



Memorandum

TO: EXECUTIVE COMMITTEE

FROM: Kerry Adams Hapner

SUBJECT: Festival, Parade and Celebration
(FPC) Grant Guideline Revisions

DATE: September 27, 2018

RECOMMENDATION

Receive the staff report on administrative revisions to the Festival, Parade and Celebration (FPC) grant guidelines for FY 2019-20.

BACKGROUND

Through the Office of Cultural Affairs (OCA), the City of San Jose provides a limited number of Festival, Parade & Celebration Grant (FPC) awards each year to expand access for all City residents to a wide range of cultural experiences in the form of community festivals, parades and celebrations, large and small. These events are often held in public spaces and are always open to the entire public. Many FPC-supported events have free attendance, although some have fee-based admission to some parts of or the entire event. In various ways, these festivals contribute to the City's cultural enrichment and economic enhancement, and they help to promote the City to visitors.

As noted in the current grant guidelines (Attachment A), FPC funding is granted through a competitive process. Applications are weighed each year by a review panel for their responsiveness to the evaluation criteria published in the program information booklet.

For the past ten years, the FPC grant program has received 30 – 46 applications each year. While the number of first-time applicants to the program has increased over the past five years, the majority of applicants have been FPC grantees for more than three consecutive years. Currently for FY 2018-19 FPC grantees, 30 of the 44 grantees have received FPC grant awards in the past three consecutive years for proposed events. 26 of the 44 grantees have received FPC grants for more than five consecutive years for their annual events. More than 20 of our current grantees are celebrating significant milestones such as the 20th, 30th or 40th anniversary of their annual events.

ANALYSIS

Each year OCA arts program staff send an online survey to grantees to solicit feedback on the FPC, Operating and take pART grant programs and processes. This is done so that staff can continue to streamline efforts and make improvements to the process with input from our stakeholders.

New for the FY 2019-2020 Funding Cycle: Two-Year Application Option

One such improvement that staff has been considering is the option for applicants to submit a two-year application. Organizations that meet the following criteria, in addition to other eligibility conditions in the current grant guidelines, would be able to submit a two-year application if the organization: 1) received an FPC grant award in the past three funding cycles for the proposed event; and 2) is compliant with the requirements of any current and previous grants awarded.

The application score received in the first year would carry over for the second year. The grant award may differ each year as it is dependent on both the total amount of funding available and the number of grants to be awarded each year.

After providing the context noted above, the question included in the survey was, "Would you support the option of the two-year application for events that qualify?" The survey received 44 responses (68% participation rate), 23 of which had the following responses to this FPC question:

- 78% Yes, in favor of this option
- 0% No, not in favor of this option
- 22% Not sure

Individual comments included welcoming this option as a timesaver to completing a full application each year, and inquiry about the ability to apply the following year if an applicant wanted to try for an improved score. An applicant trying for an improved score would be able to submit a new application, however, there is no guarantee of an improved score. Each year staff aims to seat a combination of returning and new panelists on each panel. While individual panelists bring her/his own expertise and perspective to the review process, staff instructs them to rate the applications based on the evaluation criteria for that particular grant program for a fair, consistent review process.

The survey results indicate that the FPC grant applicants are strongly in favor of the two-year application option.

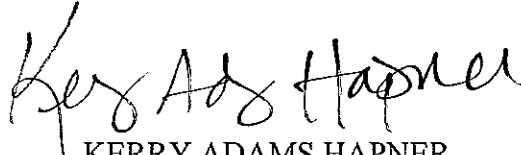
As staff are preparing grant guidelines and application forms for the FY 2019-20 funding cycle, we plan to include the two-year application option in the FPC grant guidelines to be released in early November. Other administrative revisions to the FPC grant application will include:

- Revising the question pertaining to a "well-planned and safe event." This question will be divided into separate questions, one with a focus on safety preparation and the other on overall event planning and timeline.

- Including an economic indicator tool (such as the Americans for the Arts Economic Indicator calculation tool) within the application to help applicants assess this information for their events.
- Additional streamlining of application attachments and other application revisions to eliminate redundancies.

PUBLIC OUTREACH

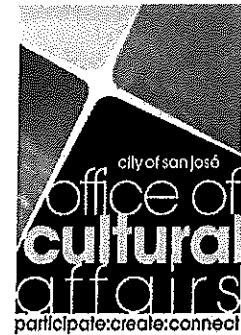
As staff does every year once the grant guidelines are announced and the applications are available, technical assistance workshops will be held during the months of November and December for the FPC, Operating and take pART grant programs. Staff will continue to provide daily assistance as needed prior to the grant application submittal deadlines.



