

# MILLER THEATRE ADVISORY BOARD, INC.

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## INSTRUCTIONS FOR COMPLETING THE 2018 MILLER OUTDOOR THEATRE SEASON FUNDING APPLICATION

*Sponsored in part by the City of Houston & the Miller Theatre Advisory Board, Inc.*

### GUIDELINES

#### INTRODUCTION

#### **WELCOME TO THE GRANT PROCESS FOR 2018 PERFORMANCES AT MILLER OUTDOOR THEATRE!**

The Miller Theatre Advisory Board, Inc. (MTAB) is charged by City Ordinance with the responsibility for allocating Hotel Occupancy Tax revenues and other funds to performing arts organizations in order to conduct an annual season of free performances at Miller Outdoor Theatre. Applicants who wish to be considered to perform at Miller Outdoor Theatre must apply with the application form provided on the Miller Outdoor Theatre website. Applicants selected to perform during the season enter into a Grant Agreement with MTAB that governs the appropriate use of grant funds, and a License Agreement with Houston First Corporation that governs use of the Miller Outdoor Theatre.

MTAB welcomes inquiries and applications from qualified non-profit performing arts or community organizations that meet our Core Values as outlined below.

#### **MILLER THEATRE ADVISORY BOARD (MTAB) CORE VALUES FOR PROGRAMS AND SUPPORTING POLICIES AT MILLER OUTDOOR THEATRE (MOT)**

All applicants are evaluated based on the following:

- (1) **QUALITY is our foremost consideration in selecting performances for the Miller stage.** Performances shall be of professional caliber. While MTAB appreciates the crucial role that civic and emerging arts organizations play in the city's cultural fabric, MTAB's commitment is to present the finest, most professional performances available.
- (2) **We are committed to serving the many DIVERSE communities of Houston.** Programs with cross-over, multi-cultural and multi-generational appeal are particularly encouraged.
- (3) **We support performances with BROAD, POPULAR APPEAL.** The vastness of the Miller stage and audience area demands that MTAB select performances which will attract a sizeable audience, and support cultural tourism. MTAB appreciates the fact that many performances, while of a generally accepted "excellent" artistic quality, are nonetheless of a limited audience appeal. MTAB believes such performances should be presented in more suitable, intimate spaces rather than at a venue as large as MOT. Conversely, performances with an anticipated attendance of more than 6,000 per night would be more suitable for a venue larger than MOT. Performances at MOT shall be "family friendly" in content.
- (4) **We expect a high level of ACCOUNTABILITY.** MTAB funds selected performances on the Miller stage, produced/presented by non-profit organizations that follow sound business practices, regardless of their budget size. MTAB expects Grantees to follow the rules and regulations of the grant process and of the Theatre facility. Grantees not in compliance may face reduction and/or elimination of future funding.

- (5) **We fund programs that are COST-EFFECTIVE in audience reach.** Although quality is the number one consideration for performances at Miller, MTAB also pays close attention to the program's cost for audience reached by measuring "per capita" yield for MTAB funds. With considerations for weather allowed, a Grantee whose event's per capita funding exceeds average per caps for similar events may find future funding reduced or eliminated. Also, while MTAB does provide marketing support in the form of the season calendar, the web site, and regular notices to the media, the Grantee is responsible for primary marketing of the event.

## **APPLICATION AND SELECTION PROCESS**

The following General Eligibility Requirements pertain to all applicant organizations:

- Applicants must have been in operation for at least one full year as a tax-exempt, charitable organization under Section 501(c) (3) of the Internal Revenue Code. Applicant must be able to produce financial statements showing activity for the most recently completed fiscal year, and a recent 990 filing with the IRS before the grant application deadline.
- Able to meet City of Houston insurance requirements (*See "Insurance Requirements"*);
- Governed by a Board of Directors that meets regularly;
- Provides programs open to the general public;
- Admission may not be charged at Miller Outdoor Theatre.
- Miller Outdoor Theatre was built for a capacity of 6,000 patrons (1705 in seats, remainder on hill). Performances that may reasonably be expected to exceed these capacities may not be considered for funding.

## **PROGRAMS THAT MAY BE CONSIDERED FOR FUNDING**

MTAB accepts applications for the following types of programs at Miller Outdoor Theatre:

**THEATRE** – projects or organizations which present or produce theatre or musical theatre.

**MUSIC** – projects or organizations that produce or present classical music, new music, contemporary music, chamber music, early music, jazz music, non-classical music, blues, and popular music including orchestras, opera companies, vocal ensembles, concert bands, etc.

**DANCE** – projects or organizations which support dance performances including ballet, modern and avant-garde, ballet folklorico, folk, ethnic, and jazz dance styles, historical dance companies, and collectives of individual choreographers.

