

CITY OF EL PASO MUSEUMS AND CULTURAL AFFAIRS DEPARTMENT (MCAD)
FISCAL YEAR 2019
GENERAL FUNDING GUIDELINES

GENERAL ELIGIBILITY

FIRST-TIME APPLICANTS

- Throughout these guidelines, the term “first-time applicant” refers to applicants submitting proposals to the program for the first time, as well as to applicants that have applied in the past but are not currently funded through the program.

RETURNING ORGANIZATIONAL APPLICANTS

- Returning applicants from previous funding cycles must provide updates for Charter, articles of incorporation, by-laws, or any changes to Board of Directors and recent financial statements including their most recent IRS 990 at the time of application and proof of Active Status from the Texas Comptroller’s Office.
- Failure to provide required documents will constitute in an incomplete application and will not be considered for review.

**THE CITY OF EL PASO WILL FUND:
ORGANIZATIONS**

- Non-profit 501(c)(3) arts and cultural organizations, including service organizations to arts and culture, operating and providing programs and services within the City of El Paso or other 501(c)(3) organizations that have a documented history or engagement in the arts within the City of El Paso
- Organizations that have an active volunteer board of directors that meets at least four (4) times per year
- Organizations that have administrative offices located permanently in the City of El Paso
- Activities and services that occur within the City of El Paso and for the benefit of residents and visitors of El Paso, with a primary focus on providing services to residents and promoting tourism
- Activities and services that are open and accessible to the public and meet the requirements established by the Americans with Disabilities Act (ADA) and related City ordinances
- Applicants who are in compliance with several local ordinances and state and federal statutes/regulations at the time of the application process, which will be indicated in the contract document.
- Applicants who are in good standing or *active* with the Texas Comptroller’s office at the time of the application process.
- **To check the status of your organization with the State Comptroller’s, applicants can visit:**
<https://mycpa.cpa.state.tx.us/coa/Index.html>
- All non-profit applicants must also submit the following:
 - Charter, articles of incorporation, and by-laws
 - A copy of the organization’s Internal Revenue Service letter of determination
 - Organizational Chart
 - IRS 990
 - Proof of Active status from the Texas Comptroller’s Office

EXCEPTION:

- A new organization in its first three (3) years of existence may apply on the proposed deadline without providing the required IRS letter of determination as long as:
 - The organization provides a completed Form 1023 and attachments as evidence that it has applied to the IRS for 501(c) (3) status, and copies of the IRS 990 form for the past two (2) years.
 - Two (2) letters of support must be provided from community partners, program participants or other individuals who can speak to the strength of your artistic and/or cultural output
 - Work samples featuring recent programming (for organizations) or a current body of work made within the last two (2) years (for individual artists: work should not be student work) are submitted

INDIVIDUAL ARTISTS

- Who are residents of the City of El Paso
- Who can demonstrate a one year history of producing art, arts education, or community arts programming
- Are eligible to apply for Artist Incubator Program (AIP) and Community Arts Program (CAP) funding.

RESTRICTIONS

1. Due to budgetary constraints, only **one** (1) application will be accepted per organization or artist in one category. Review the Cultural Funding Programs (CFP) to choose the appropriate category to apply under.
2. Project Support Program (PSP) and Operating Support Program (OSP) applicants must be registered 501(c) (3) organizations in order to apply for MCAD funding. However, a PSP applicant may apply under the umbrella of a fiscal sponsor. This is not true for an OSP applicant.
 - a. In order to be fair and encourage capacity building for local organizations, PSP applicants applying with a fiscal sponsor may do so for two (2) consecutive funding cycles. MCAD will not fund applicants under a fiscal sponsor for more than two (2) years.
 - b. A fiscal sponsor may only sponsor two (2) applicants per funding cycle.
 - c. Unincorporated organizations who apply under a fiscal sponsor must have their 501 (c) (3) status to be considered for funding after the second funding cycle.
3. Funded applicants who forfeited their funding due to failure to meet requirements of previous year's contract may not apply until the following fiscal year.
4. MCAD employees and family members who live in the same household may not apply for cultural funding. Former MCAD employees are not eligible to apply for funding until one (1) year after date of separation from MCAD.
5. Museums and Cultural Affairs Board (MCABB) members are not eligible to apply for cultural funding.

