

UNOFFICIAL DRAFT SUBJECT TO APPROVAL BY THE COMMITTEE AT ITS NEXT MEETING

MINUTES OF THE MEETING

**MASS CULTURAL COUNCIL
EXECUTIVE COMMITTEE**

TUESDAY, MARCH 8, 2022

ONLINE MEETING

Committee Members Present were

Nina Fialkow, Chair
Marc Carroll, Vice Chair
Che Anderson
Troy Siebels

Staff Members Present were

Michael J. Bobbitt, Executive Director
David Slatery, Deputy Director
Catherine Cheng-Anderson, People & Culture Director
Bethann Steiner, Public Affairs Director
Ann Petruccelli Moon, Special Assistant to the Executive Director & Leadership Team
Carmen Plazas, Communications Manager

Chair Nina Fialkow called the meeting to order at 10:08am and asked Deputy Director David Slatery to read the Open Meeting Law statement:

Please note that this meeting is an open meeting of a public body subject to the Massachusetts Open Meeting Law. A notice of this meeting together with the agenda was posted on Mass Cultural Council's website 48 or more hours ago (excluding weekends and holidays).

This meeting shall be open and accessible to all members of the public except at such times when this body has voted to go into closed executive session under the Open Meeting Law.

This meeting is a virtual meeting held under the Open Meeting Law as modified under current law to permit online open meetings. This meeting is being

broadcast to the public on a publicly available YouTube or other channel as described in the publicly posted meeting notice. Only Council members, staff and invited participants and guests will be provided access to the Zoom or other videoconferencing platform actually hosting the meeting. As a safety measure, in order to prevent disruption of the meeting or non-public communications among the participants, the Chair, Vice Chair and Executive Committee of Mass Cultural Council has asked staff to implement the following protocols for participants in on-line meetings of Mass Cultural Council or its committees:

- Any "chat" or similar function on the Zoom platform hosting the meeting shall be disabled.
- Other than Council members or participants specifically recognized by the Chair of the meeting, all Zoom platform participants will be muted and have no ability to share media or documents or project or type images or text.
- All participants in the Zoom platform must enter a waiting room and digitally sign-in before being admitted.
- Any attendee in the Zoom platform who nonetheless causes a disruption will be summarily removed from the meeting at the discretion of the Chair.

This meeting is not a public hearing and public testimony will not be taken. Individuals may not address the meeting without permission of the Chair.

Any member of the public may record this meeting provided that they do not interfere with the meeting. The Chair will then inform the members of the meeting that they are being recorded.

Draft minutes of the open session of this meeting shall be kept and shall be posted on Mass Cultural Council's website no later than 30 days after the meeting provided that such minutes shall not be considered official until they have been approved by this body in open session. Individuals asserting a violation of the Open Meeting Law may file a complaint with this body within 30 days or with the Attorney General's office thereafter

Nina then asked if Committee Members had reviewed the minutes of their last two meetings on January 13th and January 25th and called for a motion to approve them. Troy Siebels moved to approve the minutes; Marc Carroll seconded the motion. By roll call vote and noting that Committee Members Jo-Ann Davis and Sherry Dong were absent, all were in favor, and it was

RESOLVED: that the Executive Committee approves the minutes of the January 13 and January 25, 2022 Executive Committee Meetings in the form presented to the Executive Committee.

Nina welcomed her fellow Committee Members and Agency staff to the meeting and gave a special welcome to Che Anderson who was recently appointed to the Committee. She then asked Michael Bobbitt for his Executive Director's report.

Michael stated that two big operational improvement pushes are underway: staff is in the process of obtaining their much-needed new computers and the transition to the state's Office 365 software is forthcoming. People & Culture Director Catherine Cheng-Anderson is working hard to build the Agency's Human Resources-related systems; the Agency is also in the process of filling several vacancies and recruiting for additional hires and working through the Racial Equity Plan. Plans for pandemic relief grant programs are in the works. Staff has been reviewing what they learned during the January 24th public input session as well as the submitted written comments. Plans for FY23 and the development of a new strategic plan are beginning, and conversations about site visits and the Agency's service agenda are ongoing.

Nina let Committee Members know that she and Vice Chair Marc Carroll had started to form the Strategic Planning Task Force. Currently, Council Members Ann Murphy, Kathleen Castro, and Cecil Barron-Jensen have agreed to serve. Nina will be speaking soon with Matthew Keator as well. Nina considered geographic diversity as well as who on the Council had previously served on a task force to include as many new voices as possible. Nina then asked Public Affairs Director Bethann Steiner for her Advocacy update.

