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## Expanded Access to Arts and Culture (EAAC) Grant Program - Cycle Three

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This draft is intended for discussion purposes. This draft is preliminary and subject to change following PRAC feedback, community feedback and final legal review.

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## I. Overview and Background

### 1. Measure P and Expanded Access to Arts and Culture

The Fresno Clean and Safe Neighborhood Parks Transactions and Use Tax, commonly known as Measure P, went into effect in 2021. Measure P helps ensure Fresno’s neighborhoods receive funding to improve and maintain parks and facilities, create new parks and trails, and fund recreation, community, and arts and culture programs. Measure P also required the establishment of the Parks, Arts and Recreation Commission (Commission).

### 2. The Cultural Arts Plan

Measure P (Sec. 7-1506(b)(4)(C)) requires that prior to the implementation of the Expanded Access to Arts and Culture Grant Program, the Commission shall work in partnership with the Fresno Arts Council, and local arts and cultural stakeholders, to develop a Cultural Arts Plan for the City of Fresno that identifies needs in the arts and cultural community; prioritizes outcomes and investments; and develops a vision and goals for the future of Fresno arts and cultural programs that are reflective of the cultural, demographic, and geographic diversity of Fresno. The Cultural Arts Plan must be updated every five years.



Figure 1 - A photo of the Cultural Arts Plan

The development of the Cultural Arts Plan included a robust community engagement process, including multiple public meetings and over 4,000 public comments. The [Cultural Arts Plan](#) was adopted by the Fresno City Council in August 2023. Applicants are strongly encouraged to review the [Cultural Arts Plan](#) before applying for grant funding.

The [Cultural Arts Plan](#) includes a vision that:

***“Cultural Arts in Fresno will be recognized, prioritized, inclusive, accessible and continue to reflect, celebrate and connect the community.”***

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### 3. Cultural Arts Plan Goals, Recommendations and Strategies

To realize the vision of the [Cultural Arts Plan](#), six (6) goals were outlined. Each goal includes a set of **recommendations** and **strategies** for implementation. Grant applicants must indicate which of the **Cultural Arts Plan recommendations** and/or **strategies** will be implemented to support achievement of the [Cultural Arts Plan](#) goals and desired outcomes. Based on the nature of the recommendations and strategies included in the [Cultural Arts Plan](#), grant proposals are generally expected to implement recommendations and strategies that achieve Goals Two (2) through Five (5).



Figure 2 - A graphic which highlights the six (6) overarching goals outlined in the Cultural Arts Plan.

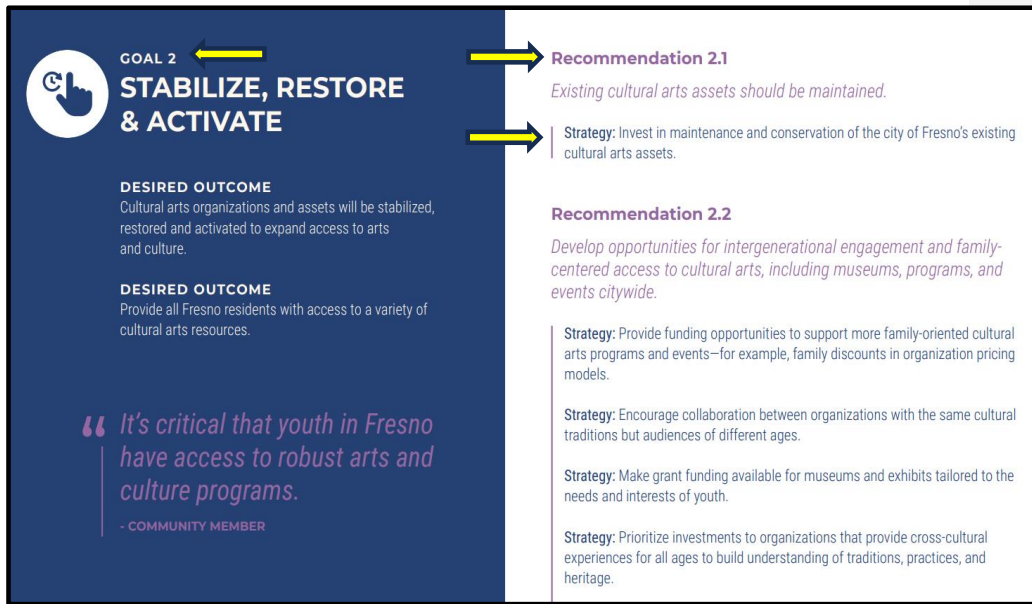


Figure 3 - An excerpt from the Cultural Arts Plan that highlights examples of where to find goals, recommendations and strategies within the plan document.



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#### 4. Measure P Grant Requirements

In addition to outlining requirements for the Cultural Arts Plan, the Measure P Ordinance (Sec. 7-1506(b)(4)) outlines the following grant program requirements:

(A) Twelve percent (12%) percent of the funds made available from Section 7-1504 shall be made available on an annual basis to invest in competitive grants for nonprofit organizations that support and expand access to arts and cultural programming.

**Commented [SM1]:** Many comments have been made about funding artists directly. Measure P set the requirement that grants be made to nonprofit organizations. The grant guidelines must adhere to the legal requirements. Nonprofits may hire or contract the services of arts or culture practitioners for projects that expand access to arts and culture.

(B) Grants funded pursuant to this paragraph shall:

- Be implemented by the Commission in partnership with the Fresno Arts Council, or its successor local arts agency.
- Use multiple solicitations that allow for a diverse set of programs, with different program sizes and reach.
- Include core operating and project-support grants.
- The Commission shall ensure that grant applications are reviewed in a transparent, competitive process.

**Commented [SM2]:** The Fresno Arts Council's partnership in cycle three includes sharing information published by the City with their networks. For example, recent sharing of the dates for listening session workshops helped to spread the word about the workshops.

(D) Funding for operating support distributed pursuant to this paragraph shall:

- Support organizational stability for arts and cultural organizations that reflect the cultural, geographic and demographic diversity of the City of Fresno; and
- Reflect the proportion of each grantee's overall operations that serves residents within, or visitors to, the City of Fresno sphere of influence.

(E) Grants funded pursuant to subparagraph (B) shall prioritize organizations and programs that support and expand diverse public or youth engagement and equity.

#### 5. Funding Priorities

Measure P (Sec. 7-1506(b)(4)(E)) identifies the following funding priorities:

1. Programs that support and expand diverse public engagement and equity.
2. Programs that support and expand youth engagement and equity.

**Commented [SM3]:** A few public comments requested the addition of priorities. Staff recommend keeping the language broad with a focus on Measure P and the Cultural Arts Plan to allow for the most flexibility for applicants.

**Commented [SM4]:** There were comments related to defining "diverse". Staff recommend keeping the language broad as applicants may wish to elaborate on what diverse means in the context of their proposal.

The Cultural Arts Plan identifies many additional grant funding priorities (see pages 48-52).

**Commented [SM5]:** Several comments requested a definition of youth. A definitions section was added to the guidelines. In practice, youth is typically defined as 0-17, and young adults as 18-30 (depending on the program).