APPLICATION DEADLINES

All applications must be submitted online at <http://elpasoarts.cgweb.org> by **11:59 pm MST on May 11, 2018**. MCAD Funding Programs are **awarded annually** and applicants are required to submit applications for funding on an annual basis. After the application deadline passes, no further funding requests will be considered.

SCHEDULING OF ORIENTATION SESSIONS

MCAD will provide multiple orientation session for prospective applicants. Attendance at one of the orientation sessions is mandatory. The schedule of orientation sessions will be posted on our website at www.elpasoartsandculture.org

WHAT IS NOT FUNDED

The City of El Paso **will not** fund the following entities or activities through the Cultural Funding Programs:

- Government agencies or public authorities
- Applicants that have a delinquent status with the City of El Paso or were unable to comply with the terms of a City Contract within the last two (2) funding cycles
- Underwriting of capital expenditures (buildings, land, permanent equipment, or acquiring of artwork that have a life expectancy of more than three (3) years and a monetary value of more than \$500.)
- Payment for studio space for an individual artist
- Cash services or endowments of any kind
- Projects planned primarily for fundraising purposes
- Loans, fines, penalties, cost of litigation or associated interest payments
- Political contributions or activity, i.e., lobbying
- Activities which do not have a cultural or artistic focus, or whose primary focus is religious
- Re-granting programs
- Licensing fees of any kind
- No travel fees except with the exception of visiting artists
- Scholarships, awards, cash prizes, tuition expenses, or fellowship/grants to individuals
- Students enrolled in a University or College
- College/University or school projects that are part of a course or curriculum, or which do not benefit the general public
- Activities covered by restrictions outlined in the City of El Paso contract document
- Activities restricted to organization's members, or which do not benefit the general public
- Previously completed activities, or activities that have occurred prior to the fiscal year; and according to the dates delineated in the application and the contract.
- Individual artists who are not residents of the City of El Paso, or organizations that do not have administrative offices located permanently in the City of El Paso
- Youth applicants, or organizations that are administered by youth who are in school and have not completed the 12th grade (for the primary delivery of the artistic product)
- Activities that occur outside of the El Paso City limits.

CULTURAL FUNDING PROGRAM CATEGORIES AND DESCRIPTIONS

Art and Cultural services, programs or projects must take place during the following fiscal year 2019 (September 1 – August 31).

The City of El Paso will award cultural services contracts through the following funding programs:

OPERATING SUPPORT PROGRAM (OSP): Provides operating support to large, non-profit arts and cultural organizations providing a season of activities that are open to the public, active community outreach and related activities that have a cultural tourism appeal. OSP is designed to support the organizational stability of El Paso's arts and cultural assets as well as to cultivate organizational growth and professional development.

- **Funding Levels:** Awards range from \$10,000 to \$25,000

This category is for:

- Organizations that have an operating budget of \$100,000 or more
- Organizations that have a 501(c)(3) Letter of Determination
- Organizations whose funding request will not exceed 50% of the organization's previous year's expenditures as determined by the IRS 990 Form
- Organizations that have a professional part-time or full-time Executive Director or Business Manager
- General operating expenditures, including artistic and administrative expenses.

OSP Requirements:

- Organizations must have a three (3) year history of funding support by MCAD.
- Organizations must have a 1:1 cash match to all the awards.
- Provide quarterly reporting on activities and programs presented by the organization, attendance and venue.
- Provide a mid-year report in **March 15, 2019, and final report by September 15, 2019.**

PROJECT SUPPORT PROGRAM (PSP): Provides project support to 501(c) (3) non-profit arts and cultural organizations and other community based organizations that are reflective of the El Paso region's rich and diverse art, culture and heritage

- **Funding Level:** Awards range from \$1,000 to \$10,000

This category is for:

- Organizations that have been in operation for at least two (2) years.
- Organizations that have a 501(c)(3) Letter of Determination
- Organizations that have qualified artistic and administrative leadership capable of completing the proposed project with a commitment to funding artists and artistic products. Innovative, accessible and appealing to local residents and visitors alike.
- Organizations that have at least a part-time Executive Director or Business Manager

- Activities that start by September 1, and end no later than August 15 of the City of El Paso's fiscal year.
- Project related expenses such as administration, production, artistic fees, coordination (including staffing), audience development, outreach, and marketing.

