### PART 6. CULTURAL SERVICE GRANT PROGRAM

Sec. 118.601. Creation and purpose.

There is hereby created a Cultural Service Program, which shall be comprised of the Cultural Service Grant and Capital Grant Program and the Art in Public Places Program pursuant to chapter 126, Part 9. The mission and purpose of the Cultural Service Program is to provide public support to organizations which contribute to the cultural quality of life of Jacksonville's citizens and to administer the City's Art in Public Places Program. The provisions of Chapter 118, Parts 1 through 5 shall apply to the Cultural Service Grant program, Chapter 118, Part 6.

(Ord. 2009-868-E, § 2)

Sec. 118.602. Responsibility.

(a) Cultural Council of Greater Jacksonville City appointments and terms:

(1) Members of the Cultural Council of Greater Jacksonville. The Cultural Council of Greater Jacksonville is a not for profit 501(C)(3). Pursuant to its bylaws, the Mayor appoints and the City Council confirms six members to serve two terms of three years.

(b) The Cultural Council of Greater Jacksonville (Cultural Council) is hereby designated as the agent of the City for the purposes of determining and authorizing the allocation of a lump sum Cultural Service Grant and Capital Grant appropriation designated in the annual budget ordinance or in supplemental appropriation ordinances as being appropriated for eligible recipients. The determinations and authorizations made by the Cultural Council and its Cultural Service Grant Committee in accordance with the provisions of this Section shall be final and not subject to further administrative review by any executive or administrative official of the City. No cultural organization as defined in this Chapter may make a request for operating, program or special project support except through an allocation from the Cultural Service Grant and Capital Grant Program, except for:

(1) Organizations providing children's programs which may be funded through the Kids Hope Alliance; or

(2) Organizations qualifying for City grants administered by City Divisions, which grants do not require specific City Council approval.

(Ord. 2009-868-E, § 2; Ord. 2014-776-E , § 1; Ord. 2017-262-E , § 1; Ord. 2017-563-E , § 11)

Sec. 118.603. Lump sum appropriation to Cultural Council.

(a) The process for the annual Cultural Service Grant and Capital Grant Program appropriation will begin with the Cultural Council preparation of an annual appropriation request for all cultural organizations based on information provided by eligible organizations in a "letter of intent." This request will reflect a lump sum appropriation to be indicated in the annual City budget as Cultural Service Grant and Capital Grant Program. Up to 13½ percent of the total lump sum appropriation shall be allocated to the Cultural Council for administration of the grant program and other programs which serve the community. The Capital Grant Program cannot exceed 25 percent of the total City Cultural Council appropriation (example: if the total Cultural Council appropriation is $4,000,000 from the City, a maximum of $1,000,000 can be allocated for capital purposes). The Cultural Service Grant and Capital Grant Program request shall be submitted to the Mayor for review by the Mayor's Budget Review Committee which will recommend a lump sum appropriation to be included in the proposed budget for the upcoming fiscal year. The Cultural Council shall include in the request relevant information regarding cultural services to be provided to the community as a result of the funding; and shall be responsible for documenting the validity of the request to the MBRC, the City Council Finance Committee and City Council throughout the budgeting process.

(b) The process for the annual Cultural Council appropriation for administering the Art in Public Places Program as provided in Part 9 of Chapter 126,Ordinance Code will begin with the Cultural Council preparation of an annual appropriation request to fund all duties required to administer such Program. The appropriation request shall be submitted and processed in the same manner and at the same time as the appropriation request referenced in paragraph (a), above.

(Ord. 2009-868-E, § 2)

Sec. 118.604. Allocation by Cultural Council; generally.

Recommendations for allocation of the lump sum appropriation to applicant organizations shall be made by the Cultural Service Grant Committee to the Cultural Council Board of Directors. The Board shall make a final determination of funding. Funding will be allocated by contract between the recipient organization and the Cultural Council. Organizations will be notified in writing of the results of their request and will be provided with any support information or justification for the Committee's decision which might be helpful. A complete list of the individual operating amounts and capital amounts allocations will be forwarded to the City Council Auditor's office, the Office of the Mayor, the City Council and the Finance and Administration or other department assigned by the mayor.

(Ord. 2009-868-E, § 2; Ord. 2011-732-E; Ord. 2013-209-E, § 40; Ord. 2016-140-E , § 16)

Sec. 118.605. Cultural Service Grant Committee.