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## II. Available Funding and Funding Allocations

There is a total of \$6,498,200 available for Cycle Three grants.

### Number of Applications

Nonprofit organizations may apply for General Operating Support or Project Support, but not both. To support access, applications are limited to one per organization with the exception of those serving as fiscal sponsors. Fiscal sponsors may submit an application for themselves and on behalf of their fiscally sponsored organization(s).

**Commented [SM6]:** When asked if applicants can apply for more than one type of funding or submit more than one application, public comment reflected mixed opinions. The general sentiment indicated that the community wanted to ensure more organizations had access to funding.

### Multiple Solicitations

To allow for a diverse set of programs with different program sizes and reach, there will be multiple grant solicitations in Cycle Three; one solicitation for **Project Support Grants** and one solicitation for **General Operating Support** grants.

**Commented [SM7]:** Several comments indicated that fiscal sponsors should also be able to apply for their own applications in addition to the application(s) they are sponsoring.

### Award Amounts

Awards will be made based on application scores. Awards will be made for between 75% to 100% of the amount requested.

**Commented [SM8]:** Public comment was mixed related to 100% funding. Many supported 100%, while others wished to see funding go further by making partial awards. Several comments thought partial awards of 30%-60% were too low and proposed 75% or 80% for consideration.

Partial awards of less than 75% may be made when funding is exhausted. For example, applications scoring the highest will be funded in score order until funding runs out. This process will continue down the ranked applications until funding is fully allocated. The last organization to receive funding may be offered less than 75% of their request. Matching funds are not required.

Staff updated the guidelines to allow for partial awards of a higher percentage than last cycle.

### Project Support

50% of funding (\$3,249,100) will be set aside for project support grants.

**Commented [SM9]:** Public comments indicated a desire to see a 50/50 split.

The minimum funding request is \$1,000.

**Commented [SM10]:** Public comment suggested \$1,000.

The maximum funding request is between \$50,000 to \$150,000 based on the organization's annual total revenue for 2025.

### Project Support Maximum Request Table

<u>Annual Total Revenue 2025</u>	<u>Maximum Funding Request</u>
<u>&gt;\$1,000,000</u>	<u>\$150,000</u>
<u>\$500,001 - \$999,999</u>	<u>\$125,000</u>
<u>\$200,001 - \$500,000</u>	<u>\$100,000</u>
<u>\$50,001 - \$200,000</u>	<u>\$75,000</u>
<u>&lt;\$50,000</u>	<u>\$50,000</u>

**Commented [SM11]:** Commenters expressed a desire to have a category for emerging organizations/artists. Some expressed challenges competing with organizations with annual revenue >\$1 million. A suggestion to create tracks for different sized organizations was offered. Staff recommend for PRAC's consideration various award sizes for various organization sizes.



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*General Operating Support*

**50%** of funding (\$3,249,100) will be set aside for general operating support grants.

The minimum funding request is **\$1,000**.

The maximum funding request is between \$50,000 to \$150,000 based on the organization's annual total revenue for 2025 and proportionate share requirements.

**Commented [SM12]:** Comments related to the amount of funding that an Organization can seek for General Operating Support ranged from a cap of \$100K to \$500k. Suggestions also included limiting the award to 5% of total available funding, or no more than 30% of an organization's annual budget.

*General Operating Support - Maximum Request Table and Proportionate Share*

Per Measure P (Sec. 7-1506(b)(4)(D)), General Operating Support grant funding must "reflect the proportion of each grantee's overall operations that serves residents within, or visitors to, the City of Fresno sphere of influence."

There was no clear consensus. To form a recommendation, staff reviewed other guidelines to gauge a standard of practice - results also varied.

1. If an organization's overall operations only serve residents within, or visitors to, Fresno's sphere of influence, the applicant may seek up to the maximum funding request.
2. If any percentage of the overall operations of an organization includes operations outside of the sphere of influence, the maximum funding request for general operating support cannot exceed a proportionate share of the overall operations that serve residents within, or visitors to, the City of Fresno sphere of influence.
3. Proportionate Share Calculation: annual total operating budget minus (-) operating budget allocated to operations outside of Fresno's sphere of influence = maximum general operating request

The CA Arts Council includes a cap of \$30,000 for general operating support. Funding is also limited to organizations with total revenue of less than \$1.5M, or \$5M depending on the type of organization.

San Diego awards operating support based on the Organization's total annual operating income with organizations receiving a % share of their annual operating income ranging from approximately \$10,000 to \$400,000.

Staff also reviewed publicly available 990's using propublica.org which indicated there were 202 nonprofits in Fresno that are designated as arts, culture or humanities. Of that 202, 6% (12 organizations) reported annual revenue greater than \$1M with the vast majority of organizations reporting less than \$100k in revenue.

Staff recommend for PRAC's consideration a tiered funding system based on organizational size. This will ensure awards of various sizes are made (as required by Measure P) while maximizing the number of awards than can be made.

**Example:**

If an organization has an annual total operating budget of \$100,000 and \$45,000 of that budget is used for implementing programs outside of Fresno's sphere of influence, the maximum general operating support request would be calculated as follows:

\$100,000 - \$45,000 = \$55,000 maximum funding request

Even though the table below indicates the organization would be eligible for up to \$75,000, the proportionate maximum request would be \$55,000 because that is a proportionate share of the overall operation that serves residents within, or visitors to, the City of Fresno sphere of influence.

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<u>Annual Total Revenue in Fiscal Year 2025</u>	<u>Maximum Funding Request*</u>
<u>&gt;\$1,000,000</u>	<u>\$150,000</u>
<u>\$500,001 - \$999,999</u>	<u>\$125,000</u>
<u>\$200,001 - \$500,000</u>	<u>\$100,000</u>
<u>\$50,001 - \$200,000</u>	<u>\$75,000</u>
<u>&lt;\$50,000</u>	<u>\$50,000</u>

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\* May be less, based on proportionate share of grantee's overall operations that serves residents within, or visitors to, the City of Fresno sphere of influence.

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### III. Timeline

Although every effort will be made to adhere to the timeline below and complete all milestones expeditiously, **adjustments may be necessary**. Any changes made to the timeline will be communicated in writing to all applicants and posted to the City of Fresno website to ensure transparency.

**Commented [SM13]:** Additional milestones were added based on public comments requesting a more detailed timeline for each step in the process. As noted, adjustments may be necessary.

Many requests sought a standard schedule for each cycle of funding. Staff ultimately would recommend a standard schedule/annual routine. All efforts are currently focused on resolving cycle two and implementing cycle three. Feedback will be considered for future planning purposes.