PSP Requirements:

- Organizations must have a 1:1 *cash match* to all the awards.
- Awardees must provide quarterly reporting including attendance, venue and cost.
 - Projects which are completed in less than the year-long award period, will report on activities during the quarter in which planning and execution of the project takes place.
- The total funding from the City of El Paso will not exceed 50% of the organization's previous year's expenditures as determined by the IRS 990 Form.

COMMUNITY ARTS PROGRAM (CAP): Provides funding for non-profit arts and cultural organizations and individual artists to provide a variety of arts and cultural activities including workshops and performances that have a focus on arts education and community arts development. CAP encourages creative interaction and collaboration among artists, residents and neighborhoods and community-based organizations.

- **Funding levels:** Maximum per service is \$2,500, applicant may apply for funding up to \$10,000

This category is for:

- Individual artists who are residents of the City of El Paso or 501 (c)(3) arts and cultural organizations whose administrative offices are permanently located within the El Paso City limits.
- Individual artists and cultural organizations performing and presenting in the areas of music, dance, theatre, literature, visual arts, film/video/digital and literary arts, and folk artists are all eligible to apply
- Service-related expenses such as administrative, artistic and technical personnel, in addition to other expenses related to the service/activity that the artist/organizations propose to provide.

CAP Requirements:

- All applicants must be able to verify a minimum track record or organizational history of at least one (1) year.
- Applicant organizations must be incorporated as private 501(c) (3) non-profit. This does not apply to individual artists.
- The program will create a roster of arts and culture providers available to provide services throughout the city. All applicants must provide a detailed description of proposed activity that includes time and space requirements for prospective hosts.
- Past recipients of CAP must submit a new service proposal for the current funding cycle. *Previously funded workshops will not be considered two years in a row to ensure that MCAD can offer a variety of diverse programming year to year for El Paso residents.*

- Proposed activities should begin on September 1 and end no later than August 15, of the City of El Paso's fiscal year
- Proposed activities cannot begin until after the signing award contract.
- Community hosts must schedule the service with the artist/organization and provide a completed evaluation of each program or event sponsored through CAP.
- MCAD reserves the right to provide input on where a proposed service is scheduled based on community need through the City and equitable distribution throughout council districts.
- Funded applicants must provide ongoing reporting to MCAD for each activity to include attendance, venue, and an evaluation of the program.
- Payment to award recipients is made only after the completion of every service

ARTIST INCUBATOR PROGRAM (AIP): This program is highly competitive and will provide funding directly to individual emerging and professional artists to create new work.

- Funding Levels: AIP grants range from \$1,000 to \$3,500.

This category is for:

- The creation of new work by professional and emerging visual, literary, performing and multi-disciplinary artists living in El Paso.

AIP Requirements:

- Work must not be a continuation of a previous project
- AIP applicants can use funding for – supplies and materials, promotional costs, exhibition space, fabrication costs.
- AIP Artists will provide a report at the conclusion of a program or event that includes attendance, location, an evaluation of the program, and financial statement.
- Individuals can only apply every other year.

REVIEW PANEL PROCESS

MCAD convenes a review panel to score each application. Reviewers represent diverse artistic disciplines, community perspectives, and field expertise in arts and cultural organization and the non-profit sector.

Panel participation is open to people with relevant experience and who are able to volunteer adequate time and energy to the process. Members of the El Paso community, colleagues within other local and national arts agencies, the public and City personnel may nominate panelists. Potential reviewers may be nominated by submitting a completed Review Panel Nomination Form to MCAD office. A Nomination can be submitted online (www.elpasotexas.gov/mcad) by clicking on Art Funding.

