

**CITY OF MIRAMAR  
PROPOSED CITY COMMISSION AGENDA ITEM**

**Meeting Date:** June 12, 2023

**Presenter's Name and Title:** Zakiya Kelley, Cultural Affairs Assistant Director

**Prepared By:** Zakiya Kelley, Cultural Affairs Assistant Director

**Temp. Reso. Number:** R7905

**Item Description:** Temp. Reso. R7905, authorizing the City's application for a Florida Department of State Cultural Facilities program grant for the replacement of sound and lighting components integral to the performance standards of the Miramar Cultural Arts Center Theater; and providing that, if awarded, the City will provide a compensatory 2:1 match of \$1,000,000 from the City's FY24 Capital Improvement program budget appropriated for this facility

Consent ☒ Resolution ☐ Ordinance ☐ Quasi-Judicial ☐ Public Hearing ☐

**Instructions for the Office of the City Clerk:** none

**Public Notice** – As required by the Sec. \_\_\_\_ of the City Code and/or Sec. \_\_\_\_, Florida Statutes, public notice for this item was provided as follows: on \_\_\_\_ in a \_\_\_\_ ad in the \_\_\_\_; by the posting the property on \_\_\_\_ and/or by sending mailed notice to property owners within \_\_\_\_ feet of the property on \_\_\_\_  
(fill in all that apply)

**Special Voting Requirement** – As required by Sec. \_\_\_\_, of the City Code and/or Sec. \_\_\_\_, Florida Statutes, approval of this item requires a \_\_\_\_ (unanimous, 4/5ths etc.) vote by the City Commission.

**Fiscal Impact:** Yes ☒ No ☐

**REMARKS:** The project must be included in the City's Capital Improvement Program and the funds required to meet the City's financial obligations will need to be appropriated through the Annual Budget in the amounts of \$500,000 (state reimbursement) and \$1,000,000 (City's match) in FY 2024. To complete the project, an additional \$500,000 (City's contribution) is required for a total amount of \$2,000,000. The total cost to the City upon eligible reimbursement would be \$1,500,000.

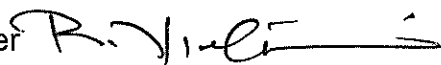
**Content:**

- **Agenda Item Memo from the City Manager to City Commission**
- **Resolution TR 7905**
- **Attachment(s)**
  - **Attachment 1: Cultural Facilities Program Guideline**



**CITY OF MIRAMAR  
INTEROFFICE MEMORANDUM**

**TO:** Mayor, Vice Mayor, & City Commissioners

**FROM:** Dr. Roy L. Virgin, City Manager 

**BY:** Zakiya Kelley, Cultural Affairs Assistant Director

**DATE:** June 1, 2023

**RE:** Temp. Reso. No. R7905 authorizing the City's application for a Florida Department of State Cultural Facilities program grant for the replacement of sound and lighting components

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**RECOMMENDATION:** The City Manager recommends approval of Temp Reso No. R7905 authorizing the City's application for a Florida Department of State Cultural Facilities program grant for the replacement of sound and lighting components integral to the performance standards of the Miramar Cultural Arts Center; and providing that, if awarded, the City will provide a compensatory 2:1 match of \$1,000,000 from the City's FY24 Capital Improvement program budget appropriated for this facility; and providing for an effective date.

**ISSUE:** A Commission approved resolution is required to complete a submission to the State of Florida Cultural Facilities Grant Program. The Cultural Affairs Department is scheduled to re-apply for the State of Florida Cultural Facilities upcoming 2024-2025 grant cycle. The Cultural Affairs Department applied for the 2023-2024 grant cycle, however, the awardees will be disclosed on July 1, 2023, which is after the 2024-2025 submission deadline of June 21, 2023. If the City of Miramar's Cultural Affairs Department is awarded for the 2023-2024 cycle the 2024-2025 application will be voided. Therefore, prior Commission approval is necessitated at this time to meet the State's grant deadline of June 21, 2023. The grant period for corresponding projects executed through this cycle is July 1, 2024 through June 1, 2025.

**BACKGROUND:** The State Cultural Facilities Grant Program captures \$500,000 of support dollars for the renovation, construction, or acquisition of facilities for arts and cultural organizations. This reimbursable grant is committed by way of a 2:1 match. The

successful approval of this Grant will be used to fund the renovation of sound and lighting equipment, which is integral to the Miramar Cultural Center Theater's performance.

The City of Miramar's Cultural Center | Artspark sound and lighting equipment is more than a decade old. Technological updates related to industry standards, maintenance and the dissolution of the original manufacturer have put both sound and lighting equipment out of date for future extensions.

**DISCUSSION:** The Cultural Affairs Department worked alongside the City's Information Technology Department to do an assessment of the facility's equipment. Two separate budgetary quotes were obtained for the sound and lighting requirements, for a total of \$2,000,000. This plan once completed would provide the facility with a 7-10 year lifecycle on sound equipment and a 15-year lifecycle on lighting equipment. The following chart illustrates this planning:

CAPITAL ITEM	BUDGETARY AMOUNT	LIFECYCLE IN YRS.	SHELF LIFE YR
<b>SOUND</b>	\$831,345.94	7-10	2030-2033
<b>LIGHTING</b>	\$1,168,654.10	15	2038
<b>TOTAL</b>	\$2,000,000		

**ANALYSIS:** The Capital Improvement Budget would be allocated in the FY24 Budget cycle to provide for this facility renovation. Total project completion time is 4 months. Cultural Affairs will adjust its scheduling accordingly to meet this implementation.

The following chart expresses the financial commitment by the City to this project in acceptance of this grant:

<b>2:1 City Financial Commitment:</b>	\$1,000,000
<b>Additional Funds required:</b>	\$1,000,000
<b>Project Total:</b>	\$2,000,000
<b>State Reimbursement:</b>	\$500,000
<b>Total Cost to City after State support dollars:</b>	\$1,500,000

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6/1/23

**CITY OF MIRAMAR  
MIRAMAR, FLORIDA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, AUTHORIZING THE CITY'S APPLICATION FOR A FLORIDA DEPARTMENT OF STATE CULTURAL FACILITIES PROGRAM GRANT FOR THE REPLACEMENT OF SOUND AND LIGHTING COMPONENTS THAT IS INTEGRAL TO THE PERFORMANCE STANDARDS OF THE MIRAMAR CULTURAL ARTS CENTER; AND PROVIDING THAT, IF AWARDED, THE CITY WILL PROVIDE A TOTAL TWO TO ONE MATCH OF \$1,000,000 FROM THE CITY'S FY24 CAPITAL IMPROVEMENT PROGRAM BUDGET APPROPRIATED FOR THIS FACILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the Cultural Center | ArtsPark sits within its 54-acre Town Center site alongside City Hall and serves as the City's central hub for conducting business and participation in cultural enrichment activities; and

**WHEREAS,** the Miramar Cultural Center | ArtsPark provides a broad spectrum of cultural enrichment activities and services for the residents and guests of the City of Miramar, southwest Broward County and northwest Miami-Dade County; and

**WHEREAS,** the Miramar Cultural Center's sound and lighting equipment is more than a decade old, has had manufacturer changes and been serviced many times to provide continuity to the operation; and

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**WHEREAS**, preliminary budgetary quotes have been sought and vetted in support of this project with the City's Information Technology Department; and

**WHEREAS**, the lighting and sound system components in the Theater of the Cultural Arts Center have been estimated to cost a collective \$2,000,000 based on the findings of the assessment; and

**WHEREAS**, the City has dedicated \$2,000,000 in the Capital Improvement Program Budget to replace sound and lighting equipment integral to the performance of Cultural Arts Center at the Town Center; and

**WHEREAS**, the City is applying to the Florida Department of State's Cultural Facilities Program for a \$500,000 reimbursable grant ("Grant") to help pay for such stage equipment, lighting system and sound system components; and

**WHEREAS**, the Cultural Facilities Program grant application must document at least a two to one local funding match to obtain the \$500,000 State Grant; and

**WHEREAS**, the Florida Department of State requires that the City provide a resolution in its Cultural Facilities Program application which includes (A) the dollar amount dedicated and available to the grant project facilities if the Grant is awarded and (B) the date the funds will be available.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:**

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**Section 1:** That the foregoing recitals are confirmed as being true and correct and are made a specific part of this Resolution.