Date	Milestones
June 25, 2026	Final Grant Guidelines Adopted by the Fresno City Council.
<u>June 30, 2026</u>	Release Notice of Funding Availability (NOFA) via two Grant Solicitations: <ul style="list-style-type: none"> <li>• Project Support</li> <li>• Operating Support</li> </ul>
July 2026 – <u>September 2026</u>	Applicant technical assistance workshop(s) <u>begin</u> . <u>Fiscal Sponsor meet &amp; greet.</u>
<u>July 2026 – August 2026</u>	<u>ARC Scoring Member Application Released;</u> <u>Outreach to promote ARC application.</u>
<u>August 15, 2026</u>	<u>Eligibility Screening Form due by 3:00 p.m.</u>
<u>September 21, 2026</u>	<u>Eligibility Appeal Hearing - PRAC</u>
<u>September 2026</u>	<u>ARC Scoring Member Interviews/Selection process begins</u>
<b>September 30<sup>th</sup>, 2026</b>	<u>Grant Applications are due by 3:00 p.m.</u>
<u>October 1, 2026</u>	<u>Technical review of grant applications begins</u>
<u>October 12, 2026</u>	<u>ARC Scoring Member Appeal Hearing - PRAC</u>
<u>October 2026 - November 2026</u>	<u>ARC Scoring Member Required Training</u>

**Commented [SM14]:** Several questions were received asking how the June 30, 2026 deadline was determined. The deadline was determined based on an interpretation of the Measure P ordinance which states that funds shall be "made available on an annual basis."

**Commented [SM15]:** Many comments related to matching fiscal sponsors to artists seeking sponsorship. Staff propose scheduling opportunities for this as part of technical assistance.

**Commented [SM16]:** PRAC expressed interest in participating in selection during the April 29<sup>th</sup> subcommittee meeting. Staff have asked for a legal opinion.

**Commented [SM17]:** Comments related to the deadline to submit the application were mixed; applicants would like plenty of time to apply but also would like funding awarded as soon as possible. Additional time was added to the application deadline based on comments requesting at least 3 months/ 90 days to apply.



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<a href="#">November 2026</a>	<a href="#">Preliminary Scoring Period Begins</a>
<a href="#">December 2026</a>	<a href="#">Preliminary Scoring Period Ends; Preliminary scores due</a>
<a href="#">January 2027</a>	<a href="#">Public Scoring Meetings held</a>
<del>September 2026—October 2026</del>	<del>Scoring</del>
<del>October 2026</del> <a href="#">Estimated January 2027</a>	Notice of Intent to Award and Appeal Notices Published (10-day)
<del>Estimated October 2026</del> <a href="#">Estimated January-February 2027</a>	Award recommendations and Appeals presented to PRAC
<del>Winter 2026</del> <a href="#">Estimated early 2027</a>	Award recommendations and appeals presented to Council
<a href="#">Estimated early 2027<del>Winter 2026</del></a>	Begin executing grant phase
13 months	Grant Term: <a href="#">Begins following Grant Agreement</a> <del>twelve</del> <a href="#">execution: twelve</a> months (12) project delivery, one (1) month for final reporting

## IV. Eligibility

### 1. Eligible Applicants

To be eligible for grant funding, all applicants must meet all criteria below:

1. Be an active nonprofit charitable organization as described in section 501(c)3 of the Internal Revenue Code of 1986 (as amended) that supports and expands access to arts and cultural programming (Sec. 7-1506(b)(4)(A)). An Employer Identification Number (EIN) will be required.
2. Be in "good standing" with:
  - [Internal Revenue Service \(IRS\):](#)
    - [Provide Letter of Determination](#)
    - [Demonstrate Active Exemption \(not in revocation status\).](#)
  - [California Franchise Tax Board:](#)

**Commented [SM18]:** Comments requested further clarification regarding what "good standing" means. Additional clarifying language was added. Links are included for the IRS, CA Franchise Tax Board and Secretary of State within the guidelines. These tools provide applicants with a way to check their standing.

**Commented [SM19R18]:** Comments also asked that eligibility be determined prior to contract and not at the time of application. Staff recommend keeping eligibility at the time of application to avoid scoring, recommending and approving applications that may ultimately not be eligible.

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- Provide self-serve entity status letter demonstrating good standing and exemption status.
  - California Secretary of State:
    - Provide a certificate which demonstrates “active” status and “good standing”.
  - City of Fresno:
    - Debarment status
3. Primary place of business is physically located within the City of Fresno limits (A P.O. box does not meet this requirement).
4. Serve City of Fresno residents or visitors.
- 4.5. Organizations that have not completed reporting for funding cycle one must submit a written justification and/or corrective action plan to resolve unresolved reporting to be considered eligible for cycle three. A template will be provided.

Additionally, in accordance with Measure P, applicants seeking funding for **General Operating Support** must be an **arts or cultural organization** as demonstrated by National Taxonomy of Exempt Entities (NTEE) code assigned by the IRS, organizational articles of incorporation, or another state or federal designation. NTEE code(s) can be verified using the IRS search tool located at: <https://apps.irs.gov/app/eos/>.

Eligibility Screening Form

The eligibility screening form will collect basic information using a checklist format. The information will be reviewed by PARCS staff to confirm eligibility and issue an application link.

2. Eligible Expenses

Examples of eligible expenses include:

1. Direct costs for personnel, supplies, services, permits, artists’ fees, license fees for copyrighted material, marketing, contractors, rentals and/or equipment necessary to complete the proposed scope of work.
2. Core-operating expenses, including but not limited to; utilities, maintenance, repairs, rent, marketing, insurance, etc.
3. Core operating expenses for project specific-support grants are capped at 10% of the total project cost. Insurance expenses directly associated with the coverage required by the City of Fresno Grant Agreement will be considered a direct expense required for the project and will not count toward the 10% cap.
- 3.4. Expenses for food and non-alcoholic beverages may be allowable if shown to be reasonable and necessary to expanding access to arts and culture.
- 4.5. Construction / facility improvement expenses to update existing facilities for the purposes of expanding access to arts and culture. Examples of facility

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**Commented [SM20]:** Several comments indicated that cycle two grantees that have not yet completed reporting should not be required to do so to be eligible for cycle three. Staff agree. Language was updated to focus on cycle one missing reports and provide a options for resolution.

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**Commented [SM21]:** Added to increase flexibility per public comment.

**Commented [SM22]:** Feedback indicated preference for a simple screening tool.

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**Commented [SM23]:** Comments indicate that insurance costs have increased. Removing insurance expenses from the 10% cap was recommended.

**Commented [SM24]:** Clarifying language was added. Examples will be provided during technical assistance meetings and trainings.

improvements requested by the community are provided in the Cultural Arts Plan.

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5-6. Costs associated with providing technical assistance for emerging organizations to establish an arts and/or culture non-profit. Technical assistance generally includes providing training, mentoring or consulting services. Training may include but is not limited to: board development, strategic planning, fundraising, grant writing, budgeting, financial controls, program evaluation, compliance with regulations, marketing, and volunteer development.

**Commented [SM25]:** There was no consensus as to whether or not construction expenses should be allowable. Some comments indicate they would be a welcome addition, while others express concern for the costs and management required. Staff recommend revising the language to clarify construction refers to existing facility improvements and reference examples from the Cultural Arts Plan.

6-7. Equipment exceeding \$5,000 in purchase price requires three quotes prior to purchase (not at the time of application) and must be listed as an individual line-item in the budget. Examples of equipment include electronics such sound systems or -computers, machinery or other durable goods generally expected to have a useful life of five (5) or more years.

