

07.18.19 Minutes

Full Commission Summary Meeting Minutes

07/18/2019 4:00pm – 5:00pm
200 I St. SE (Multi-Purpose Room)
Washington, DC 20003

Attending Commissioners: Kay Kendall (Chair), Alma Gates, MaryAnn Miller, Jose Uclés, Gretchen Wharton, Stacie Lee Banks, Edmund Fleet, Chinedu Osuchukwu, Cicie Sattarnilasskorn, Derek Younger, Rhona Friedman, Maria Rooney, Kymber Menkiti, Haili Francis

Not In Attendance: Commissioner(s) Miles Gray, Quanice Floyd, Josef Palermo

Attending CAH Staff Members: Executive Director Terrie Rouse-Rosario, Deputy Director Michael Bigley, Chief of Staff Kennisha Rainge, Patrick Realiza (Social Media Specialist), Jeffrey Scott (Communications/External Affairs), Melvin Witten (Legislative and Community Affairs), Brian Allende (Resource Allocation Analyst)

Public Members Present: Chairman Phil Mendelson, Peter Nesbett, Bryan Hum, Marie Whittaker, Benjamin Douglas, DJ Batchelor, Mark Chalfant, Julianne Brienza, Paul Tetrault, Lissa Rosenthal Yoffe, Gregory R. Michael, Joy Ford-Austin, Jamie Sandel, Rachel Grossman, Edgar Dobie, Elvis Rodriguez, Mike Shaffer, Mikala Dwyer, Maryam Foye, Nicole

- Chair Kendall welcomed everyone and asked the public members to present
- Gregory R. Michael from Arbitr Elegantiarum of Tantallon, the youngest Arbitr Elegantiarum here in the States, spoke on behalf of Maurice Sedwell, Ultra Bespoke Tailors of Saville Row in London:
 - Maurice Sedwell Ultrafine Bespoke Tailors is one of the most pivotal houses on Savile Row. It is actually the number two sartorial artisan shop available on the Mecca of fine menswear clothing where fine, sartorial garments are crafted by Andrew Ramroop, OBE, CMTT.
 - DC has at least 178 different ateliers in the city that cater to a very small populace of customers.
 - Andrew Ramroop will be visiting the city in the Willard Intercontinental from the 20th to the 24th to provide a forum for people to learn about the necessities present in this business, the amount of prestige that is present in it, and to coax and develop the next generation.
 - Expressed need for more open forums to discuss the practices and the generalities of the business, providing insight for our next generation, and to give a form of precision utilitarianism and trust in the people that bring them up so that they can be as successful.
- Chair Kendall thanked Gregory R. Michael for presenting and asked the next public member to present
- Mark Chalfant with Washington Improv Theater spoke on behalf of himself as an individual artist in DC:
 - Received a FY19 Fellowship Award and serves as the Artistic and Executive Director at Washington Improv Theater.
 - Washington Improv has been receiving general operating support from the Commission for over a decade, and is really appreciative of that support as it has helped build a huge improv theater scene in this town that gives a lot of people a creative outlet and a lot of people a platform for expressing themselves.
 - Expressed want for more communication from the Commission on the:
 - Cultural Plan - What's coming next with it?
 - Commission leadership - When will the new search be launched so the Commission can be ready when Oct. 1 arrives
 - CAH budget
 - How Commission staff is structured - Updated organization chart and who is on the staff roster
- Chair Kendall thanked Mark Chalfant for his comments.



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(Whereupon, the above-entitled matter went off the record at 3:49 p.m. and resumed at 4:00 p.m.)

