

Boulder Arts Commission Agenda
July 20, 2016, 6:00 p.m.
Canyon Meeting Room, Boulder Public Library

CALL TO ORDER

Approval of Agenda

REVIEW OF MINUTES

June 15, 2016

PUBLIC COMMENT

GRANT PROGRAM ACTION ITEMS

PROFESSIONAL DEVELOPMENT SCHOLARSHIPS

Forrest Lotterhos, Alliance of Artist Communities, Portland, Oregon, Request: \$1,000
Sue Boorman, Movie Maker Academy (9 week online course), Request: \$500

GRANT FINAL REPORTS

Ethan Hecht, FY16 Professional Development, Chorus America Conference, Ohio
Emily Norman, FY16 Professional Development, Alliance Theatre's Toddler Takeover: An Arts Festival for the Very Young in Atlanta, GA
Cindy Sepucha, FY16 Professional Development, AFTA Conference
Cynthia Sliker, FY16 Professional Development, League of American Orchestras 2016 Conference: "The Richness of Difference" in Baltimore, Maryland
Boulder Ballet, FY15 R2 Arts in Education Grant, Reach the Summit, the Science of Dance

2017 GRANTS PROGRAM BLUEPRINT

PRESENTATION: Preliminary Proposals for Changes to the 2017 Grants Program – Matt
PUBLIC COMMENT
FOR DISCUSSION: Recommendations to Staff on Changes – Ann

MATTERS FROM COMMISSION MEMBERS

ACTION ITEM: Unassigned Grant Funds – Ann
FOR DISCUSSION: Proposed 2016 Arts Commission Retreat – Ann

MATTERS FROM STAFF

FOR DISCUSSION: Manager's Update – Matt
FOR DISCUSSION: Vacant Commissioner Position – Matt
FOR DISCUSSION: Public Art Policy Revision – Mandy
FOR DISCUSSION: Commission Business – Matt

1. Schedule for Remaining Arts Commission Meetings in 2016
2. Sunshine Rules
3. New Process for Drafting Agendas and Packets
4. New Section in Packet for Correspondence
5. Introduce Maureen

ADJOURNMENT

City of Boulder
Boulder Arts Commission Meeting Summary

Date of meeting: Thursday, June 15, 2016, at 6 p.m. Canyon Meeting Room, Boulder Public Library

Contact information preparing summary: Jennifer Bray, 303-441-4160

Commission members present: Richard Turbiak, Ann Moss, Felicia Furman, Mark Villarreal (Tamil Maldonado not present)

Library & Arts Department staff present:

Matt Chasansky, Office of Arts & Culture Manager
David Farnan, Director of Library & Arts Department
Mary Fowler, Creative Sector Initiatives Coordinator
Mary Haan, Creative Sector Initiatives Coordinator

Public present: Frank Navarro-artopolis; Sue Boorman; Amy McIntosh, David Sharp, M. Ward, Tina Lewis-Kutandara Center; Heather Beasley-Boulder Ensemble Theatre; Joshua Doolittle-Bambitat; Jenifer Sher, Robert Sher-Machherndl-Lemon Sponge Cake Contemporary Ballet; Kathy Kucsan-Integrity Arts; Emily Harrison-square product theatre; Michael Malpildi, Forrest Lotterhor, Scott Mansfield, Miles Meori, Addrienne Amato, Jonathan Montgomery, Shauna Lane, Ellie Swensson-Boulder Writers Warehouse; David El Rey; Amy C.B. Rusterholz; Mari Madeira, Elisa Snyder-Boulder MUSE; Brian Jack-Boulder Bassoon Quartet; Christopher Seelie-BMoCA; Jennifer Formen-etown; Lynn Segal.

Type of meeting: Regular

Call to Order: Called to order at 6 p.m.

6:02 p.m. - Approval of Agenda

Turbiak moved to accept the agenda, and Furman seconded. Vote was 4-0 in favor of accepting the agenda.

6:03 p.m. - Public Comment

(Note: public comment is open to all topics, except for the "2017 Grant Program" agenda item, below, for which a separate public hearing will be included.)

Amy Stewart Mackintosh, Kutandara Center – Minutes are incorrect/incomplete from March/April meeting. Eligibility criteria should be reviewed and held to, was not right to reverse previous grant decision -- to award them a grant, and later revoke it. Please reinstate the grant.

David Sharpe, Kutandara Center student - Came to Boulder from California. Overjoyed to see the arts in Boulder, and wants to advocate for the incredible work the Kutandara Center is doing. Asking Arts Commission to consider funding them, and not letting the grant revocation stand.

Sue Boorman, applied for a professional development scholarship which is being considered tonight – She would love to show the film a couple times in the community about police and hippies having

football games in the 1970s to ease tensions. Would also host a Q&A after the screening, and talk about the filmmaking process.

6:13 p.m. - Review of meeting summary from April 20, 2016 meeting

Ann Moss – asked for changes to the April minutes: Instead of the term “weight class”, replace with the term “small and medium grant”. Correct misspellings on page 4 “Jaipur” and “Boulder”. Correct the numbers associated with Avery Turner’s application from “23.3” to “2.3”.

Furman moved to approve the meeting summary with Moss’s changes. Villarreal seconded. Vote was 4-0 to approve the meeting summary notes with Moss’ changes. Moss will draft an apology letter to Kutandara Center about how the grant process went this spring.

Grant Program Action Items

6:18 p.m. - Professional Development Scholarships

Brenda Alderete, Moog Festival, Durham, NC, Request: \$1,000. Awarded grant for \$1,000. Turbiak moved to give Alderete the \$1,000 grant, Furman seconded, vote was 4-0 to approve grant award.

Susan Boorman, Movie Maker Academy, Online module, \$1,000. Villarreal mentioned that the class is online and not out of state, so the applied for amount was incorrect and should have been only \$500 versus the \$1,00 requested. Changed request to consider funding for \$500. Furman would change her score from 2 to 3, and Moss willing to change her score as well from 2 to 3. Score was still below 3.0, so grant not moving forward for approval.

Innovation Fund

1. Process Review 2. Presentations by Applicants 3. Commissioner Response and Discussion 4. Call for Rescoring 5. ACTION ITEM: Approval of Grant Recipients

Moss spoke overall about the purpose of the Innovation Fund grants, and how the scoring process works, especially in the case of a tie.

Innovation Fund applicant presentations (up to 3 minutes each) to address questions/concerns from Arts Commission.

1. Joshua Doolittle – Arts Commission question was where would you do this project? Doolittle responded that he has made arrangements with a farm on 63rd Street east of Boulder to build these structures as prototypes, and then the farm can use them later for tools, etc.
2. Ethelyn Friend – sent in a letter that Matt is reading to Arts Commission.
3. Brian Jack – Project would align with concert series at the Dairy Center, adding to momentum for contemporary classical music. Opportunity for wind/chamber ensembles to perform together. One performance would be “teased” at all the other groups’ prior concerts.

4. Gabriel Pastrana – hope to learn how to engage an audience, on several levels. Can you engage an audience in crowdsourcing an art piece? Can art be crowdfunded? Upload individuals’ films to create a larger product/film? Would this work for other projects, such as music or writing?
5. Ellie Swensson – Turned in letters of support from the community. Many individuals in attendance at the commission meeting raised their hands in support of the Writers’ Warehouse. Testing a theory from the Community Cultural Plan surrounding innovation, diversity, etc. Impact to community, will reach out to many agencies in the community of all ages to launch the Writers’ Warehouse.
6. Artopolis – visual art. Appears to be a big gap between his ideas and the questions from the commission. Too early stage for him to be able to really clarify the specifics, difficult to convey.
7. Boulder Digital Arts – Bruce Borowsky, co-founder. Community resource to learn skills they need. Have been wanting to do a Digital Arts Festival since almost the beginning of BDA to showcase the creativity coming through BDA – intersection between art and technology. At the Dairy Center. Short films to apps to websites. Cutting edge creativity. BDA has a solid email list, along with the Dairy Center’s email list for marketing. Impact with workshops to the community for all ages.
8. Boulder Ensemble Theater Company – Heather Beasley. Tech Tuesdays. Targeting the tech sector for pre-show receptions. Targeted audience groups. Building larger audiences. Prices for participation are very affordable. Tracking repeat attendance and new donor gifts.
9. Boulder MUSE Foundation - Arts Commission had many questions, and the applicants chose not to try to respond to them at this time as they are still formulating the proposal.
10. Lemon Sponge Cake – Robert Sher-Machherndl. “White Fields.” He listed successes of company. Performance investigates impacts of gun violence. 55-minute work. Performed outside in the evening with a grand piano that will be brought in to the park.
11. Spark Boulder – Test if providing this space (a lab) will help build the entrepreneurial community. More holistic approach to entrepreneurship. Startup community. Impact – over 3,000 attendees; over 40 companies have come out of the space. Numerous meetups hosted. They are a legitimate nonprofit, 501c3.
12. Square product theatre – Emily. Cultural activity to engage civic conversation. Producing an entire season about programs that facilitate dialogues regarding issues of privilege and race. Does this project inspire ongoing civic engagement? Partnering with civic organizations, encouraging participants to take action, and have empathy through learning.

Arts Commission took a 10-minute break to discuss the comments and consider grant applications. Moss thanked the applicants, and urged them to please re-apply if not successful this time. Commission went through each application’s scoring and discussed if they wanted to change any of their scores. Scores were adjusted accordingly. Top scorers were:

BETC – 3.4, and requesting \$5,000.

Square Product Theatre – 3.35, and requesting \$12,000.

Furman moved that BETC will be awarded \$5,000; and Square Product Theatre will be awarded the remaining \$7,000. Villarreal seconded. Turbiak disagrees that BETC's application is very innovative. Furman, Moss, and Villarreal all voiced their support for why they felt this grant application is innovative and interesting and experimental. Vote was 3-1 in favor of the grant awards. (Turbiak dissenting)

GRANT FINAL REPORTS Stephanie Fida, FY14 R2 Arts in Education Grant, World Music Drumming (Attached) Alexa Allen, FY 16 Professional Development, School of Shoemaking and Design Imagination Makers, FY15 R1 Arts in Education Grant, Arts Education Partnership at Boulder School

Turbiak moved to approve reports, Furman seconded. Vote was 4-0 in favor of approval.

2017 GRANTS PROGRAM BLUEPRINT PRESENTATION: Lessons from the Community on the 2016 Grant Program – Chasansky PRESENTATION: Staff Recommendations on Priority Issues to Address – Chasansky PUBLIC COMMENT FOR DISCUSSION: What are the priority improvements that should be considered for 2017? (Note: a summary of this presentation is available in the June packet.)

