

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

MINUTES OF THE MEETING

**MASS CULTURAL COUNCIL
EXECUTIVE COMMITTEE**

FRIDAY, AUGUST 4, 2023

ONLINE MEETING

Committee Members Present were

Marc Carroll, Acting Chair
Ché Anderson
Jo-Ann Davis
Troy Siebels

Staff Members Present were

Michael J. Bobbitt, Executive Director
David Slatery, Deputy Executive Director
Jen Lawless, Senior Director of Operations
Catherine Cheng-Anderson, Senior Director of Business Operations and Chief Financial Officer
Bethann Steiner, Senior Director of Public Affairs
Kate McDougall, Controller
Ann Petruccelli Moon, Manager of Executive Affairs
Carmen Plazas, Communications & Community Engagement Manager

Acting Chair Marc Carroll called the meeting to order at 9:33am 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 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

Marc thanked Dave and asked for a vote on the minutes from the Committee's last meeting held on May 3, 2023. Troy Siebels moved to approve the minutes and Jo-Ann Davis seconded the motion. By roll call vote and noting that Ché Anderson and Sherry Dong were absent it was unanimously

RESOLVED: that the Executive Committee approves the minutes of the May 3, 2023 Executive Committee Meeting in the form presented to the Executive Committee.

Marc let Committee Members know that the discussion of the Executive Director's salary adjustment would move to item #6 on the agenda and be considered as part of the spending plan. He then asked Michael Bobbitt for his Executive Director's report.

Michael let Committee Members know that the Agency its staff are quite busy with the process of implementing elements of the new Strategic Plan into daily operations. Michael and Dave have been on the road quite a bit this summer working hard to get into important rooms across the Commonwealth with an eye toward advancing the Agency and the cultural and creative sector. Events, gatherings, and meetings have brought Michael and Dave into contact with colleagues from fields such as health and human services, transportation, economic development, and others; these efforts are proving to be positive for the Agency. Michael has scheduled meetings with Massachusetts Secretary of Economic Development Yvonne Hao and Massachusetts Secretary of Education Patrick Tutwiler for later this summer and a meeting with Massachusetts Secretary of Health & Human Services Kate Walsh is in the process of being scheduled. The biggest lift has been working to finalize the spending plan while awaiting news on the final state budget. Michael recently attended the NAACP National Convention in Boston. That concluded his report.

Marc noted that he was happy to see Michael at the NAACP National Convention; he then asked Senior Director of Public Affairs Bethann Steiner for her Legislative report.

Bethann let Committee Members know that there is wonderful news regarding the budget. She reminded them that the Agency had enjoyed a very positive budget process this year with the Governor, House, and Senate all recommending \$25 million for Mass Cultural Council – which is what the Agency requested. The FY24 Budget Conference Committee sent a final budget to Governor Healey earlier this week. She now has 10 days to review and act on it. The budget recommends \$25,895,000 for Mass Cultural Council - \$25 million for Agency programs and services and \$895,000 to support 16 earmarks – legislatively mandated spending that supports local arts and culture organizations, events, and initiatives prioritized by members of the House. The budget also adopts the Agency's suggestion to update the text of its line item to reflect the goals of the new Strategic Plan. This is an 11% operating increase over last year's budget and the second highest appropriation in the Agency's history. Until the budget is signed into law by Governor Healey, state government continues to operate on a 1/12 budget. Bethann also let Committee Members know that the Agency's Public Affairs team recently welcomed a new staff member. Christian Kelly is Mass Cultural Council's new Public Affairs & Events Manager. The team is working hard to create FY24 materials and plan fall events – there will be two big convenings, details about the convenings will be shared soon.

Marc thanked Bethann for her report and congratulated her and Michael on a successful budget process. He then moved to the next item on the agenda – a review and discussion of the FY24 budget and program allocation plan, including the salary adjustment for Executive Director Michael Bobbitt. Marc let Committee Members know that earlier this year Michael expressed his wish for a salary review for the new fiscal year and adjustment to align with executive compensation benchmarks at other quasi-public state agencies in the Commonwealth. Marc asked Catherine Cheng-Anderson, Senior Director of Business Operations and Chief Financial Officer to conduct research comparing salaries of these leaders. He then asked Cathy to explain her findings.

