

**Cultural Council of Greater Jacksonville
Board of Directors Special Meeting**

*October 24, 2016
300 Water Street, Terry Lobby
Jacksonville, FL 32202*

Board Members Present: Charles Joseph, Franklin Danley, Mac Bracewell, Tayloe McDonald, David Engdahl, Ann Carey, Kevin Holzendorf, JaMario Stills, Anne Boccuzzi, Kemal Gasper, Bill Ferry (late), Claudia Baker (late), Rebecca Ryan-Gonzalez (late)

Staff Present: Patrick Fisher, Amy Palmer, Tony Allegretti, Cedric Lewis (late)

Call to Order

Charlie Joseph called the meeting to order at 8:08 AM. Mr. Joseph introduced himself to all attendees. He then introduced Sid Ansbacher, retained by the Cultural Council as legal counsel. Mr. Joseph outlined the meeting's agenda after introductions concluded.

Approval of 10/13/2016 Minutes

Tayloe McDonald made a motion to approve the minutes from the October 13, 2016 Board meeting. Franklin Danley seconded the motion. All Board members voted to approve the minutes.

Approval of 2016-2017 Cultural Service Grant (CSG) Awards

Mr. Joseph informed the group that he serves on the Board of the Jacksonville Symphony Association, and because of that, he would be recusing himself from the discussion of the CSG awards and appeals. Mr. Joseph handed the floor over to Immediate Past Chair, Mr. Danley.

Mr. Danley handed the floor to Mr. Ansbacher, who said the Board was convened to address the two appeals, of the Jacksonville Symphony and the Jacksonville Children's Chorus. He requested that the Board not take up the appeals until after considering a proposed plan. He said that the plan was a recommendation – based on discussions with staff. He then discussed his proposed plan forward, which includes:

- 1.) All panel members will be provided verbatim transcriptions and minutes from Day 1 and 2 of the CSG Hearings.
- 2.) All CSG Organizations, not just those that appealed their awarded amounts, will receive a notice indicating what records are under review.
- 3.) The panel will reconvene at the earliest possible date when all 10 panelists can be present.
- 4.) There will be no new presentations made by CSG organizations outside of the public records. However, after reviewing the transcripts, minutes, and

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previously submitted documents, panelists can ask CSG organizations questions, to which the organizations can provide answers.

- 5.) Panelists will be given the chance to ratify their scores, or to modify the scores based on the new information.
- 6.) Revised scores will be entered in to the iteration model and award amounts will be recalculated.
- 7.) All CSG organizations will be provided the opportunity to appeal the revised awarded amounts.
- 8.) The Cultural Council Board of Directors will vote to approve the revised awarded amounts.

Mr. Danley opened the floor to public comment.

Matt McAfee, Chair of the Jacksonville Symphony Association Board, asked if the organizations would have an opportunity to testify in front of the absent panelists. Sid responded to this question by saying the absent panelists would review the transcribed presentations that were made on record.

Mr. McAfee introduced Robert Massey, President of the Jacksonville Symphony Association. Mr. Massey acknowledged all the members of the Jacksonville Symphony that were present at the meeting. He continued by thanking the Cultural Council Board for their efforts and commitment to the arts.

Mr. Massey continued by addressing the appeal and citing the ordinance that states committee members will be present at hearings. He then elaborated on the Symphony's complexities and how they serve the community. Mr. Massey continued by building upon how he and the Symphony feel the absent committee members hurt their scoring.

Chantelle Quick and Darren Dailey from the Jacksonville Children's Chorus took the floor and thanked the Board for considering their appeals.

Kenyon Merrit, a panel member, then took the floor. Ms. Merrit asked if Mr. Ansbacher's proposed path forward only involved the four absent panelists or all panelists. Mr. Ansbacher responded that to meet quorum, and to abide by best practices and due process, it is necessary to have the entire panel present and engaged.

Kemal Gasper took the floor to confirm that this process would be opened to all CSG organizations and not just Level One organizations. Mr. Ansbacher indicated that, to be fair, all levels would need to be provided the same opportunities.

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Jennifer Mansfield of Theater Jacksonville took the floor. Ms. Mansfield said that the Cultural Council had established rules, and all organizations were subject to the same limitations of absent panelists. Ms. Mansfield recommended that the current awards be approved to save the time of organizations and panelists.

Mr. Massey took the floor again and asked the Board if there has been a discussion to revise the process, specifically referring to the rounding up of scores. Mr. Ansbacher responded to Mr. Massey by reiterating that he is trying to avoid a discussion on the merits of the appeal and their particulars until after the Board decides whether to remand the matter to the CSG Committee. Accordingly, he requested that Mr. Massey cease arguing the merit of the appeal until it was before the Board.

Mr. Danley asked if there was a motion present for Mr. Ansbacher's plan forward. Kevin Holzendorf made the motion and Claudia Baker seconded the motion. Mr. Danley then asked if any of the Board members have questions.

Ms. McDonald asked Mr. Ansbacher to quote the Diaz Rule. Mr. Ansbacher defined the Diaz Rule for Ms. McDonald. The Cultural Council created the "Diaz Rule" at the request of CSG applicants when a CSG Committee Member could not attend one year due to an emergency. The applicant requested, and Cultural Council amended its guidelines to allow tabulation of a Committee Member's vote when emergency precludes that member's attendance.

Mr. Holzendorf asked if the Diaz Rule was automatically enacted because it was an emergency circumstance, or did panelists have an opportunity to state they would not be present and therefore request a rescheduled hearing date. Mr. Holzendorf was under the impression that if a panelist was not present then their scores were removed from the iteration model. Tony Allegretti responded that Mr. Holzendorf's assumption was based on past iteration models and an absent panelist's scores are not thrown out in the current model. Mr. Ansbacher stated that the law allows for remote attendance in extraordinary circumstances so long as quorum was met. Mr. Allegretti confirmed that quorum was met for the hearings.

Claudia Baker stated that she is disappointed that the second day of hearings took place knowing that four panel members were going to be absent. She also stated that the Diaz Rule can be overly expanded and misused at a detriment to the Cultural Council and the hearing process. Ms. Baker asked that the Cultural Council revisit the Diaz Rule and close any loopholes that exist.

Ms. McDonald asked how a delayed resolution will impact the operations of CSG organizations. Mr. Ansbacher said that the hearings must be conducted at the earliest possible date on which all 10 panelists can be present and engaged.

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There was a motion to vote to approve Mr. Ansbacher's proposed path forward. David Engdahl, Rebecca Ryan-Gonzalez, JaMario Stills, and Charlie Joseph recused themselves from the vote. Bill Ferry, Tayloe McDonald, Kemal Gasper, Mac Bracewell, Franklin Danley, Ann Carey, and Claudia Baker all voted in favor of Mr. Ansbacher's proposed path forward. The vote passed.

The group disbanded for a short break and then reconvened at 9:20 AM.

Mr. Joseph took the floor and stated that the remaining items outlined on the agenda will be tabled until the next Board meeting. Mr. Joseph thanked the Board, staff, and Tony for their involvement.

Mr. Holzendorf moved to adjourn the meeting. Mr. Danley seconded the motion. All Board members voted to adjourn. The meeting adjourned at 9:26 AM.