



# Rules and Regulations

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# KILLEEN ARTS COMMISSION RULES AND REGULATIONS

## I. Organization and Officers

### 101. Organization

The Arts Commission of the City of Killeen shall consist of ~~eleven (11)~~ nine (9) regular members appointed by the City Council and shall be organized and shall exercise such powers and responsibilities as prescribed by all City Council Ordinances relating to the Killeen Arts Commission.

### 102. Officers

A Chairperson and Vice Chairperson shall be elected annually from among the Commission's membership at the first meeting in October and at such times as these offices become vacant. In the absence of both the Chairperson and the Vice Chairperson, the Commission shall elect an Acting Chairperson. A secretary shall be appointed from staff personnel assigned by the City's chief executive officer.

### 103. Duties and Powers

A. The Commission shall solicit applications for arts events, review and hear requests for funding, schedule interviews, adopt guidelines and criteria for applicants requesting funding. The Commission will advise the City Council on the expenditure of the hotel/motel tax allocation for the arts. The Arts Commission Chairman, or an alternate representative as designated by the chairman, must attend all City Council workshops and meetings at which Arts Commission issues are agendaized.

The Commission may also seek and administer funding by state, federal, and private grants, gifts, and admission fees as provided herein. They may also decline acceptance of any state, federal, private grant, donation or gift which is subject to terms or conditions which are not acceptable to or performable by the Commission.

The Commission may itself produce and promote a cultural/arts event or projects in addition to and apart from its role as a funding source for Arts Commission Grants to other groups and individuals. Events or projects may also include a public permanent art component.

B. The Chairperson shall preside at all meetings. The Chairperson shall decide on all points of order or procedure in accordance with these rules and regulations and the Scott, Foresman Roberts Rules of Order, the most current edition. All letters of transmittal from the Commission to the City Council shall be over the signature of the Chairperson.

- C. The secretary shall be the custodian of the minutes and other official records, shall attend to the correspondence of the Commission, and shall cause such notices to be given as are required and in the manner prescribed by law.
- D. In accordance with the Killeen City Code, *Section 2-133. "Community encouragement of the arts and producing of activities," Section b* the Killeen Arts Commission will submit their Annual Advisory Report along with a presentation to the City Council **prior to Council's budget consideration**, of the following calendar year.
- E. The Arts Commission will keep the City Council informed of all activities throughout the year.

104. Mission Statement

The Mission of the Arts Commission of the City of Killeen shall be:

- A. To develop a community multi-cultural arts program that will enhance tourism and hotel/motel use, through the arts;
- B. To encourage an increase in quality arts programs available to the citizens of the City of Killeen;
- C. To stimulate an interest in the local arts of all cultures and minority groups especially ensuring access for seniors and disabled citizens;
- D. To encourage exposure to the arts for school-age citizens;
- E. To preserve and develop the arts and to maximize the quality of the arts and their contributions to our City's culture; and
- F. To recommend the equitable distribution of resources from the public and private sectors necessary to accomplish the mission.
- G. To produce and promote activities which accomplish this mission.

105. Rules of Order

The most current edition of The Scott, Foresman Roberts Rules of Order, shall be the Commission's final authority on all questions of procedure and parliamentary law not covered by these rules and regulations and all City Council Ordinances relating to the Killeen Arts Commission Rules and Regulations.

## **II. Meetings**

### **201. Quorum**

A quorum shall consist of a majority of members then in office eligible to vote on any given matter.

### **202. Simple Majority**

Simple majority is the majority vote of those Commissioners present.

### **203. Agenda**

1. In order for an item to be placed on the Arts Commission agenda, a request must be sent via email to the Arts Commission Secretary no later than 12:00 p.m. two (2) Mondays prior to the scheduled meeting. The item will then be placed on the agenda to be approved by the City Staff Executive Sponsor and by the Arts Commission Chairperson.