**Section 2:** That the City authorizes the appropriate City Officials to submit an application for a State of Florida Cultural Facilities Program Grant ("Grant") for an amount not to exceed \$500,000 for which at least a two to one match is required.

**Section 3:** That a minimum of \$1,000,000 is dedicated to serve as the City's required matching funds to help implement the grant project facilities should the \$500,000 Cultural Grant be awarded by the Florida Department of State to the City in 2024.

**Section 4:** That the required matching funds for the Grant shall be comprised of \$2,000,000 from the City's resources held with the FY24 Capital Improvement Budget for the Center.

**Section 5.** That the City shall make these matching funds available to the grant project facilities on July 1, 2024, which is within ninety (90) days of receipt of the Grant funding notification.

**Section 6.** That the City Commission is committed to proceed with the grant project facilities in a timely manner following the receipt of a fully executed Cultural Facilities Program Grant Agreement.

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**Section 7.** That the appropriate City officials are authorized to do all things necessary and expedient to carry out the aims of this Resolution.

**Section 8.** That this Resolution shall take effect immediately upon adoption.

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6/1/23

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Mayor, Wayne M. Messam

\_\_\_\_\_  
Vice Mayor, Alexandra P. Davis

ATTEST:

\_\_\_\_\_  
City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved  
this RESOLUTION as to form:

\_\_\_\_\_  
City Attorney,  
Austin Pamies Norris Weeks Powell, PLLC

**Requested by Administration**

Commissioner Winston F. Barnes  
Commissioner Maxwell B. Chambers  
Commissioner Yvette Colbourne  
Vice Mayor Alexandra P. Davis  
Mayor Wayne M. Messam

**Voted**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reso. No. \_\_\_\_\_





## Cultural Facilities

### Grant Guidelines

Application Open: April 1

Application Deadline: June 1, 5 p.m. ET

Grant Period: 23 months (beginning July 1, year of appropriation)

**If a deadline falls on a Saturday, Sunday, or legal holiday, the deadline date will be the next business day.**

Florida Department of State

Division of Arts and Culture  
329 North Meridian Street  
Tallahassee, Florida 32301

## **Application Submission**

Applications must be submitted on or before June 1, 5 p.m. ET.

Applications must be submitted on the DOS Grants System at [dosgrants.com](https://dosgrants.com).

## **For Assistance and Information**

**Teri Abstein**

850.245.6299

[teri.abstein@dos.myflorida.com](mailto:teri.abstein@dos.myflorida.com)

These Guidelines are also available electronically at:

[dos.myflorida.com/cultural/grants/grant-programs/cultural-facilities](https://dos.myflorida.com/cultural/grants/grant-programs/cultural-facilities) and can be made available in an alternative format.

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# Introduction

Welcome to the Division of Arts and Culture Cultural Facilities Program (CF) Guidelines. We're glad you are applying for a Cultural Facilities grant from the Division! These guidelines are supported under section 265.701, *Florida Statutes* and incorporated by reference into Rule 1T-1.039, Florida Administrative Code, and they detail the policies and requirements for the application and administration of the Cultural Facilities Program grants.

## Timeline

April	Announcement of application availability in <i>Florida Administrative Register</i> , via email and on our website.
April – June	Division staff assistance and consultation available to applicants.
June 1, 5 p.m. ET	Applications due. Applications must be submitted on the DOS Grants System at <a href="https://dosgrants.com">dosgrants.com</a> on or before this date. If a deadline falls on a Saturday, Sunday, or legal holiday, the deadline date will be the next business day.
July 1 (first year)	Notification of Grant Award and grant details forms available in the award year. Grant period begins.
January 31 (first year), 5 p.m. ET	First Interim reports due for Cultural Facilities projects. Interim reports must be submitted on the DOS Grants System at <a href="https://dosgrants.com">dosgrants.com</a> .
July 31 (second year), 5 p.m. ET	Second Interim reports due for Cultural Facilities projects. Interim reports must be submitted on the DOS Grants System at <a href="https://dosgrants.com">dosgrants.com</a> .

January 31 (second year), 5 p.m. ET	Third Interim reports due for Cultural Facilities projects. Interim reports must be submitted on the DOS Grants System at <a href="https://dosgrants.com">dosgrants.com</a> .
June 1 (second year)	End date for projects. All grant and local matching funds must be expended by this date. The grant period is 23 months.
July 15 (second year), 5 p.m. ET	Final Reports due for Cultural Facilities projects. Final Reports must be submitted on the DOS Grants System at <a href="https://dosgrants.com">dosgrants.com</a> .

# Program Description

The Cultural Facilities Program coordinates and guides the State of Florida's support and funding of renovation, new construction, or acquisition of cultural facilities. It is intended for organizations whose mission is arts and cultural programming in one of the disciplines as defined in section 265.283(7), *Florida Statutes*.

By program definition, a cultural facility is a building where the programming, production, presentation, exhibition of any of the arts and cultural disciplines are carried out (section 265.283(7), *Florida Statutes*). These disciplines are music, dance, theatre, creative writing, literature, architecture, painting, sculpture, folk arts, photography, crafts, media arts, visual arts and programs of museums. The Program is intended for: bricks and mortar construction; renovation; or for acquisition. **Projects must fall squarely into one category, not any combination of the three.** State funding shall not be used for parking facilities, sidewalks, walkways, and trails that are the entire scope of work; landscaping; fabrication or design of exhibits (not permanently affixed to the building); nor commercial projects.

Public or private pre-K-12 schools; libraries; civic organizations; parks, recreation and leisure organizations; human service organizations; or other community service agencies do not meet the definition of arts or cultural organizations.

The Division offers two levels of funding within the Cultural Facilities Program. These levels are determined by the specific use of the facility:

- 1) A purpose-built or single use facility that will solely be used for the programming, production, presentation, exhibition of any of the arts and cultural disciplines (Section 265.283(7), *Florida Statutes*) **at least 85% of the time**. This type of facility includes theatres, performance centers, museums (including, aquariums, botanical gardens, history centers, zoos, etc.) and art centers. **The maximum request amount for this type of facility is \$500,000.**
- 2) A multi-purpose facility that will be used for the programming, production, presentation, exhibition of any of the arts and cultural disciplines (Section 265.283(7), *Florida Statutes*) **less than 85% of the time**. This type of building includes community centers, recreation centers, civic centers and municipal buildings. **The maximum request amount for this type of facility is \$200,000.** Project costs must be directly related to the arts and cultural portion of the facility.

# Eligibility

All applicants must meet the following requirements. **All** documentation must be provided by the application deadline.

1. **Must not** have multiple active Cultural Facilities projects under contract at one time. Cultural Facilities projects have a grant period of 23 months. Unless a grantee has a smaller project that will be completed in a single year, grantees should submit new applications every other year. Cultural Facilities is subject to Legislative appropriation and recommendations approved by the Secretary of State will be funded top-down until the appropriation is depleted.

Any applicant on the ranked list that has not completed a previously-funded Cultural Facilities project by July 1 of the award year will be passed over and the funds will be allocated to the next grantee on the list without an active Cultural Facilities project under contract. A previously-funded project is considered complete when it has reached 100% completion as supported by contractor documentation or if the contract has reached its end date and all funds have been expended. The previously-funded project final report and payment request must be completed and submitted to the Division by July 1 of the award year.

2. **Must** use the facility to directly conduct arts and cultural programming. Documentation **must** be provided to support the percentage of facility use is for arts and cultural purposes as it pertains to the organization's mission per section 265.283(7), *Florida Statutes*.

If the proposal is for a new space without previous programming, programming examples (either proposed or programming being performed at another location) **must** be provided and support the percentage of facility use for arts and cultural purposes.