**Commented [SM26]:** Clarification was requested, clarifying language has been added. A request to cover legal fees, accounting and filing fees was received - staff will confirm whether this would be eligible and incorporate if so.

8. Travel expenses are subject to IRS standard mileage reimbursement rates and Federal General Service Administration per diem rates.

9. Fiscal sponsor fees are an eligible expense based on actual costs incurred. Fiscal sponsor fees generally include, but are not limited to: reimbursement for personnel time spent training, overseeing and reporting, audit and other financial services or software or equipment necessary for oversight. Fiscal sponsor fees shall not exceed 10% of the overall grant budget.

10. Projects in schools during school hours.

11. Projects on university campuses that are open to the general public.

**Commented [SM27]:** Added as eligible based on public comments.

### 3. Ineligible Applicants

1. Nonprofit organizations that are religious, political or private foundations.
2. For-profit businesses or sole proprietorships.
3. Organizations that do not serve the public or provide public programming.
4. K-12 Schools; County Offices of Education; Public and Private Colleges and Universities.
5. Organizations whose primary mission is to raise funds.
6. Organizations whose primary mission is regranteeing.
7. Government agencies.
8. Any organization considered ineligible by Measure P (Fresno Municipal Code Chapter 7, Article 15, sections 7-1500 to 7-1519).

**Commented [SM28]:** Many comments were received requesting definitions of political organizations, and clarity regarding religious organization eligibility. A request for legal advisement has been submitted to further clarify nonprofit eligibility.

### 4. Ineligible Expenses

Examples of ineligible expenses include:

1. Activities, programming, operations or events occurring outside of the City of Fresno's sphere of influence.

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2. Expenses that do not reasonably expand access to arts or culture. For example, purchases that are unrelated to the proposed scope of work and do not demonstrate a clear tie to achieving the goals of the project.
3. Alcohol or other controlled substances.
4. Funds shall not be used to develop facilities on existing or former landfills or waste refuse facilities.
5. Any expenses considered ineligible by Measure P (Fresno Municipal Code Chapter 7, Article 15, sections 7-1500 to 7-1519).
6. Cash prizes and scholarships.
7. Political advocacy or lobbying.
8. Fundraising
- ~~9. Projects in schools during school hours.~~
- ~~10. Projects on university campuses that are primarily for enrolled students.~~
- ~~11.9.~~ Projects with religious or evangelical purposes.
- ~~10.~~ Costs of goods for resale.
- ~~12.11.~~ No costs shall be incurred prior to execution of the Grant Agreement.

## V. Fiscal Sponsorship

Measure P requires investment in competitive grants for **nonprofit organizations** that support and expand access to arts and cultural programming. Fiscal sponsorship is a short-term solution intended to reduce barriers to accessing funding while emerging arts or cultural practitioners build capacity. Fiscal sponsors must demonstrate at least two years of consecutive experience in nonprofit operations, must be a nonprofit organization in good standing with the IRS and State of California, must demonstrate experience with financial management, and must agree to assume financial responsibility for the grant award.

The role of the fiscal sponsor can include performing many different administrative functions, including but not limited to; financial oversight, compliance, human resources, legal support, marketing, data collection, staffing, space, advisory services and insurance coverage. Fiscal sponsors are ultimately responsible for ensuring compliance with the terms of the Grant Agreement.

### Examples of Fiscal Sponsor Responsibilities

- Enter into a Grant Agreement with the City of Fresno and assume all responsibilities therein.
- Enter into an agreement between the fiscal sponsor and sponsored organizations/individuals clearly denoting the roles and responsibilities for each party, payment terms, insurance requirements, etc.
- Receive all grant disbursements from the City of Fresno and distribute funds to sponsored parties.
- Purchase and maintain all required insurance as outlined in the Grant Agreement.
- Assume fiduciary responsibility including accountability and oversight of all expenditures.

**Commented [SM29]:** Many comments requested clarification on the roles and responsibilities of fiscal sponsors.

- Ensure all financial expenditures are documented and expenditure reports with backup documentation (receipts, invoices, etc.) are completed by required deadlines.
- Provide training and technical assistance to ensure progress and final reports are completed accurately and by required deadlines.

To expand access to arts and culture with greater sustainability, fiscally sponsored groups are strongly encouraged to take steps to establish a nonprofit organization. The Cultural Arts Plan recommends: “Make funding available through an established grant program for emerging organizations and local artists to learn more about marketing, self-promotion, establishing a nonprofit, alternate funding sources and organizational best practices.”

To support the aim of capacity building, fiscal sponsors may sponsor a maximum of # five (5) grantees representing no more than a combined total of \$150,000 in grant funding under fiscal –sponsorship. If a fiscal sponsor applies for grant funding for their own organization, that amount will not count toward the \$150,000 sponsorship cap.

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**Commented [SM30]:** There are several comments opposed to putting a cap on fiscal sponsorship, while others recommend it. Several current fiscal sponsors have indicated that there is a lot of responsibility that comes with sponsoring. Public comments include recommendations for a maximum of between 3 to 10. Fiscal sponsorship contractually includes assumption of fiduciary and programmatic responsibilities and other liabilities. For these reasons, Staff recommend including a cap.

Public comment asked for a determination whether a more broad range of nonprofits could be eligible for project funding. If so, those nonprofits could sponsor or hire emerging artists/organizations for projects that expand access to arts and culture. Staff have submitted a request for a legal opinion related to nonprofit organizations that are eligible for project funding.

## VI. Application Questions

The application questions will vary by solicitation (Project Support vs. General Operating Support) but will generally ask questions related to:

1. Applicant contact information
2. Organization information and experience
3. A description of the scope of work, location of work, and proposed schedule
4. Proposed budget
5. Alignment with Cultural Arts Plan goals and priorities.
6. Alignment with Measure P funding priorities.
7. Desired outcomes and evaluation plans.

### *Translation Services*

Grant guidelines are available in English, Hmong, Spanish, and Punjabi. Requests can be emailed to [expandedarts@fresno.gov](mailto:expandedarts@fresno.gov). If the application is submitted in a language other than English, a third-party translation service will be used to translate application answers into English.

### *Owner Permissions/Preliminary Approval*

Projects which propose installations on property not owned by the applicant must submit a letter of preliminary approval at the time of application. The letter shall state that the owner generally approves of the proposed project in concept and shall be signed by the



owner or other authorized party. Official permissions will be required if awarded funding (see post award requirements).

*Maintenance Plans*

For any projects that will be permanently installed in a public or private space, a maintenance plan will be required. Grant applicants are advised to consider and adhere to site control requirements for both public and private facilities not under their ownership and obtain preliminary approval or permits from the City of Fresno for projects or programs conducted within the City of Fresno’s Right of Way.

*Artists’ Commitment*

All artists specifically named in project applications must provide a letter stating that they are available and willing to participate, and that a fee has been agreed upon. If an artist or artist(s) have not yet been selected at the time of application, an artist commitment letter will not be required at the time of application.

