

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

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH ARKANSAS ARTS CENTER; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES.**

WHEREAS, the Arkansas Arts Center (“AAC”) serves a substantial public interest in offering a place where creativity, individual expression and arts education can flourish for the citizens and residents of the City of North Little Rock (“the City”); and

WHEREAS, the City of North Little Rock (“the City”) entered into an agreement with Arkansas Arts Center (authorized by Resolution No. 8532 adopted April 14, 2014), and pursuant to the 2014 agreement Arkansas Arts Center has performed its duties and met reporting requirements; and

WHEREAS, the City desires to promote all aspects of the arts that would benefit its citizens and residents; and

WHEREAS, AAC’s programs help to bring positive cultural experiences and education, and the City desires to enter into an agreement with AAC for the benefit of people of all ages.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the Mayor and City Clerk are hereby authorized to enter into an agreement with the Arkansas Arts Center (substantially similar to Exhibit “A” attached hereto) whereby programs which help bring about positive cultural experiences and education to the citizens and residents of the City will be offered.

SECTION 2: That the City will make a lump sum payment to the Arkansas Arts Center in the amount of Forty Thousand & 00/100 Dollars (\$40,000.00) to be used to fund programs to ensure that learning, inspiration and creative expression in the arts flourish in North Little Rock for people of all ages, said amount having been included in the Arts and Cultural Education line item of Special Appropriations in the 2015 Budget.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

\_\_\_\_\_  
Mayor Joe A. Smith

SPONSOR:

Joe A. Smith  
Mayor Joe A. Smith

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter  
C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>1127</u>	A.M.		P.M.
By	<u>Deputy City Clerk Fleming</u>			
DATE	<u>1-20-15</u>			
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>				
RECEIVED BY	<u>Whitbey</u>			

payment is approximately equal to the cost of the services provided to or for the benefit of the City by AAC. In the event that either AAC or the City gives a notice of termination of this Agreement pursuant to Section 9 below, the parties agree to negotiate in good faith a reinstatement of this Agreement with adjustments to the amount of the annual contribution and/or the services provided by AAC to equalize such cost and benefit.

**4. Assignment.** This Agreement shall not be assigned in whole or in part by any of the parties to this Agreement *unless* prior written approval has been given by the non-assigning party.

**5. Authority.** The City represents and warrants to AAC that it has the authority to enter into this Agreement, and the party signing for the City has been duly authorized. AAC represents and warrants to the City that it has the authority to enter into this Agreement, and the party signing for AAC has been duly authorized. This Agreement shall not be effective until approved by official public action of the North Little Rock City Council.

**6. AAC agrees:**

- (a) To comply with Ark. Code Ann. § 21-13-101, et seq. if it uses volunteers to accomplish its contractual obligations of a public nature, as expressed in this Agreement.
- (b) That it will not discriminate against any person on the basis of race, color, religion, natural origin, age, gender or any other constitutionally-protected basis.
- (c) That it will not mingle City funds with funds obtained from other sources and shall document the expenditure of all City funds in a manner consistent with generally accepted accounting principles and provide the same to the City upon request.
- (d) Acknowledges that certain procedural restrictions apply to the expenditure of City funds in excess of \$20,000 and the employment of professionals, as that term has been defined by the City. (For procedural guidance in the expenditure of City funds, AAC may contact a city purchasing officer at (501) 975-8881.)
- (e) Acknowledges that the expenditure of government funds for a governmental purpose is a matter of public interest and subject to disclosure under the Arkansas Freedom of Information Act ("FOIA").
- (f) That it will submit quarterly reports to NLR Commerce that accurately reflects all performance under this Agreement, with a final report to be submitted no later than January \_\_, 2016. Failure to submit reports as provided for herein may result in termination of this Agreement pursuant to Paragraph 9 below. A representative of AAC will be available, at the request of the City, to appear before a specified City Council meeting to answer any questions concerning the report.