KERRY ADAMS HAPNER
Director of Cultural Affairs

Attachment A: FY 2018-2019 Festival, Parade and Celebration Guidelines

ATTACHMENT A
FPC Grant Guidelines



Cultural Funding Portfolio

investments in art, creativity and culture

**Festival, Parade and Celebration Grant
GUIDELINES
2018-2019**

Application Deadline:

Monday, January 22, 2018, 5:00 p.m. PST

NOTE: See Section 4 for Online Application Submittal Requirements

Pre-Application Workshops (Two identical workshops):

- Nov. 29, 2017, noon–1:00pm
- Dec. 7, 2017, 5:30–6:30pm

TABLE OF CONTENTS

1. Office of Cultural Affairs Information	3
2. Purpose, Eligibility, Grant Size	4
3. Application Workshops & Assistance	6
4. Application Preparation	7
<i>Getting Started in WebGrants</i>	7
<i>Application Components</i>	8
5. Evaluation Criteria & Rating System	10
6. Application Review Process	12
7. Grantee Contractual Requirements	14
8. Resources of Interest to Grantees	16

1. SAN JOSE OFFICE OF CULTURAL AFFAIRS INFORMATION

Our Mission

The San José Office of Cultural Affairs is a division of the Office of Economic Development, which is a part of the City Manager's Office. The Office of Cultural Affairs (OCA) awards grants to community based organizations for the purpose of enhancing the cultural growth, resources, and vitality of San José.

What We Do

- Invest in arts and cultural enterprises
- Foster successful festivals and events
- Support creative entrepreneurs and artists
- Build capacity of arts organizations
- Develop and sustain cultural venues
- Enhance the built environment
- Promote cultural tourism
- Increase participation in the arts
- Stimulate the creative economy

Contact Information

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www.sanjoseculture.org

2. PURPOSE, ELIGIBILITY, GRANT SIZE & USE

2.1 Purpose

The City of San José provides a limited number of Festival, Parade & Celebration Grant (FPC) awards each year in order to:

- Expand access for all City residents to a wide range of cultural experiences in the form of community festivals, parades and celebrations;
- Enhance San Jose's overall cultural environment;
- Support San Jose's economic vitality; and
- Increase the City's visibility and reputation as a desirable destination for visitors.

Historically, FPC awards have supported a wide variety of parades, arts festivals, festivals celebrating cultural heritage relevant to San Jose residents, and other events that celebrate a community, a neighborhood or a shared cultural interest. These events are often held in public spaces and are always open to the entire public. Many FPC-supported events have free attendance, although some have fee-based admission to some parts of or the entire event.

Grant awards are made once a year through a competitive application and review process. Intended to serve as partial support for events, FPC Grant awards will be no more than 50 percent of a supported event's total expense budget and **will usually be significantly less**.

Prior success in receiving a Festival, Parade & Celebration Grant award is no assurance that an organization will be awarded a grant in any given year.

2.2 Eligibility

Applications that are complete and submitted by the deadline will be accepted from organizations that meet the following conditions:

- One year history of events programming in San Jose at the time of application;
- Designated as a not-for-profit corporation under Section 501(c) of the Internal Revenue Code;
- Organization's event takes place during July 1, 2018 – June 30, 2019 in the city of San Jose and has cash expenses of at least \$5,000;
- Organization's event is not conducted **solely** as a fundraiser and is not intended to convey a religious message nor advocate a political position; and
- Organization a) is not a division/department within the City of San Jose; and b) will not fund the event with a *take pART* Grant from the City of San Jose.

2.3 Grant Size and Use Restrictions

Grants will support events that are planned to take place between July 1, 2018 and June 30, 2019. Projects that begin prior to June 30, 2019 but end shortly after June 30 are allowed.

Grant awards are intended to serve as **partial support** for events. Grant requests:

- Must not exceed 50 percent of the proposed event's expenses and, due to limited funds, grant awards will usually be significantly less.
- Must be a minimum of \$2,500, which means that an event must have expenses of at least \$5,000 in order to be eligible.
- Must be between \$2,500 and \$5,000 if the proposed event has not been produced in the last five years.

