

**COUNCIL ACTION FORM**

**SUBJECT: REQUEST FROM OCTAGON CENTER FOR THE ARTS TO EXTEND  
2020 COTA FALL SPECIAL PROJECT GRANT CONTRACT**

**BACKGROUND:**

The Commission on the Arts (COTA) provides funding for arts organizations to conduct special projects through two grant processes each year. For the period between July 1 and December 31, 2020, the Octagon Center for the Arts was awarded a COTA special project grants in the amount of \$738 to facilitate a Chalk the Block community event in conjunction with the Octagon Arts Festival.

On October 1, Octagon staff requested to postpone the event to fall 2021, due to the cancellation of this year's Octagon Arts Festival. **This would place the activity after the expiration date listed in the grant contract, and therefore the Octagon would forfeit the funding awarded to this project without action from the City Council.**

On October 5, COTA reviewed the Octagon's request and recommended that the City Council authorize an extension of the contract to allow the funding to be accessed by the organization. An amendment to the contract has been prepared and signed by the organization. **In addition, because the event will be postponed to fall 2021, the City Council would need to carry funds over into the next fiscal year.**

**ALTERNATIVES:**

1. A. Approve an amendment to Octagon Center for the Arts' Fall 2020 Special Project Grant for the Chalk the Block community event to extend the contract term to December 31, 2021.  
  
B. Direct staff to prepare a carryover of \$738 in funding from FY 2020/21 into FY 2021/22 for the Chalk the Block community event.
2. Do not approve the request and allow the contract to expire on December 31, 2020 without funds being drawn down.

**CITY MANAGER'S RECOMMENDED ACTION:**

The Octagon Center for the Arts has committed to conduct the chalking activity next calendar year. Approving the contract extension and carryover allows the organization to access the approved funding. COTA has discussed this situation and supports the approval of the request.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.

**AMENDMENT TO**

**CONTRACT FOR ARTS FUNDING**

THIS AMENDMENT, made and entered into \_\_\_\_\_, 2020, to an Agreement by and between the **CITY OF AMES, IOWA**, a municipal corporation organized and existing pursuant to the laws of the State of Iowa (hereinafter sometimes called "City") and **Octagon Center for the Arts** (hereinafter called "Provider"); for funding of said Provider up to and including **\$738.00**;

WITNESSETHS THAT:

WHEREAS, the City of Ames has, by its City Council acting in open and regular session, and through the Commission on the Arts, entered into an Agreement with the Provider for the purpose of facilitating a Chalk the Block community event; and

WHEREAS, the duration of the Agreement for these services is from July 1, 2020 through December 31, 2020; and

WHEREAS, Provider has requested an extension of the term of the Agreement due to the COVID-19 pandemic;

NOW, THEREFORE, the parties hereto have agreed and do agree as follows:

**I: AMENDMENT TO DURATION**

Article VI (Duration), of the Agreement is hereby superseded by the following paragraph:

This Agreement shall be in full force and effect from and after July 1, 2020 through December 31, 2021, or, until terminated by resolution of the City Council of the City of Ames, Iowa. The City Council may terminate this Agreement prior to December 31, 2021, by giving written notice to the Provider at least sixty (60) days before the effective date of such termination. From and after the effective date of termination, no further disbursement under this Agreement shall be made by the City. Any money disbursed to the Provider and unencumbered or unspent as of the effective date of termination, shall be repaid to the City.

**II: REMAINING TERMS OF AGREEMENT**

The remaining terms of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have, by their authorized representatives, set their hand and seal as of the date first above written.

**CITY OF AMES, IOWA**

ATTEST:

BY \_\_\_\_\_  
John Haila, Mayor

\_\_\_\_\_  
Diane Voss, City Clerk

**Octagon Center for the Arts**

BY \_\_\_\_\_  
Authorized Representative

Print Name:

\_\_\_\_\_