

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENTERING)	RESOLUTION NO.94-2025
INTO A GRANT AGREEMENT WITH)	
THE METROPOLITAN REGIONAL ARTS)	Introduced by Rena Cusma
COUNCIL)	Executive Officer

WHEREAS, Metro has historically worked through the Metropolitan Arts Commission (MAC) and with various arts organizations that utilize facilities operated by the Metropolitan Exposition-Recreation Commission (MERC) and that serve and enrich the Metro region through a variety of arts and cultural activities; and

WHEREAS, various citizen advisory bodies convened by local government have analyzed the fiscal needs of the arts and arts organizations and of the convention, trade and spectator facilities operated by Metro through the Metropolitan Exposition-Recreation Commission; and

WHEREAS the Metro Regional Arts Funding Task Force chaired by David Knowles has made various short and long term recommendations regarding arts and cultural activities; and

WHEREAS, the Metro Council in response to those studies and task force recommendations has adopted a budget appropriation of \$115,000 for the 1994-95 Fiscal Year to be coupled with \$10,000 appropriated by MERC; and

WHEREAS, the Metropolitan Regional Arts Council (MRAC) is the successor of the Metropolitan Arts Commission which was established by intergovernmental agreement between the City of Portland and Multnomah County; now, therefore,

BE IT RESOLVED:

That in recognition of the mutual interest of the parties the agreement attached hereto as Contract No.903909 is adopted and that grant funds shall be conveyed to the Metropolitan Regional Arts Council according to the terms of the agreement.

ADOPTED by the Metro Council this 25th day of August, 1994.


Ed Washington, Deputy Presiding Officer

METRO CONTRACT NO.903909

AGREEMENT

This Agreement, dated as of August 17, 1994, is by and between Metro, a metropolitan service district organized under the laws of the State of Oregon and the 1992 Metro Charter, whose address is 600 N.E. Grand Avenue, Portland, Oregon 97232-2736 and the Metropolitan Regional Arts Council, a nonprofit entity legally chartered under applicable Federal law and State statute whose address is The Portland Building, 1120 S.W. Fifth Avenue, Portland, Oregon, 97204, hereinafter referred to as "MRAC."

Witnesseth:

Whereas, Metro has historically supported the work of the Metropolitan Arts Commission (MAC) and other arts organizations cultural activities that serve and enrich the Metro region and that utilize facilities operated by the Metropolitan Exposition-Recreation Commission (MERC); and

Whereas, various citizen advisory bodies convened by Metro and local government have analyzed the fiscal needs of the arts and arts organizations and of the convention, trade and spectator facilities operated by Metro through the Metropolitan Exposition-Recreation Commission; and

Whereas, the Metro Regional Arts Funding Task Force chaired by David Knowles has made various short and long term recommendations regarding arts and cultural activities; and

Whereas, the Metro Council in response to those studies and task force recommendations has adopted a budget appropriation of \$115,000 for the 1994-95 Fiscal Year to be coupled with \$10,000 appropriated by MERC; and

Whereas, the Metropolitan Regional Arts Council (MRAC) is the successor of the Metropolitan Arts Commission which was established by intergovernmental agreement between the City of Portland and Multnomah County;

Now, Therefore, in recognition of the mutual interests of the parties and based upon the terms and conditions contained herein it is hereby mutually agreed that Metro shall provide grant funding to be utilized by MRAC effective July 1, 1994 through and including July 30, 1995 to pursue, execute and accomplish the projects and specific tasks described herein.

1. SCOPE OF WORK:

This Agreement is exclusively for the personal services of MRAC to be utilized for the administration of the following:

F) **Printing and Distribution of Technical Information:** Development of the regional arts infrastructure and reports for public meetings, etc.

- * develop and disseminate a quarterly progress report on regional arts plan implementation
- * organize joint board and staff meetings at least annually
- * publish issue monographs; survey results
- * Expand distribution of monthly technical assistance newsletter (competitions, grant and training opportunities)

Staffing, postage, printing and materials \$2,500

G) **Arts Education Planning and Coordination:** Cooperation with regional arts and education leaders so that all communities are linked to the best critical and strategic thinking on this important topic.