Grant funds must be used for event-related expenses only and not for a previous year's operating deficit, administrative costs or other organizational costs unrelated to production of the event or for any capital equipment purchases. No part of the grant shall be used to promote or inhibit religion nor for any political advocacy.

Important Note:

The Festival, Parade & Celebration Grants program can be highly competitive. Past grant awards are no assurance of future awards. Frequently in recent years, a number of applications have not been recommended for awards. Applicants are encouraged to plan accordingly. Available funds for granting are subject to City Council approval of the FY2018-19 Operating Budget.

3. APPLICATION ASSISTANCE

3.1 Pre-application Workshops

All organizations that have not applied for a grant within the last three years that are considering applying for a grant are **encouraged** to attend one of the pre-application workshops offered by OCA. **First-time applicants are strongly encouraged** to attend a workshop. At each workshop, staff will review the guidelines and demonstrate the online application system, WebGrants.

First-time applicants are also encouraged to consult with the program staff well in advance of the application deadline if they have any questions about any requirements of the FPC Program.

The Pre-application Workshops are scheduled as follows (content is identical):

- **Wednesday, Nov. 29, 2017, noon–1:00pm**
 - Location: **City Hall Tower (12th Floor), Room 1254**

- **Thursday, Dec. 7, 2017, 5:30–6:30pm**
 - Location: **City Hall Tower (12th Floor), Room 1254**

All organizations are requested to RSVP to **GrantsWorkshop@sanjoseca.gov**.

Free Parking is available in the City Hall Parking Garage. Enter on the 6th Street side and park in the City Hall Tower section near the Garage entrance. Bring your parking ticket to the meeting room for validation.

3.2 Open Clinics

In addition to the structured workshops, staff will be available on a drop by basis to answer questions about the guidelines, program requirements or WebGrants. Staff cannot provide comments on specific applications. The open clinics will be held in the Office of Cultural Affairs, on the 12th floor of City Hall, on the following days:

- **Weds., Jan 10, 2018, 10-noon, Room 1231**
- **Weds., Jan 17, 2018, 10-noon, Room 1231**

3.3 WebGrants Assistance

Applicants may contact program staff during regular business hours for technical questions about WebGrants. Contact information is available on Page 2. Please allow at least two business days to receive a response.

4. APPLICATION PREPARATION

IMPORTANT NOTICE:

Electronic application through WebGrants is Mandatory.

Deadline is Monday, January 22, 2018, 5:00 PM (PST)

The system will not allow any applications to be submitted after the deadline time, and staff cannot override the system.

Applicants are strongly encouraged to submit their applications early - no later than 7 days prior to the deadline - to give themselves ample time to resolve any unexpected issues.

You take a significant risk by waiting until the day of the deadline to submit.

4.1 Getting Started With WebGrants

WebGrants is the City's one-stop portal for grants opportunities offered throughout the City.

IMPORTANT: *Grant applications are only accepted through WebGrants, which can be accessed at: <http://grants.sanjoseca.gov>. However, optional supporting materials, as described in Section 4.4, may either be submitted as soft copy attachments as part of the WebGrants application OR hard copy materials delivered in person or by mail.*

SETTING UP A USER ID AND PASSWORD: To get started, all grant applicants must create a User ID and Password and identify the organization that they are registering on behalf of. Requests for new user IDs and passwords usually require two business days to process.

Note: Registration is *per individual*, not per grant application, so individuals only need to register once to access all current and future grant opportunities available through the City.

While it is possible for multiple users to be associated with one organization, it is recommended that only individuals who are responsible for authorizing or preparing grants be registered. Organizations are responsible for contacting City staff when individuals leave the organization and should no longer have access to the organization's grant applications.

4.2 Accessing the Application Instructions

Once you are logged into WebGrants:

- 1) Click on "**Funding Opportunities**" in the Main Menu;
 - 2) Under "Title" column, locate and click "**Festival, Parade and Celebration Grant FY2018-19**".
- Here you will find general eligibility information, information about pre-application workshop dates, and important attachments related to this application, including the FPC Guidelines (this document) and Application Instructions.

3) Download and print the "Application Instructions." This guide will provide step by step instructions on how to start an application and important instructions on how to complete each section of the application.

READ THE APPLICATION INSTRUCTIONS PRIOR TO STARTING AN APPLICATION.

You do not have to complete and submit the application in one sitting. You may save and return to it as many times as you like. After the General Information Form is complete, applicants have the ability to preview and print a copy of the electronic application for planning purposes.