2. An agenda shall be prepared by the secretary for the meeting of the Commission. There shall be attached to each agenda a report of matters pending further action by the Commission. A copy of the agenda shall be publicly posted on the information bulletin board at the Police Department (24 hour entrance), the information bulletin board at City Hall, and on the City's website (as required by law for a period of seventy-two (72) hours before the meeting).

a. Old Business

b. New Business

Discussion of agenda items shall be in compliance with the Open Meetings Law of the State of Texas. Each item must be specifically described in the agenda.

### **204. Regular Meetings/Recording of Votes**

Regular meetings shall be held on the second Friday of the month unless otherwise determined by the Commission. The regular meetings will occur in the City Hall Council Chambers at 12:15 p.m. or a time and location determined by a simple majority of the Commissioners present at any previous meeting.

All members of the Arts Commission, including the chairperson, may vote.

### **205. Special/Workshop Meetings**

Special/workshop meetings for any purpose may be held: (1) on the call of the Chairperson, or (2) on request of three or more commissioners and by giving written

notice to all commissioners deposited in the mail at least seventy-two hours before the meeting, or (3) as may be scheduled by a simple majority of the Commission at any previous meeting.

The place of the special meeting will be the City Hall conference room, the City Council room, or a location determined by a simple majority vote of the Commissioners present.

206. Public Meetings/Workshop

All meetings shall be held in full compliance with the provision of state law; Texas Open Meetings Act, V.T.C.A., Government Code, §551.001 *et. seq.*; Ordinances of the City of Killeen; and these rules and regulations.

At meetings/workshops where applications are being considered for specific ethnic groups, the City will attempt to provide a bilingual representative fluent in English and the language of the ethnic group provided the request for a translator is received 72 hours prior to the meeting.

207. Commission Member Attendance

Commission Members' attendance is subject to the attendance policy and procedure adopted by the City Council (Section 2-118, Killeen City Code).

208. Conflict of Interest

A member of the Arts Commission shall refrain from voting on any matter before the Commission for which that member, or the member's relative, has a direct or indirect financial interest. For purposes of this section a "relative" is a person related to the member in the first degree by consanguinity or affinity as determined under Chapter 573 of the Texas Government Code.

A member of the Commission shall not discuss or vote on the funding request and evaluation reports of any applicant or recipient of which the Commission member is an officer or director.

A member of the Commission may not answer questions regarding the funding request and evaluation reports of an organization for which the Commission member is an officer or director.

### **III. Official Records**

301. Definition - Official Records

The official records shall be these rules and regulations, the written transcribed minutes, and the voice recordings obtained at the meeting, the agenda and attachments, all applications, findings, and decisions of the Commission.

302. File - Retention

All matters coming before the Commission shall be filed in the City's records. Original grant applications and evaluations shall be retained in accordance with the City's record retention policy.

303. Public Record

The official records shall be open to public inspection as prescribed by the Texas Public Information Act, V.T.C.A., Government Code, §552.001 *et. seq.*

**IV. Tax and Grant Revenue Allocations**

401. Arts Commission Grants

The Hotel/Motel Tax Revenue Allocations and any other funding acquired through federal, state, and private grants will hereafter be referred to as Arts Commission Grants. These do not include Cultural/Arts Events provided for in section VII.

402. Classification of Arts Commission Grants

There will be four classifications of Arts Commission grants: Start-Up Grant, Minor Grant, Major Grant, and Public Permanent Art Grant.

1. A Start-up Grant will be in an amount up to three thousand dollars ( $\leq \$3,000$ ) and requires a ten percent (10%) match.

A start-up grant can only be awarded the first year applying for a Killeen Arts Commission grant.

2. A Minor Grant will be in an amount up to five thousand dollars ( $\leq \$5,000$ ) and requires a twenty-five percent (25%) matching amount.

3. A Major Grant will be in an amount over five thousand dollars ( $> \$5,000$ ) and requires a fifty percent (50%) matching amount.

