

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE ARKANSAS MUSEUM OF FINE ARTS FOUNDATION; AND FOR OTHER PURPOSES.

WHEREAS, the Arkansas Museum of Fine Arts Foundation (“AMFA”) 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 entered into an agreement with AMFA (authorized by Resolution No. 10479 adopted February 13, 2023), and pursuant to the 2023 agreement, AMFA 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, AMFA’s programs help to bring positive cultural experiences and education, and the City desires to enter into an agreement with AMFA 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 Museum of Fine Arts Foundation (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 Museum of Fine Arts Foundation 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 2024 Budget.

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

PASSED:

APPROVED:

Mayor Terry C. Hartwick

SPONSOR:

ATTEST:

TERRY C. Hartwick
Mayor Terry C. Hartwick

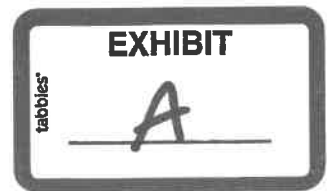
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED	<u>11:05</u>	A.M.	_____	P.M.
By	<u>City Atty. A. Beckman</u>			
DATE	<u>1/17/2014</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>D. Whitbey</u>			



AGREEMENT
Between
THE CITY OF NORTH LITTLE ROCK, ARKANSAS
And
ARKANSAS MUSEUM OF FINE ARTS FOUNDATION

This Agreement made and entered into this _____ day of _____, 2024, by and between the **CITY OF NORTH LITTLE ROCK** (hereinafter referred to as “the City”) and **ARKANSAS MUSEUM OF FINE ARTS FOUNDATION** (hereinafter referred to as “AMFA”).

W-I-T-N-E-S-S-E-T-H:

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

WHEREAS, AMFA’s mission is to ensure that learning, inspiration and creative expression in the arts flourish in North Little Rock for people of all ages and backgrounds by developing, preserving and exhibiting outstanding permanent collections, offering a rich variety of art from other collections and presenting programs for the education and cultural benefit of the general public; and

WHEREAS, AMFA has requested funding from the City for the 2023 calendar year and has properly submitted its application in accordance with North Little Rock Finance Department (“NLR Finance”) procedures and guidelines; and

WHEREAS, NLR Finance has reviewed and verified that AMFA has properly filed its quarterly and final performance reports for 2023 and has provided all requested documentation to the City; and

WHEREAS, the City supports AMFA and its programs which help to bring positive cultural experiences to our citizens and residents.

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, and other good and valuable consideration, it is agreed by and between the parties as follows:

1. **Provision of services.** AMFA will use the funds provided by the City for the programs more fully described in Exhibit A attached hereto and incorporated by reference.
2. **Term.** The term of this Agreement shall begin February 1, 2024 and end December 31, 2024.
3. **Consideration by the City of North Little Rock, Arkansas.** As consideration for the services provided by AMFA pursuant to this Agreement, the City will make a lump sum annual payment to AMFA in the amount of Forty Thousand & 00/100 Dollars (\$40,000.00). AMFA and the City intend for, and estimate that, the amount of the annual payment is approximately equal to the cost of the services provided to or for the benefit of

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

6. AMFA 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 \$35,000 and the employment of professionals, as that term has been defined by the City. (For procedural guidance in the expenditure of City funds, AMFA 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 an annual report to NLR Finance that accurately reflects all performance under this Agreement, said report to be submitted no later than January 1, 2025. A representative of AMFA will be available, at the request of the City, to appear before a specified City Council meeting to answer any questions concerning the report.
- (g) To attach to this agreement a document identifying each member of the governing board of the nonprofit entity.
- (h) To attach to this agreement evidence of nonprofit status, and if designated a nontaxable entity, attach a copy of an IRS opinion letter affirming the designation. If tax returns have been submitted, AMFA will also attach a copy of the most recent tax return.
- (i) To submit a budget to demonstrate the projected use of City funds.