The Full Commission meeting of the Commission on the Arts and Humanities (CAH) was called to order on July 18, 2019 at 4:00pm, at 200 I St. SE, Multi-Purpose Room, Washington DC 20003

Adoption of the July Agenda

- Chair Kendall called the meeting to order at 4:00pm
 - Chair Kendall motioned to adopt the agenda as presented.
 - Commissioner Wharton moved to adopt the agenda presented. The motion was seconded by Commissioner Gates.
 - *The motion carried: Unanimous.*
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Adoption of the June minutes

- Chair Kendall motioned to adopt the meeting minutes of the June Commission meeting.
 - Commissioner Gates moved to adopt the minutes as presented, Commissioner Ucles seconded the motion.
 - *The motion carried: Unanimous.*
 - Commissioner Friedman asked to amend June's minutes to include her attendance.
 - Chair Kendall moved to accept amendment
 - *The motion carried: Unanimous.*
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Chairperson's Report

- Chair Kendall asked who was on the call:
 - Deputy Director Michael Bigley
 - Commissioner Sattarnilasskorn
- Chair Kendall discussed:
 - Welcomed all the guests in the room including Chairman Phil Mendelson and stated that he would speak soon. She asked the guests to introduce themselves.
 - The new jobs of Commissioners Floyd and Palermo.
 - Commissioner Friedman and Chair Kendall congratulated Commissioner Sattarnilasskorn on her new baby.
- Chair Kendall turned the floor over to Chairman Phil Mendelson

Chairman Phil Mendelson's Report

- Chairman Mendelson discussed:
 - Wanting to provide clarity and explain changes for CAH made via legislation. He stated that he would leave opportunity for questions to be asked after his report.
 - Council legislation changes discussed by Chairman Mendelson:
 - Council supported and slightly increased funding for the Commission for the next fiscal year.
 - When the Mayor sent down the budget, she proposed repealing the dedicated tax but increasing the amount of dollars for FY20.



- Council maintained the amount of dollars that she recommended, which was about \$34.5 million dollars, and we restored the dedicated funding to three-tenths of a percent of the sales tax, general sales tax.
- Council put in the law some provisions to ensure that the Commission and its staff is independent of the political influences that come from the Council and the Mayor so that the Commission is able to fully develop what it sees is best for nurturing the arts community in the District.
- Council adopted some eligibility criteria for members of the Commission relating to its experience within the arts and humanities.
- Council wants a strong arts commission committed to the arts and not directed by the Mayor or Council, and the Board working together well as a team, the staff working well together as a team, and the Board and the staff working well together as a team.
- Council wants dependable funding, which it will be \$34.5 million dollars next year. That's actually a little bit more than what the dedicated tax would have brought in. A couple of million more dollars for the Commission is the goal.
- Council wants more discipline around the grants. Over the last few years, the Council's increased the budget and then directed about a third of it. Council agreed to try to get out of that process.
- Council heard very clearly the demand from the arts community for more grant money after the Mayor sent the proposed budget. Council also heard generally a rejection of the idea of loans. And so all that is reflected in what we adopted.
- The budget for the Commission on Arts and Humanities in 2014 was \$15.8 million. And for the current year it's \$31.4 million, and for next year it's \$34.5 million.
- It's important to Council that the highlights of their action with regard to the budget and the Budget Support Act that accompanies it is ensuring an independent commission that will continue as intended by the 1975 act that established the Commission.
- The Commission is still an agency under the District Government, and all Commission staff are still employees of the District Government.
 - There are no cuts in the number of full-time equivalent employees from the current year, the fiscal year 2019 level.
 - No existing staff will have to relinquish benefits or longevity.
 - The Commission and its staff, being independent, will not need to identify employee benefits and salary ranges and positions.
 - The Commission will not have to establish new office space.
- Council removed from the law the authority for the Mayor and the Council to call a special meeting of the Commission.
- Council dedicated approximately 77% of the Commission's budget for grants, and then we divided that up for next year it is \$4.4 million for capital grants. Almost \$8 million for grants for the National Capital Arts cohort.
 - This cohort received about 6.4 million, that's less, about one and a half million dollars less than the current year.
 - This includes capital and field trip grants.
 - Thirteen million for grants for arts and humanities cohort, and that's more than in the current year.
 - \$1.16 million for the newly established humanities grant program.
- For going forward after FY20, of the 77% that shall be allocated for grants:
 - 17% to fund capital projects
 - 50% for grants to support the arts and humanities cohort
 - 28% for grants to support the National Capital Arts Cohort
 - 5% for the humanities grant program.