Questions from commission:

Furman: Why did we decide to do all of the grant considerations in the spring? Chasansky: It had to do with the city budget cycle.

Maldonado (Moss read at meeting): It was overwhelming to read so many grants at the same time – Is there any way to spread them out a bit?

Turbiak: Can we focus on strategies rather than priorities? Chasansky: We don't want to lose opportunities that the city itself cannot do.

Moss: Can we change the concept of how the grants work? We accept so many applications, and the applicants have put so much work into them, and then the commissioners need to read and score them all, and so many are never funded. Could we change it to be a concept paper type approach at the beginning to vet out the really developed ideas to consider?

Villarreal: Do the applicants know that we are judging the application and not the organization or the artists themselves or the artistic merit? Chasansky: Staff can try to help with conveying that message, and also try to help applicants build their skills in applying for grants.

Moss: Can we increase the size of our commission? Maybe two more people. Farnan: Size of commission is in the city charter, so would have to go to a vote of the community. We could have a subcommittee perhaps.

Turbiak: Is it the city's purview to judge artistic merit? We are to be objective at the same time that we are asked to be subjective and judge artistic merit.

Villarreal: Does the public know the Arts Commission's backgrounds? Chasansky: Backgrounds are provided when a commissioner is selected to be added to the commission, but staff could add biography information to the commission webpage.

Turbiak: Do we want to create something that looks at festivals differently?

Moss – let's open this up to the attendees at the meeting.

David El Rey: Thank you and this has been a really good learning process. Found it odd that the artistic merit was not a factor. Likes the idea of a first round of concept papers that would save everyone a lot of time and effort. Likes the idea of having jurors' biographies or backgrounds easily available.

Emily from BETC – They are disappointed that Maldonado's (absent commissioner tonight) scores were not counted because if she had been here and her scores counted, BETC would have been top scorer and would have been fully funded, so a big disappointment. Any commissioner who has any connection with an organization should recuse themselves. Also bringing up the question of whether for-profit and nonprofit organizations should be competing for the same grants.

Jennifer from etown: Three-year grant cycles are really helpful for programs, and we will help you advocate for more funding in general. Flexible funding is really important.

Lemon Sponge Cake – Robert: Encourage commissioners to go and watch and see the arts organizations and what they are doing. See and not just hear. I go to everything wherever I can, what interests me to feed my brain and my soul. Very important. You want to achieve excellence and be the best artist – please consider artist excellence. Also consider older art forms like music and dance. Be passionate.

Amy Buckler, Square Product Theatre: Thanks for your transparency. You said tonight that the application is what is being judged rather than the organization, but we are asked to include a lot of supplemental information about our organizations, so that seems like a disconnect. Diversity is more than just race, it is also gender and age and sexuality. This grant process seems too divisive and competitive, so it would be great if it could be at all collaborative. Very challenging for young arts organizations – hard to get off the ground.

Heather, BETC: Look at Americans for the Arts and their new statement of diversity: religion, etc. She also feels that this has been a divisive process, and interviews can help that. Would like to hear the commissioners' guidance and feedback, would be helpful. Should have a place on grant application where an organization or group could list the awards they've received and other feedback and reviews of performances that they have received.

Chris, BMoCA: Timing. SCFD is a significant deadline. Would be great if Boulder Arts Commission could move some of its deadlines to after April 15. Question of artistic merit is a difficult one. Transparency means that some people are going to disagree with you.

Amy, Kutandara Center: Eligibility criteria –examine the definition of that word to describe eligibility. Or you could use the word "requirement." Get clear between them as they have different meanings. Investigate where organizations fall when they fall into the cracks. Has been interesting to hear what people think about the difference between for-profit and nonprofit. Determine whether the 501c3 status is important to you.

Moss: any other comments from the commission?

Moss: Thanks to all of you (grant applicants). It's important that you all talk to City Council about the need for additional funding to meet the community needs.

Chasansky: Does this list agree with commission's thoughts about what staff should pursue for improving the grant process?

Moss: The issue about more information provided to organizations about why the jury scored them the way that they did, and how that can lead to unfair practices.

Villarreal: Don't want any application's scoring to suffer because the Arts Commission had too many to review and score.

8:52 p.m. - MATTERS FROM COMMISSION MEMBERS FOR DISCUSSION:

Fact Finding Mission on Artist Live/Work Spaces – Felicia, Mark, and Richard

Furman: Boulder is so expensive that it would be hard to duplicate here. (Loveland project). Boulder seems to have run out of empty warehouse spaces. Very impressive.

Turbiak: Really liked the Loveland art space. Loveland has decided that artists are in the same category as police officers, teachers, etc. as being valuable to the community. A home versus a commodity. Artists after one year no longer have to continue providing art portfolios, income statements, etc. There becomes a natural progression for when people move onto a different place. Thirty units, of varying sizes.

Villarreal: Ditto all of Turbiak's comments about Art Space. Shouldn't artistic merit come into play and skill level for artists, similar to the skills and certifications that teachers, police officers, etc. have to show. Thought it was a bit antiseptic – would have preferred a bigger communal workspace. Mixing living quarters with where you work, could get dicey. Artery was really wonderful, generous landlord, created their own ecology. Gift shop/gallery was not intimidating. Liked that a lot. City of Boulder just sold a piece of land that could have been perfect for mixed use live/work space. Artery is not living space.

9:06 p.m. - MATTERS FROM STAFF FOR DISCUSSION:

Manager's Update – Chasansky. No questions about the memo.

FOR DISCUSSION: Subcommittee on the Public Art Policy Revision – Chasansky. Office of Arts & Culture is requesting two commissioners: Mark Villarreal and Ann Moss.

Adjournment 9:09 p.m.

Next Meeting: July 20 at 6 p.m., Canyon Meeting Room, Boulder Public Library, 1001 Arapahoe Ave.

TO: Members of the Boulder Arts Commission
FROM: Matt Chasansky, City of Boulder Office of Arts + Culture
DATE: July 14, 2016
SUBJECT: Boulder Arts Commission Manager's Update



1. Notes on the Agenda for July 20, 2016:

- 2017 Grants Program Blueprint: Preliminary Proposals for Changes

At the June meeting of the Arts Commission, staff gave a presentation and a public hearing was held with the goal of establishing a list of priorities for improving the grants program in 2017. Below is that final list of priorities which staff has been working from:

- Communications Issues
- Artistic Merit / Excellence
- Eligibility Criteria
- Number of Jury Questions and Scoring Range
- Juror Comments
- Timing of Deadlines and Jury Steps
- Expertise and Sophistication of the Jury: Number of Jurors
- Funding Did Not Meet Community Need

Please note that this is not a comprehensive list of all the improvements that may be made, but rather represents the results of our discussion and a manageable task for staff to undertake. Refer to the meeting minutes and packet from June for further details.

Our goal for the July meeting is to discuss the options and provide advice to staff so they may refine and draft details for each of the changes in anticipation of further discussion.

- Unassigned Grant Funds

Attached please find a current budget for the 2016 grants program.

- Vacant Commissioner Position

I would like to thank Richard Turbiak for his many years of service to the Boulder Arts Commission. Richard resigned his position late last month due to personal obligations that will prevent him from giving his full attention to Arts Commission business. In addition to his tireless leadership as a commission member, he committed additional energy and time to sit on the steering committee of the Community Cultural Plan, provided leadership for the recent improvements to the grants program, and twice served as chair. Please join me in wishing him the best of luck and I look forward to his continued advocacy for cultural vitality in Boulder.

The process for selecting a new commissioner to fill the vacant seat now falls to City Council, who will be reviewing the applications from the last round of commission vacancies in order to appoint a new member of the Boulder Arts Commission. That decision is yet to be scheduled.

- Public Art Policy Revision

With the adoption of the Community Cultural Plan, the City Manager's Office has requested an update to Boulder's interim Policy on Public Arts to integrate the priorities our community identified in the Cultural Plan. This public art policy will guide all procedures and processes of public art program and has a long time-horizon, conceived with future generations in mind.

Coordination with a variety of City of Boulder departments is underway. The consultation is important, not only because many departments have done significant work in building the existing collection, but also to ensure efficient and strategic collaboration with partners across the municipal organization, including in the Finance, Legal, Community Planning and Sustainability, Communications, Parks and Recreation, and Community Vitality Departments. Representatives of these departments have assembled over the course of the summer contributing to the draft policy and will continue to meet to build a policy that makes sense for the community. The draft Public Art Policy will be presented to the City Manager's Office this August.

During the meeting, staff will facilitate a review of the current status of this project. To inform that discussion, please find a draft of the Public Art Policy attached.

2. Liaison Reports

Attached, please find reports that have been submitted from Commissioners and staff members serving as liaisons to recipients of organizational grants:

- Report by Ann Moss, liaison to the NoBo Art District.
- Report by Ann Moss, liaison to eTown.

Reminder to Liaisons: if you meet with your assigned organizations, please send me a brief memo of about one page summarizing the conversation for inclusion in the next meeting packet. Thanks!

3. Commission Correspondence

Attached, please find copies of email correspondence received by the Boulder Arts Commission during the period between the June and July 2016 meetings.

4. Staff Updates

Staff continues to contribute to the revision of the Boulder Valley Comprehensive Plan. New drafts of key chapters in the plan are currently being assembled, including more significant alignment with the Community Cultural Plan. The team is working towards a new set of public engagement activities in September.

Work continues on the short and long term plans for the Civic Area.

Work continues in collaboration with Arts & Venues Denver and the Bonfils Stanton Foundation on a feasibility study for a regional cultural alliance.

Staff continues to participate in the Climate Change Leaders team.

Work continues on renewal of the lease agreements with the Boulder Museum of Contemporary Art and The Dairy Arts Center.

Work continues on the 2017 division budget.

Work continues on the Alpine/Balsam (formerly Boulder Community Hospital) site engagement projects.

We wish to welcome Maureen Malone, our new board secretary for the Boulder Arts Commission. Mo will join us at the July meeting, and you will begin hearing from her on a regular basis.

- Grants, Organizational Support & Programs

Staff continues to work on changes to the cultural grants program for the 2017 cycle.

Organization surveys for the Arts & Prosperity 5 Study have been sent by AFTA to eligible art and culture organizations. The surveys are due back to AFTA on August 5. Staff continues to work with Boulder cultural organizations to complete the audience surveys.

We wish to welcome Susan Mahew, our new research assistant for the Arts & Prosperity 5 Study! Susan is a retired programmer and has worked with the Access Program serving the visual, hearing, autistic and early onset Alzheimer's communities. She volunteers at DAM giving member tours for the current exhibits. She also has a background in Art History.