7. Governing Law. The parties hereto agree that this Agreement shall be construed under Arkansas law. The parties further agree that proper jurisdiction and venue for any

cause of action arising from this Agreement shall be vested in the state courts of Arkansas.

8. The headings used in this Agreement are inserted for convenience or reference only and are not intended to define, limit or affect the interpretation of any term or provision hereof.

9. This Agreement may be terminated by either party without cause upon ninety (90) days' written notice. The fee described in Section 3 shall be prorated based upon the date of termination.

10. Time is of the essence in regard to the terms and conditions of this Agreement.

11. This Agreement may be executed in two or more counterparts, each of which is deemed as original but all constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have set their hands on the day and year first above written.

**ARKANSAS MUSEUM OF FINE ARTS
FOUNDATION**

P. O. Box 2137
Little Rock, AR 22203-2137

By: _____
Devin Hancock
Foundation Relations & Grants Manager

**CITY OF NORTH LITTLE ROCK,
ARKANSAS**

300 Main Street – City Hall
North Little Rock, AR 72114

By _____
Terry C. Hartwick, Mayor

ATTEST:

Diane Whitbey, City Clerk

EXHIBIT A

AMFA provides programs and services in the visual and performing arts, arts education, and studio art instruction for residents of and visitors to Central Arkansas, including North Little Rock. Many of our programs and services are free while some, such as studio classes and theatre performances, are offered at affordable rates. Residents of North Little Rock participate in or attend all facets of our offerings, from membership and theatre performances to studio art classes, artist talks, performing arts programs, and more. In 2024, North Little Rock residents can expect the following (note that this narrative outlines only publicly announced programs and services for the first six months of 2024):

CURATORIAL PROGRAMS AND EXHIBITIONS:

Path to Abstraction: Picasso, Braque, and Cubism's Impact on Modern Art. December 9, 2023 -April 14, 2024. AMF A will showcase two paintings by the creators of Cubism. On loan from the Cleveland Museum of Art, Pablo Picasso's *Fan, Salt Box, Melon* (1909) and Georges Braque's *Guitar and Bottle of Marc on a Table* (1930) will be displayed with rarely seen gems from the AMF A Foundation Collection. Examples include line drawings by Spanish painter Juan Gris; a buoyant blue landscape by Jean Metzinger; Georges Valmier's colorful collage; a bold charcoal drawing by Jeanne Rij-Rousseau; and works by American artists Blanche Lazzell and Abraham Walkowitz.

Risa Hricovsky: Then Is Now. December 19, 2023 -April 28, 2024. Hricovsky will transform the Robyn and John Hom Gallery with a site-specific sculpture and wall-painting installation combining joyful colors, abstract patterns, and materials that fool the eye. The artist creates her intricately patterned "shag rug" sculptures, from which her Fringe series derives its name, using colored porcelain. Associated with mid-century domestic decor, these rugs evoke 1960s counterculture and the call for "peace, love and progressive change." Rather than soft carpet, however, Hricovsky's hard porcelain is a nod to how fossilized and unchanged many of those 1960s cultural issues turned out to be.

Lillian Schwartz: Pixillation. January 16, 2024-May 5, 2024. Trained in painting, drawing, and sculpture, Schwartz began creating digital art in the late 1960s after joining AT&T Bell Laboratories as one of its first resident artists. At Bell Labs, engineers, scientists, and artists collaborated on experiments with computer-generated music and visuals. To create Pixillation, Schwartz wrote lines of code to create a black and white texture, which she overlaid with hand-colored animation. The soundtrack increases in tempo as the film cuts from digital to analog imagery at a faster pace, building a sense of urgency. The saturated colors, complex rhythm, and geometric shapes of Pixillation define the look and feel of 1970s computer art.