- All applications are subject to the Review Panel Process.
- The panel review process will take place online during the summer of 2018.
- Panelist will score and rank applicants on a 100 point system in accordance with established criteria for each funding program.
- Provide a quantitative evaluation of the applications submitted to MCAD

- Comment on the reasonability of the funding requested in relationship to the proposed project or service
- Provide knowledgeable guidance to MCAD in working with a given applicant in the future
- All scores are averaged and the applicants are ranked based on their total score
- Panelists do not make funding decisions. The Panel will score the projects to identify those that will be eligible. The Panelists will also provide feedback on the strengths and weakness of the applications. MCAD will be responsible for making the final selections as to awarded projects and amounts. Award notifications include scoring and comments for applicants to review.

EVALUATION AND SCORING CRITERIA

OSP

Artistic Excellence and Innovation (30 points)

- Does the organization maintain high artistic standards in programming and services?
- Does the proposed programming/project demonstrate a continuation or building of artistic excellence?
- Does the organization produce/present professional quality work that contributes to the unique artistic/cultural community of El Paso?

Audience Development and/or Tourism Promotion (20 points)

- Organizations can choose to address one or the other according to their focus. However, if the organization addresses both audience development and tourism, information about both must be included.
- Does the applicant offer, market, and promote its programs and services to the widest possible constituency, including residents, visitors and commuters?
- Are programs and services easily accessible to tourists and other visitors
- Does the applicant have an audience development plan that addresses attracting future new audiences through educational programs, ticket give-away, and/or free outreach programs?
- How do you use social media to promote your events/activities?

Diversity and Outreach (15 points)

- Is there measurable involvement of diverse populations on the board and staff, and in the development and preservation of the artistic product?
- Does the applicant cultivate ethnically, culturally and socially diverse audiences and patrons?
- Does the applicant develop productive partnerships with diverse organizations and artists to broaden the reach of its programs and services?
- Does the applicant demonstrate active community outreach?
- Does the organization do outreach through educational programs?
- Does the organization do outreach to underserved populations?

Administrative Health (Capacity) (20 points)

- Based on submitted financial statement, is the organization fiscally sound?
- Is the budget and/or funding request appropriate?
- Does the organization have diverse funding sources?
- Is the Organization's Strategic Plan clear and feasible?

Impact/Services to El Paso Residents (15 points)

- Does the proposed programming/project meet identified social or cultural needs?
- Does the organization/project demonstrate a history of attracting a broad audience (or service constituency) and documents such?

PSP:

Artistic Excellence and Innovation (30 points)

- Does the organization maintain high artistic standards in programming and services?
- Does the organization produce/present professional quality work that contributes to the unique artistic/cultural Community of El Paso?
- Does the organization produce/present professional quality work that contributes to the unique artistic/cultural community of El Paso?
- Does the proposed programming capitalize on prior success?

Audience Development and/or Tourism Promotion (20 points)

- Organizations can choose to address one or the other (i.e. Audience Development only or Audience Development/Tourism Promotion) according to their focus. However, if the organization addresses both audience development and tourism, information about both must be included
- Does the applicant offer, market, and promote its programs and services to the widest possible constituency, including residents, visitors and commuters?
- Are programs and services easily accessible to tourists and other visitors?
- Does the applicant have an audience development plan that addresses attracting future new audiences through educational programs, ticket giveaways, and/or free outreach programs?
- How do you use social media to promote your events/activities?

Diversity and Outreach (15 points)

- Is there measurable involvement of diverse populations on the board and staff of the organization, and in the development and preservation of the artistic product?
- Does the applicant cultivate ethnically, culturally, and socially diverse audiences and supporters?
- Does the applicant develop productive partnerships with diverse organizations and artists to broaden the reach of its programs and services?
- Does the applicant demonstrate active community outreach?

NOTE: If the mission of the organization is to provide programming specific to a particular ethnic group or groups, the organization is not expected to diversify programming beyond that mission.

