

**Cedar City Arts RAP Tax Advisory  
Committee Action Meeting  
June 24, 2020**

The Cedar City Arts RAP Tax Advisory Committee held its action meeting on Wednesday, June 24, 2020 at 9:00 a.m., in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

**PRESENT:** Board Members: Joanne Brattain, Councilmember Tyler Melling, Linda Benson, Randy Allen (telephonic), Donna Law, Becki Bronson, Neal Smith, City Attorney Tyler Romeril, Executive Assistant Onjulee Pittser

**STAFF:** Councilmember Ron Adams, Councilmember Scott Phillips

**EXCUSED:**

**OTHERS:**

**CALL TO ORDER: Tyler R:** Last week, I misspoke. In the unallocated fund balance, what the ordinance says it can only be used on City owned facilities. If you recall last year, I didn't catch this, we requested an additional \$20,000 to go to the organizations and City Council agreed. But this year I caught it. I'm going to recommend that language be stricken. The City Council will have the ability to put the funds towards City owned facilities, but I am also going to recommend that the RAP Tax advisory boards can recommend the use of these unallocated funds even if there's no application received for the use of said funds. I'm going to bring that to City Council prior to them voting on the recommendations this year and that'll make it so what we're doing is going along with what the ordinance says. **Joanne:** And since we have 3 members of City Council here, hopefully they're aware of that. **Tyler R:** I haven't had a chance to reach out to them, but I have talked to staff and we're in agreement that's the best way to deal with it.

**Joanne:** Before we start discussing which funds we want to talk about, I would entertain a motion one way or the other. **Donna:** I motion to use \$230,000, which accesses \$20,000 from the unallocated funds. It's the same thing we did last year and now is a good year to use those rainy-day funds. **Neal:** I'll second that. **Linda:** Do you think we should do both of them in case the City Council doesn't agree? **Neal:** No. Don't give them a choice. **Scott Phillips:** There are a number of people on the phone that can't hear you if you don't speak in to the microphone. **Sarah Penny:** That's what I was going to say, too. I know there's \$20,000 something, but I don't know what it was. **Joanne:** We're proposing taking \$20,000 out of the unallocated funds as we did last year. We have 2 sets of recommendations to negotiate on and the motion on the floor is to use the \$230,000, and that's including the \$20,000.

**\*All in favor for unanimous decision to utilize \$20,000 of unallocated fund balance.**

**Joanne:** Now, we'll discuss the \$30,000. Tyler has done a great job of organizing this for us. I would suggest we discuss a potential change to music arts. I think everyone got the email and they have decided to cancel their season because of difficulties bringing performers in from Europe. But they said they still want to be a requestor for funds. I think most of us put our money in for them assuming they were going to have a full season. **Donna:** This had me reallocate across the board. I don't know the best way to sort that out. They still have 2-3 performances in spring. I want to change my recommended allocation, but that spreads out money all across the board. **Neal:** Was there any guidance on what they may require in the spring? **Joanne:** They were planning on doing 5. So, if we divide by 5. **Donna:** That's what I did. **Becki:** That's wise. I would

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support that. **Tyler M:** I think many of these organizations are going to follow the same pattern. If things are looking great in the fall, I think a lot will have concerts and gatherings and if not, they'll postpone until spring. In a lot of ways, it doesn't affect my opinion on allocations for this one organization because I feel many will follow suit. In Cedar City Music Arts their timelines are less flexible. They have to plan well in advance, but in my mind it doesn't affect allocations as much. **Joanne:** If people reallocated money do we want to update the spreadsheet and go from there? Some can read allocated and some not. **Tyler R:** Yes, we can do it that way.

