

AN ORDINANCE **98757**

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE TWENTY-FOUR (24) DELEGATE AGENCY AGREEMENTS IN CONNECTION WITH THE ARTS IN THE COMMUNITY PROGRAM FOR COMMUNITY BASED ART PROJECTS IN A TOTAL AMOUNT OF \$235,744.00; AUTHORIZING THE USE OF ARTS IN THE COMMUNITY PROGRAM FUND BALANCES FROM CITY COUNCIL DISTRICTS 6, 7, 9 AND 10 TOTALING \$24,781.00 TO SUPPORT A GRAFFITI ABATEMENT MURAL PROGRAM; ESTABLISHING A GRAFFITI ABATEMENT MURAL PROGRAM AS PART OF THE ARTS IN THE COMMUNITY PROGRAM; APPROVING A FUNDING PROCESS AND CRITERIA FOR A GRAFFITI ABATEMENT MURAL PROGRAM; AND PROVIDING FOR PAYMENT.

WHEREAS, in accordance with the City Charter, the City Council of the City of San Antonio ("City Council") adopted a budget for Fiscal Year 2002-2003 by Ordinance No. 96399, passed and approved on September 19, 2002, and a budget for Fiscal Year 2003-2004 by Ordinance No. 98181, passed and approved on September 18, 2003, (collectively "Budgets"); and

WHEREAS, the Budgets allocate funding from the Hotel Occupancy Tax to each of the Council Districts to be awarded to qualified arts and cultural agencies ("agencies") for operational expenses in the form of grants through a competitive process under the Arts In Community Program ("AIC"); and

WHEREAS, the objectives of AIC are to broaden access to quality arts programs in underserved areas (whether due to geography, economic conditions, education, ethnic background, or disability) and support partnerships among arts organizations and non-arts organizations in all sectors of the community; and

WHEREAS, the funds available for this round of AIC funding total \$260,525.00, which includes \$100,000.00 from Fiscal Year 2002-2003, \$100,000.00 from Fiscal Year 2003-2004, and \$60,525.00 in carry-over monies that are designated to specific districts; and

WHEREAS, applications were solicited by the Office of Cultural Affairs to which fifty-two (52) responses were received; and

WHEREAS, an evaluation committee composed of representatives from each of the Council Districts reviewed the applications and forwarded comments to a subcommittee of Cultural Arts Board ("CAB") members who, together with the Office of Cultural Affairs, recommended to City Council that twenty-two (22) agencies be awarded grants in amounts totaling \$220,500.00; and

WHEREAS, after reviewing the CAB's recommendation, District 9 Councilman Carroll Schubert and District 10 Councilman Christopher Haass each recommended funding of one additional project in their respective districts, with a combined total for these additional projects of \$15,244, bringing the total number of projects to twenty-four (24) and the total funding to \$235,744; and

WHEREAS, it is also recommended that the remaining balance of funds from City Council Districts 6 (\$9,000.00), 7 (\$4,000.00), 9 (\$4,000.00) and 10 (\$7,781.00), in the amount of \$24,781.00, shall stay within the respective City Council Districts to be used to support a Graffiti Abatement Mural Program, as part of AIC, with the objectives of reducing graffiti in San Antonio, increasing awareness, and expanding the City's effort in the beautification and enhancement of targeted neighborhoods by painting murals to deter graffiti; and

WHEREAS, the City Council finds that it is in the best interest of the City of San Antonio and the agencies to award grants totaling \$235,744.00 as set out on Attachment I, to enter into an agreement with each of the agencies to properly and efficiently administer the distribution of these funds, and to utilize the remaining District 6, 7, 9 and 10 AIC funds to support a Graffiti Abatement Mural Program; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or her designee is hereby authorized, for a sixty (60) day period from the effective date of this ordinance, to execute a Delegate Agency Agreement, in the amounts and with each of the art and cultural agencies shown on Attachment I, which is attached hereto and incorporated herein. In the event an acceptable understanding cannot be reached by the end of the sixty (60) day period with some agencies, those remaining agencies shall be brought back to the City Council for further action. A copy of a form Delegate Agency Agreement, substantially similar to those previously executed by the twenty-four (24) agencies listed in Attachment I, is attached hereto and incorporated herein as Attachment II.

SECTION 2. The budget in Fund 29-005000 (Hotel Motel Tax Fund) in Index Code 542753 entitled "Community Revitalization Initiative" is authorized to be reduced by \$39,800.00 and the \$39,800.00 encumbrance to Community Revitalization Initiative authorized by Ordinance 94580 is hereby cancelled.

SECTION 3. The budget in Fund 29-005000 (Hotel Motel Tax Fund) in Index Code 542753 entitled "Community Revitalization Initiative" is authorized to be reduced by \$2,600.00 and the \$2,600.00 encumbrance to Community Revitalization Initiative authorized by Ordinance 92514 is hereby cancelled.

SECTION 4. The budget in Fund 29-005000 (Hotel Motel Tax Fund) in Index Code 702043 entitled "Neighborhoods Acting Together" is authorized to be reduced by \$3,000.00 and the \$3,000.00 encumbrance to Neighborhoods Acting Together authorized by Ordinance 93895 is hereby cancelled.