# City of North Little Rock

## BACKGROUND INFORMATION

1. Legal Name of Organization: Arkansas Arts Center Foundation (dba: Arkansas Arts Center)
2. Organization's Address: 501 East 9<sup>th</sup> Street/Little Rock, AR 72202-3997
3. Mailing Address (if different): P.O. Box 2137/Little Rock, AR 72203-2137
4. Telephone Number: 501-372-4000 Fax Number: 501-375-8053
5. Tax I.D. Number: 71-0332820
6. Submitted By: Marci Bynum Robertson Title: Assoc.Dir., Foundation Relations
7. Contact Person: Marci Bynum Robertson Title: Assoc. Dir., Foundation Relations
8. Contact Person's Direct Telephone Number: 501-396-0351
9. Contact Person's Email Address: mrobertson@arkansasartscenter.org
10. Organization's Website: www.arkansasartscenter.org

11. Provide your organization's mission and briefly describe its purpose:

Mission: The Arkansas Arts Center is an art museum with a children's theatre and a studio school. Founded in 1960, its mission is to ensure that learning, inspiration and creative expression in the arts flourish throughout Arkansas, for people of all ages and backgrounds. The AAC realizes this mission by developing, preserving and exhibiting its outstanding permanent collection, offering a rich variety of art from other collections and presenting programs for the education and cultural benefit of the people.

The primary objective of the Arkansas Arts Center (AAC) is to provide quality arts and theatrical programming for people across the state. We provide in-house exhibitions of our permanent collections as well as traveling exhibits and works owned by other institutions.

Our gallery exhibits offer visitors an immersive, engaging artistic experience with masterworks; our collecting focus is works on paper of both national and international importance, and our collection is internationally recognized. The Arts Center is accredited by the American Alliance (formerly Association) of Museums, and we offer exhibits such as the annual juried art competition, The Delta, and also the annual Young Arkansas Artists art show, another juried exhibition which encourages student artists from around the state.

In addition to galleries, the AAC is home to the Children's Theatre, named "one of the Best Regional Theatre

Companies in America” in 2007 by The Drama League. The Children’s Theatre is the only professional theatre company in Arkansas devoted to presenting children’s literary works on stage. Outreach takes Arkansas Arts Center programming throughout the state; Children’s Theatre on Tour, traveling exhibitions, and the Artmobile mobile gallery all have statewide impact, providing cultural enrichment activities both in, and outside of, North Little Rock and Little Rock.

The Museum School is also an important component of the AAC. We offer class instruction in jewelry-making, pottery, woodworking, glass fusing, digital photography, sketching, painting, art history, sculpting, and other media as teachers and artists-in-residence begin or end their work at the AAC. One of the major programs for the Museum School is Junior Arts Academy, for children ages 6 to 9. Junior Arts Academy is a joint summer program between the School and the Theatre, with many students from both North Little Rock and Little Rock. Summer Theatre Academy is the “next step up,” for teenagers who are interested in more immersive theatrical training. The Arts Center offers something for everyone, and we strive to provide quality art experiences for all Arkansans.

13. Has your organization received funding from the City of North Little Rock in the past?

Yes   X   No           

14. If yes, how much funding has your organization received and for how many years?

\$   426,450   Years:   14  (2000-2014)  

15. Fill out the following tables showing revenue and expenses for your **organization** for the years designated. These charts **must** be completed to be considered for funding by the City. **Please list name of each organization, foundation and/or grant by name.**

Sources of Revenue	2014 Budgeted	2014 Actual	2015 Budgeted
City of NLR Funds	40,000	40,000	40,000
Federal/State Funds or Grants	30,841	30,841	26,790
Fees for Services	1,435,880	1,292,324	1,214,662
Fundraising/Dues	340,000	340,402	1,176,205
Foundations	459,500	556,125	463,500
Investments			
Endowments	1,549,160	1,550,323	1,656,500
Personal Donations	1,485,507	1,556,255	1,027,825
Other Sources	705,000	863,300	715,800
<b>TOTAL REVENUES</b>	<b>6,045,888</b>	<b>6,229,570</b>	<b>6,321,282</b>