Action/Abstraction Redefined: Modern Native Art, 1940s to 1970s. February 16, 2024 - May 12, 2024. Action/Abstraction Redefined is the first major traveling exhibition to analyze modern Native American art in relation to Abstract Expressionism, Color Field, and Hard-Edge Painting. Based on the Institute of American Indian Arts (IAIA) in Santa Fe, where revolutionary approaches encouraged experimentation and risk taking,

Action/Abstraction Redefined explores how IAIA's artists combined New York School art influences with Native art traditions and challenged stereotypical expectations of American Indian art at mid-century.

Delta Triennial. June 14, 2024-August 25, 2024. For more than 60 years, the Delta exhibition has heightened the visibility of artists from or working in Arkansas and its surrounding states. Founded as a juried exhibition, the Delta is named after the floodplains surrounding the Mississippi River and seeks to amplify artistic voices in the region as they reflect complex histories and shifts in the cultural landscape. In recent years, the Delta exhibition has evolved from its original form as an annual juried exhibition into a collaborative series, Delta Voices: Artists of the Mid-South-made in partnership with museums in the region. The Delta will continue to change in 2024, debuting as a triennial exhibition.

CHILDREN'S THEATRE AND PERFORMING ARTS:

Dragons Love Tacos. Spring 2024. When Boy grows frustrated and overwhelmed with his math homework, his mom suggests that Boy takes a break while she leaves to pick up dinner. His day becomes grayer when it begins to storm. Leroy, Boy's pet dog, tries to cheer him up by bringing him the remote to watch some TV. After skipping around, Boy and Leroy come across a sharp-suited spokesperson offering mind-blowing, earth shattering, titillating dragon secrets. When the Dragonology documentary comes to life in their house, Boy and Leroy find themselves in for more than they bargained for: they come face to face with a bunch of dragons, curious creatures that enjoy tacos, parties, and taco parties! But when Boy accidentally serves the one topping Dragons cannot stand, their Dragon Taco Party gets a little out of hand.

Poli POP. Spring 2024. Seoul, South Korea's Brush Theatre returns to AMFA with POLI POP, a dreamlike adventure for young audiences. Mischievous twins Poli and Pola do not want to go to bed! Not just yet! When grandpa falls sound asleep, the empty wall of the twins' bedroom turns into a playground for their restless imaginations. After wild games and dancing between the two, Poli and Pola encounter Mong, a monster who pops out from a painting on their wall. Is Mong friendly? Can the twins trust this newcomer? Brush Theatre invites young audiences to join Poli and Pola on their overnight adventure with Mong, complete with live music, projections, and so much more.

Flurffy + Friends. Weekly. Meet Flurffy, the lovable pink dog and puppet-in-residence at AMFA who loves to explore new areas of the Museum grounds with a friend or two in tow. Designed by award-winning puppet artists and puppeteered by professional performers, Flurffy + Friends is a pop-up performance that leads our youngest guests through an immersive and interactive experience of puppetry, music, storytelling, and art to create memorable moments at the Museum for the whole family.

Concert Series. 2023 - 2024. AMFA will continue hosting an eclectic and exciting inaugural concert series presenting acclaimed performers and spanning multiple musical genres—from jazz, soul, and R&B to indie folk, Americana, and more. The Concert Series

takes place in AMF A's Performing Arts Theater with the following shows scheduled for 2024:

- Brian Blade & The Fellowship Band, February 1, 2024
- The Rumble featuring Chief Joseph Boudreaux, Jr., March 7, 2024
- Sunny War, March 28, 2024
- The Brother Brothers, April 25, 2024

Sparkling Dialogue Through Drama. Bi-annually. This program uses the performing arts to start family conversations about socially relevant topics. Designed for adults and children to attend together, it can begin with a reading of a short play, poem, or performance piece and is followed by a discussion with a panel of artists and experts. 2023 's program featured award-winning playwright Candrice Jones and her 10-minute play, *Cynthia's Place*, about two kids on a grand time-traveling adventure to meet Althea Gibson. Althea Gibson was a multi-talented American tennis player and professional golfer best known for being the first Black person to win a Grand Slam tennis title.