SECTION 5. The budget in Fund 29-005000 (Hotel Motel Tax Fund) in Index Code 708768 entitled "Dragon Fire Hot Glass Studio" is authorized to be reduced by \$13,500.00 and the \$13,500.00 encumbrance to the Dragon Fire Hot Glass Studio authorized by Ordinance 95745 is hereby cancelled.

SECTION 6. The budget in Fund 29-005000 (Hotel Motel Tax Fund) in Index Code 644088 entitled "Southwest School of Arts & Crafts" is authorized to be reduced by \$5,000.00 and the \$5,000.00 encumbrance to the Southwest School of Arts & Crafts authorized by Ordinance 93895 is hereby cancelled.

SECTION 7. The budget in Fund 29-005000 (Hotel Motel Tax Fund) in Index Code 698589 entitled "El Dorado Home Association" is authorized to be reduced by \$1,025.17 and the \$1,025.17 encumbrance to the El Dorado Home Association authorized by Ordinance 93895 is hereby cancelled.

SECTION 8. The budget in Fund 29-005000 (Hotel Motel Tax Fund) in Index Code 717280 entitled "Arts in the Community" is authorized to be reduced by \$100,081.00 and the \$100,081.00 encumbrance to Arts in the Community authorized by Ordinance 98181 is hereby cancelled.

SECTION 9. The budget in Fund 29-005000 (Hotel Motel Tax Fund) in Index Code 717280 entitled "Arts in the Community" is authorized to be reduced by \$100,081.00 and the \$100,081.00 encumbrance to Arts in the Community authorized by Ordinance 96667 is hereby cancelled.

SECTION 10. Funds in the amount of \$235,744.00 are authorized to be appropriated and encumbered in Fund 29-005000 entitled (Hotel Motel Tax Fund) in the index codes indicated below and are made payable to the following agencies

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Agency	Index Code	Amount
Musical Bridges	718916	\$ 6,000.00
San Antonio Youth Centers, Inc.	718924	\$ 10,500.00
Say Si	718932	\$ 7,000.00
San Antonio Museum of Art	718940	\$ 8,000.00
Blue Star Art Space	719146	\$ 6,500.00
Carver Development Board	719187	\$ 13,500.00
JOVEN	719195	\$ 6,500.00
Cactus Pear Music Festival	719203	\$ 5,000.00
Mexico-North Research Network	719229	\$ 8,500.00
Communities in Schools	719237	\$ 7,400.00

Northside Independent School District/ Northside Education Foundation	719245	\$ 12,600.00
San Antonio Living History Association	719252	\$ 13,000.00
Daily Bread Ministries	719260	\$ 7,000.00
Madonna Neighborhood Association	719278	\$ 6,000.00
JOVEN	719286	\$ 5,000.00
Centro Cultural Aztlan	719302	\$ 16,000.00
Southwest Mental Health Center	719310	\$ 15,000.00
Friends of Frederich Wilderness Park	719336	\$ 14,000.00
Natyanjali Center for Performing	719344	\$ 11,000.00
ARTS San Antonio	719351	\$ 17,000.00
Hidden Forrest Elementary PTA	719773	\$ 6,000.00
YMCA of Greater San Antonio & The Hill Country	719369	\$ 9,500.00
Majik Children's Theatre	719757	\$ 15,500.00
Guardian Angel PERFORMANCE Arts Academy	719781	\$ <u>9,244.00</u>
Total		\$235,744.00

SECTION 11. A Graffiti Abatement Mural Program is hereby established and it shall operate in accordance with the funding criteria and process attached hereto and incorporated herein as Attachment III and said funding criteria and process are hereby approved.

SECTION 12. Funds in the amount of \$24,781.00 are authorized to be appropriated and encumbered in Fund 29-005000 entitled (Hotel Motel Tax Fund) in the index codes indicated below and are made payable to contingent vendors:

<u>Index Code</u>	<u>Description</u>	<u>Amount</u>
725507	Dist. 6 Graffiti Abatement	\$ 9,000.00
725515	Dist. 7 Graffiti Abatement	\$ 4,000.00
725523	Dist. 9 Graffiti Abatement	\$ 4,000.00
725556	Dist. 10 Graffiti Abatement	\$ <u>7,781.00</u>
	TOTAL	\$24,781.00

SECTION 13. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance and in the event of ineligibility of a project for funding from a designated source, utilize funds from an eligible source to fund the particular project.

LB
01/29/04
Item # 29

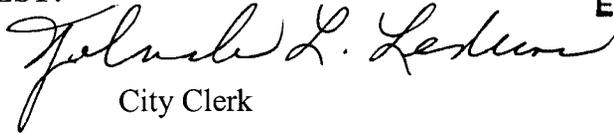
SECTION 14. This ordinance shall be effective on and after the tenth (10th) day after passage hereof.

PASSED AND APPROVED this 29th day of January, 2004.

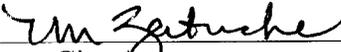

M A Y O R

ATTEST:

EDWARD D. GARZA


City Clerk

APPROVED AS TO FORM:


for City Attorney