(a) The Cultural Council shall be responsible for establishing an annual Cultural Service Grant Program (CSGP) Committee. The Composition of the CSGP Committee shall include one non-voting and ten voting members: a CSGP Committee chairperson (non-voting), appointed by the President of the Cultural Council Board of Directors; three other Cultural Council Board members selected by the Board President and Committee Chairperson; and seven individuals selected by the above group (Cultural Council Board President, CSGP Committee chairperson, and three selected Cultural Council Board members) from a pool of nominations established through a community wide nomination process. The Cultural Service Grant Committee shall have a liaison relation with one member of City Council and one representative of the Mayor's Office.

(b) Members of the CSGP Committee shall be chosen to represent racial, gender, geographic and age diversity; an expression of interest in the impact of culture in the community; a willingness to participate fully in the process.

(c) Members shall serve a three-year term and may be reappointed for one additional consecutive full term. City Council and Mayoral representatives shall be appointed annually.

(d) All members of the CSGP Committee will be confirmed by the City Council upon appointment or reappointment.

(e) The responsibilities of the CSGP Committee include:

(1) Review and evaluation of all applications based on established criteria;

(2) Serve as an on-site evaluator and lead reviewer for a selected number of applicants;

(3) Attend an orientation session and all review sessions; and

(4) Participate in the allocations process.

(f) The Cultural Service Grant Committee shall recommend to the Cultural Council Board of Directors the organizations to be funded and the amount of the funding.

(Ord. 2009-868-E, § 2; Ord. 2016-483-E , § 1; Ord. 2017-262-E , § 2)

Sec. 118.606. Application for cultural service grants.

(a) The Cultural Council shall develop and be responsible for the administration of the Cultural Service Grant Program. Administrative and operating procedures shall be established and amended as necessary to meet the mission of the program and current needs of the community. The Cultural Council may classify the cultural organizations in reasonable classifications for the purpose of this program. The procedure prescribed herein, as further developed by the Cultural Council, shall be the only procedure available to cultural organizations for requesting public support.

(b) The following components shall be included in any administrative and operating procedures developed and implemented by the Cultural Council:

(1) The Cultural Council shall publish each year in a newspaper of general circulation in the City, at least one month before the last day on which appropriation request must be submitted to the Cultural Council, a notice that it is accepting Cultural Service Operating and/or Capital Grant requests for the ensuing fiscal year, stating the place where the appropriation request forms may be obtained, the last day on which the completed appropriation requests must be returned to the Cultural Council and when and where the Cultural Council (or a duly authorized committee thereof) will hold a hearing on the appropriation requests (which may include a statement that the hearing may be adjourned from time to time and from place to place until all the appropriation requests have been heard).

(2) The Cultural Council shall promulgate a written procedure for the submission of operations and/or capital appropriation requests by eligible agencies, which procedure shall be made known to each requesting agency, or its agent or representative, at the time the appropriation request form is supplied to the requesting agency.

(3) The Cultural Council (which, for the purposes of this subsection, includes the duly authorized Cultural Service Grant committee thereof) shall consider appropriation requests returned by the requesting agencies. The Cultural Council shall afford the requesting agencies an opportunity to make an oral or written presentation to justify or explain their respective appropriation requests, and no requesting agency shall be denied this opportunity solely because it has never submitted an appropriation request before or because a previous appropriation request has been denied.

(4) All meetings and sessions of the Cultural Service Grant Committee shall be held in a publicly accessible location and shall be noticed and open to the public.

(Ord. 2009-868-E, § 2)

Sec. 118.607. Eligibility for cultural service grant.

In order to be eligible for funding an organization must meet the following criteria.

(a) The organization must be tax exempt under Section 501(c)(3) of the Federal Internal Revenue Code. A copy of the organization's letter of exemption from the Internal Revenue Service and all amendments thereto shall be provided when the organization submits its first appropriation request and thereafter when any change is made.

(b) The organization must be a not-for-profit corporation chartered by the Secretary of State under F.S. Ch. 617. A copy of the corporate charter and all amendments thereto shall be provided when the corporation submits its first appropriation request and thereafter when any change is made.

(c) The organization must operate in Duval County.

(d) At the time of application, the organization must have been in existence as a Florida Corporation for at least three years and must have three years of filed tax returns.

(e) The organization shall have a broad base of community representation in management and membership. The members of the board of directors shall not receive any compensation for their service as directors, but they may be reimbursed for actual monetary expenditures on behalf of the organization. The corporate charter or by-laws shall provide a method of selection of the board of directors which will periodically subject the directors to the possibility of replacement by other qualified persons. The membership of the organization shall be open to as large a portion of the public as possible, subject to such nondiscriminatory conditions and qualifications for membership as may be imposed by the corporate charter or by-laws; provided that this requirement shall not be construed so as to prevent or prohibit an organization from having different classes of membership with different conditions and qualifications for admission and different relative rights, privileges and duties.