Bethann began with an update on the FY23 state budget process. Last week she, along with Michael and David, appeared before the Joint Committee on Ways & Means to deliver Mass Cultural Council's testimony requesting an increase to \$27.4M for the Agency's line item. This represents an increase of \$7M from the Governor's H2 budget proposal and, if secured, will return Mass Cultural Council to its 1988 funding level – the highest it has ever received. So far, response to the Agency's request has been positive. At the Joint Ways & Means Committee hearing, the team received no difficult questions and had three Representatives and one Senator voice speak in favor of the Agency. Bethann also attended a recent virtual gathering convened by the Cape Cod Arts Foundation at which the Cape Cod legislative delegation was present. Bethann was asked to speak on the Agency's state budget advocacy efforts at the event and received no negative feedback. The request will be articulated in writing as well. Bethann is working to create a data-driven one-pager describing the importance and impact of the cultural sector and what it could do with the type of investment the Agency is seeking. Michael will also begin meeting with legislators virtually and in-person to seek their support of the Agency's request. Michael and Bethann have already met with Tourism, Arts, and Cultural Development Chair Carole Fiola who was very supportive of the proposed budget ask. Staff is poised to develop a robust advocacy plan in partnership with MassCreative and Mass Humanities.

Bethann then gave a brief update on the Agency's allocation from the State's recent act allocating federal ARPA funds as well as surplus state monies for pandemic relief. Mass Cultural Council has received \$60.1M in funding (all from state, not federal, funds so are referred to here as "Pandemic Relief Funds") and been directed to develop programs supporting organizations and artists as they recover from the impacts of the COVID-19 pandemic. Staff is reviewing written comments and feedback received during its public input session and working to develop these programs. While the funds are good through FY27 the Agency is being encouraged by legislators to develop programs and distribute the funds quickly.

Nina asked if at the full Council Meeting on March 22nd Bethann could review the timing of the budget process with Council Members and remind them that their support and advocacy is very much needed. Bethann indicated she would do so.

Troy asked if there was still any thought being given to the idea of advocating for a specific FY23 budget allocation that came from a specific need within the field so that the Agency's explanation of how it would spend its allocation was built into the ask. Bethann explained that she is working to gather data that will demonstrate how the Agency will spend a proposed increase including information about what the Agency funded this year, areas it could invest more, pandemic impact numbers, and unmet need. She added that after this year – which will potentially include more public dollars to invest than the Agency has ever had given its annual appropriation, Gaming Mitigation funds, the Cultural Facilities Fund, and Pandemic Relief funding – Mass Cultural Council will be poised to tell a robust story about need within the sector and the impact of the Agency's support. This will be a compelling narrative. Michael added that the \$27.4M ask is the beginning of a longer campaign, that the Agency will be surveying the field for a sixth time to learn about the impacts of the pandemic, and that with the new strategic plan on the horizon there will be a good deal more information next year to support a longer-term campaign.

Nina asked if the idea of a longer-term campaign would be articulated and shared and, if so, how. Bethann responded that she believes the Agency will have more to say about that idea at the end of April when the House releases its FY23 budget proposal. Michael added that an “ARPA/Pandemic Relief 2” bill might change the process and thinking about future budget asks. That concluded the Committee's discussion on Advocacy efforts.

Nina asked David to explain the proposed contribution of the Pandemic Relief funds to the Cultural Facilities Fund (CFF) 2022 funding round. David explained briefly how CFF is administered each year: the program is funded by the Governor's capital plan; Mass Cultural Council staff in the public face of the program-it advertises the program, runs the outreach, application process and review panels, and makes recommendations to the CFF Advisory Board who then pass those recommendations onto the MassDevelopment Board for its approval. In the ARPA /Pandemic Relief Act it was mentioned that the Agency is specifically authorized to make contributions to CFF. The CFF funding round is in midst of its panel process. The idea is that because of the language of the statute and because the CFF round is underway right now, then, some of the Pandemic Relief funds can be put to work right now and moved out into the field. Staff is recommending that we contribute an amount of Pandemic Relief funds to CFF to fund as many eligible applicants as possible. Program Manager Jay Paget has reviewed all current CFF applications and indicated that with an additional \$12 million, all eligible applications could be funded. If the Committee agrees, this recommendation will go before the full Council at its next meeting on March 22nd. Today staff is seeking the endorsement of the Executive Committee to contribute up to \$12 million of the Agency's Pandemic Relief funds to CFF so that all eligible projects can be funded. The funding recommendations, including the additional Pandemic Relief funds would go to the CFF Advisory Committee in April and the MassDevelopment Board in May. These Pandemic Relief funds would then ultimately be dispersed sooner than the rest of the Agency' Pandemic Relief funds. David further explained that staff will not have exact i.e., numbers until next week after the panel review process has been thoroughly reviewed, but that the amount to be recommended will not exceed \$12 million and it is

anticipated that if an organization receives Pandemic Relief funding through CFF, they will not be eligible to apply for more once the Agency rolls out the balance of its Pandemic Relief programs in FY23.