- The new funding structure does not prohibit the Commission from maintaining the several programs that exist in FY19.
 - Programs will have to be funded out of the newly established divisions.
 - Council consulted with the National Endowment for the Arts, and we're confident that the changes that we made in the law do not jeopardize the Commission's eligibility as a state arts agency for the District.
 - The grants that are in process are not going to have to be reexamined.
 - Initiatives such as the Mayor's Arts Awards, Labor Day music festivals, Black History Month celebration, SummerSet concerts on the Mall, none of those have to be discontinued or cancelled, it's up to the Commission.
 - No independent board needs to be recruited.
 - No staff is going to have be laid off.
 - No IRS filings have to be done.
 - Existing Commission on Art and Humanities staff will continue to be employed through the District Government. Nobody is losing their position based on what we did.
 - Chairman Mendelson stated that the goal was to get Council out of the Commission's business by directing funding in specific ways but he can't guarantee that they won't do it in the future but that's not what their currently trying to do.
 - There is going to be some transition
 - The law requires that the Commission makes it clear, actually it's been in the law that the Commission has to approve the Executive Director.
 - The Commission has to decide on an Executive Director by October 1 of this year.
 - He expects that there'll be some bumps, but thinks they're little bumps, as the transition from being an agency, a commission within the Executive Office of the Mayor to being independent. But the government is full of examples of independent agencies.
 - The Public Library is an independent organization with an independent board. The Alcoholic Beverage Control Administration, the ABRA is an independent entity. The Office of Zoning is independent, and all fully functioning within the District government.
- Chairman Phil Mendelson asked for any questions
- Chair Kendall asked Chairman Phil Mendelson , if the BSA has to be signed by The Mayor, would there be an extension if needed for the Executive Director search.
- Chairman Mendelson stated the Commission needs to discuss if it's going to take longer than October 1 to decide what you want as a permanent Executive Director, that you take steps for an interim. He asked Peter Johnson to chime in.
- Peter Johnson stated that the Budget Support Act, that provision is already enacted because we passed it on an emergency version, and that provision took effect once the emergency version became law, which has occurred. So that provision is already law.
- Chair Kendall asked if waiting for July 29th was incorrect.
- Peter Johnson stated that he would double-check.
- Chairman Phil Mendelson stated that they adopted a Budget Support Act, which is a permanent bill. But also adopted it in emergency form, meaning it becomes effective as soon as the Mayor signs it.
- Peter Johnson stated that an applicability was put in the section that says that this section will become effective on the effective day of this act, which was the emergency act. It was just transmitted to the Mayor's Office and it is still under review. Once that happens, it'll become permanent.
- Chair Kendall stated that it's still under review until then as she understood. For the interim, sometime in the fall there is some tweaking to that bill, and that tweaking might include giving us an extension.
- Chairman Phil Mendelson stated that he doesn't think they need to give an extension because interim steps can be taken.
- Peter Johnson stated that the Executive Director will be under the personnel authority of the Commission, and the staff of the Commission will be under the personnel authority of the Director. That's what they did in the BSA.



