the past 27 years, Luna has been committed to the development of our early childhood students, and as our programs organically evolve and expand we seek to understand the best ways to engage our community's youngest citizens. With your support we are able to see kids blossoming into their full-selves and parents connecting with their children in new and healthy ways. Luna is also committed to the development of parents, artists, activists and educators through our Professional Learning program.

Thank you for your continued support of Luna's innovative programs. We consider the Berkeley Civic Arts Commission an integral partner in our work and we greatly appreciate your generosity over the years. Together, we can fulfill Luna's Theory of Change—children embodying the future, dance cultivating creativity, and policy sustaining equity—within the next generation.

Warmest Regards,



Nancy Ng
Executive Director, Creativity & Policy

CC: Jordan Klein, Director of Economic Development

Luna's tax ID is 56-2467645. No goods or services were received in exchange for

Jennifer,
Please spare
card & letter
w/ the Civic
Arts Commissioners.
Thank you,
Nancy

Jennifer & Berkeley
Civic Arts Commissioners,

Thank you so much
for your continued
support of Jura. We
are heartened to see
Jura take its rightful
place in the arts &
cultural ecosystem
in Berkeley.

Best regards,
Nancy Ng