Grant Reports: The Mid-year Operational Grant report is now available to grant recipients and will be due September 1.

Macky Rental Assistance Grants awarded:

Boulder Ballet, FY16 Macky Rental Assistance, Sensory Friendly Nutcracker 11/19/16 & 11/20/16, \$1,000.

- Public Art & Neighborhood/Community Programs

Work is ongoing to draft a new Public Art Policy. Internal Public Art Policy updates are underway a second stakeholders meeting on July 7. The meeting was positive, and our next convening will include charrettes in which we run types of projects through the proposed policy. A meeting in consultation with members of the Arts Commission is scheduled for July 19. Additional meetings with staff to further refine the document are scheduled through August.

The Office of Arts + Culture will have a booth at the August 17th Farmers Market to share more about the policy, the City's existing collection, and upcoming events through the Experiments in Public Art project.

The Public Art Program will be featured in the August/September edition of the City's newsletter which should arrive in your mailbox in early August.

Staff attended the Americans for the Arts Annual Conference in Boston.

Public Art Updates:

Staff assisted &Art, a private commissioning organization, to install TORUS in the Civic Area. This 9' x 9' x 5' interactive bronze sculpture by Mars-1 aka Mario Martinez will remain on display through October. The sculpture is on loan from the Alexander Chambers Gallery. TreexOffice was successfully installed and opened. This temporary project is a concept of artist Natalie Jeremijenko and a collaboration between CU Environmental Design Program, EcoArts and BMoCA.

Experiments in Public Art Temporary Commissions:

Matthew Mazzotta's concept is in full development mode/fabrication. His project's initial debut will be the week of August 20, with an event each week for six weeks. Matthew met with members of the selection panel last Friday, July 8th.

Emma Hardy's Boulder Beetles participated in the opening reception of TreexOffice, the Jamestown Fourth of July Events, and in Boulder on Sunday, July 10th.

Michael Dorninger will debut his project Sept. 15 – 20. Dorninger is looking for a place to stay while in town. If you are interested, please contact vinkm@boulderlibrary.org.

Ana Maria Hernando is currently building her concept, and will launch it on October 7th in conjunction with her exhibition *We Have Flowers*, currently on view at the University of Colorado Art Museum.

Civic Area:

Work continues on integrating a public art project in the Civic Area project.

Maintenance on works within the Civic Area will begin mid-late August.

Maintenance:

A draft maintenance plan for 2016-2018 is under review and conservation will continue on works within the collection.

▪ Creative Economy & Creative Professionals Programs

The Professional Artists Forum took place on June 14, 2016. A lively discussion took place of challenges for artists in our community. Our thanks go out to Mark Villareal, Tatiana Hernandez, Elizabeth Black, and Charlotte LaSasso for helping our team put together the program.

Updated Dance Bridge webpage for July including news that the Annual Dance is for Every Body showcases will once again take place at the library and its branches: Saturday & Sunday, Nov. 5 & 6 in Canyon Theater at main and Saturday, Nov. 19 at George Reynolds & Meadows Branches. Applications available starting July 20 at www.boulderarts.org/dance-is-for-every-body

Staff attended the Carson Brierly Giffin Dance Library annual meeting in Denver.

Staff continues to participate in the City of Boulder Community Engagement Workshop, a cross agency team building capacity and tools for public inquiry.

Work continued on research projects including the Cultural Asset Map, which will collect data on venues and resources in the community and the Artist Census.

Attachment One

Current Grants Program Budget as of July 13, 2016, page one

PROGRAM AREA / PROJECT	APPROPRIATED	PROJECTED	ENCUMB.	BALANCE
Operational Grants Large	276,000.00	280,000.00	280,000.00	0.00
OpsGrantLarge 01: BMoCA		50,000.00	50,000.00	
OpsGrantLarge 02: Dairy		50,000.00	50,000.00	
OpsGrantLarge 03: eTown		50,000.00	50,000.00	
OpsGrantLarge 04: Parlando		50,000.00	50,000.00	
OpsGrantLarge 05: KGNU		20,000.00	20,000.00	
OpsGrantLarge 06: BIFF		20,000.00	20,000.00	
OpsGrantLarge 07: Frequent Flyers		20,000.00	20,000.00	
OpsGrantLarge 08: Open Arts		20,000.00	20,000.00	
Operational Grants Sm	100,000.00	100,000.00	100,000.00	0.00
OpsGrantSmall 01: Boulder Chorale		10,000.00	10,000.00	
OpsGrantSmall 02: Fringe		10,000.00	10,000.00	
OpsGrantSmall 03: Boulder Opera		10,000.00	10,000.00	
OpsGrantSmall 04: Hip Hop Collective		10,000.00	10,000.00	
OpsGrantSmall 05: Band of Toughs		10,000.00	10,000.00	
OpsGrantSmall 06: LOCAL Theater Co		10,000.00	10,000.00	
OpsGrantSmall 07: Motus Theater		10,000.00	10,000.00	
OpsGrantSmall 08: NoBo Art District		10,000.00	10,000.00	
OpsGrantSmall 09: Boulder Chamber		10,000.00	10,000.00	
OpsGrantSmall 10: The Catamounts		10,000.00	10,000.00	
Community Projects	30,000.00	30,000.00	30,000.00	0.00
ProjGrantCmnty: JLF Boulder		10,000.00	10,000.00	
ProjGrantCmnty: Boulder Phil.		10,000.00	10,000.00	
ProjGrantCmnty: Samba School		5,000.00	5,000.00	
ProjGrantCmnty: Bridge House		5,000.00	5,000.00	
Arts Education	18,000.00	12,000.00	12,000.00	0.00
ProjGrantArtsEd: BMoCA		3,000.00	3,000.00	
ProjGrantArtsEd: Colo Shakes Festival		3,000.00	3,000.00	
ProjGrantArtsEd: Parlando School		3,000.00	3,000.00	
ProjGrantArtsEd: Janice Osburn		3,000.00	3,000.00	
Innovation Fund	12,000.00	12,000.00	12,000.00	0.00
StratGrantInnov: BETC		5,000.00	5,000.00	
StratGrantInnov: Square Products		7,000.00	7,000.00	

Attachment One

Current Grants Program Budget as of July 13, 2016, page two

PROGRAM AREA / PROJECT	APPROPRIATED	PROJECTED	ACTUAL	BALANCE
Rental Assistance	6,000.00	6,000.00	3,000.00	3,000.00
StratGrantRent: GBYO		1,000.00	1,000.00	
StratGrantRent: Colo Mahlerfest		1,000.00	1,000.00	
StratGrantRent: Boulder Ballet		1,000.00	1,000.00	
StratGrantRent: to be awarded		1,000.00		
StratGrantRent: to be awarded		1,000.00		
StratGrantRent: to be awarded		1,000.00		
Scholarships	10,000.00	10,000.00	7,905.00	2,095.00
ScholarProfDev: Cindy Sepucha		1,000.00	1,000.00	
ScholarProfDev: Cynthia Sliker		1,000.00	1,000.00	
ScholarProfDev: Alexa Allen		1,000.00	1,000.00	
ScholarProfDev: Ethan Hecht		1,000.00	1,000.00	
ScholarProfDev: Emily Norman		1,000.00	1,000.00	
ScholarProfDev: Christopher Seelie		1,000.00	1,000.00	
ScholarProfDev: Brenda Alderte		1,000.00	1,000.00	
ScholarProfDev: Amy Buckler		500.00	450.00	
ScholarProfDev: Emily K Harrison		500.00	455.00	
ScholarProfDev: to be awarded		500.00		
ScholarProfDev: to be awarded		500.00		
ScholarProfDev: to be awarded		500.00		
ScholarProfDev: to be awarded		500.00		
Admin / Contingency	7,234.00	7,234.00		7,234.00
Total	459,234.00	457,234.00	444,905.00	12,329.00
Unassigned 2016		2,000.00		

CITY OF BOULDER

POLICIES AND PROCEDURES

EFFECTIVE DATE:
Revised:

Policy on Acquisition and Maintenance of Public Art by the City

I. GENERAL POLICY

It is the policy of the City of Boulder ("City"), as a form of government speech, to commission, accept, display, and maintain public art on City-owned or managed property consistent with the procedures outlined below.

II. PURPOSE

This Public Art Policy holistically addresses the many facets of a public art collection. This policy supports components articulated in the Boulder Valley Comprehensive Plan, and specific goals articulated within the Boulder community (See Appendix B: Listing of Additional City Policies and Reference Plans, p13). This policy additionally reflects priorities found within the Community Cultural Plan (see Appendix C: Community Cultural Plan Excerpts, p14).

III. SCOPE

This policy applies to all artwork that is commissioned or acquired using city funds or artwork that is sited on city property, and applies only when the artwork meets all aspects of the following criteria:

1. The artwork was acquired, in some part, through city funds or under the agreement that maintaining the artwork is the responsibility of the City,
2. The artwork is sited in a public location that is either city property or a mutually-agreed upon location,
3. The artwork is a unique, one-of-a-kind piece conceived with its environment in mind,
4. The artwork is associated with an artist. In most cases, the artist will be involved from the design process, however some instances warrant the purchase of an existing artwork, and
5. The artwork is created with the intent that it be available for public display.

The policy's application does not extend to:

1. Artworks on display within city offices or city buildings that have restricted public access or regulated access. This includes artworks acquired for the sole purpose of office adornment and not for overall public experience.

2. Artworks temporarily displayed by private entities on City-owned or –managed property where the owner of such artwork has or intends to: retain ownership of the work; assume all responsibility associated with that display; remove it after an agreed upon duration has concluded.
3. For the purposes of this policy, elements that are not considered artworks within the realm of public art:
 - a. directional elements, wayfinding, signage, color-coding except where these elements are an integral part of the artwork
 - b. reproductions of original works of art
 - c. mass-produced objects
 - d. landscaping components unless designed by the artist and are an integral part of the artwork

IV. **LIMITATIONS**

The placement of public art on public property is a form of government speech and as such, is not subject to scrutiny under the Free Speech Clause. Therefore, the City has broad discretion to make decisions related to public art on public property.

The City shall honor other local, state and federal laws that may apply, including but not limited to the Colorado Fair Campaign Practices Act. The City shall exercise final approval authority over all decisions regarding public art on public City property.

In addition, the City shall recognize artist rights related to City-acquired art by virtue of the federal Visual Artists Rights Act of 1990 ("VARA," 17 U.S.C. §106A, et al.) including and not limited to prohibited modification or destruction of that artwork. The City will also recognize that an artist may waive his or her VARA rights pursuant to a contractual agreement.