**Donna:** Councilman I just want to remind that last week, the Community Theater changed their request for that same reason. They had come in and specified an amount whereas Music Arts didn't. It's apples to apples for me. **Tyler R:** I can start fixing it. **Donna:** My change comes at CCCMT. I bumped that up to \$13,000; same with Jr. Ballet and Music Arts I moved to \$9,000, assuming they can do their spring performances; Livestock Festival I had at \$18,000; Community Theater had requested \$11,000; I moved the Orchestra to \$19,000; Simonfest to \$18,000; SUMA to \$22,000 and I think that makes \$230,000. **Tyler:** You're \$1,000 over. **Donna:** Put Shakespeare at \$84,000. **Joanne:** Did anyone else want to change their numbers? **Neal:** If I follow Tyler's line of reasoning, he says that if everybody here that has something planned in the fall and spring wind up not spending the money, then what we're doing is futile, in terms of changing everything because there's a lot of unclaimed monies flowing back into the fund for 2021-2022. Is that where you were going? **Tyler M:** I think a lot of these organizations, whether or not they've announced these monies they're requesting are likely not going to be expended until the spring, maybe they will be in the fall. That's how I looked at it. A lot of spending across the board is going to be deferred until spring anyway, which still falls within the same fiscal year. For Simonfest and USF, that'll be next spring when they're spending on local programming. We'll see about what some of the smaller local groups will do, In Jubilio, Master Singers, and OSU may also defer their fall performances to spring. In my mind I see it as a blanket request for the year knowing they aren't going to spend any of it until spring anyway. **Joanne:** It's up to each individual what they want to do, and we discuss what we have. Does anyone else want to change their numbers? And Tyler, just so you know what we've done in the past is we go through and look at any huge discrepancies between what each of us has recommended in a particular area and once we negotiate that, we usually take the average. That's why Tyler has put it on the spreadsheet. Unless anyone else wants to change their number, let's go through each group and see if we're in sync with what our recommendations are and if anyone wants to change their numbers on a particular group.

**Randy:** I wanted to say something in response to one comment that was made about organizations returning money. I don't anticipate they will, but I would want these organizations not to return the money even if they have changes in their plan that run fairly in the red where people bail them out or barely in the black because of volunteer work. This year with COVID as a blanket statement, I think we should email the organizations to say that we are going to be forgiving on scrutinizing what they're using the money as they told us they would and that we'd want them to use this money as they need and be flexible and not pushing them to return the money. If anything, we send them more money. **Joanne:** I think that's the ordinance. I don't think it's not up to us to make that decision. I think Tyler can ask City Council to consider that as part of the ordinance and amend it for this year. We're not the decision-making body. **Randy:** But we are influential and we have a strong voice and I think we should use it and propose at the end of this we make a motion as part of our message to the City Council that we are going to ask those who do track the numbers and the money to be forgiving and flexible. I think we can do something about it, and I think we should. **Joanne:** Why don't you make that motion? **Randy:** I make a motion that we as a body recommend that City Council be flexible and take into account the extreme situation that these arts organizations are in and allow them room and flexibility to spend the money, budget, and save so they can save their organizations and relax the requirements to return the money or use it exactly as stated in their requests. **Tyler M:** I'd be inclined to second that motion, but to clarify it and simplify it for my own understanding. That we would

— move to recommend to the City Council that the funds that must be expended in a particular fiscal year that those restrictions on which fiscal year funds must be expended or otherwise returned to the City, be temporarily suspended until the end of next fiscal year due to complications of budgeting and planning because of COVID. **Randy:** Another component is the flexibility as to how they might spend it this year. I don't know how big of a stickler we are on them telling us how they spend it. **Tyler R:** After the City Council approves the recommendation, each organization signs a contract, which says they'll use these funds within a year of signing the contract and use them how the application says they're going to use them. In the past, I've been very general in those uses, because we know things come up and agendas change. We could put in the language that they'll use the funds as specified by the RAP Tax ordinance. That way, if they have questions or things change, they can come back to me and we can ok them. **Randy:** I love that. **Joanne:** That covers how they spend it, but it doesn't cover the time frame. **Tyler:** That would need to be approved by City Council. **Joanne:** I suggest we amend the motion to say that we recommend to City Council that we are flexible on the timing of when the money is spent due to COVID-19. **Randy:** In addition to what Tyler says. **Joanne:** This is the only thing that needs to change.