Organization's Expenses	2014 All Budgeted Expenses	2014 Expenses Paid by the City if Funded	2014 Actual Expenses Paid as of June 30, 2014	2015 All Proposed Expenses	2015 Proposed Expenses Paid by the City if Funded
Salaries and Benefits	2,822,994	40000	2,880,295	3,032,898	40,000
Space/Lease or Rent Costs					
Program Supplies	88,550		89,016	104,024	
Office Supplies	37,690		38,796	34,662	
Communication (marketing)	445,900		528,620	353,110	
Professional Development/Conferences	44,200		30,138	40,035	
Telephone/Postage	98,534		84,138	89,750	
Travel	115,960		98,211	107,304	
Other Costs – Please List					
Exhibition Expense	493,638		543,777	268,735	
Facility Expense	1,115,532		1,193,150	1,231,495	
Insurance	96,680		77,860	77,400	
Event Expense	87,690		52,447	295,984	
Other Admin Expense	157,143		138,685	253,611	
IT	157,902		161,022	158,260	
Production Expense	89,200		94,853	97,776	
Sales Expense	147,975		189,645	142,038	
Donor Expense	46,300		28,727	34,200	
<b>TOTAL EXPENSES</b>	<b>6,045,888</b>	<b>40,000</b>	<b>6,229,380</b>	<b>6,321,282</b>	<b>40,000</b>

16. Please provide the budget for the specific Project/Program you are requesting City funding if different from item 15 above of your organization's budget. Please include all items related to the project/program including other types of funding, also including staff time, supplies, travel, etc.

Item	Total Expenses	Revenue - City Funds	Revenue - Other Funds List Funding Sources
No difference from item 15			
<b>TOTALS</b>			

17. List the number of participants in this specific project/program (if new project/program, use proposed participants):

01/01/14 - 12/31/14 Actual Number of Participants: 350,000 (estimated) To Date: 186,600

01/01/15 - 12/31/15 Projected Number of Participants: 355,000 (estimate)\_\_\_

18. What percentage of the participants will be City of North Little Rock residents? 10% (estimate)

19. What is the cost per participant? \$17.81 (Number of participants divided by total project/program costs.)

20. Goals/Evaluation: Describe the goals and objectives of the project/program in quantifiable terms and the methods you will use to measure performance of the goals and objectives:

The AAC is the largest cultural institution in central Arkansas. Accredited by the American Alliance of Museums, the AAC offers gallery exhibits, a museum school, educational programming, and an award-winning Children's Theatre. Outreach components include Children's Theatre on Tour, Traveling Exhibits, and the Artmobile exhibit gallery. The Arts Center serves a local (central Arkansas) audience through both on-site programming and through outreach. During the 2013/14 season, the AAC served an audience of 338,028 visitors, including an increase of 25,406 on-site at the Arts Center.

The AAC's primary goal is to reach as many Arkansans as possible with quality, immersive arts experiences, and for that goal, attendance numbers are the major quantitative evidence of success. We serve a large audience of central Arkansas residents, also reaching many rural, underserved communities in the state. The museum school serves students with instruction in Jewelry-making, ceramics, painting, drawing, woodworking, sculpting, digital photography, and special classes as instructors are available. On-site galleries at the Arts Center offer free general admission, as we believe that financial barriers to cultural experience need to be removed whenever possible. The Arts Center also works to broaden our audience through a wide-ranging slate of exhibits. The annual, juried "Young Arkansas Artists" and "Delta Exhibition" offer a variety of programming to appeal to a broad audience. Our Junior Arts Academy and Summer Theatre Academy, summer enrichment programs for young people, offer immersive, interactive, and educational opportunities, including scholarships for many participants. The Arts Center truly strives to be the center of community arts engagement for all the residents of central Arkansas.