V. **DEFINITIONS**

See Appendix A: Definitions (pp 10-12)

VI. **ADMINISTRATION**

Oversight and coordination of the City of Boulder Public Art Program is administered by the Office of Arts and Culture and its Public Art Program staff. The Office of Arts and Culture will additionally serve as the leading expert commissioning and maintaining a public art collection. The Boulder Arts Commission (BAC) will serve as an advisory, engagement group in support of the execution of this policy.

Public Art Implementation Plans: Commonly known as public art master plans, these Public Art Implementation Plans are supplemental work plan documents that will guide the use of public art funds with specificity: the sites, selection processes, funding levels, schedules, and detailed goals for each project. These plans are generated biennially by the Office of Arts and Culture to properly steward the public trust and successfully complete public art commissions, and may occasionally be generated to serve specific projects

Public Art Implementation Plans will work in tandem with various departmental master plans, new capital projects and significant capital enhancements (placeholder until funding stream is determined). With the Technical Review Committee and appropriate departmental

stakeholders, the Office of Arts and Culture will draft Public Art Implementation Plans that identify the budgets, the location's character and intended use, and goals of each public art project.

VII. **SITING AND ACCESS**

A. **Public access** - Artworks in the City's public art collection should be sited on City-owned or – managed property in a manner that ensures public access to the artwork. This criterion includes city owned property or a privately-owned site with public access.

B. **Transfer of property** - When City-owned artworks are sited on property that has been or will be conveyed to another entity, the City will do due diligence in contacting the artist before any significant plans or changes are finalized. The City may either remove the work prior to the conveyance of the property or enter into an agreement with that entity to specify the rights, responsibilities and remedies of all parties with regard to stewardship, maintenance, and presentation of the artwork.

C. **Transfer of City land** - When a transfer of the land on which the City artwork is located, or a transfer in City management of such land occurs, an evaluation should be conducted to determine the appropriate course of action with respect to the artwork. This could include re-siting of the artwork to City land or negotiating with the non-City owner to assume the ownership and responsibilities over the artwork. If title to the object is conveyed, the artwork will be formally deaccessioned in accordance with Section IX, below.

VIII. **PROCEDURES FOR THE ACQUISITION OF PUBLIC ARTWORK**

A. **Funding for acquisitions** –PLACEHOLDER

As identified in the Community Cultural Plan, sustainable funding which could look like a percent for art model will be identified by 2018. Donated services, donated funds or donated public art are an exception and addressed in the *Temporary and Donated Art Policy* (forthcoming). The Office of Arts and Culture will work with individual departments in establishing budgets which will be reflected in the Public Art Implementation Plans. The public art process can begin any time following the allocation of a budget. Unless tied to funds with restrictions such as bond monies, public art funds have no expiration dates.

B. **Methods of acquisition** –

The following considerations shall be integrated in the designing the process for acquiring and commissioning each work of public art through a Public Art Implementation Plan:

- Environmental context and scale of projects will be carefully considered
- Public inquiry will inform a careful selection panel process
- A consistent commissioning schedule will be maintained
- Cultivate a diversity of artists and arts practices
- Commission a wide variety of the most innovative approaches to contemporary practice in the arts
- Commission works of enduring value

The City may acquire artwork or enter into a contract with a practicing artist through a variety of means, including but not limited to:

- a. Competitive Calls for Entry: Open call via a Request for Qualification (RFQ) or Request for Proposal (RFP)
- b. Artist Roster
- c. Limited Call / Invitational Call
- d. Direct Commission
- e. Direct Purchase
- f. Joint Venture
- g. Donation

C. Public Art Selection Process - The following groups will advance the public art selection process:

1. Public Art Program: The director of the Library and Arts Department delegates responsibility of the Public Art Program to the manager of the Office of Arts and Culture.
2. Public art selection panels: A public art selection panel shall be convened by the library/arts director, or his/her delegate. While certain acquisitions may require fewer members, the panel will include a representative of the BAC, an independent artist, an arts professional/educator, a representative of the sponsoring City department, and one community and/or neighborhood member or facility user. A member of an appointed board and/or elected official may also be invited to participate as an advisory, non-voting member if the artwork location merits input. The panel shall be moderated by the library/arts director, or his/her delegate. See *Roles and Responsibilities of Selection Panel Members* (Appendix D, p15)
3. Technical Review Committee: The Selection Panel will present the recommendation to the Technical Review Committee to review for feasibility. The Technical Review Committee is a standing, advisory committee of representatives from affected city departments and industry professionals. The committee will include but is not limited to consist of the following: City project management team representative(s), Public Works representative(s), Parks and Recreation representative(s), Planning Housing and Sustainability representative(s), Risk representative(s), architect(s), engineer(s), conservator(s), fabricator(s), arts professional(s), legal professional(s), and technical engineer(s). This committee will also convene to build annual Public Art Implementation Plans. See *Roles and Responsibilities of Technical Review Committee* (Appendix E, p16)
4. Public Input: Each proposed commission will have an opportunity for public input. The structure of these input opportunities will vary and will be influenced by the type of commission and/or project.

5. **Boulder Arts Commission (BAC):** A recommendation by the Selection Panel shall be made to the BAC which includes any input from the Technical Review Committee. At least one representative from the BAC will serve on each selection panel. In reviewing the recommendation, the BAC is not expected to repeat the work of the selection panel but to ascertain whether the selection panel properly followed the acquisition process detailed in this section and appropriately applied the acquisition criteria to the work in question.
 6. **City Manager:** The selection panel's recommendation and any input provided by the Arts Commission or advisory boards/commissions shall be forwarded in writing to the city manager. The city manager may decide to approve, reject, or delay an acquisition based on whether he or she determines the acquisition process was adequately followed. Final decisions to select public art shall be made by the City Manager.
 7. **One-time Opportunities:** Specific, time-sensitive opportunities arise in which a standing public art committee will be assembled at the discretion of the Office of Arts and Culture for the purposes of reviewing and approving these time-sensitive, one-time opportunities. These opportunities are the discretion of the Office of Arts and Culture, and will additionally be reviewed by the Technical Review Committee. The ad hoc committee will advance their recommendations to the City Manager.
- D. **Contracts** - A contract between the City and the artist, or waiver by the artist, shall be concluded before acquisitions are finalized. Contracts will be initiated within 30 days of project approval by the City Manager. Contracts will require coordination and negotiations between department staff and the Artist. All contracts will be routed for signature in accordance with the Contracts/Agreements Process. Each contract will outline requirements and related payment milestones that must be met and approved by the Office of Arts and Culture. The Artist or the City has the right to terminate the contract at any time, with final settlement between the parties as set forth in the contract. The contract will address potential implications of the Visual Artists Rights Act on the obligations and responsibilities assumed by the city in accepting such artwork. Contracts will include consistent language, milestones, and standard payments to fulfill steps toward accession.
- E. **Unauthorized and abandoned artwork** - The City is under no obligation to consider for acquisition unauthorized and abandoned art.
- F. **Donations** - All potential artwork donations must be submitted through the Office of Arts and Culture. Potential donors must request and complete a Donation Application Form which includes artwork information, maintenance history and provenance, transfer of ownership, and a description of its contribution to the City. Potential donors acknowledge that the City may require a percentage of the artwork value to be invested in the maintenance of the artwork. In addition, potential donors acknowledge the City will take into consideration resources including funding, staff and technological capacities, and ultimately determines the site and longevity of the donated artwork. Applications will be reviewed against policy guidelines quarterly by Office of Arts and Culture staff. Once an

application is approved by staff, it is presented to the Technical Review Committee for review, followed by review from the BAC. Lastly, the application will be presented to the City Manager for final approval. Donations will also enter into a contracting process.

IX. **PROCEDURES FOR MAINTENANCE AND CONSERVATION OF PUBLIC ARTWORK**

- A. The Office of Arts and Culture will oversee and administer all public art maintenance and conservation including an accurate and comprehensive Collection Database.
- B. **Maintenance plan for new acquisitions** - All public art commissions shall be required to include maintenance recommendations that outline how the artwork is to be maintained, and what materials and maintenance procedures are needed to conduct routine maintenance of the artwork (cleaning schedules and minor repairs).
- C. **Conservation and preservation of existing artwork** - The City will, by its own qualified staff in the Office of Arts and Culture, and through professional services contract with art conservation specialists, do the following:
 - 1. Develop a comprehensive Collection Database of all existing artwork in the City's public art collection. This inventory will include but not be limited to:
 - a. an accession number unique to the specific artwork;
 - b. artwork information: title, year of commission, location of artwork;
 - c. artist information: artist name, contact information, artist copyright,
 - d. maintenance and conservation information: materials, fabrication methods, installation specifics, ongoing photographic documentation, additional parties contact information, material-specific warranties;
 - e. commissioning information: commission amount, contract reference number, contract amendments, final contract amount, funding source, additional departments or organizations involved, warranties and insurance.
 - 2. The Office of Arts and Culture with support from professional services will conduct biennial condition reports and periodic conservation/preservation assessment of its public art collection.
 - 3. Fund and regularly conduct general maintenance of public art: Individual departments are encouraged to support routine maintenance, however the Office of Arts and Culture is responsible for funding and allocation of maintenance.
 - 4. The Office of Arts and Culture will annually identify restoration and repair needs for the public art collection that surpass regular maintenance. This reporting will be used in requesting annual funding justifications to support investment of significant conservation and restoration.

X. **PROCEDURES FOR DEACCESSION OR RELOCATION OF PUBLIC ARTWORK**

The City, through its Office of Art and Culture is committed to authentic stewardship of the public investment in its public art collection. The City acknowledges best practices in public art

maintenance and conservation are technically complex. A proper commitment to the collection requires diligence and consistency to ensure this work is being done properly. However, under rare circumstances, removal, relocation or destruction of an artwork may be necessary. The Office of Art and Culture will follow established and transparent procedures in deaccessing or relocating art from the City's collection.

A. Grounds for deaccessioning - The City may consider deaccessioning of artwork for one or more of the following reasons:

1. Damage beyond reasonable repair: The public art has been damaged or deteriorated beyond the point where repair is practical or feasible.
2. Excessive maintenance: The artwork requires excessive maintenance or has faults of design, material, or workmanship and repair or remedy is impractical or unfeasible.
3. Significant changes in use, character, or design of the site have occurred, which affect the integrity of the work:
 - a. Site alteration: For site-integrated or site-specific works of art, the site for which the public art was specifically created: i) is structurally or otherwise altered and can no longer accommodate the artwork; ii) is made publicly inaccessible as a result of new construction, demolition, or security enhancement, or; iii) has its surrounding environment altered in a way that significantly and adversely impacts the public art.
 - b. Site acquisition or sale: For site-integrated or site-specific public art, the site for which the public art was specifically created is sold or acquired by an entity other than the City, which affects the integrity of the artwork.
4. Safety: The artwork endangers public safety in its current location, with a documented evidence of one or more incidents.
5. Security - The condition and security of the artwork cannot be reasonably guaranteed.
6. Theft: A piece was stolen from its location and cannot be retrieved.
7. Disassociation under VARA – The artist legally exercises the right of disassociation granted by VARA, preventing the use of his or her name as the creator of the public art.
8. Provenance: At the time of accessioning, complete information on the provenance of the public art was not available and additional information has since become available indicating that the public art should not be part of the City's public art collection.

B. Grounds for relocation - The City may consider relocation of artwork for one or more of the following reasons:

1. Safety - The artwork endangers public safety in its current location.
2. Site acquisition or sale - For site-integrated or site-specific public art, the site for which the public art was specifically created is sold or acquired by an entity other than the City, which affects the integrity of the artwork and accessibility to the public.

3. Significant site changes or alteration
 4. Written request from the artist
 5. More appropriate location for the artwork has been determined
- C. **Deaccessioning/Relocation advisory committee** - As needed, a deaccessioning advisory committee should be convened by the library/arts director, or his/her delegate. At a minimum, the committee should consist of the City's arts manager, the departmental custodian in charge of maintaining the work of art under consideration, and disinterested professional relevant to the artwork in question. Additional City and non-City professionals may be added to the committee with consideration given to the expertise necessary to review the grounds under which deaccessioning is being considered.
- D. **Sequence for Deaccessioning or Relocation** -
1. Request for Review submitted by the artist or host department to the manager of the Office of Arts and Culture.
 2. Notice to artist: Artists whose works are being considered for deaccessioning will be notified by first class mail using the address provided by the artist, of the process being used for such consideration and their ability to provide input on the matter.
 3. Recommendation by deaccessioning/relocation advisory committee: The deaccessioning advisory committee should create a recommendation and a report on art that is proposed for deaccessioning that includes the following information:
 - a. The grounds for the proposed deaccessioning, accompanied by such other documentation and information as may be relevant;
 - b. Identification of the existence or non-existence of VARA limitations as determined by the City Attorney's Office;
 - c. Acquisition method, cost and estimated current market value;
 - d. Written evaluation from a disinterested and qualified professional such as an engineer, conservator, architect, safety expert or art historian
 - e. Written recommendations of other concerned parties and/or the host agency
 - f. Documentation of correspondence with the artist;
 - g. Photo documentation of site conditions (if applicable);
 - h. In the case of damage, a report that documents the original cost of the public art, estimated market value and the estimated cost of repair;
 - i. In the case of theft, an official police report and a report prepared by the department responsible for the site of the loss, and;
 - j. Suggested removal approach and justification for that option.
 4. Public Engagement: The Office of Arts and Culture will work with the Communications department to affectively articulate the process and justification for decisions around deaccession and/or relocation.
 5. Review by BAC and City advisory boards/commissions: The BAC and, as relevant, the appropriate departmental advisory boards or commissions will review the recommendation on deaccessioning or relocation. In the event the artist disagrees with the comments of the BAC and/or advisory boards/commissions, the artist may request further consideration of the matter. This request must be filed in writing with the library/arts director, or his/her delegate, within 30 days of the deaccession comments, and it must be based on information that was not considered during the BAC's meeting on the deaccession. An additional review will occur before

submitting the recommendation to the city manager.

6. Decision: A decision to deaccess public art shall be made by the city manager after he or she has had an opportunity to review the recommendation and all comments by the BAC and advisory boards/commissions. The city manager may decide to accept, reject or delay a deaccessioning recommendation based on whether or not he or she determines the deaccessioning process described above was adequately followed.

E. **Removal options** - Any contractual agreements between the artist and the City regarding removal or resale will be honored. To the extent removal is not addressed by a contract, the City may choose to use any of the following methods to remove public art that was either deaccessioned or never accessioned.

1. Trade through artist, gallery, museum, or other institutions for one or more other public art(s) of comparable value.
2. Long-term/indefinite/permanent loan to museum collection or governmental department.
3. Sale through art auction, art gallery, dealer, or direct bidding by individuals. Any revenue generated from such sale shall be directed to the budget of the library/arts director, or his/her delegate.
4. Gift to another governmental department or museum.
5. Destruction or recycling of materials comprising the public art. This method should only be used as a last resort after considering the possible historical significance of relics of the work. If this method is used, it is recommended that no piece be recognizable as part of that public art.

F. **Deaccessioning collection file** - Documentation of the above grounds, decision and removal option should be preserved in the City's deaccessioning collection file.

XI. **INTERPRETATION AND APPLICATION**

Employees who have questions concerning the interpretation of application of this policy should be directed to the City Manager's Office or the library/arts director.

XII. **EXCEPTIONS/CHANGE**

This policy supersedes all prior editions of this policy and conflicting provision of other policies covering the same or similar topics. Only the City Manager may grant exceptions to this policy. The City Manager may review and change this policy at any time.

APPENDIX A: DEFINITIONS

As referenced in this policy plan, the following terms are defined as follows:

Accession: The steps taken to officially acquire and designate an artwork as part of an art collection.

Acquisition: The inclusion of an artwork in the permanent collection of the City, whether by commission, purchase, donation or other means.

Artist Roster: A compilation of artists working within an appropriate realm conceptually, materially, and scale to be considered for a public art commission. This is a standing roster of local, national and international candidates and may be used in addition to a solicitation or Request for Qualifications.

Artwork: For the purpose of this policy, public art may include, but need not be limited to, the following:

- a. Sculpture
- b. Painting of any and all media
- c. Mixed media including collage
- d. Earth works, environmental art, installations
- e. Sound art
- f. Digital and technologically-based
- g. Lighting or luminal art
- h. Temporary, performance, time-based art that has sufficient documentation
- i. Original prints or one-of-a-kind graphics
- j. Clay, fiber, textile, wood stained glass, metal, plastics and other crafts, both functional and nonfunctional
- k. Mosaics

Boulder Arts Commission (BAC): The City of Boulder's Arts Commission, which consists of five members appointed by the city council serving five-year staggered terms.

(Placeholder) Defined Funding Source(s):

City's Public Art Collection: Artwork that has been acquired and approved through the City's acquisition process with the specific intention of being physically placed in a public setting and accessible to the community.

Collection Database: A currently existing or future database or physical record of the City's public art collection. This may include photo documentation of the artwork, title, artist, dimensions, media, value, provenance, display location, maintenance information, and any other pertinent details about the artist and/or artwork.

Commission/commissioning: Artwork created at the request of the City—in which the funds to design and produce the art are provided by the City and acquired through the process outlined in the Policy on Acquiring and Maintenance of Public Art by the City.

Conservation: preservation, repair, and prevention of deterioration of public artworks and artifacts.

Deaccessioning: The act of removing artwork from the City's public art collection through any method (i.e. sale, return to the artist, donation, auction, demolition). This includes the removal from its public site, removal from a maintenance cycle, and transferring of all associated records, both hard copy and electronic, into the City's deaccessioned collection file.

Direct Commission: The approval of a specific artist by the Technical Review Committee and the Boulder Arts Commission, commissioned based on merit and not proposal.

Direct Purchase: Unique circumstances of limited funds where it is reasonably more practical to purchase an existing artwork than commit limited funds to the selection and design process. This threshold will be determined by the Technical Review Committee and/or the Selection Panel.

Donation: Existing artwork that has been given to, and accepted by, the City, free and clear of any liens, for inclusion in its art collection.

Joint Venture: Commissioning process which includes City funds in addition to outside municipal commissioning funds or private contributions. This selection process could vary slightly as determined by the procedures of the additional partners (RTD, Colorado Creative Industries, private partners, etc.), but will follow City procedures as consistently as possible.

Limited Call: Advertisement of a public art opportunity limited by specific criteria (such as artist's place of residency, specific material, etc). This criteria will be determined by the Selection Panel and/or the Technical Review Committee.

Maintenance: An ongoing approach to conserve architecture, paintings, drawings, prints, sculptures, and objects of the decorative arts (furniture, glassware, metalware, textiles, ceramics, and so on) that have been adversely affected by negligence, willful damage, or, more usually, the inevitable decay caused by the effects of time and human use on the materials of which they are made.

Open Call: A process in which a public art opportunity is promoted broadly within a region or nationally. A selection process is used to determine an artist to commission. This method can employ an RFP or RFQ process, however RFPs are no longer considered ethical by most artists.

Public Art: Artwork displayed in an open exterior area or inside any building in an area designated as a public common area.

Public Art Implementation Plans: A biennial document that governs the use of public art funds with specificity: the sites, the selection processes, funding levels, schedules and detailed goals of each project written biennially by the Office of Arts and Culture with guidance by the Technical Review Committee and appropriate departmental stakeholders.

Public Art Program: A program within the Office of Arts and Culture charged with administering the development and management of public art. The methods used to build a public art program include—but are not limited to—commissioning artwork for permanent display, commissioning artwork for temporary installation, purchasing existing artwork for permanent or temporary display, placing artists on project design teams, and creating artist-in-residence opportunities. In addition to creating new work, the public art program is charged with maintaining the public art collection, developing educational programming, creating public art resources including printed materials and websites,

seeking out partnerships and opportunities with public and private organizations, and acting as a source for public art information.

Request for Proposal (RFP): As used in this Policy, a term for competitive projects, in which applicants must submit a description of their idea or concept for consideration.

Request for Qualification (RFQ): As used in this Policy, this process, involves the submission of work samples, resumes and letters of interest to determine a small group of finalists. Once finalists are selected, they will be paid an honorarium to develop proposals, followed by the selection of an artist or team to be commissioned.

Restoration: The attempt to conserve and repair architecture, paintings, drawings, prints, sculptures, and objects of the decorative arts (furniture, glassware, metalware, textiles, ceramics, and so on) that have been adversely affected by negligence, willful damage, or, more usually, the inevitable decay caused by the effects of time and human use on the materials of which they are made.

Site-Specific: This term refers to public works of art or projects that take into account, interface with, or are otherwise informed by the surrounding environment. The physical limitations of a site, weather conditions, history, audience demographics and usage, lighting and additional aspects all inform the specificity of a project thus deeming the project a site-specific work of art.

Unauthorized and abandoned public art: The surreptitious and anonymous, creation and installation of public art on City-owned or -managed property without the City's approval. This can consist of reclaiming space and changing its dynamics with images or counter images, such as the placement of sculptures in public squares or images on walls.