3. **Must** have the required legal status.
4. Agree to comply with all application requirements:
  - a. Complete all proposal activities within the grant period;
  - b. Make programming and activities open and accessible to all members of the public (see accessibility and nondiscrimination);



- c. Match the grant amount requested, at least dollar for dollar (see request amount and match requirements); and
  - d. Include only allowable expenses in the proposal budget (see allowable and non-allowable expenses).
- 5. Agree to comply with all grant administration requirements:
  - a. Provide all information needed for the grant award agreement;
  - b. Request approval for any changes to the awarded grant;
  - c. Submit timely and accurate reports;
  - d. Maintain complete and accurate grant records;
  - e. Comply with the requirements of the Florida Single Audit Act; and
  - f. Credit the State of Florida and Division of Arts and Culture for funding.
- 6. **Must have unrestricted use** of the land and buildings associated with the project which means you **must** be able to record a Restrictive Covenant on the property with the Clerk of Court for ten (10) years or provide a 10 year surety bond. See “Unrestricted Use of Land and/or Buildings” for additional information.
- 7. **Must retain ownership** of all improvements made under the grant (unless the land or buildings are owned by the State of Florida and leased to an eligible applicant).
- 8. If the property is leased, **the lease agreement must be dated, signed, and submitted** at the time of the application submission.
- 9. **Must** provide documentation of **Total Support and Revenue** for the last completed fiscal year.
- 10. **Must** have appropriate **matching** funds and documentation at time of application submission.
- 11. **Must** provide **current architectural plans** signed by a licensed architect or engineer clearly indicating scope of work. **If architectural plans are not required for the completion of the project, contractor project proposals or working drawings must be provided. Must** include budget estimate provided by the architect, engineer, or contractor that the Proposal Expense Details are based on.

12. **Must have current project support** of local officials (city and county government), community groups, and community members —for this project— documented in writing at time of application.
13. Applicants **with structures 50 years or older must submit a determination letter (stating that the proposed project will have NO adverse effects to the building’s historical significance) from the Division of Historical Resources (DHR) at time of application** (For additional information, please contact the Bureau of Historic Preservation (BHP) at 850.245-6333).
14. Must complete an online application form at [dosgrants.com](https://dosgrants.com) by the application deadline.

In addition to these eligibility requirements, all applicants in noncompliance at the time of the application deadline will be deemed ineligible to apply.

### **Application Restrictions**

1. Organizations may only submit one (1) Cultural Facilities application per application deadline.
2. Cultural Facilities grants do not fund Historic Preservation projects.
3. Organizations with projects funded by the Legislature outside of the review of the Florida Council on Arts and Culture or Secretary of State are not eligible to receive Cultural Facilities grant support for the same Scope of Work from the Division of Arts and Culture within the same fiscal year in which legislative funding is appropriated.
4. No organization may receive more than \$1.5 million during a consecutive previous five (5) state fiscal year period (July 1 – June 30).

### **Legal Status**

To meet the legal status requirement, an applicant organization must be either a public entity or a Florida nonprofit, tax-exempt corporation as of the application deadline in accordance with section 265.701(2), *Florida Statutes*.

### **Public Entity**

A Florida local government, entity of state government, school district, community college, college, or university. Private schools, private community colleges, private colleges, and private universities are not public entities and must be nonprofit and tax-exempt to meet the legal status requirement.

## Nonprofit, Tax-Exempt

To apply to the Cultural Facilities grant program, an applicant must be both:

1. **Nonprofit:** incorporated as an active nonprofit Florida corporation, in accordance with Chapter 617, *Florida Statutes*; and
2. **Tax-exempt:** designated as tax-exempt as defined in section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1954, as amended. Staff will verify status in Guidestar at [guidestar.org](https://www.guidestar.org).

The Division of Arts and Culture will verify that the applicant is registered with the Division of Corporations as of the application deadline. If the applicant is not registered with Corporations by the application deadline, the application will be deemed ineligible.

If the applicant is registered in Corporations but their status is not "active," the applicant must correct the status within 10 calendar days of notification or the application will be deemed ineligible.

For more information on corporate status, visit [sunbiz.org](https://www.sunbiz.org) or call the Division of Corporations, profit and nonprofit information line at (850) 245-6052. To verify corporate status, you can review your corporate record online through the sunbiz.org document search tool.

For more information about tax-exempt status, see Exemption Requirements - Section 501(c)(3) Organizations on the Internal Revenue Service website ([irs.gov](https://www.irs.gov)).

## Required Documentation

1. All applicants must provide a UEI number. You can request a UEI number at [sam.gov](https://sam.gov).
2. All applicants must provide a copy of the Substitute W-9 with the grant application. This can be found at <https://flvendor.myfloridacfo.com>.

# Application Requirements

## Grant Period

All proposed activity must take place within the grant period.

- The grant period **start date** is July 1 of the award year.

- The grant period **end date** is June 1 (23 months after award begins) unless an end date extension is approved by the Division.

## **Accessibility and Nondiscrimination**

The Division of Arts and Culture is committed to making the arts and culture accessible to everyone, including:

- persons with disabilities;
- older adults;
- culturally and economically underserved populations; and
- minorities.

Organizations seeking support for activities are required to be open and accessible to all members of the public, regardless of sex, race, color, national origin, religion, disability, age, or marital status.

The Americans with Disabilities Act (ADA) prohibits discrimination against individuals with disabilities in employment, state and local government services, public accommodations, transportation and telecommunication. The ADA extends the requirements under section 504 of the Rehabilitation Act of 1973, as amended, to all activities of state and local governments and places of public accommodations operated by private entities, including places of public display. The 504 Self Evaluation Workbook which can be used as a reference, and downloadable Disability Symbols can be found at [dos.myflorida.com/cultural/info-and-opportunities/resources-by-topic/accessibility](https://dos.myflorida.com/cultural/info-and-opportunities/resources-by-topic/accessibility).

## **Request Amount**

You may request up to \$500,000 for the renovation, acquisition, or construction of a cultural facility. There is no minimum request amount.

## **Match Requirements**

Applicants must provide at least one dollar in cash or in-kind (donated goods or services) for every dollar requested from the division. This is called match. Some expenses can only be included in the Proposal Budget as match.

Total Proposal Expenses are defined as match (cash and in-kind) + request amount. No more than 25% of the total match may be in-kind. See the in-kind section of the guidelines for more details.

25% of the match must be cash on hand at the time of application. Remaining matching funds may be anticipated at the time of application, but **must** be received by the end of the grant period. All expenses (both state grant and match) must be paid out (not merely encumbered) by the grant end date of June 1.

Applicants must match the request amount with non-state funds specific to the construction, renovation, or acquisition project. The amount provided as match depends on Total Support and Revenue statement (comprehensive income, revenue and expense) and REDI eligibility. Operating expenses cannot be used as match.

Summary of Match Requirements	Required Match
Last completed FY total support and revenue less than \$1,000,001	1:1
Last completed FY total support and revenue of \$1,000,001 or more <b>with</b> a REDI waiver	1:1
Last completed FY total support and revenue Over \$1,000,001 or more <b>without</b> a REDI waiver	2:1

**Exception:** The Rural Economic Development Initiative (REDI) recognizes those rural or economically distressed counties or communities designated pursuant to sections 288.0656 and 288.06561, *Florida Statutes*, as REDI qualified. The REDI program is administered by the Florida Department of Economic Opportunity. You can find more information and a list of economically distressed counties and communities at [floridajobs.org/business-growth-and-partnerships/rural-and-economic-development-initiative/rural-definition](http://floridajobs.org/business-growth-and-partnerships/rural-and-economic-development-initiative/rural-definition).

Applicants in a REDI designated area must only provide \$1 of required match for every \$1 requested from the state regardless of their Total Support and Revenue. Applicants requesting the REDI waiver must submit a letter at the time of the application from the eligible

county/community indicating their support for the proposal and indicating the request for a match reduction. The Division cannot waive all matching funds.

## Types of Match

Three types of match (**must** be on hand at the time of the application submission):

- Cash on Hand (Liquid Assets)

At Least 25% of total request amount match must be cash on hand at the time of the application, documented by bank statements showing restricted funds or city or county resolution\*. Fixed Capital Outlay accounts **must** be separate from general operating accounts. Business checking accounts are **not** acceptable unless they are specifically named for that purpose. Cash on hand may exceed 25% of the total match but may never be less than 25% of the total match.

- Irrevocable Pledges

**Irrevocable pledges are legally binding promises to donate by individuals or groups.** Irrevocable pledges can make up no more than 75% of the match and must be auditable and received by the Grantee by the end of the grant period. **Letters from boards or other groups that pledge to raise money for the project are not acceptable irrevocable pledges.**

- Documented In-Kind Contributions

In-kind contributions can make up no more than 25% of the match, must be itemized at the time of application, and the goods and services received and utilized by the end of the grant period. In-Kind Contributions by the applicant are **not eligible** for match.