**Neal:** This looks like a can of worms to me. Say an organization gets "X" amount of money and doesn't spend any of it or even half of it. Do they keep it? I'm trying to figure this out. There's an incentive to bank the whole thing, while there's any risk at all, and you might encourage that with this. **Tyler M:** I'd be inclined to suspend just the spending timeline until the end of this next fiscal year. **Donna:** I think there should still be accountability in this fiscal year for what has been spent and that can be declared to the City. The organization may be able to keep the money for the next year, but that needs to be declared and considered in next year's funding request. Maybe they need some cashflow to get them through, but — ultimately the taxpayers voted on the monies being spent for this purpose. We can't change the purpose; we can be flexible with the timeline, but we still have to have accountability. **Randy:** I motion that we: 1) recommend that the fiscal year flexibility that Tyler M. suggested be granted; 2) That what they spend it on be treated flexibly and be more in tune as long as it's within the statutory outline that's fine; and 3) that they describe and report to us what they're doing with the money. **Joanne:** Two and three have already happened. **Randy:** I still want to make the motion. You need to clarify that. I think that some of the organizations are scared to send it back. I think they need to keep the money. They need it. **Joanne:** That motion is on the floor. Do we have a second? There's not a second. Would somebody else like to move differently on this topic or move on? **Neal:** I think Randy should remake his motion just with the first part. **Tyler M:** I move that this committee's recommendation to the council is: 1) to provide staff with the direction in administration they grant the maximum flexibility in the use and timelines of the funds allowed under the statute; and 2) to suspend any spending timelines regarding this fiscal year due to COVID. **Joanne:** Is there a 2<sup>nd</sup>.? **Randy:** Second. **Donna:** Can I make a friendly amendment? Just to add the accountability piece that needs to happen at the end of this fiscal year even as it's prepared for next year. **Neal:** So, regardless if someone receives money whether they spend the money or not, those funds would be made known to this body next year while we're making the allocations and we put that into consideration. And we would be flexible if there was an emergency and they spent some of it even if they didn't have a performance. That's how I understand it. **Joanne:** I agree with Donna. If they don't spend it, that goes into consideration for next year so they're not stockpiling and they're using it as it was intended. **Tyler M:** I'd like to amend my initial motion to add that the accountability element to next year's considerations and allocations that the organizations need to show any funds that were not expended for this body's consideration. **Joanne:** Is there a second? Becki seconds.

**All in favor for unanimous decision to give recommendation to City Council to grant maximum flexibility within the statute, suspend the spending timeline and add accountability to considerations of allocations to show funds expended.**

**DISCUSSION AND VOTE ON RAP TAX RECOMMENDATIONS – Joanne:** The Quilters Guild requested \$5,000. There's a pretty wide dispersion. Tyler recommended the most. The rest of us were down a bit. My theory is if it's their first year asking for money, I don't like to give them a lot, because I want to see how accountable they are if they survive. Another thing is a lot of their money is for people coming into town, which is really more of a TRT thing than a Cedar City thing. **Tyler M:** I agree. TRT funds available to organizations this year are very limited. This year I think we only made \$30,000 total in allocations to TRT and that was only to 2 organizations, both used by City operations. I do think that's why their request was so small. If we look at local recreation hours impacted per dollar spent, I felt \$5,000 was conservative for what they were proposing. I looked at last year's numbers that were allocated to each organization as a starting point. Some of the organizations requested less than they received last year so I adjusted those down and any excess I allocated to those that I thought would have the most impact to residents per recreation hour. **Joanne:** That's why we discuss it. Randy, you were on the lower end. **Randy:** It has nothing to do with the quality of this group. I have a concern about us giving money to any organization that uses Cedar City as a base for a convention or concert or thing of that nature. This has artistic merit; it's sewing and it's creative. They do have public exhibitions and they use public facilities. It brings business to the City. I don't want to send a message that every convention in Cedar City can apply for RAP Tax and get it. We have people that are doing things with Cedar City residents year-round and those are the entities that I want to use RAP Tax money for. Some may be from Cedar City, but that's why I'm on the lower end. **Joanne:** Last year a writer's group asked for money and for the same reason we didn't give them anything. Does anyone want to talk about the Quilters Guild and/or change their recommendation? **Donna:** Based on the average and the comments made, I'd start with \$1,500 there. **Joanne:** Is everyone ok with that for now? **Tyler M:** They use the Heritage Center for their event and I'm not familiar with that. What's their likely out-of-pocket expense for using the facility? **Neal:** It was on their budget. **Barbara Parks:** I'm the chairman for the retreat. It's between \$8,000-\$11,000 for the rental of the entire facility. And the entire facility was full. **Tyler M:** How many attendees did you have? **Barbara:** Almost 300. **Tyler M:** How many were from Cedar? **Barbara:** Probably 75%. There's a lot of locals involved. We made the request specifically around the retreat, but we're an organization that operates locally all the time. We have weekly meetings and do major humanitarian efforts through the hospitals and care facilities that we support and help in any way we can. **Tyler M:** Where it's a group of mostly local people paying \$8,000-\$11,000 to use our taxpayer funded Heritage Center, that's one other issue I had. **Joanne:** That applies to virtually everyone. **Tyler M:** I know. As a percentage of costs this would be a drop in the bucket. I'd like to adjust that upward to \$2,000 to cover some of those costs associated with the Heritage Center. **Joanne:** Let's agree on a recommended number and start working our way across. Donna suggested \$1,500. You're suggesting \$2,000. **Donna:** Let's round up or down based on the number, so let's start with \$1,600 in there.

