

SCFD BOARD OF DIRECTORS MEETING

January 27, 2011

1:00 pm

Art Students League of Colorado Meeting Minutes

SCFD Board members present: Chair James Harrington, Vice Chair Joseph Arcese, Treasurer Bob Grant, Secretary Kathleen Stapleton, Councilwoman Marcia Johnson, Khadija Haynes, Jim Martin, Kathryn Spuhler Shepard Nevel and Kathy Kucsan

SCFD Board members absent: Dave Montez

SCFD staff present: Executive Director Peg Long, Program Manager Nancy McCamey, Program Manager Donna Smith, Office Administrator Sheila Mieger, Program Assistant Cassiope Sydoriak

1. Introductions and Approval of Agenda

James Harrington called the meeting to order at 1:00 pm, followed by introductions. A quorum was present. The agenda was approved.

Linda Bukszar, Development Director, Art Students League of Denver, welcomed everyone and thanked the SCFD for its continued funding. The ASLD was founded in 1987. It moved into the historic 1893 former Denver Public School building in 1992.

2. Approval of October 28, 2010 Board Minutes

Kathleen Stapleton motioned to approve the minutes. Kathryn Spuhler seconded. The motion to accept the minutes passed.

3. Reports

3.1 Treasurer

The November 2010 SCFD sales and use tax revenue was \$3,350,521.83. This compares to November 2009 revenue of \$3,163,869.37. The variance is \$186,652.46, which is a 5.89% increase over month-to-date (MTD) November 2009. The 2010 year-to-date (YTD) sales and use tax revenue is \$36,067,045.80. This compares to YTD 2009 revenue of \$33,443,200.16. The variance is \$2,623,845.64, which is a 7.84% increase in YTD 2010 over YTD 2009.

Shepard Nevel asked how much confluence there is with state revenues taxes in comparison to the SCFD tax income. Peg said there isn't much, the SCFD tax revenues trend more in line with hotel tax revenues. Marcia Johnson agreed with Peg stating that the Denver City and County taxes don't trend with SCFD taxes much like the state. Denver and state tax revenues are proportionately less than SCFD percentages bring in.

3.2 Chairman

James Harrington reported on the success of the Rex Morgan Award Ceremony. He thanked Board members for attending.

Donna Smith has given the SCFD her official notice. Her last day will be March 15. She will be missed. James said there will be a going away party for her, more details to come.

3.3 Executive Director

Peg Long reported on the 2011 CD Investments:

- \$248,000 Mile High Banks 6-mo. @ 1.09%, matures June 2011
- \$244,000 Flatirons Bank 18-mo. @1.44%, matures June 2012
- \$245,000 12-mo. @ 1.4% Colorado Capital CD matures June 2011

Peg asked for the Board's assistance in identifying a bank for SCFD CDARS deposit, as a number of banks used in the past no longer accept CDARS deposits.

She also reported the Cultural Forum, scheduled for Thursday Feb. 10th has been postponed due to scheduling conflicts with roundtable participants.

The CBCA annual Business for the Arts Awards luncheon will take place from 11:30-1:30, Thursday, March 17 at the Seawell Ballroom at Denver Performing Arts Complex. All board members are invited to attend and need to RSVP to Peg.

The Board Planning Session will take place April 8 from 7:30am-12:30pm and the Denver Botanic Gardens. The topic is reauthorization. James Harrington asked Board members to make this meeting a priority.

Staff has presented two Tier III Grant Workshops to date with one more scheduled in February. The feedback has been positive.

Peg introduced Ying Zhu, a current volunteer at SCFD. Ying shared information about her background.

Peg reported on the eligibility applications and reviews:

28 new eligibility applications received

- 13 deemed eligible
- 13 deemed ineligible
- 2 eligible pending receipt of updated information

3 eligibility reviews of existing organizations

- 1 organizational merger confirmed eligible
- 1 withdrawal of eligibility
- 1 suspension of eligibility for failure to respond to staff requests for information in order to conduct county-requested review

Peg also said she would be monitoring the 2011 Legislative Session. She reported on HB 11-1031 which creates a Creative District designation, criteria and a process for such certification through the Colorado Office of Economic Development.