## In-kind (Donated Goods and Services)

The value of all professionally skilled services used as in-kind must be documented in writing by the volunteer. The value of donated goods must also be documented. Records of such documentation must be available upon request.

The value of volunteer services may be calculated using the federal minimum wage or wage rates normally paid for professionals skilled in the service provided (such as a supplier donating construction materials services or an electrician providing pro bono work). For information on

the current federal minimum wage, see the Wage and Hour Division of the US Department of Labor at [dol.gov/whd/minimumwage.htm](https://dol.gov/whd/minimumwage.htm).

**Organizations must have all match complete and confirmed at the time of application.**

**\*Municipalities and counties (public entities)** must submit an executed copy of an approved resolution by a city or county commission with the application materials. The resolution **must** include the dollar amount dedicated and available to the project if the grant is awarded and the date the funds will be available. The submitted resolution **must be dated and signed by an authorizing official**. An unsigned resolution will not be accepted and the application will be deemed ineligible. Funding, as indicated by the resolution, must be made available within 90 days of the start of the grant award period. An internal document or budget will not be accepted as documentation. **Resolutions will not be accepted after the application deadline.**

### **Non-allowable Matching Funds**

- Funds that are for General Operating Expenses (i.e. the unrestricted column on the Statement of Activity page of the organization's audit)
- Revenue from bond issues that have not been passed at the time of application
- Revenue from grants that have not yet been awarded
- Fundraising costs
- Legal fees or taxes
- Matching funds will be designated only to the Scope of Work presented in this application and may not have been used in previous Division or Department of State grants
- Expenditures made before the grant period
- Interest paid on mortgage. The interest paid on the mortgage is considered the "cost of doing business"
- Building or Land value
- Loans and equity
- Any State of Florida agency funds

## Matching Funds Documentation

Documentation of matching funds **MUST** include bank statement(s) confirming cash on hand or resolution showing funds dedicated to the Scope of Work.

And as applicable:

- Award letters from third parties;
- Copies of irrevocable pledges (include a list or spreadsheet with totals); and
- Letters of intent or invoices for future in-kind goods and services.

If matching funds are from a single source (i.e. County/Municipality Resolution, single donor, etc.), applicants are **strongly encouraged** to include letters or surveys showing community support for the project with their support documentation.

## Allowable Expenses

Allowable expenses must be:

- Directly related to the proposal;
- Specifically and clearly detailed in the proposal budget; and
- Incurred and paid within the grant period of July 1 of the award year through June 1 (23 months after award begins).

Only allowable expenses may be included in the proposal budget.

## Non-Allowable Expenses

Grant (state and matching) funds may not be spent on the following:

- Expenditures made before the grant period
- Costs incurred or obligated outside of the grant period
- Expenditures for work not included in the Scope of Work of the executed Grant Award Agreement, as described in the original application and approved by the panel



- Costs for planning, which include those for preliminary and schematic drawings, and design development documents necessary to carry out the project
- Design, fabrication or construction of exhibits not permanently affixed to building
- Commercial property (coffee shops, cafés, and gifts shops as part of the facility are allowable)
- General Operating Expenses (GOE) - Administrative costs for running the organization (including but not limited to salaries, travel, personnel, office supplies, mortgage or rent, operating overhead or indirect costs, etc.)
- Costs associated with representation, proposal, or grant application preparation
- Costs for lobbying or attempting to influence federal, state or local legislation, the judicial branch, or any state agency
- Costs associated with bad debts, contingencies (money set aside for possible expenses), fines and penalties, interest, taxes (of any kind), and other financial costs including bank fees and charges and credit card debts
- Costs for travel, private entertainment, food, beverages, plaques, awards, or scholarships
- Regranting, contributions, and donations
- **State funds** may not be used for parking facilities, sidewalks, walkways, and trails that are the entire scope of work; landscaping; fabrication or design of exhibits (not permanently affixed to the building); nor commercial projects. However, matching funds may be used for elements that are part of the project

Spending state grant funds on expenses that have not been approved by the Division, even if directly related to the program or project, will be disallowed and could result in a legal demand for the return of grant funds.

Expenditures shall be in compliance with the state guidelines for allowable project costs as outlined in the Department of Financial Services' Reference Guide for State Expenditures (revised November 2019), which are incorporated by reference and are available online at [myfloridacfo.com/Division/AA/Manuals/documents/ReferenceGuideforStateExpenditures.pdf](http://myfloridacfo.com/Division/AA/Manuals/documents/ReferenceGuideforStateExpenditures.pdf).

# Review Criteria and Scoring

Each eligible application will be evaluated on three (3) competitive criteria

Criteria	Application Section(s)	Worth
Need for Project and Project Impact	Percentage of Arts and Cultural Programming, Production, and Administration; Need for Project; Project Impact; and Operating Forecast Detail	up to 45 points
Scope of Work	Scope of Work; Project Description	up to 30 points
Project Budget and Matching Funds	Proposal Budget Detail; Expenses; Proposal Budget Detail: Income; Matching Funds Statement; and Project Team	up to 25 points

The total possible number of points the panel can award to an application is 100. The panel's evaluation will be based on the information contained in the application, required attachments and support materials submitted with the application. The panel's individual scores will be averaged to determine a final score for each application.

Applications must receive a minimum average score of 80 or higher to be *recommended* for funding. Applications receiving an average score of 80 or higher will be recommended to the Secretary of State and forwarded to the Florida Legislature for funding consideration.

Applications with a tied average score will be ranked by application number order (lowest to highest).

## Review Process

1. Division staff will conduct a technical review to determine eligibility. Eligible applications will then be submitted to the members of the Florida Council on Arts and Culture who serve as the grant review panel.

2. The members of the Florida Council on Arts and Culture will evaluate each application on the review criteria and assign a score.
3. The Florida Council on Arts and Culture approves a list for submission to the Secretary of State.
4. The Division forwards a ranked list to the Secretary of State.
5. The Secretary of State approves the ranked list for submission to the Legislature for funding consideration.

## Staff Review

The technical review of applications verifies:

1. Applicant has the correct **legal status** (public entity governed by either a municipality or county or not-for-profit, tax-exempt, Florida Corporation).
2. Applicant has **unrestricted use** of the land and buildings associated with the project. The applicant **MUST** be able to file a Restrictive Covenant on the property with the Clerk of Court for ten (10) years or provide a 10-year surety bond. See **Unrestricted Use of Land and/or Buildings** for additional information.
3. **The lease agreement is dated and signed** (if applicable).
4. Documentation of **Total Support and Revenue** for the last completed fiscal year has been provided and matches the information provided in the application.
5. The appropriate level of funding has been requested.
6. Appropriate **matching** funds ratio has been identified and documentation has been provided.
7. **Current architectural plans** signed by a licensed architect or engineer clearly indicating the scope of work have been provided. **If architectural plans are not required for the completion of the project, contractor project proposals or working drawings must be provided.**
8. **Budget estimates** provided by the architect, engineer, or contractor that the Proposal Expense Details are based on have been submitted.
9. **Current project support** of local officials (city and county government), community groups, and community members —for this project— has been provided;

10. Applicants **with structures 50 years or older have submitted a determination letter (stating that the proposed project will have NO adverse effects to the building's historical significance) from the Division of Historical Resources (DHR)** (For additional information, please contact the Bureau of Historic Preservation (BHP) at 850.245-6333).
11. Documentation supporting percentage of facility use for arts and cultural purposes as it pertains to the organization's mission per section 265.283(7), *Florida Statutes* has been provided. If project is for a NEW space without previous programming, programming examples **must** be provided. Responses to application questions regarding the percentage of facility use **must** be verifiable and support the organization's mission and the purpose of the proposed project.
12. For applicants with acquisition projects only: **Appraisal and purchase documents** have been provided.