Visual Artists Rights Act of 1990 (VARA): 17 U.S.C. §106A, as amended. Federal copyright legislation which grant protections to moral rights. VARA entitles authors of works of art, that meet certain requirements, additional rights in the works regardless of any subsequent physical ownership of the work itself, or regardless of who holds the copyright to the work. Specific VARA rights will be articulated in individual artist contracts.

Appendix B: Listing of Additional City Policies and Reference Plans
(include publication dates and how to access)

- City of Boulder Charter
- 2015 Boulder Valley Comprehensive Plan (forthcoming)
- 2015 Community Cultural Plan
- Public Art in Private Development Policy (forthcoming)
- Mural Policy (forthcoming)
- Temporary and Donated Art Policy (forthcoming)

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Appendix C: 2015 Community Cultural Plan Excerpts

A Sophisticated Program – In considering the full lifecycle of a public art project, the Office of Arts + Culture will build a high-performing public art program that is an industry leader. In terms of process, this involves a thorough updating of practices, among them: a high standard of public inquiry, strategic and thoughtful selection processes, sustainable funding, and carefully executed design review. This pursuit of quality works of art implies variety and diversity, not necessarily popular taste. It is important for the city to be confident in this measure of success; no work of art will be universally loved. The ability to take risks is important to the program.

Sustainable Funding – After the initial launch of the public art program, the Office of Arts + Culture will explore a source and mechanism for permanent public art funding in the 2018 budget. Public art needs to be considered in terms of decades, with a funding structure to achieve a vibrant public art program well after the time horizon of this plan. To do this, a diverse portfolio of various sources of funding is needed. It should be secure, flexible, and at an adequate level to acquire and maintain new works of art on a regular basis.

Unified Approach – There have been substantial investments in public art over the years, particularly by the Transportation, Parks, and Parking Services divisions of the City of Boulder. However, a strategic and consistent process is needed to advance the investments in public art. The Office of Arts + Culture will assume leadership in the public art process while maintaining close collaborations with those agencies that are most affected by the public art program.

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Appendix D: Roles and Responsibilities of Selection Panel Members

A. Acquisition Criteria - The following considerations must be taken into account by the above mentioned entities when considering acquisition of artwork by purchase, commission or donation:

1. **Inherent artistic quality:** The assessed aesthetic merit of the piece as an artwork, independent of other considerations.
2. **Context:** The compatibility of the artwork in scale, material, form and content with its surroundings. Consideration should be given to the architectural, historical, geographical and social/cultural context of the site.
3. **Ability to Install and Maintain:** The anticipated cost required to install the artwork as well as the anticipated cost and amount of maintenance and repair and the City's ability to provide that maintenance. Particular consideration will be given toward whether or not the proposed artwork includes an adequate maintenance plan. Any proposed artwork that is determined to require extraordinary operations or maintenance expense is subject to prior review by the appropriate department director.
4. **Diversity:** The City is committed to acquiring artworks that reflect diverse cultural communities and perspectives. To that end, the City shall seek artwork from artists of diverse racial, gender and cultural identities, and strive for diversity in style, scale, and media. The City shall also encourage both experimental and established art forms and recognize emerging artists whenever feasible.
5. **Uniqueness:** City shall require the artist to warrant that the work is unique and limited to an edition of one unless stated to the contrary in a contract.

Appendix E: Roles and Responsibilities of Technical Review Committee

A. Acquisition Criteria - The following considerations must be taken into account by the above mentioned entities when considering acquisition of artwork by purchase, commission or donation:

1. **Ability to Install and Maintain:** The anticipated cost required to install the artwork as well as the anticipated cost and amount of maintenance and repair and the City's ability to provide that maintenance. Particular consideration will be given toward whether or not the proposed artwork includes an adequate maintenance plan. Any proposed artwork that is determined to require extraordinary operations or maintenance expense is subject to prior review by the appropriate department director.
2. **Public Safety:** Each artwork should be evaluated to ensure that it does not represent a hazard to public safety. Generally, such evaluation entails coordination with the City's Risk Manager.
3. **Americans With Disabilities Act:** Each artwork should be evaluated to ensure that it complies with applicable building codes and physical accessibility requirements including the American With Disabilities Act.
4. **Compliance with Applicable Codes + Regulations:** Each artwork should be evaluated to ensure that it complies with appropriate provisions of the Boulder Revised Code, including but not limited to *Title 9 – Land Use Code* and *Title 10 – Structures*
5. **Accessibility by the General Public:** Consideration should be given to the accessibility of the artwork site so as to ensure the broadest possible public access to the artwork. However, under special circumstances, such as concerns for security, the artwork may be located in public locations with limited access.
6. **Feasibility:** Proposed public art shall be evaluated relative to the feasibility, constructability and receipt of convincing evidence of the artist's ability to successfully complete the work as proposed. Factors to be considered include, but are not limited to: project budget, timeline, artist's experience, soundness of material.

Attachment Three

Liaison Reports

Below are the following liaison reports submitted:

- Report by Ann Moss, liaison to the NoBo Art District.
- Report by Ann Moss, liaison to eTown.

**NoBo Art District
Small/Medium Sized Organizational Grant
Quarterly Review Summary**

July 6, 2016

Re: NoBo Art District Quarterly Review Summary
Small/Medium Sized Organizational Grant

By: Ann Moss – Chair, Boulder Arts Commission

Review Date: June 24, 2016
NoBo Art District Office
4957 N. Broadway, Boulder

Meeting Summary

The NoBo Art District was awarded a Small/Medium Sized Organizational Grant from the Boulder Arts Commission for 2016, 2017 and 2018. Each year the amount of funds will be reviewed and approved based on the City budget. This year they received \$10,000.

Mission

NoBo Art District’s mission is to support and promote artists and creative industries.

Membership is open to all including individuals, artists, creative businesses and patrons. The District has no defined boundaries so anyone in the City can join. The District is not currently recognized as an official “arts district” by the City of Boulder yet it functions as an arts district due to its strong support and promotion of artists and its collaboration with surrounding businesses and neighborhoods.

Signature Event

First Friday’s is the organization’s signature event. Numerous artists participate each month and the event is usually well attended, even through there are many competing activities in town. NoBo works with the Daily Camera to get a big two page add in the paper. They receive a great rate from the Daily Camera that is paid for by participating artists.

Membership

The organization has good momentum and membership is continuing to expand. They had around sixty members for quite a while that generally renewed their membership in February or during Open Studies. Now new membership flows throughout the year with over a hundred and twenty current members (106 are listed on their website). The District does cross promoting and tries to support all the member’s activities. District meetings occur each month. Membership is \$35.00 for artists and \$100.00 for businesses.

New Website

The District has just launched a new and highly improved website. They hired a well qualified website designer and used existing funds to pay the consultant.

BAC Grant Funds

The award of the Organization Grant has caused the District to be much more thoughtful and organized in terms with management. The District has been very cautious about spending grant funding and has spent little of it to date. They have a draft budget and know where the larger amounts of dollars will be spent. However, they are

leaving some of the funds undesignated so they have some spending flexibility. The following are some of the projects they are currently focusing on implementing with this year's grant's funding.

1. A big "Aha" moment for the organization came when the grant was being written. As they answered the questions they realized the organization was NOT going to be able to sustain itself in the long term merely with volunteers. They realized they were likely to go through "burn-out" and must find and start paying an Executive Director. They are currently in the process of hiring an Executive Director but are being very careful to hire a person with a deep passion for NoBo, someone that knows the arts, understands Boulder and is a good fit for the organization. They believe they have found such a person and have asked if she'd like the position. If this person doesn't take the part time job, the \$5,000 set aside for her will be redirected.
2. A First Friday Walking Tour was held in June. They paid an artist \$25.00 an hour for three hours to provide visitors with a special experience while visiting the open art studios. There were two tours and they were both well attended. People appreciated getting a guided tour and the program enlivened the street. This event will continue and be paid for by the Organizational Grant.
3. A Market Tent was purchased for \$200.00 out of grant funding. Last year they rented an information tent for their sidewalk art project and found it incredibly helpful in drawing people to the project and providing necessary information. Now they have their own tent that they use at special events to provide information, help identify the location of certain events and hold necessary supplies.
4. The organization has found that Community Paintings are highly successful in bringing neighbors together and building pride in community created art. They lead the creation of a ten foot long Community Mural at FireFly. Some of the materials were donated but \$30.00 of grant dollars were spent on purchasing the canvas.

That event was so successful they are planning to create another Community Mural in the Holiday Neighborhood. The mural will again be ten feet in length and anyone can attend the event and help paint the mural.

5. NoBo is currently jointly planning an art project at Dakota Ridge that will take place in September. This project will be done in conjunction with others who are applying for a neighborhood grant. NoBo plans to give a stipend to the artists to compensate them for their assistance in helping the community's youth paint Little Libraries. The children will paint the Little Libraries and gift them to HOA's in the area.
6. Sketch Project, Brooklyn, NY is coming to North Boulder in July. The Boulder Art Library is a sponsor plus \$750.00 of the grant funds were used to support this event. The Sketch Project will stop in Boulder for a day plus NoBo will receive the press kit and will have other tents and activities in support of the Project.
7. A NoBo Calendar is being created as a promotional piece for the artists in the District. Artists will pay \$25 for a quarter page. A graphic designer will be hired, through grant funds, to create the calendar. NoBo is planning to sell the calendars during Open Studios.

Other Information

NoBo is part of Boulder Arts Week. Last year they had a culminating event of poets and artists at the First Congregational Church.

They are part of the Boulder Arts and Crafts Gallery August show that is open to all NoBo members.

NoBo has been approached by So Young Lee, owner of the Rocky Ridge Music School, to help paint a piano she will donate and install on Lucky's patio. Lisa Nesmith, President of NoBo has been in touch with the director of the

Piano Program in Ft. Collins for info on how they do their program. NoBo will model this small-scale effort on the Ft. Collins program. They will seek project funding for this rather than spend Organizational Grant funds. They are hoping this could be the start of an outdoor piano program that spreads throughout much of Boulder.

Members of NoBo have had a conversation with the developer of the Bus Stop property and hope to continue to be involved with that property's development, especially since the developers are proposing to have some art studios in conjunction with affordable housing.

NoBo is starting to do outreach and collaborations with schools in the area. They currently have a mentor/apprenticeship program in which Boulder High School Students assist with First Fridays and other events. They have just begun to reach out to CU to see if they can engage them in some of the NoBo programs.

I gave them the name of CU Environmental Design professors and the chair of CU's Landscape Architecture Department and director of the Urban Design Program to see if they could collaborate on a planning and design project to make the NoBo area more viable as an artistic district (e.g., banners, signs, First Friday flags) and safer for people participating in the area events (e.g., street crossing improvements, wayfinding improvements, NoBo First Friday maps).