Administrative Health (Capacity) (20 points)

- Based on submitted financial statements, is the organization fiscally sound?
- Does the organization demonstrate business, production, and administrative skills needed to complete the proposed programming/project?
- Does the organization have diverse funding sources?
- Is the organization's Strategic Plan, clear and feasible? If you have one, please submit

Impact (15 points)

- Does the proposed programming/project meet identified social or cultural needs?
- Does the organization/project demonstrate a history of attracting a broad audience (or service constituency) and document the audiences

AIP:

Artistic Merit (60 points):

The proposal clearly identifies the creation of new work and is supported by work samples that show the professional qualifications or record of artistic achievement by the applicant

Impact on Tourism and/or Community Audience (25 points)

The proposal has a clear benefit to the general public and a plan to market the project to develop an audience artist and present the work to the community through a public venue

Feasibility of the Project and Reasonableness of Proposed Expenses (15 points)

The application is clear and concise and had a detailed and organized timeline with a feasible budget. The proposal demonstrates the artist's record of successful completion of arts projects of similar scale and scope and the capacity to complete the project

CAP:

Artistic Qualifications (30 points)

- The qualifications of the artist/individual based on training and/or professional experience and quality of work

Capacity (20 points)

- Capacity to successfully provide the proposed service(s) as evidenced by planning skills, capacity to schedule the host organizations based on need and demand, past record of achievement, and potential to manage and carry out the proposed service

Need of the Community (20 points)

- The need of the community for the particular service based on how it will increase understanding of arts and culture, meet an underserved need in the community, and/or provide arts access and arts education opportunities

Artistic Merit (30 points)

- The extent to which the service offers quality products that advances the preservation or perpetuation of art forms, including a curriculum, timeline, budget and appropriateness to targeted audiences.

FUNDING RECCOMENDATIONS

MCAD will receive the scoring and feedback from the Review Panel. MCAD will make its final recommendation to the Museums and Cultural Affairs Advisory Board (“MCAAB”). MCAAB has the final authority to approve the projects that will be funded through the LFP each year. The MCAD recommendation for funding of applicants is based on the following criteria:

- Panel Ranking/Scores
- Quality and Innovation of the proposed project or program
- Capacity to complete the proposed project
- Compliance at all levels of the funding process with the appropriate procedures
- Diverse geographic and ethnic representation reflected within the pool of awarded projects.
- Availability of funds
- Recommended funding will also be based upon Fiscal Year 2019 appropriation levels approved by the City Council of the City of El Paso
- Contract performance for returning applicants will be shared with panelists and considered
- For returning applicants in CAP, PSP and OSP: Programs show growth and increased capacity for providing quality artistic and cultural services to local and tourist community.
- 50% Rule: An organization’s Maximum Eligible Request (MER) is not to exceed 50% of the organization’s previous year’s cash revenues as determined by the IRS 990/990EZ Form for the two most recently completed fiscal years (in most cases fiscal years 2012 and 2013). All organizations are required to file a 990 IRS form annually. The IRS form 990 for 2012 and 2013 determines the accuracy of Maximum Eligible Request (MER) If MCAD doesn’t receive this form from the organization applying for funds or cannot verify your 990 it will have an impact on your award.

AWARD PROCESS:

- Applicants who are recommended for funding will be notified by email
- Declined applications will also be notified by email

- Scoring, award and contract inquiries will only be discussed with parties represented on the application
- All successful applicants must accept or decline the award via email by September 3, 2018. Applicants must sign a Contract with the City no later than **November 15, 2018**, in order to receive the awarded funding. Failure to execute a contract with the City will result in the award being retracted and possibly reallocated for other applications or purposes at the discretion of MCAD.
- Any changes to the scope of work must be submitted and approved by MCAD before the services are implemented
 - Award recipients will have five (5) working days from receipt of award letter to revise and submit any changes to the scope of work
 - MCAD must approve the change before proceeding to the contract phase of the application
- The correct scope of work must be included in the contract, since it describes the type of service that is going to be delivered

At the time of contract execution, ALL funded applicants will be required to:

- Confirm compliance with several local ordinances and state and federal statutes/regulations which will be indicated in the contract document
- Ensure that the project or program is not fostering, encouraging, promoting or funding any project, production, workshop and/or program that includes obscene material as defined in Section 43.21, Penal Code of Texas
- Maintain auditable financial records reflecting generally accepted accounting standards related to its overall activities, submit itemized reports or expenditures as required by established City procedures and submit timely reports reflecting the progress made in achieving its approved goals and objectives
- OSP applicants must provide proof of insurance as required by the City's Risk Manager prior to the implementation of the project which includes the City of El Paso as an additional insurer
 - Whenever a policy expires and is renewed, a new copy must be submitted to MCAD.
 - Funds cannot be disbursed without proof of insurance.