**Joanne:** Cedar City Arts Council. Almost everyone did \$9,000 except Becki and Neal. **Becki:** It's one of the few organizations I gave the full amount. As I read through their documentation and attendance numbers. One of the reasons I lean toward the Quilters Guild and Arts Council is I love attendance numbers and diversity. I love funding the smaller groups in full, like In Jubilo and Master Singers, because it adds to the color wheel locally. They do great things, but I didn't see the robust involvement that I would like to see with a \$9,000 allocation. **Neal:** I just felt it was a struggle when you're looking across all the organizations and I love the Arts Council. I can tell them I still haven't received a bill. If they want me to pay annually, they should send me a bill. They should set that up so \$50 or \$100 a year they're not getting, and I wonder how much more they're getting. To me it's a challenge to them. They should stop looking at all the art and look at how you operated and generate money. I think they should do that basic thing. **Donna:** I feel very strongly funding them in full because they're serving individual artists. They're responsible for the art walk. I don't know if Becki has participated in that, and we see a lot of community members out on the street. Because of their reach I would advocate to fund them in full. **Joanne:** I agree with Donna. **Pat Hill:** Cedar City Arts Council. The vast majority of the money we request goes to our regrating program and that

— impacts a lot of people. You may have 12 grants, but those grants affect elementary kids, arts organizations that have from 25-100 members that meet every month. It's not just the numbers that you see at activities, like the socials or the art walks, it permeates the entire community and our social media presence is strong and we advocate for every arts activity in Cedar City. That's free advertising for every artist, group, music theater and we do that free. We don't charge people for promoting their activities. **Becki:** One of the things I like to hear I don't like the words a lot of people. I like numbers. One thing that would be helpful to me is actual data. You can't quantify art. You look at how did it affect them or change them. Everyone affects everyone. Part of what helps me in making my decision is data. Exactly how many people were reached? And I know arts is a harder thing to do that. I think it's possible and a direction I want to head. Numbers help me. **Joanne:** Most groups do their attendance numbers, but the art walk is virtually impossible. **Becki:** How is it impossible? **Joanne:** You don't know how many are walking around on the street. **Becki:** You can still try to count them. **Joanne:** Ok. Go for it. Arts Council. Let's agree on a number here. **Donna:** I started rounding and start at \$8,000.

**Joanne:** We're coming back to all of this. Children's Musical Theater. Everybody's in sync with them. Can we go with \$14,000? **Tyler M:** I'm OK on that. **Joanne:** Junior Ballet. Randy is way down compared to everyone else. **Randy:** It's the same kind of things I talked about. I go to the ballet and I think it's great. I'll leave it. That's my recommendation. **Tyler M:** For someone who hates ballet and I appreciate that others like it but where this is an organization that serves younger folks and looking last year their allocation was \$11,000. This is one of the few that I adjusted upward from their previous allocation. I think things for kids to do in the community are lacking and this is a good way to keep another thing open. **Randy:** I'm going to rethink my number. It's a wonderful organization, but it's also a form of a dance studio and unlike any other — organization, none have a for-profit thing. Everyone else is doing a non-profit thing. I don't mind supporting the non-profit side. It deserves funding, but it makes me nervous that they have the 2-headed thing going on. That concerns me and that's why I recommended less on that. **Joanne:** Anybody want to propose a number we put in there? **Donna:** \$11,500. **Linda:** I like \$11,000. They're redoing Cinderella, so they won't need new costumes. **Tyler M:** That's what they received last year. **Donna:** I kind of found buckets to what Becki was talking about to attendance or participation numbers. For the most part I have the Junior Ballet, Children's Musical Theater, the Community Theater, Simonfest in a similar bucket. In Jubilo, Master Singers, Jazz Alliance based on the number of people that come to participate. That's kind of the philosophy I used in my rankings. **Neal:** It's hard to compete with free if you sell a product. The free have a big advantage. If we totally fund everything then they'll always win and always have the best attendance.