**Only documents that provide clarification to staff will be considered after the application deadline.** If necessary, a request for clarification will be sent with a response deadline. Such requests will be made in writing to the Applicant Organization using the contact information provided in the application. These requests are not for additional information, but to clarify the information already submitted in the application. Responses received after the established deadline will not be accepted. Clarifications will become an official part of the application. **Required documents that were not submitted with the application will not be accepted.**

### **Information Provided to the Florida Council on Arts and Culture Review Panel**

The Division shall make available a staff report on each eligible application that provides an assessment of the information provided in the grant application. The staff report will include:

1. A synopsis of the proposed Scope of Work;
2. A summary of all previously awarded Cultural Facilities grants and Fixed Capital Outlay line item grants and their completion status and history of management by the applicant;
3. Any clarification requested from an Applicant Organization and received by the specified deadline;
4. An assessment of the proposed Scope of Work and timeline regarding the grant period and comparison to previously-funded Cultural Facilities projects;

5. An assessment of the proposed estimated budget including eligibility of claimed match contributions, with recommendations for any grant request amount adjustments that may be justified by the findings of the staff technical review. Examples of the need for such adjustment would be:
  1. A recommendation to delete work related to non-allowable costs;
  2. Work not consistent with the Cultural Facilities guidelines;
  3. To reduce the grant award in an amount commensurate with inadequately documented or non-allowable match contributions; or
  4. To reduce the request amount based on the eligible funding level as determined by the specific use of the facility.
6. Other information regarding the Applicant Organization and its compliance with previous Division grants, if relevant.

## **Florida Council on Arts and Culture Review Panel**

Panel meetings are a public process and anyone can participate by attending in person or by calling in via a toll-free number. Participation instructions will be emailed to applicants and posted on the Division's web site and in the online grant system. The Division strongly encourages applicants to participate in the grant panel meeting—however, it is not required. Participating in the panel process can be very helpful for those that intend to apply for future grants.

Members of the Florida Council on Arts and Culture serve as the grant review panel for the Cultural Facilities program. A Division staff member will serve as the panel Chair. Chairs do not vote on applications being reviewed.

A typical panel meeting will include the following:

1. Call to Order
2. Introduction of Panelists and Staff
3. Panel Instructions from the Chair
4. Scoring of applications. For each application:
  - the Chair will announce the application number and applicant name

- applicants may provide a *brief* update on the application. Updates may only include new proposal information
  - applicants will be permitted to respond to panelist questions
  - each panelist will voice his or her score
  - panelists may choose to recommend and vote to reduce an eligible request amount
  - division staff will calculate and voice the total points and the average panel score
5. Public comment - anyone (including applicants) may speak about the applications under consideration.
  6. Panel Recommendations
  7. General discussion from the panel (i.e., regarding policies, procedures)
  8. General comments from the public - limited to 3 minutes or at the Chair's discretion
  9. Closing remarks from the Chair
  10. Adjournment

Any information provided during the panel review that negatively affects an application may result in an application being deemed ineligible or a reduction in request amount.

The panel chair will request discussion and a vote on the recommended funding list, ranked in order of total average score (highest to lowest). The Council may amend the recommendations based on new or existing pertinent information about the application or panel proceedings such as:

- Score calculation errors by the Division;
- Applicant noncompliance with administrative requirements of previous grants from the Department of State;
- Bankruptcy or other fiscal concerns;
- Changes in the applicant's staff that would impair implementation of the proposed grant activity;
- Typographical errors in the Committee's recommendations.

# Funding Process

The Secretary of State will provide the Legislature with an approved list, ranked in order of total average score, with funding recommendations for all projects that received a total average score of 80 and above. The Legislature may use this list to make funding decisions.

Any applicant on the ranked list that has not completed a previously-funded Cultural Facilities project by July 1 of the award year will be passed over and the funds will be allocated to the next grantee on the list without an active Cultural Facilities project under contract.

## What if an application is not funded?

If the Legislature does not fund **any** applications on the list presented in a given year, the applications on that list are eligible for “rollover” for the following year (only). Applications may only be on the rollover list once. If your application is not funded on the rollover, you must submit a new application.

## Why Rollover?

As a rollover, your application:

- Is guaranteed a place on the next recommended funding list if you submit a Rollover Update;
- Will not be re-scored, but will be ranked by the original score on a list that includes new applications; and
- Will be recommended for the amount of funding that was originally requested.

A single list (of both rollover and new applications) ranked in order by average score, highest to lowest, will be submitted to the next session of the Legislature. Rollover application recommendations will be identified as such on the ranked list.

## Rollover Update

Applicants wishing to rollover must submit a Rollover Update. This should provide updated information pertinent to the application since its original submission in the following application sections:

- Scope of Work (Project Description) as recommended by the Council and approved by the Secretary of State;
- Project Budgets;
- Matching Funds Statement; and
- Contact information.

A specific deadline will be established and posted on the Division's website. When you submit the Rollover Application, Division staff will:

- Verify Basic Eligibility;
- Verify that the Project Description in the Rollover application has **NOT** changed from the Project Description in the original application that was recommended by the Council and approved by the Secretary of State; and
- Verify match percentages and documentation.

### **Removal from the Rollover List**

An organization will be removed from the rollover list for the following:

- Failing to submit the updated information by the rollover deadline announced on the Division's website; and
- Failing to maintain basic eligibility, required match, or undisturbed use of the building or land or both.
- Changes in Scope of Work (Project Description)

Note: The project that was recommended for funding by the Florida Council on Arts and Culture and approved by the Secretary of State must not change.

## **How to Apply**

Applications must be submitted on the DOS Grants System at [dosgrants.com](https://dosgrants.com).

All application information submitted to the Division is open for public inspection and subject to the Public Records Law (Chapter 119, *Florida Statutes*).



## Application Form

The application form must be completed using the Division's online grant application and submitted online by 5:00 p.m. ET on the application deadline. Deadlines are posted on the Division's web site at [dos.myflorida.com/cultural/grants/grant-programs/cultural-facilities](https://dos.myflorida.com/cultural/grants/grant-programs/cultural-facilities).

Applicants may request that a submitted application be electronically un-submitted at any point before the application deadline. The application must be resubmitted by the application deadline to be considered.

## Attachments and Support Materials

Attachments and support materials must be uploaded into the online grant application system. Attachments and support materials will not be accepted by any other method including email and fax.

### Required Attachments

Attachments are required documentation of eligibility. The required attachments for Cultural Facilities are:

1. **Matching Funds** Documentation.
  - a. Bank statements, awards, contracts, for **cash on hand**; and
  - b. Copies of **irrevocable pledges**.
2. Letters and/or invoices from **in-kind contributors**.
3. Documentation of **Unrestricted Use** (construction and renovation projects only; see Unrestricted Use of Land and/or Buildings).
  - Deed, title, property tax statement to document **unrestricted use**; or
  - Executed copy of lease and written explanation of any easements, covenants, or other conditions to document **unrestricted use**.
4. **Total Support and Revenue** Documentation (See Total Support and Revenue)
  - Audit or financial statement; OR
  - Audit or financial statement of the organization that will be responsible for management of the facility (*public entity applicants only*).

5. Current **Architectural Plans** (for new construction and renovation projects only) certified by a licensed architect or engineer. If architectural plans are not required for the completion of the project, contractor project proposals or working drawings must be provided. (See Architectural Plans).
6. **Budget estimates** provided by the architect, engineer, or contractor that the Proposal Expense Details are based on.
7. **Project Support** Documentation
  - Up to 6 current letters of support from local officials (City and County Government), community groups, and community members (See Support Letters).
8. **Bureau of Historic Preservation (BHP) Determination Letter** stating that the proposed project will have **NO** adverse effects to the building's historical significance for buildings 50 years or older (See Historical Review Requirements).
9. **Nonprofit IRS Letter.** Not-for-profit tax-exempt applicants must also provide one (1) copy of your IRS 501(c) (3) or 501(c) (4) determination letter.
10. **Substitute W-9.** A copy can be obtained at [flvendor.myfloridacfo.com](http://flvendor.myfloridacfo.com).
11. **Form 990** for the organization's last completed fiscal year.
12. **Mission and Programming Materials** such as season program, box office statement, educational programs that document percentage of arts and cultural programming of facility. If project is for a new space without previous programming, provide programming examples.
13. **Additional Support Materials:** Support materials will be considered by panelists in the review and scoring so including them is highly recommended (See Support Materials).
14. **Appraisal and Purchase Documents (for Acquisition projects only):** In this attachment the Applicant Organization must include an appraisal(s), purchase agreement, title/owner search, and certified land survey. All closing costs are the responsibility of the Grantee. In addition to the supporting documents required for all applications, this application must include the following:
  - A copy of an executed option or purchase agreement;
  - A copy of the complete appraisal prepared by a Florida State Certified General Real Estate Appraiser;

- A copy of a title search; and
- A copy of the certified land survey.