Quantitative feedback is obtained through teacher surveys given to participating schools, both for on-site programs and outreach. The Educator/Outreach Coordinator works closely with organizations and individuals who request programming, and they often give feedback verbally in addition to returning evaluation forms. The Outreach Coordinator and AAC's Grantwriter are in the early stages of refining the existing survey to make the format more user-friendly, and also provide more in-depth information on personal experiences from our patrons. One of the most direct examples of feedback impacting operations and programming is our Children's Theatre survey program. At least once a season, the Grantwriter surveys the audience at a performance of the Children's Theatre. A list of play titles is offered, and patrons indicate their level of interest in each title. The results are compiled, and theatre staff consider the survey results when selecting plays for the upcoming season. For the current season, four of the six plays were included on the most recent survey, and were ranked in the top selections of interest by the audience.

The Arts Center also collects qualitative reports on our service to our constituents. The Arts Center places comment books in each gallery, and they are scanned and placed on a shared computer drive for all-staff access. Comments guide programming and future exhibitions in terms of positive comments from specific types of exhibitions, or suggested topics of interest. Website feedback is also a qualitative format for evaluation. Visitors contact the Arts Center through the website, offering comments and suggestions, as well as asking questions. On a smaller level, the Membership Coordinator and development staff survey people as we discuss renewing memberships. If a member has dropped their membership, or level of support, we ask about the circumstances, which gives a clear snapshot of what we may, or may not, be doing that our stakeholders need.

21. If your organization receives partial or no funding from the City of North Little Rock for the proposed project/program, how will you fund the program/project?  
Funding from the City of North Little Rock is utilized as general operating support (GOS), so the Arts Center will continue its programming, though operations may be scaled back as a result of decreased funding for overall operating expenses. The Arts Center depends on donors, sponsorships, memberships, grant funding, governmental and foundation support, and earned income from the Museum Gift Shop and other sources such as Children's Theatre ticket sales.
22. Are there any other organizations that provides similar programs or services for the City of North Little Rock residents:   No   If so, what is the name of the organization(s)?
- 
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What makes your program unique?

The Arkansas Arts Center provides free general admission to our galleries, is located centrally within the state, and provides a wide range of artistic experiences for all ages. Visitors may experience art in a gallery setting, see a Children's Theatre play, attend an educational lecture, participate in a class through the Museum School, or attend a special event. No other organization in central Arkansas provides access and range of artistic and cultural programming to all members of the community, regardless of socioeconomic standing or educational level.

23. This funding will be short-term. How will you fund this project/program without additional funding from the City?

The Arts Center offers free general admission to assist in removing financial barriers to arts access. We depend on the support of donors, sponsorships, memberships, earned income from the Museum Gift Shop and other sources, grant funding, and governmental support to fund our operations, as well as proceeds from an endowment at the Arkansas Arts Center Foundation. Losing the financial support of the City of North Little Rock would be a hardship, but having a diversified revenue stream allows a nonprofit to absorb financial shortfalls. A certain level of flexibility in spending also allows greater management of financial shortfalls as needed. As many North Little Rock residents participate in Arkansas Arts Center programming, we hope to continue our mutually beneficial relationship. The Arts Center also employs 11 North Little Rock residents, assisting in contributing to the economy north of the Arkansas River.