Administration/hosting meetings \$1,000

RESEARCH

H) **Polling:** (Public needs, interests, attitudes) \$15,000

PUBLIC EDUCATION AND ACCESS

(Building public awareness of resources and accessibility)

A) **Umbrella Media/Print Advertising Campaign:** To promote general public awareness of wide ranging regional arts and cultural activities and the effect on our quality of life. Scheduled on TV, The Oregonian, regional media.

\$10,000

B) **Neighborhood and Regional Event Cultural Tour Bus:** A painted cultural bus will be launched by Tri-Met in partnership with Northwest Business Committee for the Arts (NWBCA), Metropolitan Regional Arts Council (MRAC), Association for Portland Progress (APP), Portland/Oregon Visitors Association (POVA) and the Arts & Cultural Alliance. The painted bus will tour to outdoor regional events in late summer and fall to promote regional access. Funding will bring high caliber professional performance groups to scheduled family festivals and events throughout the region. The primary goal is to initiate business and arts partnerships to build a stronger regional base of support for the arts. This promotion will encourage use of the new bus services by families throughout the region.

\$45,000

C) **Cultural Tourism and Audience Development:** Promoting use of arts and cultural facilities and activities throughout the region to our growing visitor industry in collaboration with MAC, NWBCA, POVA, the Regional Art Network and Washington, Clackamas and Clark County tourism councils.

\$5,000

D) Regional Events and Access Campaign: A key tool will be production marketing and distribution of an events calendar, possibly in collaboration with The Oregonian. Emphasis will be on family activities. PCPA events and activities will be prominently featured in all aspects of the regional public information campaign. Up to \$10,000 (the MERC appropriation) has been designated for PCPA's use in a partnership with businesses for bi-monthly calendars of upcoming events. marketing purposes

MERC FUNDING	\$10,000
METRO GENERAL FUND	\$115,000
TOTAL	\$125,000

2. MRAC/BCA FIDUCIARY RELATIONSHIP:

Metro understands and agrees that MRAC and the Northwest Business Committee for the Arts (NWBCA) will partner in completing the grant workplan and that MRAC will delegate certain tasks and projects to the NWBCA together with Metro grant funds necessary for their completion.

3. RELEASE OF METRO FUNDS:

In recognition that demands upon grant funding will not be evenly distributed across the grant period, Metro agrees to release one-half of the grant funds (\$62,500) to MRAC upon completion and signing of the necessary documents. The second one-half of the grant funds (\$62,500) shall be released approximately one-half of the way through the grant period, on or about January 1995.

4. REPORTING REQUIREMENTS:

MRAC shall be responsible for providing written program progress and financial reports to Metro and MERC on a regular basis across the grant period. At a minimum, MRAC shall report quarterly to the Metro Council Regional Facilities Committee (or other appropriate body as may be determined by the Metro Council's Presiding Officer) and the MERC Commission and shall provide such other verbal and written reports as may be requested by Metro and MERC.

Those reports shall be presented verbally by representatives of MRAC/NWBCA so as to allow queries, if any, and shall, whenever possible, be accompanied by examples of products produced. Financial reports shall include revenue expenditure information in detail for the work elements shown above.

5. INDEMNIFICATION:

The parties hereby agree that MRAC is an independent organization, and that the activities of MRAC, their officers, agents, and employees, shall not constitute actions of Metro for any purpose. Therefore, MRAC hereby agrees to indemnify, hold harmless, and defend Metro, MERC, Multnomah County and the City of Portland, and

their respective members, officers, directors, agents, and employees from and against any and all liabilities, damages, actions, costs, losses, claims and expenses (including attorney's fees) arising out of the activities of MRAC, its officers, agents, employees, contractors, and invitees.