*Use of Artificial Intelligence (AI) in the Application Process*

As AI tools become widely available, grant application responses have become more similar and non-specific. While AI can be a helpful tool, please keep in mind that applications will be scored based on relevant details that are unique to each proposal and align with the priorities in the scoring rubrics provided. Applicants are encouraged to use plain language and include relevant examples and details in their proposals.

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Commented [SM31]: Public comment indicated clarification was needed. This language is intended to ensure that artists whose names are used in the application have consented to be included in the grant.

## VII. Application Review and Scoring Process

The Commission shall ensure that grant applications are reviewed in a transparent, competitive process by the **Application Review Committee (ARC)**. This section outlines the tools and methods that will be used to facilitate a transparent and competitive application review and scoring process.

### 1. The Application Review Committee (ARC)

The composition of the ARC shall be diverse and representative of Fresno’s demographics, people groups, and reflective of a wide range of artistic and cultural experience. Approximately 20-2530 ARC members will be needed to review and score applications.

The PARCS Department shall not be a scoring member of the ARC.

**Representation will be sought from each of the experience areas outlined below:**

- ~~#~~ Members with experience in aArts; this may include formal education in the arts or lived experience in artistic practice such as experience gained by working artists.-
- ~~#~~ Members with experience as cCultural pPractitioners and/or cultural bearers reflective of the demographic diversity in Fresno.

Commented [SM32]: Minimum # were removed based on public comments.

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- ~~#~~ Members with experience in aArts or cCultural eEducation/hHigher eEducation such as university professors or technical instructors.
- ~~#~~ Members reflecting a wide range of generational perspectives, including representation from youth or and seniors perspectives.
- ~~#~~ Members with experience in accessibility which may include experience working with individuals who are disabled, lived experience with a disability, or familiarity with facility or program improvements that can increase accessibility to expand access to arts and culture, etc. .-
- ~~#~~ Members residing in diverse neighborhoods identified asthroughout the City, including but not limited to -Highest-Needs neighborhoods-
- ~~2~~ Members residing outside of the City of Fresno (to support conflict/recusal process)
- Members with experience in nonprofit management, nonprofit formation, financial literacy, etc.

Outreach efforts to attract a diverse panel shall include, but are not limited to:

1. Emails (15,000+ distribution list)
2. Media Release(s)
3. Printed flyers at all City of Fresno community centers
4. Promotion/canvassing at Art Hop and other large events occurring citywide
5. Social Media
6. Outreach to PARCS program participants (ex. Senior program, movie night attendees)
7. Sharing flyers with nonprofit organizations, elected officials, the City of Fresno Office of Community Affairs, and via PeachJar
8. Sharing flyers with the Parks, Recreation and Arts Commission
9. Distribution to local universities (email and posted on message boards)

## 2. Application Review and Scoring Handbook

The Review and Scoring Handbook outlines the processes, procedures and training materials to be utilized by the ARC to ensure a transparent and competitive process. The handbook is available here: [\[website link\]](#).

## 3. Training and Compensation

ARC members will receive compensation totaling \$500 for the time spent training, reviewing, and scoring grant applications. Prior to initiating scoring, all ARC members will be required to complete:

1. Conflict of interest disclosures.
2. Training on unconscious/~~implicit~~ bias and ethics in public service.
3. An orientation on fair and impartial grant application review. This training will include a review of the rubrics with examples and hands-on practice to build comfort with the review process.

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Commented [SM33]: Additional clarification was requested. The Cultural Arts Plan includes the need for accessibility improvements to expand access to arts and culture.

Commented [SM34]: There were many comments which did not want members from outside of the City of Fresno to be selected. Other comments felt outside perspective could help with recusal and objectivity. Some comments recommended members from Fresno County. Staff are recommending the option remain to support the recusal process. The total number was removed but could be re-added to ensure that outside perspectives represent a small share of total panelists.

Commented [SM35]: @Sarah Gaytan



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3.4. Training on the ARC Handbook.

#### 4. Conflict of Interest Disclosure Requirements

ARC members, [PRAC members and City of Fresno staff](#) shall be required to complete conflict of interest disclosures and remain engaged to identify any potential conflicts of interest throughout the process. If at any point during the review process a conflict of interest or potential perception of a conflict arises, scoring committee members must notify PARCS staff immediately so a determination may be made regarding recusal and reassignment of the review to an alternate ARC member in accordance with the Application Review and Scoring Handbook.



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## VIII. Scoring Rubrics

### 1. Project Support Scoring Rubric (40-43 points possible)

This rubric will be used to review and score project support applications.

Project Support Grants Scoring Rubric					
Scoring Criteria Points	Incomplete 0-1 point	Fair 2 points	Good 3 points	Great 4 points	Excellent 5 points
<b>Cultural Arts Plan Goals</b>  (Up to 5 points)	The proposal <b>does not demonstrate</b> achievement of any goals, strategies and/or recommendations in the Cultural Arts Plan.	The proposal <b>partially demonstrates</b> achievement of goals, strategies and/or recommendations in the Cultural Arts Plan.	The proposal demonstrates that <b>one goal, strategy and/or recommendation</b> in the Cultural Arts Plan will be clearly achieved by this project.  The specific goal, strategy, and/or recommendation the project is proposing to achieve must be named in the proposal and the proposal must <b>clearly demonstrate</b> how the <b>project activities, deliverables, and/or outcomes</b> will fulfill the chosen goal, strategy, and/or recommendation.	The proposal demonstrates that <b>two goals, strategies and/or recommendations</b> in the Cultural Arts Plan will be clearly achieved by this project.  The specific goals, strategies, and/or recommendations the project is proposing to achieve must be named in the proposal and the <b>project activities, deliverables, and/or outcomes</b> should be <b>clearly linked</b> to the achievement of the specific goals, strategies, and/or recommendations.	The proposal demonstrates that <b>three or more goals, strategies and/or recommendations</b> in the Cultural Arts Plan will be clearly achieved by this project.  The specific goals, strategies, and/or recommendations the project is proposing to achieve must be named in the proposal and the <b>project activities, deliverables, and/or outcomes should be clearly linked</b> to the achievement of the specific goals, strategies, and/or recommendations.
<b>Cultural Arts Plan Grant Funding Priorities</b>  (up to 5 points)	<b>Does not include</b> any grant funding priorities identified in the Cultural Arts Plan.	This project <b>partially includes</b> at least one grant funding priority identified in the Cultural Arts Plan.	<b>One funding priority</b> identified in the Cultural Arts Plan is achieved by this project.	<b>Two funding priorities</b> identified in the Cultural Arts plan are achieved by this project.	<b>Three or more funding priorities</b> identified in the Cultural Arts Plan are achieved by this project.
<b>Measure P Funding Priorities</b>  (up to 5 points)	The proposal <b>does not include</b> any of the funding priorities outlined in Measure P.	The proposal <b>partially includes</b> one of the funding priorities outlined in Measure P.	<b>One Measure P funding priority is included</b> in the proposal, with an example of how it will be achieved.	<b>Both Measure P funding priorities are included</b> , with an example of how they'll be achieved.	<b>Both Measure P funding priorities are included</b> with <b>multiple examples</b> of how they'll be achieved.
<b>Scope of Work</b>  (up to 4 points)	The scope of work <b>lacks detail, is unclear or incomplete</b> and/or includes <b>errors</b> .	The scope of work is <b>partially complete</b> and/or <b>lacks detail</b> about how the project's tasks, deliverables, and steps required to complete the project.	The scope of work <b>clearly identifies</b> the steps, tasks, and deliverables to be achieved. The scope <b>appears reasonable and achievable</b> .	The scope of work <b>is well defined and clearly identifies</b> the steps, tasks, and deliverables to be achieved. The scope identifies <b>necessary approvals, potential risks, and/or other considerations</b> that instill confidence that the project is feasible.	