**Joanne:** Over the years, we've encouraged every group to get donations and find sponsors and to make sure that RAP Tax is not their only source of funding. I think everyone here charges admission, except Master Singers and In Jubilo, the Livestock Festival, SUMA. **Neal:** There's more than we think that do things for free. **Joanne:** It's not the performing arts. It's a different beast. Moving onto Music Arts. Tyler's point about they'll still need the money. Donna's new number puts the average at \$14,400. **Donna:** Let's start at \$14,000. **Joanne:** Is everyone ok with that? The Livestock Festival. Everyone was pretty close. My thought is if all they're going to do are outside things, do they need as much money? Last year, Donna proposed they contact the group the arena comes under in the City because a lot of what they spent the money on was capital expenditures with the arena. I'm wondering if that ever happened. **Tyler R:** They did come in and joined forces with the City and put in new bleachers. That happened last year or the year before.

— **Joanne:** So, they are doing that. It seems like they could ask for money under Parks & Rec. I don't know. **Neal:** Just put down \$17,000.

**Joanne:** The Community Theater. They actually lowered their number. All of us came in at \$11,000 for them. I admire them for doing that. In Jubilo and Master Singers, in my opinion, should get the same amount we agree on. The average there is \$3,000. **Tyler M:** Last year, both organizations received \$3,000.

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**Joanne:** Are we ok with \$3,000 for In Jubilo for now? **Becki:** How about \$3,250? **Donna:** Let's start at \$3,000. **Becki:** I have a special place in my heart for both of those groups. They do so much good and they're fantastic. **Joanne:** ICAMA. Are we OK with \$3,000 or \$2,500? **Donna:** To me it's the bucket. Jazz Alliance asked for \$2,000. **Joanne:** This is a new group to us so I'm hesitant to give them a lot of money, even though it sounds like they're on a good path. I'm not sure I understand what they do. What number do we want to put in there? **Jim Howell:** We're a new group and we are a new 501(c)3. We've put on music concerts that are free unless you want to give a donation to come for 4 seasons. We are trying to extend our reach into the community, and we've built quite a following in the City. We put concerts on regularly once a month, and we start out season this October. We have to do social distancing, so our plan would be to cut our seating in half and ask for \$10 donation. It's an organization that tries to bring music to the community. **Joanne:** If we start with the same amount of money with the smaller groups, then we can go back and figure out where we can change it. **Neal:** Jim's request was specifically for equipment. If we give them \$2,000, that wouldn't be enough to get the riser. **Linda:** The \$3,000 would cover the riser and the case. If he stored it his facility, I don't know if any of the other groups could use that. That would cover 1 piece of equipment. **Joanne:** Are you suggesting \$3,000? **Becki:** I think \$3,000. **Joanne:** Jazz Alliance requested \$2,000. We're averaging out at \$1,700. If we go to \$3,000, we'll be over. **Donna:** They only requested \$2,000. **Joanne:** Right. So, \$1,700 for now. Master Singers we agreed at \$3,000.

**Randy:** I think we should put Jazz Alliance with the acoustic group. **Joanne:** They didn't ask for that much money. They only asked for \$2,000 and they only do 2 concerts a year. **Randy:** I think we should make those similar. **Linda:** But they have different needs. **Joanne:** My understanding is the Jazz Alliance only does 2 concerts a year. If we go back to Becki's point of how many people participate in the audience. The Orchestra of Southern Utah. We're closer. Can we go with \$19,000? Simonfest. Randy is lowest. Everyone else is at \$18,000, so if we average it out to \$17,000, would that be ok? **Randy:** That's fine with me. **Joanne:** With SUMA, everyone is close. We'll do \$21,000 for now. Suzuki Strings. I would say \$3,000. **Tyler M:** The only thing with Suzuki, again, this is one where we're serving kids in the community. It's a really great thing. Last year they only received \$3,000. I felt strongly that we adjust that upward. Their request was \$4,275, and where it's under \$5,000 and they serve so many kids. **Joanne:** How many kids? Not that many. **Tyler M:** It's the weekly impact on these kids' lives as I see it. I felt that should be higher. **Joanne:** We'll start with \$3,000. **Donna:** Start with the average. **Joanne:** The remaining is \$82,700, so put it into Shakespeare for now and we'll do some arm wrestling.