SIGNATURE OF CERTIFICATION

I CERTIFY THAT ALL OF THE INFORMATION PROVIDED IN THIS APPLICATION IS TRUE AND CORRECT

  
SIGNATURE OF THE AUTHORIZED REPRESENTATIVE

8.12.14  
DATE

Todd A. Herman, Executive Director  
PRINT NAME

therman@arkansasartscenter.org  
EMAIL ADDRESS

**Arkansas Arts Center  
Board of Trustees  
2014/15**

Sharon Bailey  
Sara Hendricks Batcheller  
Bob Birch  
Del Boyette  
Chucki Bradbury  
Albert Braunfisch  
Charlotte B. Brown  
Robert Burnett  
Merritt Dyke  
Rush Harding  
Kaki Hockersmith  
Howard Hurst  
Mary Ellen Irons  
Craig S. Lair  
Mike Maulden  
Matthew S. Reddin, Treasurer  
Dale G. Ronnel  
J. Shepherd (Shep) Russell  
Michael Shelley  
Terri H. Snowden  
Van Tilbury, LEED AP  
Patricia (Pat) A. Wilson

Ex-Officio Trustees:

The Honorable Mark Stodola  
The Honorable Joe Smith  
Stephanie Bayless  
Tisha Gribble  
Rachel Reid  
Honorary Trustee Mrs. Jeane Hamilton

Bailey Properties  
Attorney  
Centennial Bank  
Boyette Strategic Advisors

MSpark

Bank of America, N.A.  
Independent Fiduciary Services  
Crews Financial Services  
Kaki Hockersmith Interiors  
Tipton & Hurst, Inc.  
JPMSCox, PLLC  
Rose Law Firm  
Entergy Corporation  
Bank of the Ozarks

Attorney/Friday, Eldredge, and Clark  
U.S. Bank, Arkansas President

East Harding, Inc.

Mayor, City of Little Rock  
Mayor, City of North Little Rock  
Butler Center for Arkansas Studies  
Tisha's Interiors  
Owner, Salon Karizma

## THE ARKANSAS ARTS CENTER

	<u>FY15 BUDGI</u>
<b>010 - Exhibitions</b>	
PERSONNEL	\$357,000
<b>020 - Museum School</b>	
PERSONNEL	\$248,804
<b>021 - Youth &amp; Family Programs</b>	
PERSONNEL	\$85,832
<b>025 - Museum Education</b>	
PERSONNEL	\$74,454
<b>030 - Performing Arts</b>	
PERSONNEL	\$580,185
<b>040 - State Services</b>	
PERSONNEL	\$89,673
<b>050 - Marketing</b>	
PERSONNEL	\$105,773
<b>065 - Library</b>	
PERSONNEL	\$11,312
<b>070 - Museum Shop</b>	
PERSONNEL	\$78,109
<b>080 - Administration</b>	
PERSONNEL	\$549,645
<b>090 - Facilities</b>	
PERSONNEL	\$167,093
<b>120 - Development</b>	
PERSONNEL	\$392,564
<b>140 - Business Office/Visitor Services</b>	
PERSONNEL	\$292,454

## Staff

### ADMINISTRATION

Todd Herman, executive director  
(July 2011)

Sharon Howell, executive assistant  
(May 2006)

### BUSINESS OFFICE

Laine Harber, deputy director/chief financial officer  
(April 2010)

Denise Woods, human resources manager  
(February 1997)

Debra Ball, part-time business office coordinator  
(June 2012)

Bea Plant, business office coordinator  
(May 2002)

Linda Gill, database administrator  
(December 1998)

Janet Uchendu, database specialist/education registrar  
(June 2008)

Shannon Speer, controller  
(July 2009)

### CHILDREN'S THEATRE

Bradley Anderson, artistic director  
(July 1979)

Alan Keith Smith, associate director  
(November 1984)

Erin Larkin, costume designer  
(July 2004)

Mark Hansen, resident actor  
(May 2007)

Nikki Webster, costumer/designer  
(October 2009)

Penelope Poppers, lighting designer/operator  
(June 2011)

Miranda Young-Rice, prop master  
(June 2011)

Marsha Scullark, part-time usher  
(September 2011)  
Allison Benton, part-time house manager  
(December 2012)  
Drew Posey, technical director  
(July 2013)  
Rivka Kuperman, production stage manager  
(August 2013)