4. Public Permanent Art Grant:

- a. A Public Permanent Art Minor grant will be in an amount up to five thousand dollars ( $\leq \$5,000$ ) and requires a twenty-five percent (25%) match.

- b. A Public Permanent Art Major Grant will be in an amount over five thousand dollars ( $> \$5,000$ ) and requires a fifty percent (50%) match.

A Public Permanent Art Grant cannot include an advertising component and must be easily accessible to the public.



In-kind funding cannot be used towards the grant match.

403. Allocation of Arts Commission Grants

The total Tax and Grant Revenue Allocations for the arts will be divided among the four classifications of Arts Commission Grants.

**V. Guidelines and Criteria for Arts Commission Grants**

501. Use of Funding

A. Arts Commission Grants will be distributed in the following manner to events and public permanent art that have as their primary purpose

1. The promotion of the Arts and cultural enhancement of the city and:
2. Promote tourism and the convention and hotel/motel industry in the City of Killeen by developing the arts in this community through the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design, and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms.

B. Guidelines for Arts Commission Grant Applicants:

1. A copy of the organization's most recently filed Form 990 must be submitted with their application.
2. Grant recipients will be required to demonstrate how the grant funding will accomplish the purposes stated above. The City of Killeen shall monitor the use of funds by the recipient. Failure of a recipient to use funds for the stated purpose may cause forfeiture of the grant and/or rejection of future grant applications and/or legal action.
3. The event(s) or public permanent art must have the majority of its involvement in the arts inside the city limits of Killeen.
4. The grantee is required to obtain liability insurance for all events held on City property. The City of Killeen must be named as an additional insured, and proof of insurance must be submitted to the City of Killeen Finance Department a minimum of 10 business days prior to the event.
5. Applicant must estimate what percentage of the audience or participants will come from outside the City of Killeen. Applicant must show effective

marketing efforts to draw audiences and participants from outside the City of Killeen. The applicant will document, when possible, those who attend.

6. The proposed event or public permanent art must be of artistic quality and a majority must be of artistic merit as determined by the Commission.

7. Grant recipients will be required to inform the Arts Commission of any changes in the scheduled activities that were approved in the original contract. Any such change in the location or schedule will be conveyed at least 45 days prior to the event or public permanent art change to the City Finance Director via the Event Change Notification form and/or be given in person during the Citizens Petitions or Information portion of the Killeen Arts Commission agenda. Failure to provide this information will result in forfeiture of that portion of the grant allocated to that event or public permanent art and/or rejection of future grant applications and/or legal action.

8. A Budget Adjustment Request must be submitted if the organization needs to modify the approved Grant Budget by more than 10% of the total. If a Budget Adjustment Request is not submitted, the maximum of the amounts identified per budget category on the Grant Budget will be reimbursable. An informed representative must be present at the Arts Commission meeting at which the Arts Commission will vote on the Budget Adjustment Request, or the Budget Adjustment Request will not be considered.

9. A minimum of six (6) tickets to the event (performance/event) or unveiling of the public permanent art must be provided to the Finance staff for Commission use ten days in advance of the event or unveiling.

10. The proposed event(s) or public permanent art must be completed within the City's Fiscal Year (October 1 through September 30) for which funding is provided.

11. Public permanent art must be accessible to the public. Publicly accessible art means produced works of art installed, presented or performed in a location that is accessible to the public.

12. The grant recipient may not make cash payments.

C. Ineligible Activities for Arts Commission Grants.

The Commission will not fund the following:

1. Social functions, parties and receptions; the primary purpose of the event should be artistic in nature and not a secondary factor of the event.

2. Events involving high school, college, or university credit that will ultimately be used toward a degree, diploma or certificate;

3. Events at public and private schools, colleges, and universities that primarily relate to curriculum and that have minimal or no community involvement;
4. Operating expenses for privately owned for-profit corporations;
5. Operating expenses for Federal-, State- or County-owned facilities;
6. Travel expenses other than those for the performers;
7. Capital improvements, bricks and mortar, and permanent equipment; capital improvements are assets of a long-term character which are intended to continue to be held or used over a life span of several years. Examples include land, buildings, major machinery and equipment purchases and other types of permanent equipment, with the exception of Public Permanent Art Grants.
8. Retroactive funding;
9. Any related party transactions. A related party is an entity that can control or significantly influence the management or operating policies of another entity to the extent one of the entities may be prevented from pursuing its own interests. A related party may be any party the entity deals with that can exercise that control. Each applicant shall disclose to the Commission in their grant application, any related party relationship or common control relationship even if no related party transactions have occurred, if the relationship could significantly affect the entity's financial position or results of operation.
10. An event or public permanent art that does not have as its primary purpose the promotion of the Arts and cultural enhancement of the city.
11. A public permanent art grant that includes advertising and/or is not publicly accessible.
12. Public permanent art that does not have permission from the land/property owner or other concerned parties.

D. Organization Eligibility

To be eligible for an Arts Commission grant, an organization must:

1. Be a tax-exempt, nonprofit corporation incorporated under the laws of the State of Texas. In addition, the organization must be a 501 (C) tax-exempt organization under the rules and regulation of the Internal Revenue Service, if required by the Tax Code. All corporations applying for a grant must have a valid nonprofit organization charter on file with the Texas Secretary of State. A Certificate of Fact, dated in the current year, from the Texas Secretary of State must be submitted with the application. If the organization is a 501 (C) tax-exempt organization under the rules and regulation of the Internal Revenue Service, the organization must also submit with their application a letter of exemption, dated in the current year, from the Internal Revenue Service. Failure to submit these necessary documents will result in the organization being ineligible for funding.

Organizations which are not incorporated may apply under the umbrella of a nonprofit organization. The umbrella organization is the official applicant and is responsible for compliance with the Arts Commission's Rules and Regulations and the reporting requirements and financial commitments of the funded applicants. An entity of government may also apply directly for an Arts Commission grant for an eligible event or program.

Individuals applying for Public Permanent Art Grants must apply under the umbrella of a nonprofit organization.

2. Demonstrate sound artistic direction.
3. Promote tourism and the convention and hotel/motel industry.
4. Not have any outstanding financial obligations with the City of Killeen.
5. Not have any outstanding financial obligations related to previous arts grant funded events or public permanent art.

## 502. Types of Events or Public Permanent Art

There will be four types of events/public permanent art funded by Arts Commission Grants.

- a. Single event – Only one event.
- b. Multiple events (other than year-long) – More than one event, but not occurring throughout the course of twelve months.
- c. Year-long events - Events occurring over the course of twelve months.
- d. Public Permanent Art Projects

The applicant may only have one active application per year, if eligible. The application may cover more than one event or public permanent art. If the applicant

is disapproved for funding, the applicant may reapply during the next funding period, if eligible. The total amount of funding requested for all events or public permanent art listed on the grant application shall determine if the grant request is for a major grant or a minor grant.

503. Guidelines for Document Submissions

Please follow the guidelines below when submitting any documentation to City staff.

- a. Please provide two copies of all forms and supporting documentation on the correct color paper. (Blue for start-up grants, green for minor grants, and white for major grants.)
- b. All documents that are not 8 ½ x 11 inch need to be taped down to an 8 ½ x 11 inch piece of paper (including, but not limited to, newspaper ads, clippings, fliers, etc.). This includes cutting out any necessary items larger than 8 ½ x 11 inches (i.e. newspaper clippings) and taping down as well.
- c. All submissions must be given to the Finance Department's Executive Assistant for recording purposes.
- d. All documents submitted must be one sided.
- e. If City staff identifies any necessary corrections or adjustments, they must be made by the grantee.
- f. The grantee is ultimately responsible for providing complete and accurate documentation for all required submissions. If City staff identifies any necessary corrections, adjustments, or missing documentation, the grantee is the responsible party to make the adjustments and provide additional documents in order to be considered complete and timely.
- g. Any requests made by City staff must be fulfilled by the grantee within 10 business days. After the 10 day window expires, the submission will be processed as is, if sufficient enough to do so. If it is determined insufficient for processing as is, the submission will be considered incomplete and deemed not received by the required deadline. This could result in the grantee forfeiting a portion or all of unpaid grant funds.