The NoBo Art District isn't focusing on getting City of Boulder designation. However, I think it would be helpful for them to receive City designation. With designation perhaps the City would support them more to make North Boulder a safer area for pedestrians, bikers and drivers and immediately visible as an unique art's district. This designation would also enable them to apply to become a State designated "Art's District."

**eTown
Large Organizational Grant
Quarterly Summary Report #1**

July 8, 2016

Re: Quarterly Report #1

Meeting Date: June 28, 2016
eTown Office
1535 Spruce Street, Boulder, 80302

Attendees: Jennifer Forman, Vice President/Resource Development and Marketing
Ann Moss, Chair, Boulder Arts Commission
(Nick Forster joined the meeting for a short while plus Ann was introduced to Helen Forster and many of the staff members)

Report By: Ann Moss
Chair, Boulder Arts Commission

Meeting Summary

eTown was awarded a Large Organizational Grant for 2016, 2017 and 2018. The organization received \$50,000 for 2016. eTown is excited to have been selected to receive this multi-year grant and is currently determining how the grant funds will be used to help implement their mission. eTown is also applying for additional funding, from other entities, to ensure that they have adequate funds to implement their long-term vision. This is an exciting time for eTown since it recently moved into an exceptional state-of-the-art building that was specifically designed to meet the organization's current and future needs.

Mission

eTown is a non-profit organization with a mission to educate, entertain and inspire a diverse audience through music and conversation to create a socially responsible and environmentally sustainable world.

eTown's Focus For Use of Grant Funds

eTown has recently developed a Capacity Building Plan that will help guide its expansion in staffing and programming and set the organization on the path to long-term sustainability. The funds from the Large Organizational Grant will be used to help implement different stages of the plan and will be focused on three specific areas.

1. Community Art Series

eTown plans to create a Community Art Series and is currently developing a marketing plan for these events that is specifically designed to appeal to the local public. The series, perhaps called "Third Thursdays," will provide audiences with unique experiences each month and hopefully draw a more diverse crowd than usually attends eTown events. Besides its existing audiences, eTown hopes to reach young professionals and attract more diverse ethnic groups. eTown is currently in the process of designing eight to nine such programs that promise to be different in content than the events currently produced. All the events will include food and drink and may highlight activities like Grateful Dead sing-a-longs, Bob Dylan birthday party gatherings, Motown music, open mic nights and dancing, perhaps even square

dancing. eTown hopes to announce the first series of events in August. This initial series will be for the months of August, September and October.

2. Expand Media Presence

eTown is 25 years old and has had a lot of consistency during that time but now realizes the need to expand its digital media presence in order to stay current. The organization is well aware that video views are expanding significantly plus podcast use continues to increase, although at a lower rate. At the same time radio budgets are declining. Now that eTown is in a new facility with full production capabilities it can utilize digital media to transcend geographic, socio-economic and political boundaries and broadcast interactive content to the world. To expand eTown's media presence it plans to:

- Produce short form videos for social media channels
- Improve sponsor's digital media exposure
- Employ existing video content to produce a documentary, television series and video clips geared toward a younger audience
- Improve viewer engagement via digital media channels to better track viewership and impact analytics
- Make an eTown TV Pilot for PBS or another broadcast or streaming video entity

The TV project is currently in the idea stage but eTown is thinking of doing the program's first song on its solar roof and have the recording powered by sustainable energy. To develop the TV content eTown may need a special consultant and will use grant funds to hire that specialist.

3. Capacity Building

eTown's Capacity Building Plan will not only help guide the development of funds for the organization's program and media expansion, but it will set eTown on the path to long-term success by developing new revenue streams and allow for succession planning. eTown would like to hire three new professionals including a Producer, Chief Operating Officer and Marketing Director. In addition, a Development Director was recently hired. These new staff members will help with the TV production, enhance marketing to expand the current audience and help obtain new technology devices to expand eTown's capacity to produce short form videos, documentaries and television programming.

The organization knows that it must expand its relationships to stay current. To respond to these needs eTown is expanding its board to include such people as Chuck Morris, president and CEO of AEG Live Rocky Mountain, a pivotal figure in presenting live music in America plus they are partnering with the Bohemian Foundation, from Fort Collins, so musicians can be booked in the area for a longer period of time, making it more worthwhile for them to come to eTown.

The two projects eTown is definitely hoping to launch this year are the TV Pilot Project and the Community Art Series. Large Organizational Grant funds will be used in several ways to support these efforts and with other efforts listed above.

Facility Tour

I was given a tour of eTown. The facility consists of an incredible solar powered theater and community arts center that is considered one of the "greenest" production entities in the world. I've been to several shows and events at eTown but had never seen their office spaces nor had I been backstage. eTown is well designed throughout with attractive offices, a world-class recording studio, editing suites, dressing rooms and an attractive concert hall that seats about two hundred people. Plus, the facility has a community space complete with a full

kitchen making it convenient to serve food and drink while guests mingle while waiting for the theater to open. Boulder is fortunate to have this excellent facility and multi-media production company in its downtown.

Attachment Four Commissioner Correspondence

Below are copies of emails received by the Commission during the period of time between the distribution of the previous meeting packet and the date on this packet. All emails that were received by more than 3 commissioners are considered public record, and are included here. To the degree possible, the content has been consolidated by the category of each email chains and conversations.

From: Richard Turbiak [the-art-studio@earthlink.net]
Sent: Friday, June 17, 2016 7:49 AM
To: Jones, Suzanne; Appelbaum, Matt; Brockett, Aaron; Burton, Jan; Morzel, Lisa; Shoemaker, Andrew; Weaver, Sam; Yates, Bob; Young, Mary
Cc: Ann Moss; F Furman; Tamil Maldonado; Mark Villarreal; Chasansky, Matthew; Farnan, David
Subject: My Resignation from the Boulder Arts Commission

Dear Council Members,

I'm resigning from my position of Boulder Arts Commissioner effective today.

I've a number of projects I'm beginning to get off the ground, which pull me from the level of involvement necessary to serve on the commission as well as I'd like.

I appreciate the opportunity you've given me to serve the Boulder community on the Arts Commission these past six years. I'm proud of what we've accomplished together. I see a strong future for the cultural/creative arts in Boulder and how we're positioned through the Community Cultural Plan to serve the community more fully.

Thank you for your trust in me.

Take good care...
Richard Turbiak

From: Fowler, Mary
Sent: Tuesday, June 28, 2016 3:16 PM
To: Ann Moss; F Furman; Tamil Maldonado; jmv jmv
Cc: Chasansky, Matthew
Subject: Save the date!!! Wednesday July 13, 2-3 pm

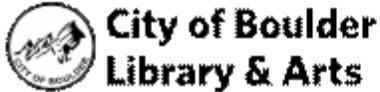


Hi All,

Please save the date Wednesday, July 13 from 2-3pm to meet the directors of organizations that received Operational Grants and launch your relationship with them. The meet and greet will be held at The Dairy in the Lobby. After this, there will be a Cultural Summit from 3-5 for all cultural organizations to get together. A formal invitation will be forthcoming.

Mary Fowler

Coordinator | Creative Sector Initiatives



303-441-4391

fowlerm@boulderlibrary.org

www.boulderarts.org

Library & Arts Department

1001 Arapahoe Avenue | Boulder, CO | 80302

www.bouldercolorado.gov

From: Tamil Maldonado [tamilbac@gmail.com]
Sent: Monday, July 4, 2016 9:55 AM
To: Chasansky, Matthew
Cc: Ann Moss; F Furman; jmv jmv; Farnan, David; Fowler, Mary
Subject: Block 1750 - Accident

Dear BAC and staff,

I have been out of CO the last month or so, coming back to the news of what happened to Isaac Lutz and his co-workers of Block 1750. You can read more here: http://www.dailycamera.com/news/boulder/ci_30024919/boulder-dance-instructor-faces-vehicular-homicide-dui-charges

It has been a horrendous tragedy for their/our community. As you know, they received an operational grant from BAC and I am their assigned BAC mentor.

I visited Becca Gallery (co-founder of Block 1750) last Friday July 1st to learn about the terrible accident and how they are coping. Isaac Lutz, the person who came to present about Block 1750 with Becca at the BAC meeting is faced not only with the loss of their friends but also with possible charges. The parents of Peter and Sarah knew Isaac and their work together in the community, they just want everyone to heal from this horrible accident.

It has been a very difficult time for them emotionally losing two of their friends and instructors of The Block and facing everything after as well. They made beautiful postcards and pictures of their friends available at their place.

My position was to support them at my personal level, and to work with them so they continue to be able to support the place which is home to so many kids in our community. They need the support.

Tamil

On Sat, Jul 2, 2016 at 6:29 PM, Tamil Maldonado <tamilbac@gmail.com> wrote:
Thank you.

I just wanted to let you know that I met with Block 1750 on May 9, and with KGNU on May 10th.

Tamil

On Tue, Jun 28, 2016 at 3:16 PM, Fowler, Mary <FowlerM@boulderlibrary.org> wrote:



Hi All,

Please save the date Wednesday, July 13 from 2-3pm to meet the directors of organizations that received Operational Grants and launch your relationship with them. The meet and greet will be held at The Dairy in the Lobby. After this, there will be a Cultural Summit from 3-5 for all cultural organizations to get together. A formal invitation will be forthcoming.

Mary Fowler
Coordinator | Creative Sector Initiatives

From: Vink, Mandy
Sent: Tuesday, July 5, 2016 12:37 PM
To: Chasansky, Matthew; Ann Moss; F Furman; flynvartranch@comcast.net;
tamilbac@gmail.com; Fowler, Mary; Haan, Mary Wohl
Subject: Brief bio and headshot for boulderarts.org website

Dear Commissioners and Staff

We are in the midst of revamping the boulderarts.org website, which means I need a couple things from you:

- Brief Bio: please limit this to 3 succinct sentences please
- Headshot: BW or color is fine; don't worry about file size, as we will resize if necessary

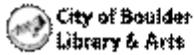
Please send me these items at your earliest convenience, no later than July 15th.

And please let me know if you have any questions.

Thank you!

Mandy

Mandy Vink
Public Art Coordinator, Office of Arts and Culture



alt="Library_lockup_COBLogo" v:shapes="Picture_x0020_1">

303-441-4342

vinkm@boulderlibrary.org

boulderarts.org

Library & Arts Department
1001 Arapahoe Avenue | Boulder, CO 80302
bouldercolorado.gov

From: Chasansky, Matthew
Sent: Friday, July 8, 2016 12:39 PM
To: 'Amy Stewart'
Cc: Randy McIntosh; F Furman; Linda N. Haertling; Ann Moss; tamave@gmail.com; The Art Studio; Ravenwood, Greg; Fowler, Mary; flynvartranch@comcast.net; Michels, Janet
Subject: RE: Request for BAC Grant Process Review

Amy—

Thanks for submitting this to the Boulder Arts Commission. We will be carefully considering your requests and will get back to you soon.