### **Unrestricted Use of Land and/or Buildings**

You must provide documentation that the Applicant has Unrestricted Use (either ownership or lease) of the building and the land associated with the proposal/project.

- **Ownership:** Legal proof of unrestricted ownership of property and building by the applicant. Unrestricted means unqualified ownership and power of disposition. Documentation may include a deed, title, or a copy of a recent property tax statement. Provisional sales contracts, binders, or letters of intent are not acceptable documentation of ownership.

If you do not have ownership of property and building, you must provide:

- **Lease for a specific period of time:** The lease must be executed/effective at the time of the application deadline and remain in effect for a length of time of not less than ten (10) years following the Grant Award. Only facilities with leases in which the lessor is a public entity governed by either a municipality or county, or a not-for-profit entity are eligible for a Cultural Facilities grant.
- **Documentation must include an executed copy of a lease** (see definition of Lease) and a written explanation of any easements, covenants, or other conditions affecting the use of the site or facility, or both.
- **Ownership of Improvements:** Applicants must retain ownership of all improvements made under the grant unless land or buildings or both are owned by the State of Florida and leased to an eligible applicant.

### **Total Support and Revenue (Statement of Comprehensive Income, Revenue and Expense)**

You must provide documentation of your Total Support and Revenue for your last completed fiscal year.

- **Not-for-profit, tax-exempt organizations** provide an audit to substantiate Total Support and Revenue. If you do not have an audit, provide a financial statement **signed and**

**certified by the authorizing official**, as documentation of Total Support and Revenue (Upload the last completed fiscal year).

- **Municipal or county governments (public entities)** - Either an audit or an internally prepared financial statement must be submitted as documentation of Total Support and Revenue (Upload the most recent available).
- If a City or County government owns the building or land or both and is applying on behalf of a not-for-profit organization, then the financial statements (or audit) of both entities are required.

## Architectural Plans

All new construction and renovation applicants must upload current architectural plans for the facility certified by a licensed architect or engineer (not required for building acquisition). If architectural plans are not required for the completion of the project, contractor project proposals or working drawings must be provided. Applicants are required to include budget estimates provided by the architect, engineer, or contractor that the Proposal Expense Details are based on.

## Support Letters

All applicants must submit current letters of project support from local officials (City and County Government), community groups, and community members who are lending support to this project. Letters should be from individuals who have actually visited the facility (if a renovation project) or participated in programs (if a new facility). **Applicants should avoid form letters; original letters that are signed and current are preferred.** A maximum of six support letters are allowed.

If matching funds are from a single source (i.e. Municipality/County Resolution, single donor, etc.), applicants are **strongly encouraged** to include letters or surveys showing community support for the project.

## Historical Review Requirements

Facilities that are 50 years old or older may have historical significance that must be preserved. If your facility meets the criteria, the Bureau of Historic Preservation (BHP) must approve your project plans before submission of your application. Upload a copy of the BHP determination letter stating that the proposed project will have **no adverse effects** to the building's historical significance at time of the application.

Please note that the review time for projects is approximately 30 days once all required information is received by the Bureau of Historic Preservation office. If you have questions, please contact the Review and Compliance Section at 850.245.6333 or visit BHP web site at [dos.myflorida.com/historical/preservation/compliance-and-review/documents-forms](https://dos.myflorida.com/historical/preservation/compliance-and-review/documents-forms).

## **Support Materials**

Support materials may include, but are not limited to:

- Photographs;
- Supplemental or expanded budgets;
- Flyers, brochures;
- Newspaper articles; and
- Plans for sustainable design.

Please submit only high quality materials that support your application and only as many as you need. Required attachments do not count towards the 10 upload limit.

It is your responsibility to verify and receive permission for the use of any copyrighted materials. You are also responsible for considering accessibility of your materials.

## **File Formats**

Council members are not required to own specific software and the Division makes no guarantee that reviewers will be able to view your digital materials. To increase the chances of file compatibility, make sure files are in one of the following formats.

- .pdf, .txt (documents)
- .jpg, .gif, .pdf (images)
- .mp3 (audio excerpts)
- .mp4, .mov (video excerpts)

## **Uploading Instructions**

- Attachments and support materials must be uploaded in the online system by the application deadline.
- You may include up to 10 uploads for your support materials in addition to your Required Attachments. You can include more than one item in an upload. You are not required to upload multiple copies. You must describe your materials as you upload them.

## Grant Forms

The following forms must be used in the administration of all grants in these guidelines and are hereby incorporated by reference and available from the Division through [dosgrants.com](https://dosgrants.com):

#	Title	Form #	Effective Date
1.	Cultural Facilities Grant Application	CA2E147	03/2022
2.	Grant Award Agreement	CA2E038	03/2022
3.	Cultural Facilities Program Report	CA2E048	03/2022

## Single Audit Act

All grant award recipients are required to complete a Single Audit Act certification form through the Department of State grants management system at [dosgrants.com](https://dosgrants.com). Each grantee, other than a grantee that is a State agency, shall submit to an audit pursuant to 2 CFR 200, Subpart F - Audit Requirements, and Section 215.97, *Florida Statutes*. Certifications and any required audit are due nine months following the organization's fiscal year end date. See Florida Single Audit Act for more information.

## Definitions

**Accessibility** - Opening existing programs, services, facilities and activities to individuals with disabilities. Inclusiveness of persons with disabilities is addressed through staffing, mission,

policy, budget, education, meetings and programs to ensure that audiences/participants have an equal range of opportunities.

**Applicant** - A non-profit, tax-exempt, Florida corporation or a local or state governmental entity, school district, community college, college, university or artist engaged in or concerned with arts and cultural activities that is requesting grant funds from the Division.

**Applicant Cash (\$)** - Funds from the applicant's present and/or anticipated resources. For the Operating Budget purposes, this line-item represents withdrawal from savings. This line item is often used to "balance the budget" when expenses exceed other revenues. It shows the applicant's ability to "pay the bills" for all expense items. If there are excess revenues, reduce this line to zero or only the amount needed to balance the budget. Negative numbers cannot be used to balance the budget.

**Authorized Official** - Name of person with authority to legally obligate the Applicant.

**Cash Reserves (\$)** - For most organizations, this will be your savings account, other cash reserves or investments that are available to spend on general operations or programs. The "reserve" will usually increase when there are excess revenues for the year and decrease if there was a deficit. This is more a year end accounting function than actual day to day activity.

**Catalog of State Financial Assistance (CSFA)** - A statewide compendium of state projects that provide financial assistance to nonstate entities. As the basic reference source for state projects, the primary purpose of the Catalog is to assist users with obtaining general information on state projects and identifying state projects that meet specific objectives. State projects are cataloged by agency and are assigned a Catalog of State Financial Assistance (CSFA) number for easy referencing. The Cultural Facilities CSFA number is 45.014.

**Community** - The geographic area and/or constituents served by the applicant (for general program support requests) or by the proposal (for project requests).

**Community Organizations** - Civic, social service and business groups that may be involved in the project for which funding is being requested. These may include science organizations, historical organizations and organizations which serve diverse populations.

**Congressional District of Applicant** - District of the United States House of Representatives in which the applicant's business address is located.

**Contact Person** - The person to contact for additional information about the application. The person with immediate responsibility for the project.

**Costs: Allowable (\$)** - Costs shall be allowed for the purposes of a grant provided that:

- they occur or are obligated within the grant period specified on the grant application; and
- they are solely for the purposes of the grant and can be easily identified as such.

**Council** - The Florida Council on Arts and Culture; a 15-member advisory council appointed to advise the Secretary of State regarding cultural grant funding and on matters pertaining to culture in Florida.

**Cultural Diversity** - Having the characteristic of being deeply rooted in and reflective of ethnically diverse, inner-city or rural populations and which represents the works of a particular culture, including an ethnic minority.

**Cultural Events** - Includes different artistic, cultural or educational activities which were produced or sponsored by the grantee, were open and accessible to the public and took place in the grant period, i.e. performances, exhibits, rehearsals, workshops, classes, seminars, demonstrations, conferences, publications or media broadcasts. Do not include strictly fund-raising/gala events. Note: to count number of events, only include the number of different events which were offered, i.e. a play performed ten times or a museum exhibit running for three months, should each be counted as one event.