**VI. Applications and Administration for Arts Commission Grants**

601. Application Packet

An application form, approved by the simple majority vote of the Commission, shall be completed by all applicants. The applicants will, upon request, receive a packet containing the application, instructions, and these rules and regulations. Applicants must submit their request on the "City of Killeen Arts Commission Grant Application" form provided by the Killeen Arts Commission. Application information will be limited to the provided "City of Killeen Arts Commission Grant Application" form.

The application shall require the grantee to provide the name of at least one (1) host hotel or motel for an event. If the host hotel or motel changes after the application

and before an event takes place, the grantee shall notify city staff within fourteen (14) days of the change. This requirement shall not apply to applicants requesting less than \$5,000 or applicants for public permanent art.

602. Administrative and Fiscal Responsibility

All applicants applying for an Arts Commission grant must demonstrate efficient and effective organization. Applicants who have previously been funded by the Arts Commission must have a history of submitting all financial reports with the Arts Commission accurately, completely, and in a timely manner.

603. Calendar

The grant year shall be October 1 through September 30.

- a. The Arts Commission will solicit applications during the month of January.
- b. The Arts Commission will review requests and conduct interviews at the Grant Review Workshop.
- c. The Arts Commission will submit recommendations to the City Council after the Grant Recommendations Workshop.
- d. Grants awards will be approved by the City Council, at a regular City Council meeting, subject to later adoption of the City's annual budget.
- e. Contracts shall be executed after October 1.

604. Required Grant Conditions, Contract and Payment of Arts Commission Grants

After grant awards are announced, the City of Killeen will execute a contract with the recipient specifying the amount and the conditions under which the grant is given.

A. Required Grant Conditions

1. For each \$5,000 granted by the Arts Commission, the grantee shall submit proof that at least two (2) hotel or motel rooms within the City of Killeen were utilized by patrons or vendors. A statement from a hotel or motel showing paid stays shall be required. Charges for rooms to be counted toward this requirement shall not be allowable expenses of a grant. This provision shall only apply to grants in excess of \$5,000 and shall not apply to public permanent art grants.
2. All printed materials must include the name of a host hotel or motel. This provision shall not apply to grants under \$5,000 or public permanent art grants.
3. The grantee shall display an Arts Commission banner at the site of an event unless the grantee can show that such display would interfere with the artistic value of the event or otherwise hinder the event. An Arts Commission member shall be responsible for delivering and retrieving the banner. The grantee shall be excused from displaying the banner if it is unavailable or if no Arts Commission member is available to deliver it. This requirement shall not apply to year-long events or public permanent art grants.
4. The grantee shall provide a booth to the Arts Commission if requested by the Arts Commission. One or more Arts Commission member(s) shall be appointed to represent the Arts Commission at the booth for the duration of the event. The grantee may be excused from this requirement if the grantee can show that a booth would interfere with the artistic value of the event or otherwise hinder the event. This requirement shall not apply to year-long events or public permanent art grants.

B. Single Event - Only one event or public permanent art

No sooner than 45 days prior to completion of the event the grantee may request an initial payment (not to exceed 50% of the grant amount) by submitting Exhibit A-DDR (Drawdown Request), the corresponding Exhibit B's (Expense Summary), and supporting documentation (see section 605 for definition of supporting documentation). City staff will review the request before payment is disbursed. If City staff has any questions or requests additional documentation, the request must be fulfilled by the grantee within

10 business days. After the 10 day window expires, the Drawdown Request will be processed as is, if sufficient enough to do so. If it is determined insufficient for processing as is, the Drawdown Request will be denied.