4.3 Online Application Components

A complete Online Application consists of the following components in WebGrants:

- General Information
- Sources of Funds Statement
- Cover Sheet
- Event Narrative
- Event Budget Form
- Notes About Budget
- Organization Budget
- Economic Impact
- Application Signature
- Attachments Section (**All attachments must be in PDF, JPEG or Word format**)
 - Board of Directors Roster, including occupation, city of residence and term of office
 - 501c Letter (**only** for new applicants)
 - Supporting Materials (**OPTIONAL**), **Maximum of 3 items total that reflect the applicant's event**.

Examples include soft or hard copy of the following: brochures, catalogues, programs or other collateral produced by the applicant and/or press reviews or articles from sources outside the organization. **Acceptable formats:** PDF, JPEG or Word document with a hyperlink to website. NOTE: Only if supporting materials cannot be scanned clearly into a PDF or JPEG, applicant may provide 2 hard copy sets of supporting materials in separate envelopes by the deadline. See Section 4.4 for preparation details if submitting hard copy sets.

Partial or incomplete grant applications will not be considered.

4.4 Supporting Materials (OPTIONAL)

IMPORTANT NOTE: Applicants who have attached their optional supporting materials to the online application can ignore this section. This section only applies to applicants whose supporting materials cannot be converted clearly into PDF or JPEG format. **If optional Supporting Materials are not submitted online, applicants may choose to submit hard copy Supporting Materials** by mail or in person on or before the deadline day.

Supporting Materials must be postmarked by the deadline date OR delivered to the Office of Cultural Affairs by 5:00 PM on or before that date.

Please mail or deliver Supporting Materials to:

Attn: Arlene Biala
Office of Cultural Affairs
200 E. Santa Clara Street, 12th Floor
San Jose, CA 95113-1905

Supporting materials consist of **2 sets** of the following materials:

Promotional materials such as brochures, catalogues, programs or similar self-generated materials and/or press reviews or articles or other published materials generated from sources outside the organization (**maximum of 3 items total**).

Please collate each of the above materials into **one** envelope marked with the applicant's name.

4.5 Other Required Documents

If not already on file with the Office of Cultural Affairs, staff may request that the applicant provide the following updated documents prior to the Panel Review:

- 501(c) determination letter from the Internal Revenue Service.
- Certified Articles of Incorporation and organization's By-Laws.
-

4.6 Public Nature of Application Materials

Applications submitted for arts grants become the exclusive property of the City of San José. At such time as the Office of Cultural Affairs recommends a grantee to the City Manager or City Council, all applications received become a matter of public record and shall be regarded as public records, with the exception of those elements in the application which are defined by the applicant as business or trade secrets and designated as *Confidential*, *Trade Secret*, or *Proprietary*. The City shall not in any way be liable or responsible for the disclosure of any such application or portions thereof, if they are not designed as *Confidential*, *Trade Secret*, or *Proprietary* or if the disclosure is required under the Public Records Act. Any application which contains language purporting to render all or significant portions of the application *Confidential*, *Trade Secret*, or *Proprietary* shall be regarded as non-responsive and, therefore, not eligible for review. If an organization wishes to designate elements of the application as business or trade secret, they must submit a letter to OCA staff at the time of application identifying the specific sections of their electronic application that the applicant defines as business or trade secret.

Although the California Public Records Act recognizes that certain confidential trade secret information may be protected from disclosure, the City may not be in a position to establish that the information that an applicant submits is a trade secret. If a request is made for information marked *Confidential*, *Trade Secret*, or *Proprietary*, the City will provide the applicant who submitted the information with reasonable notice to allow the applicant to seek protection from disclosure by a court of competent jurisdiction.

5. EVALUATION CRITERIA & RATING SYSTEM

5.1 Evaluation Criteria and Weighting

Applications will be evaluated according to the following criteria, in the context of the applicant's overall goals and the purpose and goals of Festival, Parade and Celebration Grants Program:

Event narrative & cultural, historical and/or neighborhood significance 30 percent

- Clarity of the event's nature, structure and vision (its direction, planned improvements, growth, etc.) and how well the event relates to the applicant's mission, purpose and goals.
- How well the event components demonstrate one or more of the following in a manner relevant to San Jose and its residents: 1) celebration of cultural richness, and/or 2) historical significance, and/or 3) significance of their neighborhood's uniqueness.