4. Officers

The Officer Nominating Committee of the SCFD Board, consisting of Jim Martin, Marcia Johnson, and Kathryn Spuhler, submitted the following proposed slate of officers for the SCFD Board for the upcoming year:

Chairman:	James Harrington	Vice Chairman:	Joseph Arcese
Treasurer:	Bob Grant	Secretary:	Kathleen Stapleton

In addition, in light of potential legislative issues including, in particular, preparation for reauthorization, the Committee proposed that the SCFD Board consider appointing from among its members a "Legislative Liaison." This would be a non-officer position, intended to assist in guiding and advancing our cause with the Colorado Legislature, and leading the development and building of our position in and our relationship with that body. For this position the Committee proposed the appointment of Shepard Nevel.

Khadija Haynes motioned to approve the proposed slate of 2011 SCFD Board officers as suggested by the nominating committee. Kathy Kucsan seconded. The motion passed.

5. Rex Morgan Tribute

Donna Smith gave a report updating the Board on the status of a new design for the Tribute. The new design has the Tribute consisting of stone with a steel center support to be more stable when installed outside in the open air. The location of the Tribute has also been moved to a more visible spot at the Arts Complex, on the Terrace overlooking the Sculpture Park.

Joseph Arcese asked if the piece will cost more. It will not, Donna answered. The artist can potentially sell the original piece. The piece will be comparable in cost to what the first one was and should be ready by next fall. \$45,000 has already been paid. An additional \$5,000 will be paid upon delivery of the piece. Marcia Johnson said

she has seen the new design and reported she liked it. It is very organic and combines arts and science as did the original.

Bob Grant motioned to authorize Peg Long, Executive Director, to sign an amendment to the Rex Morgan Tribute contract with the artist as long as the amendment terms do not exceed the terms of the original contract, protect the SCFD's interests, and the budgeted amount for completion of the public art piece does not exceed the original budget of \$50,000. James Martin seconded. The motion passed.

6. Other Matters

Colorado Humanities Appeal of SCFD Action Withdrawing Eligibility
SCFD staff revoked eligibility of Colorado Humanities (CH) based on:

I. The statute requires that in order to be eligible to receive SCFD funds, an organization must primarily serve the residents of the 7-county SCFD. Colorado Humanities is charged with serving the entire state of Colorado and receives federal funding specifically to do so. Colorado Humanities is on the list of Governor's Boards and Commission, and the Governor appoints six of its board members.

II. Since its merger with the Center for the Book, the programs and activities of CH have focused heavily on reading, writing and literacy, which are educational in nature and do not meet the statutory primary purpose of providing "for the enlightenment and entertainment of the public through the production, presentation, exhibition, advancement or preservation of art, music, theater, dance, zoology, botany, natural or cultural history."

III. Colorado Humanities has a separate, significant dedicated public funding stream. Based on legislative history and intent, the language in the statute and statutory interpretation, organizations, other than local government programs, that benefit from designated public funding streams are to be excluded from the statutory definition of an eligible cultural or scientific facility.

Colorado Humanities Executive Director Margaret Coval, along with Board members Brooke Tolmachoff, Dirk Biermann and William Wei, spoke to the reasons why they felt Colorado Humanities should remain eligible.

There was a lengthy discussion between SCFD Board members and Colorado Humanities Board representatives regarding the points of revoking eligibility. Many SCFD Board members agreed with Colorado Humanities Board members that some of their programs are history oriented and they do more than 50% of the programming within the District. However, the SCFD Board motioned to uphold the staff's decision to revoke the eligibility of Colorado Humanities based on the statute's exclusion of state agencies. All agreed.

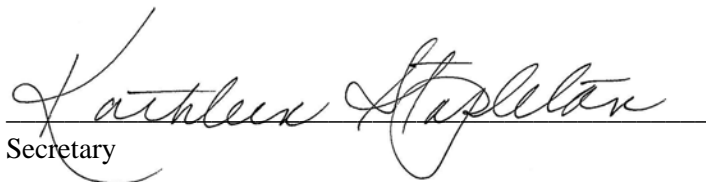
7. Public Comment

Khadija Haynes encouraged everyone to stop by the new library opening in Stapleton. The public art is reported to be very good, thought-provoking and interactive.

Vicki Sterling announced her full retirement from the Denver Art Museum as of next week. Everyone present gave her a standing ovation. James Harrington thanked her for her years for service and said she will be missed. Chiara Robinson will be the SCFD contact from the museum going forward.

8. Adjournment

The meeting was adjourned at 3:30pm.


Secretary