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<b>Budget</b> (up to 4 points)	The proposed budget appears <b>incomplete</b> , <b>includes limited detail</b> , and/or <b>includes ineligible expenses</b> and/or <b>errors</b> .	The proposed budget is <b>unclear</b> , and <b>does not clearly tie</b> to the proposed scope of work. The detail provided is limited.	The proposed budget is <b>clearly explained</b> with relevant details and <b>clearly ties</b> to the project's proposed scope of work.	The proposed budget is <b>clearly explained</b> with relevant details and <b>clearly ties</b> to the project's proposed scope of work. The applicant has identified in-kind or matching funds that will contribute to the project's success.	
<b>Evaluation Plan</b> (up to 4 points)	The evaluation plan is <b>incomplete</b> and/or does not include requested information	The evaluation plan is <b>partially complete</b> , lacks detail and/or contains errors.	The <b>evaluation plan identifies the methods</b> that will be used to measure how the project has expanded access to arts and culture.	The <b>evaluation plan identifies the methods</b> that will be used to measure how the project has expanded access to arts and culture. Examples about how the evaluation data will inform future efforts are included.	
<b>Schedule</b> (up to 3 points)	The schedule is <b>incomplete</b> and/or does not include requested information.	The schedule is <b>partially complete</b> , lacks detail and/or contains errors.	The schedule <b>appears reasonable</b> for industry standards, fits within the <b>grant term</b> , and <b>clearly ties</b> to the proposed scope of work.		
<a href="#"><u>Support for Fresno's Artists and Cultural Practitioners (up to 3 points)</u></a>	<a href="#"><u>Organization does not employ or contract the services of emerging artists or culture practitioners that live within the City of Fresno.</u></a>	<a href="#"><u>Organization employs or contracts the services of at least one emerging artist OR culture practitioner that lives within the City of Fresno.</u></a>	<a href="#"><u>Organization employs or contracts the services of at least one emerging artist AND culture practitioner that lives within the City of Fresno.</u></a>		
<b>Scoring Criteria Points</b>	<b>Incomplete</b> <b>0-1 point</b>	<b>Fair</b> <b>2 points</b>	<b>Good</b> <b>4 points</b>	<b>Great</b> <b>6 points</b>	<b>Excellent</b> <b>10 points</b>
<b>Expanded Access to Arts and Culture</b> (up to 10 points)	There is <b>no clear example</b> of how the project expands access to arts and culture.	The proposal <b>partially demonstrates</b> how the project expands access to arts and culture.	The proposal <b>clearly identifies</b> how the project expands access to arts and culture using <b>at least one example</b> .	The proposal <b>clearly identifies</b> how the project expands access to arts and culture using <b>at least two examples</b> .	The proposal <b>clearly identifies</b> how the project expands access to arts and culture using <b>more than two examples</b> .

Commented [SM36]: Adds points for hiring or contracting with local arts/cultural practitioners. Staff recommend inclusion to address public comments seeking funding for artists.

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## 2. Core Operating Support Scoring Rubric (4043) points possible

This rubric will be used to review and score core operating support applications.

Core Operating Support Grants Scoring Rubric					
Scoring Criteria Points	Incomplete 0-1 point	Fair 2 points	Good 3 points	Great 4 points	Excellent 5 points
<b>Cultural Arts Plan Goals</b> (Up to 5 points)	The project <b>does not demonstrate</b> achievement of any goals, strategies and/or recommendations in the Cultural Arts Plan.	The project <b>partially demonstrates</b> achievement of goals, strategies and/or recommendations in the Cultural Arts Plan.	The proposal demonstrates that <b>one goal, strategy and/or recommendation</b> in the Cultural Arts Plan will be clearly achieved by this project.  The specific goal, strategy, and/or recommendation the project is proposing to achieve must be named in the proposal and the proposal must <b>clearly demonstrate</b> how the <b>project activities, deliverables, and/or outcomes</b> will fulfill the chosen goal, strategy, and/or recommendation.	The proposal demonstrates that <b>two goals, strategies and/or recommendations</b> in the Cultural Arts Plan will be clearly achieved by this project.  The specific goals, strategies, and/or recommendations the project is proposing to achieve must be named in the proposal and the <b>project activities, deliverables, and/or outcomes</b> should be <b>clearly linked</b> to the achievement of the specific goals, strategies, and/or recommendations.	The proposal demonstrates that <b>three or more goals, strategies and/or recommendations</b> in the Cultural Arts Plan will be clearly achieved by this project.  The specific goals, strategies, and/or recommendations the project is proposing to achieve must be named in the proposal and the <b>project activities, deliverables, and/or outcomes should be clearly linked</b> to the achievement of the specific goals, strategies, and/or recommendations.
<b>Cultural Arts Plan Grant Funding Priorities</b> (up to 5 points)	<b>Does not include</b> any grant funding priorities identified in the Cultural Arts Plan.	This project <b>partially includes</b> a grant funding priority identified in the Cultural Arts Plan.	<b>One funding priority</b> identified in the Cultural Arts Plan is achieved by this project.	<b>Two funding priorities</b> identified in the Cultural Arts plan are achieved by this project.	<b>Three or more funding priorities</b> identified in the Cultural Arts Plan are achieved by this project.
<b>Measure P Funding Priorities</b> (up to 5 points)	The proposal <b>does not include</b> any of the funding priorities outlined in Measure P.	The proposal <b>partially includes</b> one of the funding priorities outlined in Measure P.	<b>One Measure P funding priority is included</b> in the proposal, with an example of how it will be achieved.	<b>Both Measure P funding priorities are included</b> , with an example of how they'll be achieved.	<b>Both Measure P funding priorities are included</b> with <b>multiple examples</b> of how they'll be achieved.
<b>Organizational Stability</b> (up to 5 points)	The proposal <b>does not</b> identify how the grant will support organizational stability for arts and cultural organizations that reflect the cultural, geographic and demographic diversity of the City of Fresno.	The proposal <b>partially identifies</b> how the grant will support organizational stability for arts and cultural organizations that reflect the cultural, geographic and demographic diversity of the City of Fresno.	The proposal <b>clearly describes</b> how the applicant organization reflects the cultural, geographic or demographic diversity of Fresno and includes at least one example.  The proposal <b>clearly identifies</b> how the grant will support organizational stability and includes at least one example.	The proposal <b>clearly describes</b> how the applicant organization reflects the cultural, geographic or demographic diversity of Fresno, <b>including at least two examples</b> .  The proposal <b>clearly identifies</b> how the grant will support organizational	The proposal <b>clearly describes</b> how the applicant organization reflects the cultural, geographic or demographic diversity of Fresno <b>using more than two examples</b> .  The proposal <b>clearly identifies</b> how the grant will support organizational stability using <b>more</b>