Communications (marketing and outreach) and attendance 30 percent

- Effectiveness at: 1) expanding access of all San José residents to the event; 2) building better community understanding of the event; and 3) conducting outreach through public awareness campaigns (social media, press releases, flyers, posters, newspaper ads, speakers' bureaus, etc.); and 4) reinforcing and promoting San Jose's positive image.
- Extent of regional and national marketing, either direct or through partnerships with hotels, airports, airlines, convention/visitors bureaus, etc.
- Ability to reinforce and promote San José's positive image through effective promotions, marketing and outreach.
- Demonstrated consistent attendance and/or growth and the reliability of the methodology to track attendance. Events that have a higher attendance based on reliable methodology will be rated favorably.

Financial and budgetary capabilities/leveraging of City funding 20 percent

- Ability to produce a profitable or break-even event measured on a cash basis.
- Extent of diversified financial support and in-kind contributions and/or volunteer resources used to leverage the City's grant funding.

Ability to produce a well-planned, safe event 10 percent

- Experience in producing and promoting well-planned, safe events.
- Depth of managerial and organizational capacity.

Economic impact 10 percent

- Demonstrated economic benefit to San Jose through indicators such as: contribution to the San Jose brand as a cultural destination, overall attendance, percentage of attendees from outside San Jose, attraction of people and volume of activities in a specific location that result in the vibrancy of a geographic area, number of participating artists, jobs sustained.
- Extent of economic impact on San José businesses (i.e., hotels, restaurants, retail, parking facilities, etc.); Ability to generate local tax revenue for San Jose.

The key elements of the criteria are described above so that applicants may have an idea of how the panel will approach each criterion. The key elements represent the most apparent and significant aspects of each criterion. Their inclusion does not preclude consideration of other issues that the Review Panel believes are relevant and appropriate to each criterion.

5.2 Rating System

When evaluating each criterion, panelists will use the following 10-point scale, which is then translated to the appropriate weight for each criterion:

Exceptionally Responsive (9.5–10.0 points)

Considerably exceeds expectations; Demonstrates historical proof that performance is or will be outstanding; Strongly merits funding

Very Responsive (8.5–9.4 points)

Meets and somewhat exceeds expectations; Criterion is successfully fulfilled, and performance is above the norm; Merits funding

Basically Responsive (7.5–8.4 points)

Meets the generally accepted standards of the criterion; May merit funding

Minimally Responsive (5.0–7.4 points)

Weak response to the criterion; Does not demonstrate that performance meets generally accepted standards; Needs improvement in order to merit any funding

Unresponsive (0.0–4.9 points)

Fails to meet the criterion; Does not merit funding

An application must receive an overall score of at least 75 points in order for the panel to consider it for funding. However, achieving a score of at least 75 points does not guarantee that the Panel will recommend an application for funding, as funds may not be sufficient to recommend a grant for all applicants that score above the minimum threshold.

6. APPLICATION REVIEW PROCESS

6.1 Eligibility Screening

OCA staff will review for completeness and eligibility all applications that meet the deadline. OCA staff will separate eligible applications into categories based on event budget size (for the **most recent actual event**). Applications that pass this initial review will then be evaluated for their strengths by a separate Grant Review Panel, which will rely on the application and related materials submitted by applicants.

6.2 Grant Review Panel

The City will attempt to evaluate applications in categories differentiated by past event expenses to make the competition among applications more equitable.

The Review Panel is typically comprised of individuals experienced in special event production, San Jose community members familiar with special events in San José, and one or more members of the San Jose Arts Commission.

Applicants are encouraged to attend the Grant Review Panel meeting, tentatively scheduled to meet during regular business hours on Thursday and Friday, March 1 – 2, 2018. The OCA will send the grant review schedule and location to applicants before the Review Panel meeting.

Addressing the Review Panel: Each organization is invited to make a brief oral presentation to the Review Panel regarding their grant application. **Such presentations are optional.** Specific information will be sent to applicants in advance of the Grant Review Panel meeting.

Points awarded by each panelist for each of the funding criteria are weighted appropriately and added together for a final application score. The average of all panelists' scores for each application is the application's overall score.

After the Grant Review Panel has scored all applications, Grant Review Panel develops funding recommendations in alignment with the ranking of scores within each category. Only applications that receive an overall score of at least 75 points may be considered for funding. However, achieving a score of at least 75 points does not guarantee that the Panel will recommend an application for funding, as funds may not be sufficient to recommend a grant for all applicants that score above the minimum threshold.