**Donna:** Every time a new group comes in, Shakespeare, because they get the balance, the money gets taken out of Shakespeare. As we will see this season when we don't have a Shakespeare festival, that's not the way we should treat out long standing legacy organization. That's where my passion is. I spent 10 years as the marketing director there. I still do some fundraising and government relations work for them and I don't think we can keep peeling away from our lead organization every time a smaller group comes in. When RAP Tax first started, they were getting \$100,000-\$110,000. Every year, we keep peeling away that that. I feel they should remain in this \$82,000 area. **Becki:** Thanks for that. That helps me to know that background. They define in so many ways our entire area. **Joanne:** In my opinion, if it weren't for the Shakespeare Festival, virtually none of these other organizations would exist. They're the economic driver of this community and we should keep funding them as best we can. Especially because of TRT. Last year they got \$40,000 and this year they're getting \$10,000. It's a challenge for everyone. These are unprecedented times. **Tyler M:** To clarify, they received \$30,000 and it was \$15,000 that the Council approved. We adjusted it. My recommendation for them was \$75,125, because that's what they received last year. Anything above that is adjusted upwards. Shakespeare is a pillar here. They receive a great share of that. None of these organizations qualify for TRT. That's why Shakespeare and Summer Games received the other half of that. We have a lot of these organizations that don't qualify for other sources. I agree that we need to support Shakespeare. It's always a balancing act. **Donna:** We all felt a little better shaving off Shakespeare when

they had access to TRT, but now that TRT's been cut \$15,000, that makes this money more important to them. **Scott Phillips:** I just want to remind you to look at the percentages. They have a \$6 million budget and we're giving them \$82,000. For some places, their entire budget is like \$10,000 and we're giving them \$8,000. Just please look at the percentages as well. **Joanne:** I agree. **Neal:** This is my 3<sup>rd</sup> or 4<sup>th</sup> year and I agree with Donna. Shakespeare is the #1 driver of this. I was thinking that there's got to be a percentage that you never gives less than a certain amount, whatever is out there. I don't think it's a discussion we should have today, but we can think about it. It should be some number that they don't receive less than that percentage of the available funds is a way of pegging a value on what monies are available. **Joanne:** That's an interesting point. I'll read the recommended numbers at this point. This is not the final decision.

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| Cedar Chest Quilters Guild-\$1,600           | ICAMA-\$3,000                       |
| Cedar City Arts Council-\$8,000              | Jazz Alliance-\$1,700               |
| Cedar City Children's Music Theater-\$14,000 | Master Singers-\$3,000              |
| Cedar City Junior Ballet-\$11,000            | Orchestra of Southern Utah-\$19,000 |
| Cedar City Music Arts-\$14,000               | Simonfest-\$17,000                  |
| Cedar Livestock Festival-\$17,000            | SUMA-\$21,000                       |
| Cedar City Community Theater-\$11,000        | Suzuki Strings-\$3,000              |
| In Jubilo-\$3,000                            | Shakespeare-\$82,700                |

**Joanne:** Does anyone want to change those numbers? **Neal:** Is that balanced? **Becki:** I like the numbers. I move to approve the numbers as listed on the recommended amount on the Arts RAP Tax for 2020. **Linda seconds.** **Neal:** How does it balance when we have an odd \$700? **Joanne:** Because there's a \$1,600 and \$1,700.

**All in favor for unanimous decision to approve the recommended amounts for Arts RAP Tax 2020.**

**Joanne:** This will be presented to City Council on July 1st and Donna will be doing that as I have another commitment. Thanks for hard work and participation.

**ADJOURN**

The meeting adjourned at 10:02 a.m.

  
Onjulee Pittser, Executive Assistant

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