6. TERMINATION

Metro may terminate this Contract upon giving MRAC seven (7) days written notice. In the event of termination, MRAC shall be entitled to payment for work performed to the date of termination. Metro shall not be liable for indirect or consequential damages. Termination by Metro will not waive any claim or remedies it may have against MRAC.

7. SITUS:

The situs of this Agreement is Portland, Oregon, and any litigation related hereto shall be governed by the laws of the state of Oregon and conducted in the State circuit court for Multnomah County.

8. NONTRANSFERABILITY:

This Agreement is binding on each party, its successors, assigns, and legal representatives and may not, under any circumstances, be assigned or transferred by either party.

9: CONTACTS:

The manager of this grant for Metro and MERC shall be (until such time as the Executive Officer may name a replacement)::

Donald E. Rocks, Executive Assistant
Executive Management Dept, 600 N.E. Grand Avenue, Portland, Oregon 97232
Telephone 797-1504

And all correspondence and reports shall be addressed to him.

The manager of this grant for MRAC shall be:

Bill Bulick
Portland Building, Room 1023
Telephone 823-5111

And all correspondence and payments shall be addressed to him.

10. ENTIRE AGREEMENT:

Notwithstanding and succeeding any and all prior agreement(s) or practices(s), this Agreement constitutes the entire Agreement between the parties, and may only be expressly modified in writing(s) signed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates hereinafter indicated and as follows:

METRO

**METROPOLITAN REGIONAL ARTS
COUNCIL (MRAC)**

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Date: _____

Date: _____


M E T R O P O L I T A N A R T S C O M M I S S I O N

August 8, 1994

TO: Rena Cusma, Metro Executive
Judy Wyers, Metro Council Chair
Sandi Hansen, Regional Facilities Committee Chair

FROM: Bill Bulick, Executive Director

RE: MAC/BCA Revised Budget for
regional planning/public information coordination
MAC status as fiscal agent and update on MAC/RAC Transition

The purpose of this memo is to provide details about the expenditures, matching funds and proposed programs supported by an FY 94/95 \$125,000 METRO appropriation and to update Metro on MAC's desire to utilize its non-profit structure for program oversight.

It was proposed that the Metropolitan Arts Commission act as fiscal agent for this project, in light of our long standing relationship with Metro as administrator of public art projects and through partnerships on Arts Plan 2000+ and the Metro Regional Arts Funding Task Force. Arts Plan 2000+ recommended that the Metropolitan Arts Commission transition from a City of Portland bureau to a non-profit organization in order to more efficiently address new regional responsibilities and opportunities. In response, MAC convened a Transition Task Force comprised of regional government and arts stakeholders, including Metro, to study structural options. The Arts Plan recommendation was reaffirmed by this group and by the Metro Regional Arts Funding Task Force. MAC is now in the process of implementing that recommendation.

MAC formed a non-profit corporation, the Metropolitan Regional Arts Council (MRAC), three years ago to manage a regional Arts in Education Program. It had been envisioned that MAC would utilize this structure for

operations as a regional agency if the non-profit option was favored. The articles of incorporation, by laws, federal 501 c (3) status and fiscal accounting systems are already in place. During MAC's transition, which began on July 1 and will culminate on January 15, 1995 with MAC ceasing to exist, we have begun to shift programs and resources into the non-profit MRAC.

One of the prime benefits of this non-profit structure is to accomplish program oversight with a high degree of accountability, but less paperwork and bureaucracy. MAC wishes to model this new operating style by utilizing MRAC for the Metro projects.

As would be the case for an intergovernmental contract, we request that the appropriation be conveyed in one payment as soon as contracts can be signed. We are also anxious to lay out a regular reporting schedule for the Committee and Council and would like to follow up with the Regional Task Force recommendation of assigning an official Metro Council liaison to MAC and its successor. Also of interest to us is Metro's involvement in appointments to the Commission. We are prepared to discuss the ramifications of these recommendations with you in detail at the Metro Regional Facilities Committee meeting next week.