Partner Companies-in-Residence. Ongoing. Arkansas Cinema Society and Ballet Arkansas have joined forces to create dynamic programming for the community at AMF A. Arkansas Cinema Society offers opportunities to see films by emerging filmmakers and timeless classics, while learning about the filmmaking process and meeting professionals at events such as Filmland, a curated annual celebration of cinema. Ballet Arkansas is presenting vibrant repertoires of the classics, masterworks of American dance, and premieres by the world's most daring dance-makers.

WINDGATE ART SCHOOL:

Studio Classes. Ongoing. AMF A will continue to offer 5-week and 10-week classes in drawing, painting, ceramics, glass, metals, woodworking, printmaking, and more for students of all ages and skillsets.

Studio Workshops. Ongoing. AMFA will continue to offer workshops like Art for Two, a new series of single-evening workshops for adults and one guest, and specialty offerings by rotating Artists-in-Residence and visiting artists.

Art Camps. AMFA will continue to offer a wide range of visual and performing arts classes for rising 1st - 12th graders throughout the 2023-24 academic year and in the summer.

COMMUNITY ENGAGEMENT:

ArtStart. Weekly. This early reader program pairs children's books with art activities, inviting toddlers and preschool students to learn through reading, imaginative play, and artmaking. This program welcomes parents, grandparents, caregivers, and our youngest patrons to drop in and explore art together.

Artist Talks. Ongoing. AMFA will continue to bring in visiting artists and art and museum professionals for conversations and presentations of their extraordinary work.

Art Together. Ongoing. Art Together serves groups with special needs, conditions, and abilities. At regularly scheduled intervals year-round, Art Together offers free, specially tailored gallery tours for individuals with dementia illness, hearing and visual impairments, and neurodiversity and sensory sensitivities. It also serves as a connecting resource for individuals, families, and friends within these communities.

Creative Saturdays. Weekly. AMFA hosts free, hands-on art-making activities perfect for both kids and adults. Each week, the art making activity is different, so guests can always find new inspiration as they create in the Windgate Art School, tour of Harriet and Warren Stephens Galleries, or have fun playing with Flurffy, AMFA's puppet-in-residence.

63rd Young Arkansas Artists Exhibition and Awards Program. Annually. This exhibition highlights the remarkable talent, creativity and perspective of Arkansas students. Each year, art teachers and instructors throughout Arkansas submit their students' work, and a panel of art professionals selects works to be included in the exhibition. From kindergarten through high school, students of all ages are represented in a wide range of mediums and techniques - from crayon and pastel to collage and sculpture. The awardsprogram kicks off the exhibition's run, and it includes family-focused museum tours, Flurffy + Friends, artmaking activities and more to celebrate the talent of the students and the dedication of their educators.

Docent Tours. Weekly. Drop-in tours of the museum occur on Wednesdays and weekends, guiding visitors through the new architecture, exhibitions, and grounds-with the connections between them highlighted in unexpected and inspiring ways. Tours can also be scheduled in advance.

Specially designed School Tours are booked up by schools throughout the region during the academic year. In fact, we have a goal to serve every 4th grader in Little Rock School District this school year, and we are seeking greater engagement with North Little Rock School District to accomplish the same.

Educators Advisory Board. Ongoing. The volunteer board provides participating educators the opportunity for professional development within the Museum and local art community while working to create experiences for other educators in coordination with AMFA staff. The Back-to-School Event for Educators each August is a night of enriching programming and speakers to support teachers and their curriculum. Educators who attend this event are eligible to receive two hours of ADE credited professional development.

Teen Advisory Board. Ongoing. This volunteer board offers local students opportunities to play a pivotal role in developing teen programming, providing cross-generational mentorship, and contributing to the vibrant arts community in Central Arkansas. The Teen Takeover Event each June is organized by the Teen Advisory Board, which is a

dynamic evening of programming that includes workshops in both the visual and performing arts for teens across Arkansas.