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				stability and includes <b>at least two examples</b> .	<b>than two examples.</b> The proposal <b>clearly identifies</b> the anticipated community benefits resulting from increased organizational stability.
<b>Expanded Access to Arts and Culture</b> (up to 5 points)	There is <b>no clear example</b> of how the project expands access to arts and culture.	The proposal <b>partially demonstrates</b> how the project expands access to arts and culture.	The proposal <b>clearly identifies</b> how the project expands access to arts and culture using at least one example.	The proposal <b>clearly identifies</b> how the project expands access to arts and culture using <b>two examples</b> . Plans to <b>evaluate whether the project was successful</b> in expanding access are included.	The proposal <b>clearly identifies</b> how the project expands access to arts and culture using <b>more than two examples</b> . Detailed plans to <b>evaluate whether the project was successful</b> in expanding access are included.
<b>Scope of Work</b> (up to 4 points)	The scope of work lacks detail, is <b>unclear or incomplete</b> and/or includes <b>errors</b> .	The scope of work is <b>partially complete</b> and/or <b>lacks detail</b> about how the projects tasks, deliverables, and steps required to complete the project.	The scope of work <b>clearly identifies</b> the steps, tasks, and deliverables to be achieved. The scope <b>appears reasonable and achievable</b> .	The scope of work <b>is well defined and clearly identifies</b> the steps, tasks, and deliverables to be achieved. The <b>scope identifies necessary approvals, potential risks, and/or other considerations</b> that instill confidence that the project will be successfully completed.	
<b>Budget</b> (up to 4 points)	The proposed budget is <b>incomplete or includes ineligible expenses</b> .	The proposed budget is <b>unclear</b> , and <b>does not clearly tie</b> to the proposed scope of work.	The proposed budget is <b>clearly explained and clearly ties to the project's scope of work</b> . The budget reflects the proportion of each grantee's overall operations that serves residents within, or visitors to, the City of Fresno sphere of influence.	The proposed budget is <b>clearly explained</b> with relevant details and <b>clearly ties</b> to the project's proposed scope of work. The applicant has identified in-kind or matching funds that will contribute to the project's success.	
<b>Evaluation Plan</b> (up to 4 points)	The evaluation plan is <b>incomplete</b> and/or does not include requested information	The evaluation plan is <b>partially complete</b> , lacks detail and/or contains errors.	The <b>evaluation plan identifies the methods</b> that will be used to measure how the project has expanded access to arts and culture.	The <b>evaluation plan identifies the methods</b> that will be used to measure how the project has expanded access to arts and culture. Examples about how the evaluation data will inform future efforts are included.	
<b>Schedule</b> (up to 3 points)	The schedule is <b>incomplete</b> and/or does not	The schedule is <b>partially complete</b> , lacks	The schedule <b>appears reasonable</b> for industry standards, fits within the		



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	include requested information.	detail and/or contains errors.	grant term and clearly ties to the proposed scope of work.		
<a href="#">Support for Fresno’s Artists and Cultural Practitioners (up to 3 points)</a>	<a href="#">Organization does not employ or contract the services of emerging artists or culture practitioners that live within the City of Fresno.</a>	<a href="#">Organization employs or contracts the services of at least one emerging artist OR culture practitioner that lives within the City of Fresno.</a>	<a href="#">Organization employs or contracts the services of at least one emerging artist AND culture practitioner that lives within the City of Fresno.</a>		

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Commented [SM37]: Adds points for hiring or contracting with local arts/cultural practitioners. Staff recommend inclusion to address public comments seeking funding for artists.

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## IX. How to Apply

1. Eligible applicants are required to submit an **eligibility screening form** for each proposal by **Date & Time** using a template available **here**.
2. A link to the EAAC Grant Portal will be provided to all eligible applicants on **Date & Time**.
3. Applicants may submit no more than **# proposal(s)** for Project Support and **# proposal(s)** for General Operating Support Applications.
4. Applicants must submit all grant applications in the EAAC Grant Portal by **Month, DD, 2026 by 3:00 p.m.**
5. A recent (2024 or newer) IRS Form 990 or IRS Letter of Determination certifying your organization’s nonprofit status will be due at the time of application.
6. Applicants must include the most recent board-approved financial statements—Balance Sheet and Statement of Activities with their application.
7. Applications must be submitted electronically. Hard copies and late applications **will not** be accepted.

## X. Questions and Technical Assistance

Technical assistance workshops will be held in person with a virtual option available. [Workshops will review: how to apply, grant writing examples and tips, how to reference the Cultural Arts Plan, how to develop a budget, and other relevant topics.](#) -The workshops will be recorded and posted to the City of Fresno website for viewing. Any questions arising outside of the workshops must be submitted, in writing, via email at: [Expandedarts@fresno.gov](mailto:Expandedarts@fresno.gov).

To ensure a competitive and transparent process, written responses will be published to the City of Fresno website. Written questions will be accepted, in writing, only up to ten (10) business days prior to the proposal deadline to allow the City, if necessary, to issue an addendum to all proposers stating revisions, deletions, or additions to be made to the Grant Solicitation.



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## XI. Appeals

Any applicant that does not pass the eligibility screening process or is not recommended for an award may appeal either determination. The appeal must be submitted in writing and include applicant contact information, along with any grounds for a description of the reason for the appeal. Organizations will have ten (10) calendar days from the date they are notified that they do not meet eligibility to apply or from the date they are notified that they are not recommended for a grant award to appeal either decision. All written appeals will be presented to the Commission for review and consideration. Appeal decisions made by the Commission will be final.

**Commented [SM38]:** Comments requested clarification around what would be grounds for appeal. Staff edited the language to clarify that applicants can appeal for any reason at all.

## XII. Regulated Communications

The Regulated Communications in City Procurement Process Ordinance (Article 6, Chapter 4 of the Fresno Municipal Code) became effective April 29, 2004. With certain specified exceptions, the Ordinance provides that no Respondent, Bidder, or Proposer shall initiate, engage in, or continue any communication to or with any City elected official concerning or touching upon any matter which is the subject of this competitive procurement process. Any Respondent, Bidder, Proposer, or elected official (as the case may be) who initiates, engages in, continues in, or receives any regulated communication shall file the written disclosure required by the Regulated Communications in City Procurement Process Ordinance. Any Respondent, Bidder, or Proposer violating the Regulated Communications in City Procurement Process Ordinance may be disqualified from participating in this procurement process and/or determined to be non-responsible. Additionally, the City may set aside the award of a contract, prior to its execution, to a party found to have violated the Ordinance. The full text of Fresno Municipal Code, Chapter 4, Article 6 may be viewed at: [https://library.municode.com/ca/fresno/codes/code\\_of\\_ordinances](https://library.municode.com/ca/fresno/codes/code_of_ordinances)

**Commented [SM39]:** Question regarding application of this language to PRAC Commissioners has been submitted for legal advisement.