The narrative that follows reiterates the case statement for regional cultural development and planning originally made to the Regional Facilities Committee and the Metro Council. The revised figures are a refinement in light of the actual appropriation. We believe these programs and funding are critical to continuing the momentum towards implementation of short and long term recommendations of the Metro Regional Arts Funding Task Force.

The Metropolitan Arts Commission (MAC), the Northwest Business Committee for the Arts (BCA) and other organizations such as the Regional Art Network, local arts councils, the Arts & Cultural Alliance and our many community based partners are continuing to implement multiple recommendations of Arts Plan and lay the groundwork for the regional stewardship of our cultural resources envisioned by the Metro Regional Arts Funding Task Force.

The circle of leadership, participation and awareness has already widened considerably, but there is much more to do. Metro's continued involvement and leadership are needed in order to implement the Task Force's short and long term recommendations.

MAC, in its developing regional role, seeks to encourage community arts and cultural assessments, inventory resources, convene town meetings and to

unite existing arts organizations toward common goals. This planning emphasizes communication, coordination and leadership and is essential to the goals of collaboration, resource sharing, partnering and strategic development of the regional arts industry. The work is also essential to developing broad based, grass roots support for a regional funding solution.

The Northwest Business Committee for the Arts is committed to developing a public information campaign that will increase public awareness of the multiple benefits of the arts and their impact on the quality of our region. This work is a critical precursor to a regional ballot measure campaign.

<u>Request Summary:</u>	<u>METRO</u>	<u>Match</u>
Planning & Coordination	\$30,000	\$141,500
Research	15,000	15,000
Public Information & Outreach	80,000	610,000
Totals	\$125,000	\$766,500

Match:

\$125,000 is an appropriate level of funding from Metro and helps to insure matching of a three-year Challenge grant from the National Endowment for the Arts. Further, it brings Metro's leverage into the new coalition of governments (City of Portland, Clackamas, Multnomah and Washington Counties) who are providing funding for MAC to plan for and address the needs of the regional arts & cultural industry. The Northwest Business Committee for the Arts and the wider business community are additional funding partners.

Matching Funds:

New Funding From Counties (per year, and increasing)	\$43,500
NEA Challenge grant (per year, for three years)	63,000
Portland Mayor's Challenge (Arts Plan response)	250,000
Business Committee for the Arts (minimally)	250,000
Local community match (local governments, business and community organizations)	160,000
Minimum total being matched	\$766,500

Budget Detail

Service	Metro	Matching
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PLANNING AND COORDINATION

1) Leadership Development:

Consultation with elected officials, managers and planners at Metro and in municipalities outside Portland to identify community priorities and needs. Incorporate arts & cultural issues into such planning efforts as Future Vision, 2040, and related growth management planning

100 hours at \$30/hr

\$3000

\$3,000

2) Inventory Resources

Complete a comprehensive inventory of arts and cultural resources, community organizations and facilities in the region in collaboration with the growing network of local arts councils, and arts producers

Project manager, surveys and compilation
Design & layout for guide

\$3,750

\$10,000

\$4,000

\$4,000

3) Town Meetings on the Arts:

Facilitate community dialogues to integrate arts into economic development, education, growth management and quality of life strategies; include feedback on Metro Funding Task Force Final Report & Recommendations

9 facilitated town meetings & consulting
20 speakers presentations @ 50

\$4,500

\$8,500

\$1,000

\$3,000

ServiceMetro Matching4. Provide coordination and training to regional arts industry:

Organize monthly meetings of arts groups outside Portland and encourage partnerships with Portland based groups by linking the Regional Art Network and the Arts Alliance; provide management and other professional practices training such as fundraising, production, marketing and board development.

50 hours meeting organization at \$30/hr	\$1,500	\$3,000
Trainer honoraria; net costs of workshops	\$5,000	\$5,000

5) Planning and coordination for regrant program:

New funding throughout the region to support arts activities and education projects; manage the process, conduct outreach and technical assistance to applicants, recruit/train knowledgeable, geographically representative arts panelists; facilitate public grant making meetings.

