

1 **(This space intentionally left blank for complete list of arts organizations to**
2 **be added as addendum or floor substitute on May 4, 2020.)**

3
4 Subtotal: \$ 300,000.00

5 Indirect/Overhead: \$ 6,780.00

6 Total Urban Enhancement Trust Fund FY21

7 Arts and Culture Organizations Recovery Fund Program: \$ 306,780.00

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CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Timothy M. Keller, Mayor

INTER-OFFICE MEMORANDUM

April 16, 2019

TO: Patrick L. Davis, President, City Council

FROM: Timothy M. Keller, Mayor 

SUBJECT: Resolution Adopting the Urban Enhancement Trust Fund FY21 Arts and Cultural Projects Recovery Program

I am submitting this request to allocate funding for the *Urban Enhancement Trust Fund FY 2021 Arts and Culture Organizations Project Recovery Fund Program*.

Cultural organizations submitted applications on or before April 14, 2020 for the FY 21 Urban Enhancement Trust Fund (UETF) Arts and Culture Organization Project Recovery Fund award cycle. The applications are being reviewed, evaluated and rated by a sub-committee of the UETF Committee and members of the community, coordinated by the Public Art Urban Enhancement Division staff through April 22nd. The Subcommittee will report their findings to the entire UETF Committee for review and approval on Friday, April, 24th, 22020. Each eligible proposed project and organization will be evaluated based on augmented UETF Ordinance Criteria: projects having a favorable economic, educational or cultural impact on the city, projects promoting Albuquerque as an artistic community, and projects enhancing the urban environment of Albuquerque, in addition to proposed project recovery effort for arts and cultural programming cancelled or adversely affected by the impact of the COVID-19 pandemic. The UETF Committee's final recommendation will be provided as a floor substitute/amendment to include the recommended award amount and name of each eligible applicant organization.

This special FY21 UETF Program proposes total funding of \$300,000, with IDOH of \$6,780, to eligible arts and cultural organizations that will sponsor projects to serve the citizens of Albuquerque during an interim one-year cycle. The total amount for this resolution is \$306,780.

The attached Resolution is forwarded to City Council for approval.

Title/Subject of Legislation: Resolution Adopting the Urban Enhancement Trust Fund
FY21 Arts and Cultural Project Recovery Program

Recommended:



4/20/20
Sarita Nair
Chief Administrative Officer

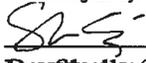
DS
LB

Approved as to Legal Form:

DocuSigned by:
 4/20/2020

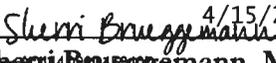
Estoban Aguilar, Jr.
City Attorney

Recommended:

DocuSigned by:
 4/16/2020

Dr. Shelle Sanchez, Director
Cultural Services Department

Recommended:

DocuSigned by:
 4/15/2020

Sherri Brueggemann, Manager
Public Art Urban Enhancement
Division

Cover Analysis

1. What is it?

The Resolution appropriates funding for the special interim Urban Enhancement Trust Fund Art & Cultural Organization Project Recovery Cycle for FY21

2. What will this piece of legislation do?

This Resolution will appropriate the interest earnings from the Urban Enhancement Trust Fund for FY 2021 as reviewed, evaluated and recommended by the Urban Enhancement Trust Fund Committee, Special Review Sub-Committee and city staff, per ordinance 4-2-1-1- 65-1983; Am. Ord. 28-1994; Am. Ord. 12-2000

3. Why is this project needed?

By ordinance the Urban Enhancement Trust Fund was established to “to enhance and enrich the culture of the city.” The fund balance retains unused project funds and has been used for enhancing regular interest earnings for regular two-year funding cycles. The devastating impact of COVID-19 on Albuquerque’s non-profit art and cultural sector has created an unprecedented need for arts and cultural organizations to reschedule and repurpose arts programming that can serve the public during Stay at Home directives.

4. How much will it cost and what is the funding source?

\$300,000 from interest proceeds of the Urban Enhancement Trust Fund are recommended to fund arts & cultural recovery activities, plus an additional \$6,780 of indirect overhead at 2.26% for a total of \$306,780.00.