## XIII. Post-Award Requirements

This section outlines requirements following grant award. Additional details for each of the items below will be outlined in the grant agreement.

1. Entry into a Grant agreement with the City of Fresno.
2. Signature authority documents will be required, including a Statement of Information and other documents as required by City Administrative Order.
3. Vendor Update Authorization Form
4. Payment terms
5. Insurance will be required.
6. Projects involving construction may have additional requirements including but not limited to permits, prevailing wage, etc.
7. TB testing, mandated reporter training and fingerprint background checks may shall be required for projects involving youth.

**Commented [SM40]:** Public comments indicate 10% hold is challenging for some. Some comments requested 100% upfront for projects, 90/10 or quarterly payments for operating. No consensus identified. Staff are working to identify options that balance prompt payment with public accountability.



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8. Proof of right of way, owner permission or other related agreements may be required **post-award**, if applicable.
9. Itemized invoices will be required for payment requests. **Expenditure reports will be required.** Payments are intended for actual costs incurred **and must be substantiated.**
10. Copies of **P**aid receipts or paid invoices, timesheets, receipts and other backup documentation associated with all expenses must be submitted with reports and retained and available for inspection by the City for a minimum of three (3) fiscal years.
11. Quarterly progress reporting and a final report will be required.
12. Measure P acknowledgment requirements.
13. Completion of a risk assessment.
14. The Grantee must operate and offer its programs in a nondiscriminatory manner and in compliance with all applicable laws, including, without limitation, laws protecting persons with disabilities.
15. The Grantee must provide discounted admission to residents of the City of Fresno for any ticketed events or general admission to venues.
16. Projects proposing a scope of work which requires licensure (for example, Art Therapy) must include license numbers in application materials.
17. The Grantee must share information related to any Measure P funded events or programs with the City or designee so information can be placed on a centralized calendar. More information on this process will be provided to Grantees.
- ~~16-18.~~ Requirements related to disposition of equipment and/or resale of equipment purchased with grant funds will be outlined in the grant agreement.

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Commented [SM41]: Clarifying language added. A letter approving the application in concept would be due at the time of application. Official approvals, including permits, wouldn't be due until post-award phase.

Commented [SM42]: Several requests for mid-term and then final reporting (2 reports vs. 4 reports). Staff recommend quarterly to ensure transparency.

Commented [SM43]: Several comments requested funded projects/programs/organizations be highlighted in a central location to support expanded access. Staff incorporated this requirement.

## XIV. Confidentiality And Non-Disclosure

The City of Fresno recognizes that the proposals may include proprietary or confidential information. The City will take every reasonable precaution in protecting such information if it is clearly identified as proprietary or confidential on the page on which it appears. However, the City is subject to the California Public Records Act and must disclose records as required by the Act.

## XV. Debarment

A organization may be debarred from bidding or proposing upon or being awarded any contract with the City, or from being a subcontractor or supplier at any tier upon such contract, in accordance with the procedures in Fresno Municipal Code Section 4-104 adopted by Council on May 17, 2018. The initial period of any such debarment shall not be less than one year and may be permanent depending on the violation. A Bidder may request a hearing, in accordance with Fresno Municipal Code Section 4-104, upon receipt of a notice of proposed debarment from the City Manager or designee. A copy of the ordinance may be obtained from the City Clerk's Office, 2600 Fresno Street, Fresno, California 93721.

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## XVI. Public Records

The proposals received shall become the property of the City of Fresno and are subject to public disclosure. Those parts of a proposal which are defined by the Proposer as business or trade secrets as that term is defined in California Civil Code, Section 3426.1, and are reasonably marked "Trade Secrets", "Confidential", or "Proprietary", and labeled as such within the application shall only be disclosed to the public if such disclosure is required or permitted under the California Public Records Act or otherwise by law. Proposers who indiscriminately and without justification identify most, or all, of their proposal as exempt from disclosure may not be considered for award. Proposals, excluding confidential information, will be available for review in accordance with Public Records act law after posting of staff recommendations.

## XVII. Indemnification

To the furthest extent allowed by law, Proposer shall indemnify, hold harmless and defend the City and each of its officers, officials, employees, agents, and volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to personal injury, death at any time and property damage) incurred by the City, Proposer or any other person, and from any and all claims, demands and actions in law or equity (including reasonable attorney's fees, litigation expenses and cost to enforce this Agreement), arising or alleged to have arisen directly or indirectly out of performance of this Agreement. Proposer's obligations under the preceding sentence shall apply regardless of whether the City or any of its officers, officials, employees, agents, or volunteers are negligent, but shall not apply to any loss, liability, fines, penalties, forfeitures, costs or damages caused solely by the gross negligence, or caused by the willful misconduct, of the City or any of its officers, officials, employees, agents, or volunteers.

If Proposer should subcontract all or any portion of the work to be performed under this Agreement, Proposer shall require each subcontractor to indemnify, hold harmless and defend the City and each of its officers, officials, employees, agents, and volunteers in accordance with the terms of the preceding paragraph. This section shall survive termination or expiration of the NOFO solicitation and Agreement.

## XVIII. Applicant Disclosure of Conflict of Interest

The Proposer may become involved in situations where conflict of interest could occur due to individual or organizational activities that occur within the City. The Proposer must provide a statement addressing the potential, if any, for conflict of interest and indicate plans, if applicable, to address potential conflict of interest. This section will be reviewed by City Counsel for compliance with conflict of interest as part of the review process. The Proposer shall comply with all federal, state and local conflict of interest laws, statutes and regulations.



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## XIX. Accessibility and Non-Discrimination

The City of Fresno is committed to ensuring that no person is excluded from participation in, or denied the benefits of its programs, services or benefits on the basis of race, color, national origin, age, sex or disability as afforded by Title VI of the Civil Rights Act of 1964 as amended. Services of an interpreter and additional accommodations such as assistive listening devices can be made available. Requests for accommodations should be made more than five working days but no later than 48 hours prior to the scheduled meeting or deadline. Please contact (559) 621-7529 for accommodation requests.

## XX. Definitions

**Annual Total Revenue:** refers to the annual total revenue as reported to the Internal Revenue Service (IRS) via form 990, 990-EZ, 990-N etc. for the 2025 tax year (January 2025 to December 2025).

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**Culture:** See the Cultural Arts Plan, page 12.

**Reasonable and Necessary:** Reasonable and necessary generally means that the proposed expense is directly tied to expanding access to arts and culture, consistent with market rates for the goods/services provided, appropriate for the number of people being served and necessary for completion of the proposed scope of work.

Commented [SM44]: Clarifying language was added. Examples will be provided during technical assistance meetings and trainings.

**Sphere of Influence:** Sphere of influence refers to a defined geographical boundary. The map that outlines the City of Fresno Sphere of Influence boundary is available here: [Sphere Of Influence GIS Hub](#)

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**Youth:** The City generally defines youth as ages 0 to -17 or ages 0 to -30 depending on the program. For example, after school programs may be limited to ages 17 and younger, while youth employment may include young adults ages 16 to 30.

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