

## City of Berkeley Festival Grant Guidelines

FY20 Grant Cycle for Festivals and Special Events Taking Place: July 1, 2019 — June 30, 2020

[Version 2 Draft Guidelines, Dated November 28, 2018]

[All comments in blue are editorial.]

### 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 free admission, although these events may include fee-based access to some portion of the event.

Having received City of Berkeley funding in prior years is no assurance that an organization will be awarded a grant in any given year.

#### 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 in the last two years at a comparable scale to the proposed grant-funded event.
- Designated as a not-for-profit corporation under Section 501(c)3 or 501(c)6 of the Internal Revenue Code. Organization/fiscal sponsor 501(c) status must be current and may be verified in GuideStar by City staff.
- Organization (and its fiscal sponsor, if applicable) must be housed in the City of Berkeley with its corporate address in the City of Berkeley. Organization and fiscal sponsor address will be verified in GuideStar by City staff.
- Organization's event takes place at some point during July 1, 2019 – June 30, 2020 in the City of Berkeley and is a discrete event, not an activity within a larger festival or program.
- 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.
- Demonstrate 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.
- Demonstrate 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 activity.
  - A reasonable plan to retire debt—if applicable.
- Declared ability to meet City requirements for funded events:
  - Be able to meet the City of Berkeley's insurance, business license and special event permit requirements. See Section 5. "Selected Grantee Contractual Requirements" for details. [\[This is detailed in the Contractual Requirements - Section 5\]](#)
  - 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.

#### 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.
  - An ongoing series of activities.
- 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.

- Events where fundraising is the primary purpose.

## 1.6 Fiscal Sponsors

Definition of Fiscal Sponsor: Fiscal sponsor is a 501(c)3 or 501(c)6 tax exempt and nonprofit organization that has 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 sponsor must be based in Berkeley.
- 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).** See the Fiscal Sponsor Supplemental Information Sheet. [\[Add as addendum to the grant application.\]](#)
- 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.

## 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:

[\[The specific application questions and required documents will be further developed for each of the application components listed below and will correlate to the Evaluation Criteria found in Section 3 and will be in the same order with the same wording as the special event permit application.\]](#)

- General Organization and Event Information.
- Signed Declaration to meet City Special Event Requirements.
- Event Narrative.
- Sources of Funds Statement.
- Event Budget Form and Budget notes. [\[Application form to include budget form for Cash Budget and In-Kind Budget form for donations which will be listed as separate from Cash Budget.\]](#)
- Organization Budget.
- Community Impact.
- Board of Directors Roster, including occupation, city of residence and term of office.
- Event producer's Resume.
- Current 501(c) Letter.

- Supporting Materials (OPTIONAL), Maximum of 3 items total that reflect the applicant’s event. Examples include soft or hard 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.
- 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.

**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 & cultural, historical and/or neighborhood significance \_\_\_\_\_ 20 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.
- How well the event demonstrates historical significance.
- How well the event demonstrates significance of their neighborhood’s uniqueness.

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

- 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?

Ability to produce a quality, well-planned, safe event \_\_\_\_\_ 15 percent

- 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.

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 a diverse board of directors.

Community Impact \_\_\_\_\_ 10 percent

- Evaluation of estimated attendance and participatory activities.
- 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.

### **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 after the Grants Committee's review of the panel recommendations, but before the Civic Arts Commission's approval.

After the Grant Review Panel has scored all applications, Grant Review Panel develops funding recommendations in alignment with the ranking of scores within each category.

After the Panel Meeting, Staff will review the Review Panel's recommendations to align proposed grant awards with available funds and for consistency with granting policies and guidelines.

## **4.3 Civic Arts Commission Approval and City Council Review**

The funding recommendations are submitted to the Civic Arts Commission Grants Committee, which reviews them and makes reasonable modifications it deems necessary in order to be consistent with policy, 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 review. 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 and Insurance Requirements**

All team members (fiscal sponsor, applicant organization and event producer) from the successful grant applicant team must have a current Berkeley Business License. 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 90% of the grant amount once they have submitted a complete Special Event Permit application with cursory approval by Special Event Permit staff. Grantee's invoice for remaining grant funds will be paid within 30 days of approval of the Final Report by Civic Arts staff.

### **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.

### **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.

### **5.5 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.

### **5.6 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.

### **5.7 Refund of City Funds if Event is not Permitted**

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.

### **5.8 City of Berkeley Special Event Requirements** [\[Working with City's Special Events Staff on this section – This section shouldn't be the guidelines for the events, but needs to provide enough information to grant applicants so that they know what the requirements will be.\]](#)

- Be orderly and sensitive to public safety by obtaining permitting from appropriate City departments in the neighborhood where the event will be held.
- Comply with all applicable municipal ordinances, including those from the [Public Health and Human Services? Public Works?].
- [Include any other special event requirements – sound, food, environmental, security, etc.?)

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