After the Panel Meeting, OCA staff will review the Review Panel's recommendations to align proposed grant awards with available funds and for consistency with granting policies and guidelines.

6.3 Appeals

An organization may file an appeal of the Grant Review Panel's recommendation **only if it is based on one or more of the following circumstances:**

- The Arts Commission, or one of its committees, Review Panels and/or Arts Program staff substantially deviated from the published grant review policies and procedures or there were ambiguities or mistakes in the application materials that were significantly more detrimental to the applicant than to other applicants;
- Required application materials that were submitted by the deadline were omitted from the materials the Review Panel considered during the review process; or
- A member of the Grant Review Panel did not recuse her/himself even though s/he had a conflict of interest; as such term is defined under state law, in relation to an applicant, which should have resulted in the panelist's recusal from evaluating the application or participating in a discussion regarding the applicant.

The Arts Commission and its committees will not consider appeals that are based on:

- Correcting applicant errors and omissions in the application or review process;
- Disagreements about the merits of the application relative to others the Review Panel considered;
- Events and/or organizational developments that occurred after the Grant Review Panel meeting.

Applicants must submit their appeals in an approved written form to Arts Program staff within the specified time period after Grant Review Panel results have been sent. The notification will specify the deadline to file an appeal.

Staff, in consultation with the City Attorney's Office, will determine whether the grounds for appeal meet one of the criteria for filing appeals described above, and if so, a special Appeals Panel will be convened. In order for the Appeals Panel to uphold the appeal, the applicant must substantiate that 1) one of the eligible circumstances for appeal occurred and 2) this circumstance negatively affected the grant recommendation for the appellant.

The Appeals Panel will report its findings to Executive Committee. If an applicant is dissatisfied with the Appeal Panel's resolution of its appeal, the applicant may address its appeal further to the full Arts Commission, as long as the appeal is based on the Grounds for Appeal described above.

6.4 Final Stages of the Review Process

The funding recommendations are submitted to the Arts Commission's Executive Committee, which reviews them and makes reasonable modifications it deems necessary in order to be consistent with policy, before forwarding the recommendations to the full Arts Commission. The Arts Commission reviews the funding recommendations and makes its recommendation to the City Council. Grant awards are subject to the City Council's adoption of the annual operating budget, which usually occurs in June.

7. SELECTED GRANTEE CONTRACTUAL REQUIREMENTS

7.1 Business Tax and Insurance Requirements

Successful grant applicants must have a current Business Tax Certificate. Not-for-profit organizations are normally exempt from paying the San Jose business tax but must apply for the certificate and the tax exemption. In addition, successful grant applicants must submit a certificate of insurance satisfactory to the City of San Jose Risk Management Office in order for their grant awards to be processed.

7.2 Final Report

FPC grantees must submit a Final Report for the event on a City-provided form (to include a post-event evaluation, attendance and final budget) **no later than 90 days after the event is held**. Grantees must be current on filing required reports before they can receive grant funding.

7.3 Acknowledging City Support

Grant recipients must acknowledge the City's financial support in all appropriate materials and media. The acknowledgement should read, "**Supported in part by a Cultural Affairs grant from the City of San José**" or similar language, unless the City is a part of a list of supporters. In the latter case, the acknowledgement may say simply **City of San José**. Grantees must display the City's logo whenever other sponsor logos are displayed, and in accordance with City logo use guidelines.

New for FY2018-19: The City of San Jose is one of a growing number of cities and communities involved in Creating Connection, a national initiative whose goal is to make arts and culture a recognized, valued and expected part of everyday life. A key strategy is highlighting how creative expression provides people opportunities to connect with friends and family, with community and with themselves. The City is promoting **#408Creates**, a hashtag to use when posting images and activities on social media that reflect their personal creativity. All San Jose arts and cultural organizations are also invited to use this hashtag when sharing their programming on social media and encouraged to include this hashtag in their promotional materials. Other useful tools and resources to promote the goals of Creating Connection are available at www.creatingconnection.org/tools.



7.4 Audit Posting Requirement

Although FPC applicants are not universally required to have annual audited financial statements, organizations receiving a total of more than \$200,000 in City grants and subsidies in a single fiscal year, aggregated from all City and Redevelopment Agency sources (i.e., multiple departments and

programs), are required to post audited financial information on the Internet within six months of the end of their fiscal years.