**FOLK ART** – projects and organizations that present traditional performing arts that enhance public understanding of these traditions to help to sustain the vitality of the performing arts heritage.

**MULTIDISCIPLINARY** – projects and organizations that fuse or transcend distinct performing art disciplines and present a balance of events in two or more performing art forms.

**FESTIVALS** – MTAB is not accepting applications for any new festivals. Only festivals funded for 2017 may re-apply. Festival funding by MTAB only pertains to the performances on the Miller Outdoor Theatre main stage. No activities may begin prior to 6:00 pm. No vendor booths are allowed.

## **WHAT WILL NOT BE FUNDED**

MTAB does not fund the following:

- Organizational overhead not directly in support of the event to be performed on the MOT stage. Related administrative costs should not exceed 25% of the total application budget.
- Pre-production costs of a show that will have a life beyond the MOT stage. For such shows, MTAB will fund only an appropriately pro-rated share of pre-production expenses.
- Activities that do not take place on the MOT main stage.
- Photography and / or video of your MOT performance. Only expenses related to the pre-performance marketing of your event are eligible.
- Programs whose primary purpose is religious or political.

Exception: religious organizations or groups closely affiliated with religious organizations would be eligible to receive funding if the following conditions are met:

1. The primary effect of the performance neither advances nor inhibits religion;
2. The performance does not promote one religion over another, and
3. The performance is open to the general public.

## **SCHEDULE\***

Although all 2018 funding applications will be due on the same date, grants are awarded in two Phases. Phase I is for applicants who are applying for performance dates prior to July 31, 2018 and (in the case of repeat applicants) whose 2017 performances occur prior to July 31, 2017. The remaining applicants are considered as occurring in Phase II.

|                           |  |
|---------------------------|--|
| Wednesday, May 31, 2017   | 2018 Application posted on website   |
| Thursday, June 15, 4:30PM | Applicant Orientation Session – onstage Miller Outdoor Theatre<br>4:30 – 6:00 PM             |
| Friday, July 28           | Applications due by 5:30 pm or postmarked by 7/28/17   |
| Tuesday, August 22        | Applicant Interviews as determined by MTAB   |
| Mid-October               | Phase I funding announced (for events scheduled from<br>March through July, 2018)            |
| Tuesday, November 7       | Phase II applicant interviews as determined by MTAB  |
| Early January             | Phase II funding announced (for events scheduled from<br>August 1 through November 10, 2018) |

***\*Dates subject to change***

## **REVIEW PROCESS**

- Applications will be reviewed by the MTAB Managing Director and the Program Committee of the Board.
- Applicants may be called in for a personal interview with the Managing Director and members of the Program Committee.
- MTAB board members will not participate in the review of applicants with which they have a conflict of interest.
- Applications are scored utilizing the weighted system developed by the Houston Arts Alliance – Artistic Merit – 40%; Audience Development/Community Outreach – 20%; Cultural Tourism Impact – 20%; Administrative Ability – 20% (funding criteria details are available at [www.milleroutdoortheatre.com](http://www.milleroutdoortheatre.com)).
- Decisions and Allocations of MTAB are final. Grantees will receive a Letter of Intent for funding prior to issuance of formal contract. MTAB reserves the right to alter or rescind funding prior to issuance of formal contract.

## **GRANT PERIOD**

The period of support for the grant is the 2018 calendar year and all funded programs must occur between March 16 and November 10.

## **GRANT AWARD/MATCHING FUNDS**

Grant awards will not exceed fifty percent of production expenses. Grantees must provide funds or in-kind contributions that equal or exceed the MTAB Grant amount. **Cash from other sources must account for at least 50% of the match.**

## **FINANCIAL DOCUMENTATION**

Financial documentation, including most recent Form 990 filing with the IRS, is required with the grant application. *(Texas Accountants and Lawyers for the Arts (TALA) offers free accounting services to nonprofit arts groups and holds workshops on financial record keeping. Please call TALA at (512) 459-8252 or (800) 526-8250 or [info@talarts.org](mailto:info@talarts.org) if your organization needs assistance with its financial statements.)*

## **HELP WITH THE APPLICATION**

**MTAB and Miller Outdoor Theatre staff are happy to assist with questions you might have.**

For an estimate of costs that will be incurred at MOT and for technical theatre information: Please contact the General Manager, Shawn Hauptmann at (832) 487-7104, [shawn.hauptmann@houstonfirst.com](mailto:shawn.hauptmann@houstonfirst.com)

For questions regarding the grant process, required documentation, insurance, or payment procedures, please contact MTAB Director of Finance and Operations Reg Burns at (832) 487-7119, [rburns@milleroutdoortheatre.com](mailto:rburns@milleroutdoortheatre.com)

For questions concerning available dates or artistic criteria, contact Managing Director Cissy Segall Davis at (832) 487-7127, [csegall@milleroutdoortheatre.com](mailto:csegall@milleroutdoortheatre.com)

Should you need information or assistance from Shawn Hauptmann, Reg Burns or Cissy Segall Davis, **please schedule an appointment NO LATER THAN July 21.** After that date, we are no longer able to offer this assistance.