Cathy let Committee Members know that per the Chair's request she had looked up and recorded the annual salaries of the leaders of independent and quasi-public state agencies and benchmarked Michael's salary against them. The research supported a finding that Michael's current salary of \$170,625 was below the average of what is paid to his counterparts in other independent and quasi-public state agencies. Cathy reflected her findings in a memo to the Committee. Cathy said she understand that the Committee was considering a salary level of \$185,000 for the current fiscal year and expressed her opinion that the research could support such an increase.

Marc thanked Cathy for her research and analysis; he added that efforts to review and adjust the Executive Director's compensation are in keeping with the Agency's commitment to pay equity and this commitment was a catalyst for his recommending this salary adjustment.

Troy Siebels asked how often in the past the Agency had revised the Executive Director's salary.

Dave responded that under the Agency's statute, the Council must approve on the Executive Director's salary and has always done so as part of its vote on the annual spending plan which included the salary expense. He noted that the previous Executive Director received a special salary increase approved by the Council early in her tenure. Following that, she only received the standard annual percentage increase that all managers received, which was consistent with the executive branch's pay increases for managers.

Jo-Ann Davis noted that there may be questions from the full Council at its upcoming meeting. She feels that the benchmarking research as it is presented illustrates that a salary increase is justifiable. However, she questioned whether the staff took into account the size of the other agencies when making this comparison.

In response to Jo-Ann's query, Cathy elaborated, our research was primarily oriented towards comparing roles based on executive job functions. The size of the agency was not a consideration in our assessment.

Troy noted that this type of adjustment may garner press and recommended that staff prepare talking points to respond to any such inquiries. Jo-Ann agreed that this could get attention and scrutiny especially since the accompanying research is comparing the salary of Mass Cultural Council's Executive Director to the salaries of the leaders of other larger agencies.

Marc noted that the MBTA just appointed a new General Manager, and he believes the salary is significantly higher than what was listed in the memo and if so, bolsters the case for recommending an increase for Michael. Cathy let Marc know that she had looked the information up on Open Checkbook, but that she'd check with the MBTA and report back. (NOTE- Cathy reviewed more current information and updated the memo to contain the most recent salary information on the MBTA General Manager, which was \$470,000 and such information was subsequently communicated to the Council Members at the August 24 meeting, copies of which are available upon request.)

Marc added that more questions will come up from the full Council and possibly others and that it's important to make sure all research and talking points are complete for the

Council Meeting on August 24th.

Troy asked for clarification on next steps and Dave explained that the Executive Committee would today review and vote on whether to recommend this adjustment to the Executive Director's FY24 salary as part of its recommendation of the FY24 spending plan.

At this point, Committee Member Ché Anderson joined the meeting and Marc let Ché know the Committee was considering a salary adjustment for Executive Director, Michael Bobbitt. He asked Ché if he had any comment.

Ché stated that he does not think the Committee can understate the impact Michael has had thus far in his tenure. From Ché's perspective, the staff is invigorated, and the Council is energized. He believes Michael has a deep understanding of the needs of the sector and would support if Michael had asked for an even larger salary increase.

There was no further discussion. Marc asked Michael to move ahead with the staff's presentation on the FY24 budget and program allocation plan.

Michael explained that the creation of the FY24 spending plan occurred concurrently with the strategic planning process, adoption, and launch and that Committee Members will see a strong reflection of the new Strategic Plan within the program allocations and new functions of the Agency. Thanks to the work of Cathy and Kate McDougall, Controller the information is presented within a new easy to read format. Committee Members will also see equity work is a major component of the Agency's work. Michael believes this plan will set a strong foundation for the sector this year and in subsequent years. He then asked Cathy to present the plan.