7.5 Copyright Law

No copyrighted musical or visual arts composition shall be performed or played, whether amplified, televised, in the form of a mechanical recording or personal rendition, or otherwise, in connection with any use of City property by a grantee, unless the grantee has first obtained all approvals and paid any license fee or other fee required by the copyright owner. When entering into a Grant Agreement, a grantee indemnifies the City and its officers and employees and agrees to keep them free and harmless from and against any and all liability and responsibility whatsoever for any infringement of and/or other violation of the right of any such copyright owner under any copyright law.

7.6 Conducting Events

Sponsoring organizations are responsible for obtaining the necessary event permits from the appropriate City departments and governmental agencies. The awarding of an FPC grant does not guarantee event permit approval from the City. Organizations planning to conduct an event on outdoor public and/or private property in the City of San José must submit a One-Start Outdoor Special Event Permit Application to Office of Cultural Affairs. The form may be downloaded from the Special Events section of the OCA Website, www.sanjoseculture.org.

7.7 Compliance with the Child Abuse and Neglect Reporting Act and Employee/Volunteer Clearance Verification



If awarded a grant, applicants who provide services involving minors may be required to conduct a criminal background check, including fingerprints, on each of its employees and volunteers who have supervisory or disciplinary authority over minors through the database of the California Department of Justice and an FBI criminal database or equivalent national database. Grantees must also comply with the provisions of the Child Abuse and Neglect Reporting Act.

7.8 Environmentally Preferable Procurement Policy

The City Council has adopted an Environmentally Preferable Procurement Policy. The goal is to encourage the procurement of products and services that help to minimize the environmental impact resulting from the use and disposal of these products. The Policy's provisions, such as a good faith effort in the procurement of goods with recycled content, avoiding specifying virgin materials wherever practicable, integrating environmental considerations into buying decisions, etc., apply to City contractors and grantees as well. A description of the environmentally preferable procurement and the Policy can be found on the City's website at the following link: www.sanjoseca.gov/esd/natural-energy-resources/epp.htm.

7.9 Environmental Requirements

San Jose Municipal Code (SJMC 9.10.1455) requires events held in San José with 1,000 or more attendees held on public property to do the following:

1. Submit a material (waste) management plan for the City of San José, Environmental Services Department's review and approval. Green Event Grant recipients (see Section 8.1) will be able to submit this required information through WebGrants.
2. Submit weight tags to report materials recycled, composted, and landfilled. Green Event Grant recipients (see Section 8.1) will be able to submit this required information through WebGrants.
3. Follow the below service ware product requirements: a) Collect glass, metal, plastic, and cardboard from attendees and vendors for recycling; b) Ban use of Polystyrene (also known as Styrofoam™ or #6 plastic products) which may be labeled with: ; c) Use #1 plastic cups (labeled with this symbol: ) for cold beverages 7 oz. and larger; d) Use paper for cold beverage cups less than 7 oz.; e) Use paper for condiment & sample cups; and f) Use paper for hot beverage cups of all sizes.

8. RESOURCES OF INTEREST TO GRANTEES

8.1 City of San Jose, Office of Cultural Affairs: SPECIAL EVENTS

The Special Events Program oversees all outdoor special event planning. It coordinates the delivery of services from multiple City departments to support events; permits and authorizes events on public and private property throughout the City; develops policies, regulations and ordinances related to special events; manages the Outdoor Temporary Banner Program and are a key participant in planning new or improved outdoor event venues. For detailed information including the event process, resources, tips, and link to the one-start event application, visit <http://www.sanjoseculture.org/index.aspx?NID=4197>

8.2 DataArts (formerly California Cultural Data Project)

DataArts is a free centralized financial and programmatic data repository enabling organizations to view trends in their data and benchmark themselves against like organizations. It is used by thousands of arts funders nationwide. Applicants producing **events with a significant arts focus** are encouraged to participate in DataArts, both to increase their own management capacity, as well as to ensure that their events are included in any assessment of overall cultural activities in the City of San Jose and Santa Clara County. For more information, contact DataArts at 866-992-5237. <http://www.culturaldata.org/>

8.3 Team San Jose

Groups interested in creating a complete dining/overnight package for their patrons should contact **Team San Jose** for participating restaurant and hotel referrals. The contact information for Team San Jose is 1-888-SANJOSE. www.sanjose.org