**Deliverable** - The quantifiable goods or services that must be provided in order to receive payment. Each deliverable must be connected with one or more activities identified and described in the Scope of Work. Deliverables, along with the Scope of Work, are included in the grant agreement. Deliverables must be agreed upon by both the Division and the grant recipient. The deliverables will be developed by the grant applicant in the grant application for inclusion in the grant agreement but may be renegotiated by the Division.

**Department** - The Florida Department of State.

**Director** - The Director of the Division of Arts and Culture.

**Disability** - A physical or mental impairment that substantially limits one or more major life activities.

**Division** - The Division of Arts and Culture of the Department of State.

**End Date** - The last date of fiscal activity in the project for which assistance is requested.

**Equipment (\$)** - All items which cost in excess of \$5,000 (per unit) and have a life expectancy of over one year.



**Financial Consequences** - The financial consequences that will be applied if the grant recipient fails to perform all tasks outlined in the Scope of Work and/or fails to meet the deliverables outlined in the grant agreement. Financial consequences are tied to deliverables and each payment. Per Section 287.058, *Florida Statutes*, the Division is required to specify a reduction in grant funding that will be applied if the recipient fails to perform all activities outlined in the Scope of Work and/or fails to meet the deliverables outlined in the grant agreement.

**Florida Accountability Contract Tracking System (FACTS)** - The State of Florida's centralized online contract reporting system. All information pertaining to the grant agreement will be available on the FACTS system and viewable by the public. This includes the grant agreement, payment information, deliverables, performance metrics, grant award and audit information. FACTS is online at [facts.fldfs.com](https://facts.fldfs.com).

**Florida Single Audit Act** – Requires an audit of a nonstate entity's financial statements and state financial assistance if \$750,000 or more in state financial assistance is expended during the non-state entity's fiscal year. Such audits shall be conducted in accordance with the auditing standards as stated in the rules of the Auditor General.

**Folklife** - Means the traditional expressive culture shared within the various groups in Florida: familial, ethnic, occupational, religious and regional. Expressive culture includes a wide range of creative and symbolic forms such as custom, belief, technical skill, language, literature, art, architecture, music, play, dance, drama, ritual, pageantry and handicraft, which forms are generally learned orally, by imitation or in performance and are maintained or perpetuated without formal instruction or institutional direction (267.021, *Florida Statutes*).

**Government Support: Federal (\$)** - Cash support derived from grants or appropriations given for this project (other than this grant request) by agencies of the federal government or a proportionate share of such grants or appropriations allocated to this project.

**Government Support: Local/County (\$)** - Cash support derived from grants or appropriations given for this project by agencies of the local or county government or a proportionate share of such grants or appropriations allocated to this project.

**Government Support: State/Regional (\$)** - Cash support derived from grants or appropriations given for this project (other than this grant request) by agencies of the state government and/or multi-state consortiums of state agencies or a proportionate share of such grants or appropriations allocated to this project.

**Grant Award** - The dollar amount of a grant award approved by the Secretary of State for a project, program or general program support as outlined in the application.

**Grant Award Agreement** - The document by which the Grantee enters into a contract with the State of Florida for the management of grant funds.

**Grant Award Letter** - The letter signed by the Secretary of State or an authorized representative of the Department of State and countersigned by the grantee. The grant award letter contains the grant award amount.

**Grant Period** - The time for the use of the grant award as set forth in the grant award agreement.

**Grantee** - An organization receiving a grant award from the Department of State.

**In-Kind Contribution (\$)** - The documented fair market value of non-cash contributions provided by the grantee or third parties which consist of real property or the value of goods and services directly benefiting and specifically identifiable to the project.

**Individuals Participating** - The total number of individuals who are directly involved in the funded activity as artists, non-artist project participants or audience members between the grant or project start and end dates.

Figures should encompass only those individuals directly affected by or involved in the funded activity and should include Artists Participating and Youth Benefiting. For General Program Support count artists, staff, audiences and project participants directly involved with organization's events and services within the given funding period; do not substitute the entire population of the geographic area served. For projects related to publication, report the number of persons using the materials or the number of copies actually distributed; do not substitute the total number of copies produced. For Internet-based projects, report the number of unique users; do not substitute the number of "hits" or times the information was accessed.

**Marketing (\$)** - Include all costs for marketing/publicity/promotion specifically identified with the project or programming. Do not include payments to individuals or firms which belong under "Personnel," or "Outside Fees and Services: Other." Include costs of newspaper, radio and television advertising, printing and mailing of brochures, fliers and posters and space rental when directly connected to promotion publicity or advertising

**Matching Funds** - The portion of the project costs not borne by the Department of State. Matching funds shall amount to at least 50 percent of project costs which may include up to 25 percent of project costs as in-kind, unless otherwise specified in the Grant Award Agreement. Funds received from the sale of the Arts License Plates are considered local government support and are allowed as match.

**Minority** - A lawful, permanent resident of Florida who is one of the following:

- an African-American (a person having origins in any of the racial groups of the African Diaspora);
- a Hispanic-American (a person of Spanish or Portuguese culture with origins in Spain, Portugal, Mexico, South America, Central America or the Caribbean, regardless of race);
- an Asian-American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands, including the Hawaiian Islands prior to 1778);
- a Native-American (a person who has origins in any of the Indian Tribes of North America prior to 1835); or
- an American Woman. [288.703(4), *Florida Statutes*]

**Noncompliance** - The grant recipient is not following Florida statutes or rules, the terms of the grant agreement, Florida Department of State policies and guidance, local policies or other applicable laws.

**Non-profit** - Incorporated as an active non-profit Florida corporation, in accordance with Chapter 617 or Chapter 623, Florida Statutes. We do not fund Foreign Non-profits. A foreign non-profit is an existing corporation that is registered to do business in a state or jurisdiction other than where it was originally incorporated.

**Older adults** - Individuals over the age of 65 that directly attended/participated in the project or program.

**Outside Fees and Services: Other (\$)** - Payments to firms or persons for non-artistic services or individuals who are not normally considered employees of the applicant, but consultants or the employees of other organizations, whose services are specifically identified with the project or programming.

**Outside Fees and Services: Programmatic (\$)** - Payments to firms or persons for the programmatic services of individuals who are not normally considered employees of the applicant, but consultants or the employees of other organizations, whose services are specifically identified with the project or programming. Include artistic directors, directors, conductors, conservators, curators, dance masters, composers, choreographers, designers, video artists, filmmakers, painters, poets, authors, sculptors, graphic artists, actors, dancers, singers, musicians, teachers, instructors, etc. serving in non-employee/non-staff capacities.

**Personnel: Administrative (\$)** - Payments for salaries, wages, fees and benefits specifically identified with the project or programming, for executive and supervisory administrative staff, program directors, educational administrators, managing directors, business managers, press and agents, fund raisers, clerical staff such as secretaries, typists, bookkeepers; and supportive personnel such as maintenance and security staff, ushers and other front-of-the-house and box office personnel.

**Personnel: Programmatic / Artistic (\$)** - Payments for salaries, wages, fees and benefits specifically identified with the project or programming for programmatic personnel including artistic directors, directors, conductors, conservators, curators, dance masters, composers, choreographers, designers, video artists, filmmakers, painters, poets, authors, sculptors, graphic artists, actors, dancers, singers, musicians, teachers, instructors, puppeteers, etc.

**Personnel: Technical/Production (\$)** - Payments for employee salaries, wages and benefits specifically identified with the project, for technical management and staff, such as technical directors; wardrobe, lighting and sound crew; stage managers, stagehands; video and film technicians, exhibit preparators and installers, etc.

**Presenter (Sponsor)** - An organization that is in the business of presenting professional performing artists or arts groups to the public.

**Private Support: Corporate (\$)** - Cash support derived from contributions given for this project (other than this grant request) by business, corporations and corporate foundations or a proportionate share of such contributions allocated to this project.

**Private Support: Foundation (\$)** - Cash support derived from grants given for this project or programming by private foundations or a proportionate share of such grants allocated to this project or programming.

**Private Support: Other (\$)** - Cash support derived from cash donations given for this project or a proportionate share of general donations allocated to this project. Do not include corporate, foundation or government contributions and grants. Include gross proceeds from fund-raising events.