5. Is there a revenue source associated with this contract? If so, what level of income is projected?

No, no contracts for services will yield revenue for the city. The source of the funds for the contracts are trust fund earnings, per the ordinance.

6. What will happen if the project is not approved?

Arts and cultural recovery projects recommended by the UETF Committee will not be implemented and arts organizations who have had severe losses due to cancellations or other social distancing impacts will not be able to partially recover and stabilize to weather the programming issues during the COVID-19 pandemic.

7. Is this service already provided by another entity?

No, in fact this special funding situation is unique in the country.

FISCAL IMPACT ANALYSIS

TITLE: Urban Enhancement Trust Fund FY 2021 Program
Arts and Culture Organizations Recovery Fund

R-
FUND: 861
DEPT: CSD

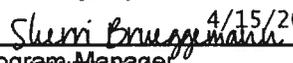
- No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- (If applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

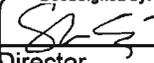
	CURRENT YEAR*	NEXT YEAR*
Base Salary/Wages	\$ _____	\$ _____
Fringe Benefits at _____ %	\$ _____	\$ _____
Subtotal Personnel	\$ _____	\$ _____
Operating Expenses	\$ _____	\$ _____
Property	\$ _____	\$ _____
Subtotal Operating	\$ _____	\$ _____
Total	\$ _____	\$ _____
<input type="checkbox"/> Estimated revenues not affected		
<input type="checkbox"/> Estimated revenue impact	\$ _____	\$ _____
* These estimates do <u>not</u> include any adjustment for inflation.		
* Range if not easily quantifiable.		
Number of Positions	_____	_____

Comments: The recommended organizations will sponsor cultural services projects that will serve approximately one million people over the special one-year cycle. Included in the program are many forms of dance, music, theater, educational workshops, publications and visual arts exhibitions that will be rescheduled and/or repurposed for on-line presentation.

Prepared By:

Approved:

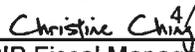
DocuSigned by:

 4/15/2020
 Sherri Bruggeman
 Program Manager

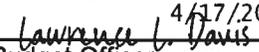
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 Director

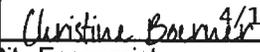
Reviewed By:

Reviewed By:

Reviewed By:

DocuSigned by:

 4/16/2020
 Christine Chang
 CIP Fiscal Manager

DocuSigned by:

 4/17/2020
 Lawrence L. Davis
 Budget Officer

DocuSigned by:

 4/17/2020
 Christine Baumer
 City Economist

ARTICLE 2: CITY FUNDS

Section

Part 1: Urban Enhancement Trust Fund

- 4-2-1-1 Intent
- 4-2-1-2 Administration of the trust fund
- 4-2-1-3 Project definition and selection

Part 2: Pocket of Poverty Housing and Neighborhood Economic Development

- 4-2-2-1 Short title
- 4-2-2-2 Intent
- 4-2-2-3 Administration of the housing and neighborhood economic development fund
- 4-2-2-4 Programming and selection

Part 3: Open Space Trust Fund and Land Administration

- 4-2-3-1 Short title
- 4-2-3-2 Open space trust fund
- 4-2-3-3 Source of open space trust fund money
- 4-2-3-4 Use and administration of the open space trust fund
- 4-2-3-5 Disposition of open space exchange lands
- 4-2-3-6 Expiration

PART 1: URBAN ENHANCEMENT TRUST FUND

§ 4-2-1-1 INTENT.

It is the intent of the city to create an Urban Enhancement Trust Fund (UETF) to enhance and enrich the culture of the city. The principal of the trust fund shall be maintained intact. The interest earned thereon shall be utilized to enrich the city's cultural life. ('74 Code, § 4-1-1)(Ord. 65-1983; Am Ord. 28-1994)

§ 4-2-1-2 ADMINISTRATION OF THE TRUST FUND.