- Commissioner Ucles asked Chairman Mendelson for several of the six Commissioners that are up for reappointment, will there be an extension so we can work with the team that is in place for continuing with what the Commission is doing.
- Chairman Phil Mendelson stated that there are 180 days after the term is up for automatic extension.
- Commissioner Miller asked was the Mayor still going to be reappointing Commissioners and will they still have hearings and be under Chairman Mendelson's Committee.
- Chair Kendall stated yes.
- Chairman Phil Mendelson stated yes, they didn't change that. And the original version of the Budget Support Act had that the Commission selected the Chair, but it was reverted to what the law is, that the Mayor designates the Chair with the approval of the Council. So that process is unchanged:
 - Years ago the Council had some difficulty with the Mayor, and it's not the current Mayor, where people's terms expired and reappointments weren't being made timely. He remembers looking at this many years ago and there was somebody whose term had expired from the Redevelopment Land Agency something like ten years earlier, and he was still serving. So they put in this 180-day deadline. It's not so much an extension as, so if the Mayor doesn't make the nomination before the term expires, the Mayor, he or she has up to 180 days afterwards. We checked with the Mayor's office of Office of Talent and Appointments and they are in the process of figuring out the appointments. But we got no more indication than that.
 - I believe there are seven positions, six to be filled and one is vacant
 - All six would qualify. Council put these eligibility requirements in, but he thinks everybody meets them, which is experience with arts or humanities. So it's up to the Mayor whether she reappoints.
 - Members can serve, the terms expire June 30, and members can serve until the end of the year. Or their successor.
- Commissioner Miller asked if they can be reappointed on an emergency basis if time is running out.
- Chairman Phil Mendelson stated if the Mayor submits it as an emergency. They don't have control over what she submits. But they do move pretty quickly on it. He assumes that she would get Council nominations in October.
- Julianne Brienza asked that, in Chairman Mendelson's remarks that you were reading, no grants would have to be pulled back. But she thinks that just like doing math would dictate that anyone who was in the NACACA or not in the NCACA that has already received their letters for their general operating grants, that that grant funding pool would have to be reexamined. And she wants to just ask that question, because it is a critical grant from many organizations in the city, and the timing of that is always like, we need the check.
- Chairman Phil Mendelson stated that he has to be careful because he doesn't want to misspeak. We did adopt in the budget, and in the Budget Support Act we adopted these cohorts. For funding in the budget we specified dollar amounts that roughly correlate but not exactly correlate to the percentages. Going forward after FY20, they will have to conform to the percentages. So if it happens that there are grants that are falling outside those percentages, yes, that would have to be examined.
 - The Commission would have to look at that. But generally, the funding that we did exceeds what these cohorts received in the current year.
- Julianne Brienza stated that's why she's asking, because maybe they'll get more money. Most of the people in that group might.
- Chair Kendall stated to address that for a second, if you are getting a designated amount, the ones that are getting the NCACA group, then don't they give up what was already determined as general operating. So they wouldn't get both, they can ask for Capital funds.
- Chairman Phil Mendelson stated that they can ask for capital.
- Chair Kendall stated that what they can't get is already designated. So if we had a panel in April and gave you a \$100,000 and you're in that group, that's moot, it's off the table.
- Mark Chalfant asked to clarify what happens if 180 days go by and nothing happens with the reappointments pending.
- Chairman Phil Mendelson stated the position becomes vacant, that's possible, but he doesn't think it will. Mayor Bowser's been good about making reappointments. Years ago when Adrian Fenty was the Mayor, he would allow commissions to dwindle to, well, they're 18 here, I believe, so maybe not to one. But there were commissions that actually dwindled to one.



So as a matter of law, yes, the appointment's not made, or if the Council doesn't agree with the appointment, so we don't confirm, it could become vacant.