## **APPLICATION REQUIREMENTS**

Applications can be downloaded from [www.milleroutdoortheatre.com/grants/](http://www.milleroutdoortheatre.com/grants/)

- Use only this application form. Please type the Application.
- Please do not use a font smaller than 10 point.
- After completing the application form, please print on 8 ½" by 11" paper. Do not change page formats.
- Please do not put the application in a binder or folder. Please paper clip the pages together.
- Please answer all questions and include all requested attachments.
- Please provide complete answers beneath the question heading. Do not answer any question by referencing an attached document (ie: "See attached").
- **No applications will be accepted from any prior Grantee who has outstanding reports or payments due to MTAB.**

## **COMPLETION OF "PROJECTED INCOME & PROGRAM EXPENSES" WORKSHEETS**

Please fill out to the best of your knowledge. Pay close attention to the different columns.

**In-kind** is defined as the value of goods and services directly donated to a program for which no dollars are exchanged. In-kind donations are reported as revenues, and correspondingly as expenses, when a donor provides documentation reflecting the value of the gift. The value is equal to the price the donor normally charges when the goods and services are sold to regular customers and must be documented by the provider on their letterhead with contact information.

**Please note that only activities related to the performance on the Miller Outdoor Theatre main stage should be included as program expenses. Admission may not be charged at Miller Outdoor Theatre.**

## **MANAGING AN MTAB GRANT**

### **MILLER OUTDOOR THEATRE GRANT AND LICENSE AGREEMENTS**

Upon the awarding of an MTAB grant, Grantee will receive a Letter of Intent to accept the Grant and produce the event as described in the application, or designate any modifications that must be made to the event in case of a smaller-than-requested grant. Modifications must be acceptable to MTAB. When returning a signed Letter of Intent, Grantee **must** also submit a Revised Program Expense Budget, reflecting the amount of MTAB funds received as well as other funding sources and expenses. **No changes (title, program, start time, etc.) may be made without prior consent of MTAB.**

License and Grant Agreements will then be issued. These describe the payment procedures, record keeping and reporting procedures, Miller Outdoor Theatre requirements, and other important information. Please read both agreements carefully.

## **CREDIT & ACKNOWLEDGMENT**

Announcements, advertisements and all other promotional materials for the Program must include the phrase:

***“Sponsored in part by the City of Houston through the Miller Theatre Advisory Board”***

All printed materials shall include the Theatre logo, with placement and treatment subject to approval by MTAB. The Grantee shall use reasonable efforts to promote the Theatre’s web site ([www.MillerOutdoorTheatre.com](http://www.MillerOutdoorTheatre.com)) and encourage the use of public transportation to the Theatre ([www.RideMetro.org](http://www.RideMetro.org)). The Grantee shall deliver copies of all printed materials to MTAB.

Failure to meet this requirement may jeopardize future funding.

## **ASSURANCES**

Upon signing the Grant and License Agreements, the Grantee promises to comply with existing local, state and federal laws that prohibit discrimination based on race, color, national origin, sex, sexual preference or disability. Grantees must also be in compliance with Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990. Grantee must comply with all City and Miller Outdoor Theatre Rules and Regulations.

## **PAYMENT PROCEDURES**

Grantees may request in writing a portion of the grant to be paid in advance, not to exceed 50 percent of the monies allocated, and not to be paid earlier than forty-five (45) days before the first date of the Program’s presentation. Insurance must conform to City requirements before any funds will be paid to Producer.

Within 45 days of completion of the program at Miller Outdoor Theatre, Grantee will receive a Grant Summary Report reflecting the deduction of expenses incurred at Miller Outdoor Theatre for the production. These expenses may include advances, stagehands, theatre rental, cleaning fee, security, traffic management, ushers and ticket printing (if applicable).

Grantee is required to submit one copy of the Final Expense Report within sixty (60) days of issuance of the Grant Summary Report including copies of invoices, checks and supporting documentation of cash and in-kind contributions. If Grantee owes funds to MTAB, payment is due within sixty (60) days of submission of the Final Production Expense Report. **Expenses that vary by more than \$1,000 and 10% from original budget must be explained in an accompanying document.**

Grantees submitting Final Expense Reports later than sixty (60) days from the issuance of the Grant Summary Report will be subject to a 10% reduction of the total grant amount for each additional thirty (30) days that passes from the date of the issuance of the Grant Summary Report until the Final Expense Report is received by MTAB. Grantee may file for a one-time, 30-day extension due to extenuating circumstances if requested within 60 days of issuance of Grant Summary Report.