(f) If the organization is a previous recipient of a City Grant or a Cultural Service Grant, the organization must have submitted all required reports for previous grants.

(g) At least 76 percent of the organizations operating revenue or support shall be derived from sources other than this program.

(h) The organization shall provide services or activities which benefit or are made available to a broad range of the people of the City and shall be offered on a nondiscriminatory basis to those people.

(i) To receive general operating support, the organization must as its primary function present, sponsor, exhibit or otherwise offer for public consumption programs or activities in any one or combination of the following disciplines: historic preservation/restoration, arts in education, music, dance, folk arts, humanities, literature, film/video/media, theater and musical theater, visual arts, or collections or exhibits of historical, archeological, scientific or ethnic artifacts, handiwork or objects.

(j) To receive program support an organization must meet all other eligibility requirements and must be requesting support specifically for cultural programming as defined by this ordinance.

(k) If a capital allocation is funded at or above $25,000 the organization must enter into a restrictive covenant agreement with the City of Jacksonville to ensure dedicated use of the relative facilities or properties for public proposes and arts-specific purposes for a period of not less than ten years.

(l) The organization shall make all reasonable efforts to adhere to the City of Jacksonville's procurement requirements for Capital expenditures.

(m) Each recipient of the Operating and/or Capital grant funds must go through the application process to prove that the recipient can provide at least a one-dollar cash match for each dollar granted. The Cultural council will make requests for disbursements of funds and is responsible for monitoring and ensuring the funds are spent for its intended purpose and reporting on the results and use of these funds to the City of Jacksonville.

(Ord. 2009-868-E, § 2; Ord. 2017-262-E , § 1)

Sec. 118.608. Criteria for judging applicants for cultural service grants.

All applicants to the Cultural Service Grant Program will be evaluated based on the following criteria:

(a) Quality of programs;

(b) Community outreach and service to culturally diverse populations;

(c) Management capability of board and staff;

(d) Community impact;

(e) Need for the organization in the community; and

(f) Exploration of innovative ideas and programming.

(Ord. 2009-868-E, § 2)

Sec. 118.609. Restrictions for use of cultural service grants.

(a) Each recipient of appropriations made pursuant to Chapter 118 is responsible for ensuring that City funds are expended pursuant to Section 118.301.

(b) Cultural service grant funds must be kept in an individual bank account, notwithstanding the provision to the contrary in Section 118.201, separate from other organization funds. It may be an interest bearing account, but the total amount of the grant and the interest must be spent by the end of the contract period; except that a remaining balance may be maintained in the cultural service grant account, notwithstanding the provision to the contrary in Section 118.301(a)(5). This balance must be identified and documented in quarterly and year end reports and shall not exceed $500. This balance shall be returned to the City within the first 90 days of the first fiscal year in which the recipient no longer receives a Cultural Service Grant appropriation. The portion of unspent funds that exceed $500 shall follow the provisions of Section 118.301(a)(5).

(Ord. 2009-868-E, § 2)

Sec. 118.610. City contract, review and oversight.

(a) Upon approval of the annual budget by the City Council, one contract will be prepared and administered throughout the Finance and Administration Department, which will reflect the total amount of the lump sum appropriation for cultural service grants to all cultural organizations. Funds shall be distributed to the Cultural Council on a quarterly basis in amounts to be determined annually, notwithstanding the provision to the contrary in Section 118.201(f)(7), upon receipt by the Department of Finance and Administration of a quarterly financial and programmatic report.

(b) Upon approval of the annual budget by the City Council, a second contract shall be executed between the City and the Cultural Council for administering and performing such duties as required by the Art in Public Places Program, as fully described in Chapter 126, Part 9, Ordinance Code.

(c) The Cultural Council shall establish a quarterly reporting system for all funded organizations which provides financial and programmatic information documenting the use and impact of the Cultural Service Grant Program funds.

(d) The Cultural Council shall provide the City Auditor's office with an independently prepared or audited financial statement (depending on grant amount) from all recipients at the conclusion of the grant period. All application forms, procedures, reporting requirements, and contract agreements for recipient organizations (other than the Cultural Council) will be developed by the Cultural Council and will be between the Cultural Council and the individual recipient organizations.

(Ord. 2009-868-E, § 2; Ord. 2011-732-E; Ord. 2013-209-E, § 40; Ord. 2016-140-E , § 16)