Cathy let Committee Members know staff is eager to kick off a thrilling year with \$44 million in collective funding. She took a moment to recognize Michael, Bethann, and the Council for their work advocating for the Agency's line item. Cathy explained the spending plan goes beyond the agency's legislative mandate of allocating 75% of the Agency's budget to grants by designating this fiscal year 87%, which amounts to \$38.16M, for grantmaking. The administrative/program related costs are efficiently maintained at a modest 13%.

Catherine noted that \$11.03 million in Pandemic Recovery Funds will be carried over into FY24 with the requirement that the funds are spent by the end of the year. This carryover will allow Business Operations staff to continue making grant payments that were awarded in FY23. Catherine projects that an additional \$1 million will be allocated for new grantmaking due to FY23 grants that were cancelled because of no response from grantees and a small allocation of uncommitted funding. In addition, the plan dedicates approximately \$5.3 million to the FY24 Gaming Mitigation Grant Program. Non-grant spending highlights included the creation of a Native and Indigenous Culture Equity Plan, scaling up the Agency's access and disability equity learning hub, and a Disability Equity Plan. Also included are resources to assist individual grantees, especially those with disabilities and/or limited income, in obtaining grant funding and services – this work will see the Agency contract with Work Without Limits (a UMass Medical-affiliated agency which helps with issues around how Council grants can impact other public benefit programs). Finally, Senior Director of Programs Jen Lawless and Michael will undertake a comprehensive cultural asset mapping project.

Michael added that staff is hoping to hire a firm to assist with the cultural asset mapping project to find out who is out there in the sector and in need of support from the Agency. This will help the Agency more effectively refine its spending decisions in the future.

Jo-Ann asked Catherine to remind her if the 11.03 million carryover of pandemic funds has already been spent or if it's a true carryover. Catherine explained that only \$1 million will be considered new funding. About \$10 million has already been committed, just not actually spent yet.

Jo-Ann asked staff for an update on the Agency's office space and rent payments.

Dave explained that the Agency is nearing the end of its 10-year lease which expires in January 2026. Cathy added that Mass Cultural Council works with the Division of Capital Asset Management (DCAM) who handles all negotiations and helps the Agency search for and secure space. She and Dave will manage the process with DCAM and potentially secure a new lease.

There were no further questions about the proposed FY24 spending plan and Marc said he would look for a motion to recommend the plan as presented. Ché moved to recommend the plan to the full Council at its next meeting and Troy seconded the motion. By roll call vote and noting that Sherry Dong was absent it was

RESOLVED: that, dependent upon a Massachusetts State Budget for Fiscal Year 2024 being signed into law containing an allocation of \$25,000,000 plus any earmarks for the Mass Cultural Council (the "FY24 State Budget"), the Executive Committee recommends that the Council approve for recommendation to the Grants Committee and full Council the FY24 Budget and Program Allocation Plan presented to the Executive Committee.

Marc then asked staff to briefly explain the out-of-state travel requests the Committee would consider today. Cathy reported that staff is requesting \$5,426 for out-of-state travel expenses. A portion of this is for Program Manager Maggie Holtzberg to attend the American Folklore Society's annual meeting and another portion is for Michael and Dave to attend the National Assembly of State Arts Agency's Executive Director's Forum in New Mexico.

There were no questions and Marc asked for a motion to approve the request. Troy moved to approve the out-of-state travel request, and Ché seconded the motion. By roll call vote and noting that Sherry Dong was absent it was

RESOLVED: to approve the staff-recommended out-of-state travel requests presented to the August 4, 2023 Meeting.

Marc moved to the final item on the agenda: a review of the draft agenda for the August 24th Council Meeting.

Jo-Ann asked if staff could share an annotated agenda in advance of the meeting and Dave responded that he would share one.

There were no further questions or discussion. Troy moved to approve the agenda and Jo-Ann seconded the motion. By roll call vote and noting that Sherry Dong was absent it was

RESOLVED: that the Executive Committee approve the draft August 24, 2023 Mass Cultural Council Agenda presented to the Executive Committee.

There was no further discussion and the end of the meeting agenda had been reached. Marc, as Acting Chair, adjourned the meeting at 10:19am.