**Please note: Grantees who do not file Final Expense Reports will NOT be considered for future funding as long as the report is outstanding.**

Timely payments of advances and finals due to Grantees are dependent upon MTAB’s receipt of Hotel Occupancy Tax Funds. Delays can occur.

## **INSURANCE REQUIREMENTS**

**Grantee shall, at its sole cost and expense, procure and maintain throughout the duration of the License Period, the following insurance:**

- (I) Commercial General Liability Insurance against claims for bodily injury or death and property damage occurring in or upon or resulting from the Theatre, such insurance to afford immediate protection to the limits of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate and such insurance shall include (a) advertising injury, (b) personal injury and (c) blanket contractual liability coverage which insures contractual liability under the indemnification of MTAB and the City by Producer as set forth above; and
- (II) Workers' Compensation (Statutory Amount); and
- (III) Employer's Liability - \$1,000,000 Bodily Injury for each accident; Disease Limits of \$1,000,000 per policy and \$1,000,000 per employee.

**MTAB, the City of Houston and Houston First Corporation shall be named as Additional Insureds on Grantee's policies, except Workers' Compensation, without any restrictive modifications. Waiver of subrogation shall include MTAB, the City, Houston First Corporation, and their employees.**

The Board & the City may waive Workers' Compensation and Employer's Liability coverage for a Grantee who has no employees, and provides a written statement verifying that it has no employees.

Insurance policies are to be written by companies authorized to do business under the laws of the State of Texas and on a form approved by the Insurance Commission of the State of Texas.

Grantee shall maintain with respect to each such policy or agreement evidencing such insurance such endorsement as may be reasonably required by MTAB, the City or Houston First Corporation and shall deliver to MTAB, the City and Houston First Corporation a certificate with respect to such insurance in a form reasonably satisfactory to MTAB, the City and Houston First Corporation at least (30) days before the commencement of the occupancy. Grantee shall notify MTAB, the City and Houston First Corporation at least thirty (30) days prior to cancellation, material alteration or non-renewal of any such insurance.

**If approved by MTAB, Grantees may participate in MTAB's Tenant User Liability Policy (TULIP), and to sign waivers regarding Workers' Compensation, Employer's Liability and Auto Liability. TULIP participants will be given an estimated premium amount prior to the production(s) with the actual premium calculated based on attendance being deducted from their final grant payment. The Grantee's waiver must be received by MTAB before a grant advance will be issued.**

**NEITHER THE ISSUANCE OF ANY INSURANCE POLICY REQUIRED UNDER THIS AGREEMENT NOR THE MINIMUM LIMITS SPECIFIED HEREIN SHALL BE DEEMED TO LIMIT OR RESTRICT IN ANY WAY THE LIABILITY OF LICENSEE ARISING UNDER OR OUT OF THIS AGREEMENT. LICENSEE SHALL BE LIABLE FOR ANY LOSS, DAMAGE OR LIABILITY SUFFERED OR INCURRED BY THE CITY OF HOUSTON, HFC AND/OR MTAB AS THE RESULT OF THE FAILURE OF LICENSEE TO MAINTAIN OR CAUSE TO BE MAINTAINED THE TYPES OR AMOUNTS OF INSURANCE REQUIRED TO BE MAINTAINED BY LICENSEE UNDER THE TERMS OF THIS AGREEMENT.**

## **INDEMNIFICATION**

The Grantee shall indemnify both MTAB and the City in all cases, except where the Grantee is an agency of the State of Texas or an institution of higher learning, and the indemnity is restricted to “the extent permitted by law.”

**GRANTEE HEREBY RELEASES AND DISCHARGES AND AGREES TO PROTECT, DEFEND AND INDEMNIFY MTAB AND THE CITY AGAINST ANY CLAIM (INCLUDING ANY SUIT) BROUGHT AGAINST MTAB AND THE CITY ALLEGING THAT ANY EQUIPMENT, SOFTWARE OR DOCUMENTATION UTILIZED BY GRANTEE HEREUNDER INFRINGES UPON A UNITED STATES PATENT OR COPYRIGHT, AND GRANTEE SHALL PAY ALL COSTS AND DAMAGES FINALLY AWARDED.**

## **SUBMITTING THE APPLICATION**

Applications must be postmarked or hand-delivered to the MTAB office by Friday, July 28 at 5:30 pm.

***Late applications will not be accepted.***

All attachments are due on **July 28** with the grant application. Label all attachments at the top of each page and print them on 8 ½ " X 11" paper.

Submit your application and attachments to:

**MILLER THEATRE ADVISORY BOARD, INC.  
FUNDING APPLICATION  
P. O. BOX 66267  
HOUSTON, TEXAS 77266-6267**

## **APPLICATION DEADLINE**

**Application Deadline is  
5:30 pm, Friday, July 28!**