Vice Chair Marc Carroll asked how many organizations would be helped by the additional \$12 million. David explained that staff had received 138 applications. Historically, 50 or 60 would be funded. With this extra \$12 million, a maximum of 60 additional projects could be funded. Troy asked if \$200,000 is the recommended maximum amount for a CFF grant and David responded that it has been at that level for the past several years and plans are to keep it at that level.

Nina stated that it will be important to have a review of the Cultural Facilities Fund program for Council Members at the March 22nd meeting, then asked how the program's allocation is determined each year. David explained that it is determined by the Governor when he sets the Commonwealth's annual capital plan (Governor Baker has allocated \$10 million in each year of his administration) and added that last year there was \$10 million available. In addition to this, \$2.5 million in requests were pre-funded in the 2021 round and so this year the program only had about \$7M to work with. This addition of Pandemic Relief funds will round out the demand.

Nina observed that the CFF application is complex and time-consuming and asked who develops it each year. David explained that Mass Cultural Council develops and manages the application in partnership with MassDevelopment and acknowledged that it is a complicated program. Mass Cultural Council is working with MassDevelopment Executive Director Dan Rivera to simplify the application in the future. Michael explained that he is also talking with Dan to make changes to CFF that will enable more people to be funded. One such change is that successful applicants have to wait one year before applying for additional CFF funding, i.e., no one can receive a CFF grant two years in a row thus freeing up funds for more new applicants.

There were no further questions and Nina asked for a motion to approve the recommendation. Troy moved to approve; Marc seconded the motion. Noting that Jo-Ann Davis and Sherry Dong were absent and by roll call vote

WHEREAS, the Council at its May 18, 2021 meeting approved an allocation of \$3,000,000 from the Massachusetts Cultural and Performing Arts Mitigation Trust Fund (the "Fund") to the upcoming round of the Gaming Mitigation Program, originally planned for Fall 2021; and

WHEREAS, under Chapter 23K of the Massachusetts General Laws (as most recently amended by sections 3 and 4 of Chapter 142 of the Acts of 2019), such Fund receives 2% of the Commonwealth's gross gaming tax revenues from casinos, a portion of which (75% after expenses) is dedicated to the Gaming Mitigation Program and since May 2021 monies available in the Fund for such program have accumulated more than was anticipated; and

WHEREAS, as described in the staff memorandum presented to this meeting, the upcoming round of the Gaming Mitigation Program was delayed and is now scheduled for completion in early 2022 and staff of Mass Cultural Council suggests employing \$675,000 the additional available monies to benefit the

eligible applicants to said program and will be presenting funding recommendations to Mass Cultural Council Grants Committee later today employing the additional funds;

NOW THEREFORE, it is hereby

RESOLVED: that the Executive Committee recommends that the Council approve the contribution of up to \$12 million of funds made available under Massachusetts' Act Relative to Immediate COVID-19 Recovery Needs (Chapter 102 of the Acts of 2021) in Section 2, Line item 1599-2043 to the current round of funding under Massachusetts Cultural Facilities Fund program existing under Massachusetts General Laws Chapter 23G, Secs 42-43

Nina then moved to the final item of the morning which was to approve the agenda for the March 22nd Council Meeting. She had two requests: first, for the names all those individuals speaking at the meeting to be added to their corresponding item on the agenda. Second, could Cultural Facilities Fund Program Manager Jay Paget attend the meeting and give a presentation on the program and the request for Pandemic Relief funds. Staff indicated that both requests would be fulfilled. There was no further discussion and Nina asked for a motion to approve the agenda. Troy moved and Marc seconded the motion. Noting that Jo-Ann Davis and Sherry Dong were absent and by roll call vote it was unanimously

RESOLVED: that the Executive Committee approve the draft March 22, 2022 Mass Cultural Council Agenda presented to the Executive Committee at its March 8, 2022 Meeting

At that point the Committee had reached the end of its agenda and Nina as Chair adjourned the meeting at 10:49am.