- Chair Kendall stated that she can say she specifically did talk to someone who said it would be done after the recess, so that tells her it's on their agenda.
- Joy Ford Austin asked for more information on how the new humanities cohort will be established.
- Chairman Phil Mendelson stated that he doesn't think any changes were made with regard to the humanities program. He asked Peter Johnson to chime in.
- Peter Johnson stated they established the humanities program and what is supposed to happen is they're supposed to dole out the money to certain groups.
- Chair Kendall asked if an MOU would be needed from the Commission to give the funds to the humanities cohort.
- Peter Johnson said that he would check.
- Chairman Mendelson stated the difference is that the humanities cohort would get a little bit more money than they got this year, \$1.16. Going forward it might be just a little bit more than that.
- Joy Ford Austin asked will there be a memorandum of understanding between the Commission and the Humanities Council.
- Chair Kendall stated she thinks so. We will talk to our lawyer and get this looked at.
- Nicole asked of the seven positions available is only one vacant and is it new.
- Chairman Phil Mendelson stated yes, just one and it's not a new position.
- Commissioner Miller asked if Council changed the number of Commissioners.
- Chairman Mendelson stated no.
- Paul Tetreault stated that he'd like to thank the Chairman for his amazing leadership in diving into this area of the arts over the last six to eight months and really leading the city in that direction.
- Chair Kendall stated from all of us we thank you. Paul expresses the feeling that's representative, I know, of a large part of the community.
- Commissioner Friedman stated as well as a lot of Commissioners.
- Commissioner Miller stated to Chairman Phil Mendelson that his support for the Commission, interest, and the fact that he is giving them an opportunity to function the best way we can in the city and to continue so much of what we've done is greatly appreciated.
- Commissioner Gates stated to Chairman Phil Mendelson thank you for coming today to alleviate our concerns and answer questions.
- Chairman Mendelson stated that he is willing to come back if that's helpful. And Peter Johnson on his staff is the one who's really done the work on this, and he's available. He expects that there will be some questions that come up, because there are a lot of details. They've actually reached out to the Office of the Attorney General, who would be helpful there. So that there are resources available to answer questions.
- Commissioner Friedman asked if someone from the AG's Office or someone from any legal counsel would help the Commissioners organize the way in which we can look for an executive director and do hiring.
- Chair Kendall asked Peter Johnson if he looked into that for them.
- Peter Johnson stated yes and that he had some information. They've contacted OAG and they've given us some names of the Legal Counsel Division that can work with the Commission, act as a liaison.
- Chair Kendall stated that the idea is that they would hire a search firm and that we want to do it in the most compliant way. And she doesn't know what kind of permissions they have to get to hire. Some search firms already worked with the government, and therefore they've been vetted. Or do we have to have everybody vetted? Or do we just go hire somebody? But you have some people who can tell us what to do, right.
- Chairman Phil Mendelson stated yes. He is happy to come back as he knows there's been some uneasiness and, during the budget process, some misinformation.
- Commissioner Miller asked who was in the Committee of the Whole.
- Chairman Phil Mendelson stated the entire City Council.



- Chair Kendall for the record I think we have the highest per organization and per person amount of grants that anybody else in NEA has. You know, we should be the happiest organization there could be. We have the great job of giving away money and giving it to the arts.
- Commissioner Gates asked do any other agencies have dedicated funding the way we do.
- Chairman Phil Mendelson stated the Convention Center, which is, it's not as much independent as it is an enterprise fund, which is independent but more so. They have dedicated funding from taxes. It's, if I remember correctly, I don't remember correctly, in the tens of millions of dollars.
- Commissioner Gates asked does he see our dedicated funding changing, the percentage.
- Chairman Phil Mendelson stated no. He was just up at Wall Street with the Chief Financial Officer and was talking about recession planning. He doesn't know that I see that this would change for the Commission. There are things that we will be doing if we go into a recession, but he doesn't know that we would look at the reducing the tax rate, the dedicated funding rate. He would like, and, to see if we could at some point increase that from 0.3 to maybe 0.35, 0.4. He thinks the need for funding in the arts area, arts community is greater than what we're providing. But he's not making any promises there, just saying his bias would be if we could increase it.
- Jamie Sandel stated thanks to Chairman Phil Mendelson on behalf of the nonprofit community working on very small and very local scales even from the grassroots perspective. This is really crucial support, and the attention to detail that the Commission is able to provide for us is crucial.
- Chairman Phil Mendelson stated it's what we want to do. And when he says "we," that's the Council's foursquare behind it. There's a lot of creativity, as you know, in the community. And it also translates into a more interesting, vibrant city. And all that's to the good.
- Commissioner Ucles stated thank you to Chairman Mendelson for his belief in the power the arts and culture and humanities, because indeed it does reflect it, brings more people to the city. There are so many choices, so many things to do, and it brings money to the city in more ways than one.
- Chairman Phil Mendelson said thank you to everyone and excused himself.
- Chair Kendall asked Commissioner Wharton to speak about the grants panels that needed Commissioner Conveners.
- Commissioner Ucles asked if an updated list could be emailed for what was needed.
- Commissioner Wharton stated that more information would be sent out for Commissioners who hadn't done panels soon.
- Chair Kendall asked for Executive Director Rouse Rosario's report.