No later than 45 days after the completion of the event the grantee may request the remaining grant funds by submitting Exhibit A-Final (Final Evaluation Report), corresponding Exhibit B's (Expense Summary) and supporting documentation (see section 605 for definition of supporting documentation) for the entire grant year. If City staff has any questions or requests additional documentation, the request must be fulfilled by the grantee within 10 business days. After the 10 day window expires, the Final Evaluation Report will be processed as is if sufficient enough to do so. City staff will recommend to the Arts Commission that the grantee be denied the portion of grant funds related to the requests that were not fulfilled. If it is determined insufficient for processing as is, the Final Evaluation will be considered incomplete and deemed not received by the required deadline. City staff will recommend to the Arts Commission that the grantee be denied any unpaid grant funds.

Final payment will be disbursed no later than 30 days after the Arts Commission has voted to approve the required Final Evaluation, and all other contract conditions have been met. If your Final Evaluation is not received in the Finance Department by close of business on the 45<sup>th</sup> day (as identified per the grantee's signed contract or Budget Adjustment Request form) after the completion of the final event you will not receive your final funding. Your Final Evaluation must include Exhibit A-Final, all relevant Exhibit B's, and supporting documentation (see definition of supporting documentation in section 605). Any cancelled checks not yet received from your bank at time of submission must be forwarded to the Finance Department as soon as received.

- C. Multiple Events (other than year-long) –More than one event, but not occurring throughout the course of twelve months.

No sooner than 45 days prior to completion of each specific event the grantee may request an initial payment (not to exceed 50% of the grant amount for the specific event) by submitting to city staff Exhibit A-DDR (Drawdown Request), the corresponding Exhibit B's (Expense Summary), and supporting documentation (see section 605 for definition of supporting documentation). City staff will review the request before payment is disbursed. If City staff has any questions or requests additional documentation, the requests must be fulfilled by the grantee within 10 business days. After the 10 day window expires, the Drawdown Request will be processed as is, if sufficient enough to do so. If it is determined insufficient for processing as is, the Drawdown Request will be denied.



No later than 45 days after the completion of each specific event, other than the final event, the grantee may request the remaining grant funds for the specific event by submitting to city staff Exhibit A-Event (Event Evaluation Report), corresponding Exhibit B's (Expense Summary), and supporting documentation (see section 605 for definition of supporting documentation). City staff will review the request before payment is disbursed. If City staff has any questions or requests additional documentation, the requests must be fulfilled by the grantee within 10 business days. After the 10 day window expires, the Event Evaluation Report will be processed as is if sufficient enough to do so. City staff will recommend to the Arts Commission that the grantee be denied the portion of grant funds related to the requests that were not fulfilled. If it is determined insufficient for processing as is, the Event Evaluation will be considered incomplete and deemed not received by the required deadline. City staff will recommend to the Arts Commission that the grantee be denied any unpaid grant funds.

If this is the last event then the grantee must submit to city staff, no later than 45 days after the completion of the last event, Exhibit A-Event (Event Evaluation Report), the corresponding Exhibit B's (Expense Summary) and supporting documentation (see section 605 for definition of supporting documentation). City staff will review and hold until the Final Evaluation Report (Exhibit A-Final) is submitted for all events combined.

After the completion of all events the grantee may request any remaining grant funds by submitting to city staff Exhibit A-Final (Final Evaluation Report), the corresponding Exhibit B's (Expense Summary) for the entire grant year, including all events combined, with supporting documentation. This report may be submitted to City staff as soon as practicable after the completion of the final event, but no later than September 30 of the current grant year, or within 45 days after completion of the final event, whichever is later. If City staff has any questions or requests additional documentation, the request must be fulfilled by the grantee within 10 business days. After the 10 day window expires, the Final Evaluation Report will be processed as is, if sufficient enough to do so. City staff will recommend to the Arts Commission that the grantee be denied the portion of grant funds related to the requests that were not fulfilled. If it is determined insufficient for processing as is, the Final Evaluation will be considered incomplete and deemed not received by the required deadline. City staff will recommend to the Arts Commission that the grantee be denied any unpaid grant funds.