#### DEVELOPMENT

Kelly Ford, director of development  
(April 2013)  
Alysia Carter, development coordinator  
(June 2003)  
Marci Robertson, part-time associate director of foundation relations  
(January 2012)  
Heather Hignite, development assistant  
(July 2013)  
Jean Heslip, facility rental/events coordinator  
(August 2002)  
Beverly Kleckner, development officer  
(September 2013)  
Spencer Jansen, membership manager (July 2014)

#### EXHIBITIONS

Brian Lang, chief curator & curator of contemporary craft  
(September 2012)  
Thom Hall, registrar  
(April 1975)  
Keith Melton, assistant registrar/preparator  
(August 1998)  
Alex Moomey, preparator/curatorial assistant  
(August 2007)  
Matthew Smith, curatorial assistant  
(October 2010)  
Ann Wagner, curator of drawings  
(September 2012)

## FACILITIES

John Pagan, facility manager  
(February 1971)

Patrick Ellis, facility associate  
(July 2011)

Preston Noland, security supervisor  
(November 2011)

George Spurrier, facility associate  
(March 2013)

Christy Simpson, part-time facility associate  
(June 2013)

## MARKETING

Angel Galloway, director of marketing and communications  
(June 2014)

## VOLUNTEER/VISITOR SERVICES

Heather Canterbury, visitor services supervisor  
(March 2013)

Rhonda Converse, visitor services representative  
(October 2011)

Katharine Hall, part-time box office representative  
(April 2013)

Sinovia Mayfield, volunteer/visitor services coordinator  
(May 2013)

Dee Welsh, part-time receptionist/visitor information  
(February 2002)

Becky Jo Stacey, sales specialist  
(August 2013)

Daniella Napolitano, part-time sales specialist  
(September 2013)

## LIBRARY

Aina "AJ" Bufford, part-time librarian  
(December 2013)

#### MUSEUM EDUCATION

Louise Palermo, director of education and programming  
(March 2009)

Matthew Thorne, sr education specialist  
(January 2014)

#### MUSEUM SCHOOL

Andrea Tompkins, museum school manager  
(January 2007)

Angela Cummings, ceramics department manager  
(July 2001)

Ryan Sniegocki, artist-in-residence  
(September 2012)

#### MUSEUM SHOP

Kim White, shop manager  
(November 2000)

Bailey Crook, part-time sales associate  
(March 2013)

Payton Peebles-Hartford, part-time sales associate  
(June 2013)

#### STATE SERVICES

Jessica Wright, sr education specialist  
(March 2013)

Virgil Lawrence, artmobile specialist  
(February 1987)

Michael Lauderdale, artmobile driver  
(October 2005)

Internal Revenue Service  
District Director

Date: JUN 05 1992

Arkansas Arts Center Foundation  
McArthur Park  
Little Rock, AR 72202

Department of the Treasury  
Returns Program Management  
Staff - Taxpayer Assistance  
P.O. Box 1055 - Room 1109  
101 West Peachtree St., NW  
Atlanta, GA 30370

Date of Inquiry:

05/27/92

Refer Reply To:

RPXIED:TPA:1109

EIN: 23-7337495

FFX:

Dear Taxpayer:

This is in response to your request for confirmation of your exemption from Federal income tax.

You were recognized as an organization exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code by our letter of January, 1974. You were further determined not to be a private foundation within the meaning of section 509(a) of the Code because you are an organization described in section 170(b)(1)(A)(vi) and 509(a)(1).

Contributions to you are deductible as provided in section 170 of the Code.

The tax exempt status recognized by our letter referred to above is currently in effect and will remain in effect until terminated, modified or revoked by the Internal Revenue Service. Any change in your purposes, character, or method of operation must be reported to us so we may consider the effect of the change on your exempt status. You must also report any change in your name and address.

Thank you for your cooperation.

Sincerely,



Exempts Organizations  
Coordinator