

COUNCIL ACTION FORM

SUBJECT: REQUESTS FROM STORY THEATER COMPANY TO EXTEND 2020 COTA FALL SPECIAL PROJECT GRANT CONTRACTS

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, Story Theater Company was awarded two COTA special project grants:

- \$725 for the production of “Frozen, Jr.”
- \$700 for the production of “You’re a Good Man, Charlie Brown”

On August 3, Story Theater Company notified City staff that its board of directors had decided to postpone both performances. *Frozen, Jr.* was postponed to spring 2021 and *You’re a Good Man, Charlie Brown* was postponed to fall 2021. **Both of these revised performance schedules are after the expiration dates listed in each contract, and therefore Story Theater Company would forfeit the funding awarded to these projects without action from the City Council.**

On September 14, COTA reviewed Story Theater Company’s postponements and recommended that the City Council authorize an extension of the contracts to allow the funding to be accessed by the organization. Amendments to the contracts have been prepared and signed by the organization. **In addition, because *You’re a Good Man, Charlie Brown* 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 Story Theater Company’s Fall 2020 Special Project Grant for the production of *Frozen, Jr.* to extend the contract term to June 30, 2021.

B. Approve an amendment to Story Theater Company’s Fall 2020 Special Project Grant for the production of *You’re a Good Man, Charlie Brown* to extend the contract term to December 31, 2021.

C. Direct staff to prepare a carryover of \$700 in funding from FY 2020/21 into FY 2021/22 for the production of *You’re a Good Man, Charlie Brown*.
2. Do not approve the request and allow the contracts to expire on December 31, 2020 without funds being drawn down.

CITY MANAGER'S RECOMMENDED ACTION:

Story Theater Company has committed to produce these shows next calendar year. Approving the contract extensions 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 AGREEMENT, made and entered into _____, 2020, 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 **Story Theater Company** (hereinafter called "Provider"); for funding of said Provider up to and including **\$725.00**;

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 hosting performances of "Frozen, Jr." at the Ames City Auditorium; 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 July 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 July 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

Story Theater Company

BY _____
Authorized Representative

Print Name:

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 **Story Theater Company** (hereinafter called "Provider"); for funding of said Provider up to and including **\$700.00**;

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 hiring a Music Director and a Choreographer for the fall black box production, "You're a Good Man Charlie Brown;" 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:

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CITY OF AMES, IOWA

ATTEST:

BY _____
John Haila, Mayor

Diane Voss, City Clerk

Story Theater Company

BY _____
Authorized Representative

Print Name:
