COUNCIL ACTION FORM

SUBJECT: **REQUEST FROM AMES TOWN AND GOWN CHAMBER MUSIC ASSOCIATION 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, Ames Town and Gown Chamber Music Association was awarded a contract in the amount of $788 to support an elementary/middle school education outreach event by the Merz Trio.

On September 28, Ames Town and Gown notified City staff that due to the uncertainties related to COVID-19, it was highly possible its outreach event will be postponed into spring 2021. **This revised performance date is after the expiration date listed in each contract, and therefore Ames Town and Gown would forfeit the funding awarded to this project without action from the City Council.**

On October 5, COTA reviewed Ames Town and Gown'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.

ALTERNATIVES:

1. Approve an amendment to Ames Town and Gown Chamber Music Association's Fall 2020 Special Project Grant for the outreach event by the Merz Trio to extend the contract term to June 30, 2021.

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:

Ames Town and Gown has committed to complete this performance prior to June 30. Approving the contract extension allows the organization to access the approved funding. COTA has discussed this situation and recommends 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.

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 **Ames Town and Gown Chamber Music Association** (hereinafter called "Provider"); for funding of said Provider up to and including **$788.00;**

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 supporting an elementary/middle school education outreach event by the Merz Trio; 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 June 30, 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 June 30, 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

Ames Town and Gown Chamber Music Association

BY_____
     Authorized Representative

Print Name:

_____