—Matt

Matt Chasansky
Manager,
Office of Arts and Culture



303-441-4113
chasanskym@boulderlibrary.org
boulderarts.org

Library & Arts Department
1001 Arapahoe Avenue | Boulder, CO 80302
bouldercolorado.gov

From: amaieliza@gmail.com [<mailto:amaieliza@gmail.com>] **On Behalf Of** Amy Stewart
Sent: Wednesday, July 6, 2016 1:40 PM
To: F Furman; Linda N. Haertling; Ann Moss; tamave@gmail.com; The Art Studio; Chasansky, Matthew; Ravenwood, Greg; Fowler, Mary; flynvartranch@comcast.net
Cc: Randy McIntosh
Subject: Request for BAC Grant Process Review

Dear BAC members and staff,

I would like to make three points that I hope you will acknowledge for the betterment of our community.

1. I believe the BAC March and April Meeting Minutes are inaccurate.

From my perspective, as an attendee and representative of an arts organization at both meeting, the events related to the granting of funds to Kutandara center are portrayed in an inaccurate and incomplete manner.

Events and conversations that occurred outside of the meeting are included in the minutes, and events and discussion that occurred during the meeting are not included.

It is the reasonable expectation of participants, including organizations represented in meetings, that minutes, as a public record, should reflect an accurate portrayal of events.

During the March 2016 meeting, the agenda item entitled "eligibility" occurred before the small-medium organizational grant presentations. Nowhere in the March meeting minutes does this agenda item occur. Meeting minutes, at a minimum, should have a placeholder for every agenda item.

Here is my specific request: As a resident and a tax payer of the city of Boulder, I respectfully request that your March and April 2016 meeting minutes be revised to accurately, and in a nonbiased way, reflect events that occurred during these meetings.

2. My second point is with regards to the ethics of the BAC granting process for small to medium size organizations.

As you know, on January 7, I opened an email dialogue with Richard Turbiak, then BAC chairperson. Mr. Turbiak implied in advance of our grant submission that our organization would be eligible, that our grant would be considered, and that the eligibility criteria were guidelines, not requirements. This communication was finalized on January 12.

The commission had more than two months between January 7 and March 16 to research and discuss their own eligibility criteria and make a proactive decision about our eligibility, before putting us through the painful painful process of being awarded a grant and having it revoked.

The revoking of our grant funding based on one of the eligibility criterion, budget threshold, was unethical, after a clear message from the BAC chairperson and a unanimous decision during the March public meeting by the commissioners that our organization was eligible.

It is your responsibility to evaluate and choose organizations to support with funding. It is also your responsibility to uphold your decisions as a commission.

I feel you did Kutandara Center, the Boulder arts community, and your positions as BAC commissioners a disservice through the revocation of our grant funding.

This unprofessional behavior sheds a negative light on the BAC commission, the BAC staff, and your granting process.

Here is my second specific Request: I urge the BAC commission and staff to publicly acknowledge each of the mistakes that were made, and to ensure that future applicants do not suffer the same unclear and unprofessional process that we did.

3. My third and final point is that of integrity. To restore the community's faith in the BAC's decision-making process, I respectfully request that you reinstate our grant.

Thank you for your attention.

Amy

On Saturday, May 14, 2016, Amy Stewart <amy@kutandara.com> wrote:
Dear Boulder Arts Commission Members and Staff,

As you know, Kutandara Center applied for an Organizational Grant this Winter. Because we are not a 501(c)(3) and our budget is slightly over \$200,000, our organization did not fit into the specific criteria for either the BAC Large or Small-Medium Organization grant cycles.

Our colleagues in the Boulder arts community encouraged us to reach out to you and clarify the guidelines. We had a

very pleasant and encouraging email exchange with Richard Turbiak, over the following weeks. (see attached email stream). As you can see, the outcome of his advice was that we should, in fact, apply for the small-medium operational grant and address our budget and financial successes in the grant application and support materials, which we did. (see attached grant application text and support materials). We moved forward with Mr. Turbiak's indication that our application would be considered.

Once we applied for the grant, BAC Staff vetted our application and had a follow-up conversation with us about the guidelines and our organization's eligibility. Staff agreed that we were eligible, and forwarded our application to the BAC commissioners for scoring. At the March 2016 meeting you 1) formally agreed to consider our application, even though we fell outside the guidelines, 2) scored and ranked our application against the other applicants, and 3) awarded us one of the ten \$30,000 operational grants.

To our organization, this level of support meant that we could increase our artistic collaborations with local organizations, offer more free programming to the Boulder community including the hosting of more guest artists and cross-cultural experiences, and support more underprivileged students through the expansion of our existing scholarship fund.

However, as you know, our grant award was protested by an organization that applied but did not receive funding. Because our budget is over the Small-Medium Organization criteria, you chose to respond to that protest by forwarding the protest to the City Attorney. It is our understanding that the City Attorney reviewed the grant guidelines and declared us ineligible. It is also our understanding that the City Attorney did not review our grant application nor the correspondence between you and our organization about our eligibility, nor did the City Attorney review your decision at the March meeting that our organization was, in fact, eligible.

At the April 2016 BAC meeting, you unanimously declared us ineligible, retracted the grant award from Kutandara Center, and re-granted the award to the protesting organization. Is this ethical? Is this legal?

This process has been confusing and distressing. We perceive it as fundamentally unfair. We approached you far in advance, spent a great deal of energy on the application, and were awarded funding at a public meeting through your unanimous vote. The procedures and outcomes of your grant process leaves us, our staff, our students, our fellow artists, and our community with a lack of trust in you and your process.

We understand that applying for a grant does not guarantee a grant award, and we are aware that competition for support among Boulder arts organizations is high. But, your review process seems seriously flawed, and Boulder citizens are not being served by such a selective, inconsistent, and murky grants process.

We are requesting your reconsideration of our grant, as well as serious review of your grants review and award process. Our experience is that your granting process lacks a basic level of fairness, in that you do not adhere to or understand your own guidelines, having to consult the City Attorney to decide eligibility of applicants. We would like the Boulder Arts Commission to be fair in their operations, and spare other organizations from going through the same experience.

Your attention to this matter is greatly appreciated.

Sincerely,

|
|
Amy Stewart McIntosh, Program Director
Boulder Arts Commission - 44

July 20, 2016



Classes & Workshops for All Ages
Shamwari & Tamba! Youth Ensembles
African Village Relief Program

July 12, 2016

To: Boulder Arts + Culture Staff and Commission
From: Amy Stewart McIntosh, Program Director
RE: Meeting Minute Correction Request

Please consider the following corrections to your March and April 2016 Minutes.

MARCH 2016

I. Public Comment

My name is Amy Stewart McIntosh, not Amy Stewart MacIntosh.

II. Operational Grants for Small-Midsize Organizations

Please replace the first paragraph with the following (which was taken from the audio recording of the meeting):

Process Review

Richard wants to bring attention to the eligibility requirements and BAC's process for questions regarding eligibility. Kutandara's application highlights that there are gaps in the eligibility criteria; Kutandara fits in neither category, but has made an application in the small to medium size category. Large grants are for 501c3s making more than \$200,000. In the small to medium category, for-profits are included, but Kutandara is excluded in this format because their annual budget is slightly over \$200,00. He talked extensively with staff and encouraged Kutandara to apply. He is fine reviewing Kutandara's application as an eligible application and thinks we should move the application forward. He asked other members what they think.

After much discussion of fairness, communication, legal implications, and other grant applicants, the commissioners answered each in turn.

Ann: We should leave them in. If the Attorney says we made a mistake, we ask for forgiveness. It doesn't seem fair.

Felicia: I think we should consider their application.

Tamil: It's very unfair now to exclude them.

III. In the presentation section under Kutandara Center, please strike "Organization was charged to justify where they fit. Staff determined they were ineligible, but were requested to allow the full BAC to make the final determination of eligibility. There are additional grants available but not a catchall for non-recipients."

This was not communicated to Kutandara prior to this meeting and should not be included as part of the meeting minutes.

APRIL 2016

I. Public Comment

My name is my name is Amy Stewart McIntosh.

II. Discussion of Eligibility Requirements for Operational Grants

Paragraph should read:

Matt gave an overview of the process: Upon receipt of Kutandara's grant application, staff consulted the chair and determined it should be considered by the full BAC. At the March meeting the BAC unanimously agreed to consider the application as eligible, and awarded Kutandara 1 of the 10 grants. A protest was received by the 11th place applicant to reconsider the eligibility decision. The City Attorney's Office, with staff and the chair, recommended that the BAC reconsider their decision; eligibility guidelines should not be compromised. Commission discussed the request.

From: Marian Liebowitz [marian@marianliebowitz.com]
Sent: Wednesday, July 13, 2016 9:44 AM
To: Chasansky, Matthew
Cc: Fowler, Mary; Haan, Mary Wohl; tamilbac@gmail.com; flynvartranch@comcast.net; Ann Moss; F Furman
Subject: Free performances by Jarabe Mexicano

Dear Boulder Arts Team,

I am a music professor and booking agent from San Diego. I have a band, Jarabe Mexicano, who are on tour in Colorado, including appearances at Music in the Mountains in Durango, and two presentations at the Carbondale Mountain Fair. They are completely bi-lingual and excellent music educators, particularly on the topic of making traditional Mexican music relevant for today's audiences. Their tour was just extended by an engagement in Denver for the Sabor Festival the evening of August 5. I am reaching out to the vast network of Front Range NPOs and Latino organizations to fill in the dates of August 1- 5 with additional appearances for the band. I can use grant monies from the National Endowment for Arts Grant to SDSU Heartpower Performances to fund the band in outreach programs that week to community audiences including youth, vets, senior citizens, family audiences, public schools, or libraries. Of course, the band is also open to paid opportunities that are outside the scope of the grant such as parties, mixers, club gigs, etc. I am happy to field inquiries from any interested parties, so feel free to share this information with others if you are not able to take advantage of this offer yourselves.

Here is more about the band:

<http://www.marianliebowitz.com/#!jarabe-mexicano/tqyfi>

I look forward to hearing from you!

--

Thank you,

Marian Liebowitz

[619-988-0751](tel:619-988-0751)

<http://www.marianliebowitz.com/>

--

Thank you,

Marian Liebowitz

[619-988-0751](tel:619-988-0751)

<http://www.marianliebowitz.com/>