(A) The Mayor with the advice of the

City of Albuquerque Investment Committee ("Investment Committee") is authorized and directed to convey any funds appropriated to the Urban Enhancement Trust Fund to the City Treasurer or a trustee, with instructions to administer such fund as the Urban Enhancement Trust Fund for the uses and purposes set forth in §§ 4-2-1-1 et seq. The trust fund shall be permanent and irrevocable. Funds appropriated to the Urban Enhancement Trust Fund shall be invested in securities permitted by §4-1-10 and subject to the city's investment policy in effect at the time of adoption of this section or as may be amended from time to time, and according to the recommendations and oversight of the Investment Committee.

(B) If a trustee is selected, it shall be a qualified, responsible financial institution which shall be selected by the Mayor, subject to Council approval, for a term of up to five years after publication of a request for sealed bid proposals.

(C) The administration of the trust fund shall be evaluated at least annually by the Investment Committee to determine whether the administration of the trust fund shall be undertaken by the City Treasurer, or a new trustee, who shall be selected as provided in division (B).

(D) The fiscal year for the trust fund shall end on June 30 of each year. Within 30 days after the end of each fiscal year, the City Treasurer shall furnish the Mayor a report of all investment activity of the past year in connection with the administration of the trust fund. The following reinvestment procedures shall be used: 90% of the annual earnings generated by investments shall be used for the purposes set forth in § 4-2-1-1 and in accordance with the Urban Enhancement Program adopted pursuant to § 4-2-1-3. The remaining 10% of the earnings shall be added to the principal of the trust fund and reinvested.

(E) In investing the principal of the trust fund, the trustee shall be subject to the restrictions imposed on investment of city funds under § 4-1-9.

(F) The City Attorney shall prepare detailed instructions to the trustee consistent with the terms of §§ 4-2-1-1 et seq. ('74 Code, § 4-1-2) (Ord. 65-1983; Am. Ord. 28-1994; Am. Ord. 12-2000)

§ 4-2-1-3 PROJECT DEFINITION AND SELECTION.

The urban enhancement projects funded by the Urban Enhancement Trust Fund shall be selected and programmed as provided below:

(A) Project Definition.

(1) Trust Fund Projects for Cultural Services. Projects and activities, including educational projects and activities, of organizations substantially dedicated to enhancing Albuquerque's cultural vitality in the area of art, music, theater, dance, history, and literature, and that have favorable economic or cultural impacts on the city. Cultural Services Trust Fund projects and activities will be in accordance with the Cultural Plan for Albuquerque.

(2) Anti-donation limitations. Trust fund expenditures shall not violate Article IX, Section 14 of the New Mexico Constitution, which restricts public donations to private entities.

(B) Two-Year Cycle. Each even-numbered year, to coincide with the development of the Decade Plan, the Mayor shall develop a proposed Urban Enhancement Program for use of the trust fund earnings anticipated during the upcoming two fiscal years. The cycle shall be reviewed and approved in conjunction with the Decade Plan and the General Obligation Bond program. Council has final authority to make changes to the Urban Enhancement Trust Fund Two-Year Cycle as proposed by the Citizens' Committee.

(C) Citizens' Committee. The Mayor, with the advice and consent of the Council, shall appoint an 11-member Citizens' Committee. At least one of these citizens shall reside in each of the nine Council districts, and two shall be members at large. All appointments shall be for terms of three years, which may be renewed once. If the appointment is to fill a vacancy, it may be renewed twice. The Council may,

individually or as a whole, recommend committee appointees to the Mayor. The Citizens' Committee shall establish such guidelines as are necessary to carry out the purpose of the ordinance. The guidelines shall include but not be limited to goals for selection of projects and procedures for selection. The guidelines shall be promulgated by the Mayor.

(D) Public-Private Partnership. In developing the Urban Enhancement two-year cycle of projects, consideration shall be given to promoting a public-private partnership designed to enhance the quality of life in Albuquerque. Where feasible and appropriate, Albuquerque businesses, private organizations, and neighborhood associations shall be involved in the planning of urban enhancement projects. ('74 Code, § 4-1-3) (Ord. 65-1983; Am. Ord. 20-1984; Am. Ord. 28-1994; Am. Ord. 12-2000; Am. Ord. 16-2001)