**Project Costs** - All allowable expenditures incurred by the grantee and the value of in-kind contributions made by the grantee or third parties in accomplishing the grant.

**Project Title** - A short descriptive title of the project for which applicant is requesting assistance. If no formal title exists or if the title is not descriptive, a short phrase describing the activities of the project should be substituted.

**Public Entity** - A Public Entity is a Florida local government, entity of state government, school district, community college, college or university. Private schools, private community colleges, private colleges and private universities are not public entities and must be non-profit and tax-exempt to meet the legal status requirement. Public entities are not eligible to apply to the Arts in Education category. Public entities may apply to another discipline or the Arts in Education Specific Cultural Project Program grant category.

**Recurring Cultural Program** - Recurring cultural programs exist within multipurpose public or private non-profit institutions such as municipalities, universities, foundations, cultural centers and organizations, museums and other arts and cultural organizations. To be eligible:

- a cultural program located within a multipurpose institution must function as a discrete unit within its parent institution and present or produce a full season of programming on a yearly basis;
- have a full segregated and itemized budget within that of its parent institution;
- have an advisory board that governs the activities of the program; and
- be able to separately fulfill the Basic Eligibility and discipline-specific requirements.

Entire departments or schools within a university, college or other multipurpose institution do not qualify as recurring programs.

**Regional** - Within the state, at least 150-mile land radius of venue.

**Regranting** - Using state grants monies to underwrite grants programs or individual grants within one's own organization or another organization. Regranting of Division funds is prohibited.

**Remaining Operating Expenses (\$)** - All expenses not entered in other categories and specifically identified with the project. Include non-structured renovations, improvements, scripts and scores, lumber and nails, electricity, telephone and telegraph, storage, postage, photographic supplies, publication purchases, sets and props, equipment rental, insurance fees, trucking, shipping and hauling expenses not entered under "Travel."

**Remaining Proposal Expenses (\$)** - All expenses not entered in other categories that are specifically identified with the project or programming.

**Revenue: Admissions (\$)** - Revenue derived from the sale of admissions, tickets, subscriptions, memberships, etc. In the Proposal Budget the admissions must be for events attributable or prorated to the proposal.

**Revenue: Contracted Services (\$)** - Revenue derived from fees earned through sale of services (other than this grant request). Include sale of workshops, etc., to other community organizations, government contracts for specific services, performance or residency fees, tuition, etc. Include foreign government support.

**Revenue: Other (\$)** - Revenue derived from sources other than those listed above. Include catalog sales, advertising space in programs, gift shop income, concessions, parking, investment income, etc.

**Rural** - Counties whose total population is less than 125,000 or whose population density is less than 250 people per square mile and not located within a U.S. Census designated metropolitan area. (This definition is used for Underserved Cultural Community Development projects.)

**Rural Economic Development Initiative** - (REDI) recognizes rural or economically distressed counties and communities. You can find more information and a list of economically distressed counties and communities at [floridajobs.org/business-growth-and-partnerships/rural-and-economic-development-initiative/rural-definition](http://floridajobs.org/business-growth-and-partnerships/rural-and-economic-development-initiative/rural-definition).

**School-based Cultural Events** - Cultural events that directly involve the participation of a public or private PreK-12 school, i.e. school field trips to arts organizations, performances or workshops which took place on school grounds or other collaborations between arts organizations and schools. In school-based cultural events, the school is involved in organizing the children's participation in the cultural event. Touring companies should not report attendance at schools when the program was funded by the Division's state touring grant program.

**Scope of Work** - A description of the specific work to be performed under the grant agreement in order to complete the project. The Scope of Work will be provided by the grantee for inclusion in the grant agreement if the grant is awarded funding.

**Secretary** - The Florida Secretary of State.

**Service Area** - Regular client/program participants, not including broadcasts.

**Space Rental, Rent or Mortgage (\$)** - Payments for rental of office, rehearsal, theatre, hall, gallery and other such spaces. Do not include principal of mortgage; include interest only. Do not include rental of housing for guest artists or other persons.

**Start Date** - The first date of fiscal activity in the project for which assistance is requested.

**State Supported Institution** - Any organization whose general operations budget is supported by funds from state appropriations which exceeds \$10,000, exclusive of competitive, nonrecurring grants.

**Tax-exempt:** designated as tax-exempt as defined in section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1954, as amended. Staff will verify status in Guidestar at [guidestar.org](http://guidestar.org).

**Total Fund Revenue** - Means all revenue received by an organization during a fiscal year and recognized in the organization's independent certified audit or attested financial statement.

**Total Operating Income (\$)** - Gross operating income for the organization's last completed fiscal year. Governmental agencies may include all funds directly appropriated and administered by the applicant agency, as well as support services provided by the agency, that are directly attributed to the program. A detailed listing of these support services must be attached to the grant application operating budget and must be approved by and signed by agency budget officials. Do not include capital contributions or expenses in the operating budget.

**Traditional Arts** - Traditional arts are traditional cultural expressions through which a community maintains and passes on a shared way of life. Traditional arts are rooted in and reflective of the cultural life of a community. Community members may share a common ethnic heritage, cultural mores, language, religion, occupation or geographic region. These vital and constantly reinvigorated artistic traditions are shaped by values and standards of excellence that are passed from generation to generation, most often within family and community, through demonstration, conversation and practice. Traditional art expressions are usually learned informally through a relative or the community and are maintained without formal teaching or academic training. Traditional arts are learned orally or by observation and imitation, often through a master artist instructing an apprentice. Some traditional arts have a deep-rooted history with little change, while others are constantly evolving and adapting to their changing environment.

**Florida Statutes Definition** “. . . (6) Folklife means the traditional expressive culture shared within the various groups in Florida: familial, ethnic, occupational, religious and regional. Expressive culture includes a wide range of creative and symbolic forms such as custom, belief, technical skill, language, literature, art, architecture, music, play, dance, drama, ritual, pageantry and handicraft, which forms are generally learned orally, by imitation or in performance and are maintained or perpetuated without formal instruction or institutional direction,” 267.021 FS.

The Traditional Arts discipline includes many forms and processes of expression including, but not limited to: performing traditions in music, dance and drama; traditional storytelling and other verbal arts; traditional crafts; visual arts; and architecture.

Examples of Traditional Arts projects may include an African Caribbean Dance Festival, Music and Dance of India, Cherokee Storytelling and African American gospel music *in which each art form is presented by a traditional artist.*

Note: The Traditional Arts discipline is **not** intended for programming that focuses primarily on the following activities: research for scholarly purpose only; historical presentations; re-creations or re-enactments; cultural appropriation and revivalism, tourism and contemporary studio crafts or reproductions.

**Travel (\$)** - Include fares, hotel and other lodging expenses, taxis, per diem payments, toll charges, mileage, allowances on personal vehicles, car rental costs, etc. For transportation not connected with travel of personnel and for trucking, shipping or hauling expenses see "Remaining Operating or Proposal Expenses."

**Underserved Designation** – Either a rural or minority cultural organization.

A **rural** cultural organization is:

- Designated by the Rural Economic Development Initiative (REDI) as an economically distressed county or community. You can find more information and a list of economically distressed counties and communities at [floridajobs.org/business-growth-and-partnerships/rural-and-economic-development-initiative/rural-definition](http://floridajobs.org/business-growth-and-partnerships/rural-and-economic-development-initiative/rural-definition).

A minority cultural organization is:

- Community-based,
- Deeply rooted in and reflective of a specific religious, racial, national or cultural group of non-western or Judeo-Christian tradition or
- Composed of at least 51% persons who represent such groups as African American, Hispanic, Native American, Asian/Pacific Islander, individuals with disabilities and other minorities. This includes staff, board, artists and volunteers. Gender is not considered a minority for the purposes of this program.

**Youth Participating** - Individuals under the age of 18 that directly attended/participated in the project or program.



# Help

For general information about the Division of Arts and Culture and to access grant information, panel details and resources, visit our web site at: [dos.myflorida.com/cultural](https://dos.myflorida.com/cultural).

For information about the Cultural Facilities program, contact the program manager responsible for your proposal type and discipline at [dos.myflorida.com/cultural/about-us/staff-listing](https://dos.myflorida.com/cultural/about-us/staff-listing).