Executive Director's Report

- Executive Director Rouse-Rosario discussed:
 - Agency activity calendar overview in which everyone received earlier this week.
 - CAH has a new Finance staff member that has been a great asset to the team with all of his experience, Brian Allende.
 - The grants team is currently fully staffed and steaming ahead in its 2nd week of the 9 weeks of panels to come.
 - For the upcoming events, Chuck Brown Day is moving forward wonderfully and the Mayor's Arts Awards date has been changed to happen in this fiscal year to September 18th (tentatively).
- **Grants Department Updates**
 - FY20 Panels Update
 - CAH's FY20 panels began on July 8, 2019 and will run through September 6, 2019.
 - A total of 9 panels have been completed in the following grant programs:
 - 6 in Arts and Humanities Fellowship Program (AHFP);
 - 2 in Arts and Humanities Education Program (AHEP); and,
 - 1 in East of the River (EOR).
- FY20 Facilities and Buildings Grant Program



- The FY20 Facilities and Buildings (FAB) grant program will close on July 19, 2019. About 33 organizations are currently in application drafting mode.
- The FY20 SYNERGY Exhibition featuring works of Arts and Humanities Fellowship Visual Arts applicants will close on Friday, July 19, 2019. Eighty applicants participated in this year's exhibition which opened on June 17, 2019.
- **Public Art Department Updates**
 - FY19 Curatorial Grant exhibition
 - “Lay of the Land” by curator Jarvis Grant. Final curatorial grant exhibition for FY19 features six photographer’s perspectives on the American landscape. On view August 5 – September 13. Opening reception on Thursday, August 8, 6-8 pm will pay tribute to the late Bruce McNeil, whose work appears in the exhibition. There also will be an artist talk on September 5 from 6-8 p.m.
 - Special Projects and Initiatives:
 - Capitol View Neighborhood Library Public Art Sculpture -- scheduled for installation between July 29-August 9
 - Charles Hamilton Houston Bronze Statue – Pending site recommendation from the Charles Hamilton Houston Commission, steps will be put in place to secure the recommended site and initiate the solicitation for an artist to design, fabricate and install the statue.
- **Arts Education Department Updates**
 - Arts Education Grant Panels
 - Two Arts and Humanities Education Project (AHEP) panels were successfully executed last week with a total of 27 applications. Two Field Trip Experiences (FTE) panels will take place next week with 29 applications. The panel for the teaching artist cohort of the Arts and Humanities Fellowship Program (AHFP) grant will take place on July 31st.
 - Teaching Artist Institute
 - Planning is well underway for the inaugural Teaching Artist Institute (TAI) which will take place at the National Building Museum on Tuesday, August 27th and Wednesday, August 28th.
 - National Arts in Education Week: Professional Development Institute (PDI)
 - CAH, in collaboration with DC Arts and Humanities Education Collaborative (DCAHEC) and the arts staff of DCPS will deliver a day-long professional development institute (PDI) for classroom educators and arts specialists from DCPS and DCPCS on Saturday, September 21, 2019. Teachers will engage in experiential and theoretical workshops with teaching artists from DC-based arts and humanities organizations working in the area of socio-emotional learning and trauma-informed practices.

New and Unfinished Business

- Chair Kendall stated thank you. She asked that they go into executive session for the purpose of discussing appointments of personnel. And to do this I have to call on everyone to vote.
 - All Commissioners called on agreed- Motion carried unanimous
- (Whereupon, the above-entitled matter went off the record at 4:45 p.m. and resumed at 5:47 p.m.)
- Chair Kendall asked everyone to come out of Executive session and close the meeting.
 - All Commissioners called on agreed- Motion carried unanimous
- Chair Kendall stated that they voted to get out of executive meeting and to close our meeting. The meeting is adjourned.
- Chair Kendall thanked everyone. Now the meeting is adjourned at 5:48pm.

Adjournment

- Full meeting was adjourned at adjourned at 5:48PM.
- The next Full Commission Meeting will be in September, date TBD.