APPEAL PROCESS

An applicant individual and/or organization considered for funding by the City of El Paso, may contact the MCAD staff for an explanation of the level of funding awarded, or to find out why a proposal was declined.

Applicant individuals and/or organizations considering an appeal must first discuss the outcome of the panel process with the MCAD Cultural Funding Coordinator.

An applicant may submit an appeal in writing to the MCAD Cultural Development Coordinator regarding the funding recommendation only if he/she can demonstrate that:

- MCAD failed to follow published application and review procedures
- Influence was placed on a review panel member with an undisclosed conflict of interest
- Grant application system error (documented by MCAD or applicant) prevented review of the full application review.
 - User error or failure to properly utilize the grant system does not qualify for grounds of appeal
 - Undocumented claims of grant application system error or malfunction will not be addressed.

If the application meets the grounds for reconsideration, the request for appeal must set forth the reason(s) why the applicant believes reconsideration is appropriate. A formal, written intent of appeal letter must be sent to MCAD within ten (10) business days from the date of the funding notification letter.

CONFERENCE

Following the receipt and review of the intent of appeal letter the MCAD Cultural Funding Coordinator will forward the application to the Assistant Director of MCAD who will hear the appeal and make a decision. The Assistant Director of MCAD will schedule a conference with the applicant. The purpose of this conference will be to review and discuss the recommendations made by the review panel, and to allow the applicant to express his/her belief of how the process was tainted and/or violated. Based on the findings of this conference, a report/response document will be developed by the Assistant Director of MCAD identifying the findings, and will be provided to the appellant within ten (10) business days. The decision of the Assistant Director of MCAD is final.

CANCELLATION OF CONTRACT

Applicants that fail to provide contractual services or meet program eligibility individual artist to satisfactorily address the current contract will result in a recommendation of no funding or a reduction in funding for the next fiscal year. The City will maintain a list of all artists and organizations that have breached contract requirements and reporting requirements will be considered to be in breach of their contract. Failure of an

AMERICANS WITH DISABILITIES ACT (ADA)

At the time of contract execution, successful grant applicants will be required to submit specific ADA-related documents to confirm compliance with several local ordinances and state and federal statutes/regulations.

AUDITING

The Contractor shall keep complete and accurate books and records indicating when, how, by whom, and for what purposes the funds received under the Contract are spent by the Contractor, and the Contractor shall make such books and records available to the City for examination upon request.

All Funds disbursed under this Contract shall be handled by the Contractor in accordance with the standards of the American Institute of Certified Public Accountants, which include provisions for sound fiscal practices and fiscal reporting. In addition, the Contractor shall furnish the City at its request with balance sheets and statements of operation, which accurately account for expenditure of Contract funds, and a written narrative report reflecting the same.

The City reserves the right to audit the books and records of the Contractor, upon reasonable notice to the Contractor and during regular working hours, in order to ensure fiscal and programmatic compliance with the assurances in this contract.

Should any serious discrepancy appear in such reports or statements, the City shall notify the Contractor. If such discrepancy is not rectified to the satisfaction of the City within thirty (30) days, the City may withhold all or part of the funds from the contractor or an expenditure of Contract funds for a purpose which is not

authorized by this Contract. Should the City determine that any provision of this Contract has been violated, the City may terminate this Contract immediately? Written notice of termination will be sent to the Contractor.

CONTACT

For more information or questions regarding these guidelines please contact the Museums and Cultural Affairs Department:

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Cultural Development Coordinator
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