150 hours planning @ \$25/hr	\$3,750	\$50,000
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6. Printing and Distribution of Technical Information

for development of the regional arts infrastructure and reports for public meetings, etc.

- develop and disseminate a quarterly progress report on regional arts plan implementation
- organize joint board and staff meetings at least annually
- publish issue monographs; survey results
- expand distribution of monthly technical assistance newsletter (competitions, grant & training opportunities)

Staffing, postage, printing and materials	\$2,500	\$5,000
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<u>Service</u>	<u>Metro</u>	<u>Matching</u>
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7. Arts Education Planning and Coordination:

in cooperation with regional arts and education leaders so that all communities are linked to the best critical and strategic thinking on this most important topic.

Administration/hosting meetings	\$1,000	\$50,000
Total Planning Expenditures	\$30,000	\$141,500

RESEARCH

1) Polling re: public needs and interests	\$15,000	\$15,000
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PUBLIC EDUCATION AND ACCESS

Builds public awareness of resources and accessibility.

1) Umbrella media/print advertising campaign

To promote general public awareness of wide ranging regional arts and cultural activities and the effect on our quality of life. Scheduled on TV., the Oregonian and regional newspapers

	\$10,000	\$200,000
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2) Neighborhood and Regional Event Cultural Bus Tour

A painted cultural bus will be launched by Tri-Met in partnership with BCA, MAC, APP, POVA and the Arts & Cultural Alliance. The painted bus will tour to outdoor regional events in late summer and fall to promote regional access. Funding will bring high caliber, professional performance groups to scheduled family festivals and events throughout the region. The primary goal is to initiate business and arts partnerships to build a stronger regional base of support for the arts. This promotion will encourage use of the new bus services by families throughout the region.

	\$45,000	\$340,000
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<u>Service</u>	<u>Metro Matching</u>
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3) Cultural Tourism and Audience Development

Promoting use of arts and cultural facilities and activities throughout the region to our growing visitor industry in collaboration with MAC, BCA, POVA, the Regional Art Network and Washington, Clackamas and Clark County tourism councils.

\$5,000 \$20,000

4) Regional Events and Access Campaign

Key tool will be production, marketing and distribution of an events and activities calendar, possibility in collaboration with the Oregonian. Emphasis on family activities. PCPA events and activities will be prominently featured in all aspects of the regional public information campaign. Up to \$10,000 has been designated for PCPA's use in a partnership with businesses for bi-monthly calendars of upcoming events.

\$20,000 \$50,000

Total Public Information/Outreach Expenditures \$80,000 \$610,000

[Additional PR and marketing projects planned by Northwest Business Committee for the Arts and the Metropolitan Arts Commission include launching and promoting the Regional Visual Chronicles, arts and cultural participation in the annual Our Children's Store, Tri-Met Field Trips/Arts Card promotion, Arts Plan 2000 Schools, Artquake and PDX TIX, Day of show half price ticket booth at POVA's Visitor Information Center]

TOTAL METRO REQUEST AND MATCHING \$125,000 \$766,500

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO 94-2025 FOR THE PURPOSE OF ENTERING INTO A GRANT AGREEMENT WITH THE METROPOLITAN REGIONAL ARTS COUNCIL

Date: August 11, 1994

Presented By: Don Rocks

BACKGROUND

During the FY 1994-95 budget process the Metropolitan Arts Commission (MAC), Northwest Business Committee for the Arts (NW BCA) and Metro Funding Task Force ("Knowles Committee") requested a \$145,000 appropriation from Metro to implement Task Force recommendations and strategies.

The council approved a sum of \$115,000 which is reflected in the adopted budget as a General Fund Special Appropriation. The MERC budgeted an additional \$10,000, which sum will be used to enhance the PCPA marketing program, bringing the total grant amount to \$125,000.