Final payment will be disbursed no later than 30 days after the Arts Commission has voted to approve the required Final Evaluation, and all other contract conditions have been met. If your Final Evaluation is not received in the Finance Department by close of business on September 30 of the current grant year, or by close of business on the 45<sup>th</sup> day after the completion of the final event, whichever is later, you will not receive your final funding. Your Final Evaluation must include Exhibit A-Final, all

relevant Exhibit B's and their supporting documentation. Any cancelled checks not yet received from your bank at time of submission must be forwarded to the Finance Department staff as soon as received.

D. Year-long Event – Events occurring over the course of twelve months.

To receive quarterly payments grantees should submit Exhibit A-DDR (Drawdown Request) with the corresponding Exhibit B's (Expense Summary) and supporting documentation (see section 605 for definition of supporting documentation) for quarters one (January), two (April) and three (July). For the fourth quarter payment grantee must submit Exhibit A-Final (Final Evaluation Report) with the corresponding Exhibit B's (Expense Summary) for the entire grant year no later than September 30 of the current grant year, or within 45 days after the completion of the final event, whichever is later. If City staff has any questions or requests additional documentation, the requests must be fulfilled by the grantee within 10 business days. After the 10 day window expires, the Final Evaluation Report will be processed as is if sufficient enough to do so. City staff will recommend to the Arts Commission that the grantee be denied the portion of grant funds related to the requests that were not fulfilled. If it is determined insufficient for processing as is, the Final Evaluation will be considered incomplete and deemed not received by the required deadline. City staff will recommend to the Arts Commission that the grantee be denied any unpaid grant funds.

Final payment will be disbursed no later than 30 days after the Arts Commission has voted to approve the required Final Evaluation, and all other contract conditions have been met. If your Final Evaluation is not received in the Finance Department by close of business on September 30 of the current grant year, or by close of business on the 45<sup>th</sup> day after the completion of the final event, whichever is later, you will not receive your final funding. Your Final Evaluation must include Exhibit A-Final, all relevant Exhibit B's and their supporting documentation. Any cancelled checks not yet received from your bank at time of submission must be forwarded to the Finance Department staff as soon as received.

605. Record Keeping and Supporting Documentation

- A. All recipients of Arts Commission Grants will be required to establish records detailing the use of the funds under the program. These records are subject to examination and audit by the City of Killeen and by the State of Texas.
- B. Supporting documentation, as referenced in this document, is defined as third-party invoices/receipts and copies of cancelled checks for all expenses. Supporting documentation should include (at a minimum) vendor name, date payment was received/is due, grantee's name, and dollar amount. Supporting

documentation is required for all expenses identified on any and all grant documents submitted.

606. Acknowledgement of City Funding for Arts Commission Grants

The recipient shall acknowledge the City of Killeen's participation in the funding of the event or public permanent art in all promotional materials using the context below. This shall include and not be limited to printed programs, posters, mailers, advertisements, social media, audio, video and internet promotions.

Printed Items: "This event/program/performance/exhibition/public permanent art is supported, in part, by funds from the City of Killeen, Texas, Municipal Hotel Occupancy Tax Revenues and other funding sources as stated in the contract." The font used in print materials shall be proportional to the advertisement style.

Printed materials also shall use the official logo of the Killeen Arts Commission or the following statement: "Sponsored in part by the City of Killeen, Texas, Arts Commission." The font used for the logo must be sized the same as sponsors that have contributed amounts similar to the grant from the Arts Commission.

Radio/Audio ONLY: "Sponsored in part by a grant from the City of Killeen, Municipal Hotel Occupancy Tax Revenues."