The MAC was to serve as the fiscal agent for the Metro grant and pass-through to the NWBCA monies earmarked for projects and activities to be performed by BCA. Concurrently, and extending over the approximately last 18 months, the MAC formed Transition Committee, chaired by Joyce Ashmanskas, Washington County, consulted broadly with representatives of arts organizations and governments regarding the most appropriate and efficient organizational vehicle for a regional arts commission.

The conclusion and recommendation to the main body was that a non profit entity should be formed. The new entity would essentially replace the MAC which was created by intergovernmental agreement between the City of Portland and Multnomah County. MAC subsequently made presentations to local governments throughout the region including Metro.

The Metropolitan Regional Arts Council is now in place as a 501 c (3) entity with articles of incorporation, by laws and fiscal accounting systems in place. The full transition is expected to be complete by mid January, 1995.

REGIONAL FACILITIES COMMITTEE REPORT

RESOLUTION NO. 94-2025, ENTERING INTO A GRANT AGREEMENT WITH THE METROPOLITAN REGIONAL ARTS COUNCIL

Date: August 18, 1994

Presented by: Councilor Moore

COMMITTEE RECOMMENDATION: At its August 17, 1994 meeting the Regional Facilities Committee voted 5-0 to recommend Council approval of Resolution No. 94-2025. All committee members were present and voted aye.

COMMITTEE DISCUSSION/ISSUES: Executive Assistant Don Rocks discussed the background of this resolution, pointing out that it provides for an agreement between Metro and the Metropolitan Regional Arts Council to do work on arts and cultural outreach, education, and programs. The \$125,000 for this work is included in the 1994-95 budget. The agreement authorized in the resolution provides for accountability on how those funds are to be spent, and provides for periodic reporting on the program's progress. Mr. Rocks introduced Bill Bulick and Donna Milrany, the Executive Director and Associate Director of the Metropolitan Arts Commission.

Mr. Bulick discussed the transition from the Metropolitan Arts Commission to the new Metropolitan Regional Arts Council (MRAC). The MRAC is a non-profit organization that is scheduled to take over the duties and functions of the Arts Commission in January 1995. Mr. Bulick said he would like as much time as possible in the future for reporting to the Regional Facilities Committee and Metro Council on the activities called for in the agreement, and asked for assistance in appointing a liaison Councilor to MRAC.

Councilor Washington asked for clarification on items #3 and 4 in Mr. Bulick's August 8, 1994 memo. He wanted to know who will be conducting the town meetings and what the meetings will be for. Mr. Bulick said the purpose of the meetings is to create "linkages" between emerging arts leaders and other community leaders, including elected officials, to promote and foster a strong arts community throughout the region. Ms. Milrany said the Arts Commission has retained Sharon Morgan, Executive Director of the Oregon Coast Council for the Arts, to conduct these meetings. Ms. Milrany discussed the results of town meetings that have already been held in Hillsboro and Lake Oswego. The town meetings are both to coordinate between arts councils and community leaders, and involve the general public in developing arts and cultural policies.

Ms. Milrany spoke to item #4 (provide coordination and training to regional arts industry), saying that the aim is to advise local arts councils how to broaden their outreach and contact with community leaders. She cited Beaverton, Tigard and the cities of East Multnomah County as areas where this work is

progressing. Mr. Bulick said neighborhood arts programs and cultural strategies are also being developed and promoted, citing work now being done in Portland's Old Town which coordinates community policing efforts with cultural programs.

In response to a question from Councilor Moore, Mr. Bulick said the counties are providing financial support to the Arts Commission as follows: Washington, \$25,000; Clackamas, \$32,000; and Multnomah, \$275,000 plus \$100,000 from hotel/motel tax revenues.

Mr. Bulick asked for assistance from the committee to incorporate arts policies into Metro's regional planning efforts such as 2040 and Future Vision. He also asked for guidance in determining Metro's role in appointing members of the MRAC. Councilor Washington asked Mr. Bulick to address a letter to him as Deputy Presiding Officer requesting such assistance and an appointment of a liaison Councilor. Chair Hansen directed committee staff to report back to the committee on alternatives for the appointments process.