607. Application Workshop

All grant applicants must have informed representation at the Killeen Arts Commission Application Workshop. A makeup session may be provided by City Staff within 30 days of the original workshop. If the applicant does not have informed representation at the Application Workshop or the makeup session the application will be disqualified for funding. Informed representation must be someone other than an arts commissioner and must be a member of the organization applying for funding. Failure to do so will cause the organization to be ineligible for consideration of funding.

608. Grant Review Workshop

All grant applicants will be required to have informed representation at the Killeen Arts Commission Grant Review Workshop. Failure to attend this workshop will disqualify the application for funding. Informed representation must be someone other than an arts commissioner and must be a member of the organization applying for funding. The informed representative must be familiar enough with the grant application to answer any questions about it and the organization, both definitively and with authority. Failure to do so will cause the organization to be ineligible for consideration of funding.

609. Application Review for Approval

All grant applicants will be required to have informed representation when their application is being reviewed for approval by the Killeen Arts Commission. Failure to attend this review will disqualify the application for funding. Informed representation must be someone other than an arts commissioner and must be a member of the organization applying for funding. The informed representative must be familiar enough with the grant application to answer any questions about it and the organization, both definitively and with authority. Failure to do so will cause the organization to be ineligible for consideration of funding.

If it is determined that an applicant submitted false information on their application, the application will be denied for the current grant cycle and the grantee will be ineligible to apply for the two (2) subsequent grant cycles.

610. Final Evaluation Report Review

All grant recipients are required to have informed representation when their Final Evaluation Report is being reviewed for approval by the Killeen Arts Commission. Failure to attend this review will result in the evaluation being placed on a future agenda. Informed representation must be someone other than an arts commissioner and must be a member of the organization applying for funding. The informed representative must be familiar enough with the Final Evaluation Report to answer any questions about it and the organization, both definitively and with authority. Failure to do so will cause the organization to be ineligible for funding consideration.

A 1-2 minute visual presentation compatible with city equipment must be submitted with the completed evaluation form.

611. Non-compliance with Program

Any grant applicant or grant recipient that does not timely and fully comply with the Killeen Arts Commission Rules and Regulations, Recipient Contract and all local, state and federal laws will be ineligible for funding for the current grant cycle and the grantee will be ineligible to apply for the two (2) subsequent grant cycles. City staff will recommend to the Arts Commission that the grantee be denied any unpaid grant funds.

## **VII. Arts Commission Sponsored Cultural/Arts Activities**

The Arts Commission may choose to produce a Cultural/Arts event itself, rather than merely being a grant source for others.

701 Criteria

A Cultural/Arts Event must meet the criteria of section v.501.A and have the majority of its involvement within the City limits of Killeen. Moreover, the event must be of artistic quality as determined by the Commission and be responsive to the arts/cultural needs of the City.

## 702 Funding

- A. Allocations budgeted for Arts Grants, through other state, federal or private grants may be used, as well as private gifts, donations, and admission fees charged for the event. The Commission shall comply with the terms and conditions attached to any grant, gift or donation upon acceptance.
- B. Nothing herein prevents the use of funds, raised under this Section VII, as Arts Commission Grants provided for in Section V.
- C. The Purpose of a Cultural/Arts event shall be the same mission as stated in Section 351.101(4) of the Tax Code. The purpose of such Cultural/Arts event shall not be manifestly to create profit but to cover cost of the event.

## **VIII. Motions**

A motion may be made by any Commissioner other than the presiding officer. A motion to approve any matter before the Commission or to recommend approval or disapproval shall require a simple majority approval vote.

## **IX. Certification and Amendments**

### 901. Certified Copy

A certified copy of these rules and regulations and any amendments shall be filed in the office of the City Secretary within ten (10) business days of their adoption.

### 902. Amendments

Amendments to these rules and regulations may be adopted at any time at a public meeting, upon the affirmative vote of the simple majority of the commissioners, provided the amendment is proposed at a previous meeting and stated in the minutes of such meeting.

The amendment will not become effective until the next regular meeting. Amendments regarding guidelines and criteria for applicants requesting funding shall be approved by the City Council.