

City of El Paso Museums and Cultural Affairs Department (MCAD)

Cultural Funding Program GENERAL FUNDING GUIDELINES Fiscal Year 2018

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>
- First-time 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
 - Copy of an IRS 990 for the most recently completed fiscal year
 - 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 are 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, including KickstArt, each fiscal year. Review the Cultural Funding Program (CFP) guidelines 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.
3. Funded applicants who forfeited their funding due to failure to meet requirements of previous year's award are not eligible to apply for one (1) year after the date of the forfeited grant.
 - a. For example, if an organization or artist forfeits a CFP award in FY 17, the organization or artist will be eligible to apply for funding again during the FY 19 cycle.
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 Advisory 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, 2017. The 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 requests for funding will be considered. Incomplete applications will not be considered.

SCHEDULING OF ORIENTATION SESSIONS

MCAD will provide multiple orientation sessions 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:

- 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
- Government agencies or public authorities
- 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)
- Students enrolled in a University or College
- 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)
- Political contributions or activity, i.e., lobbying
- Activities which do not have a cultural or artistic focus, or whose primary focus is religious
- 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
- Activities that occur outside of the El Paso City limits
- Re-granting programs
- 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
- Licensing fees of any kind
- Travel fees with the exception of visiting artists
- Scholarships, awards, cash prizes, tuition expenses, or fellowship/grants to individuals
- College/University or school projects that are part of a course or curriculum, or which do not benefit the general public
- Incomplete applications

CULTURAL FUNDING PROGRAM CATEGORIES AND DESCRIPTIONS

Art and Cultural services, programs or projects must take place during the following fiscal year 2018 (September 1 – August 15)

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 match to all the awards.
- Organizations must provide quarterly reporting on activities and programs presented by the organization, attendance and venue.
- Organizations must provide a mid-year report in **March 15, 2018, and final report by August 15, 2018.**

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 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 that have been in operation for at least two (2) years
- Organizations must have a 1:1 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 services 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, maximum total award is \$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 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 of 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 \$1,500 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:

- The artist must live in El Paso
- 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
- Proposed work must have a public component (exhibition, performance, etc.)
- 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. Nominations for reviewers come from the El Paso community, colleagues within other local and national arts agencies, the public and City personnel. Potential reviewers may be nominated by submitting a completed Review Panel Nomination Form to MCAD office. A Nomination can be downloaded from our website (www.elpasotexas.gov/mcad) by clicking on **Cultural Funding Program**.

- Per the field standards for online based application processes, applicants will no longer be required to appear at the panel reviews.
- All applications are subject to the Review Panel Process which will take place in June and online
- Panelists 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
- 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-aways and/or free outreach programs?
- How does applicant use social media to promote 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?

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 and board beyond that mission.

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 document 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 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?

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?

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 advance the preservation or perpetuation of art forms, including a curriculum, timeline, budget and appropriateness to targeted 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

FUNDING RECCOMENDATIONS

The MCAD recommendation for funding of applicants is based on the following criteria:

- Panel Ranking/Scores
- Quality and Innovation of program
- 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
- Returning applicants must provide letters of support from community partners, programs participants, etc.
- Compliance at all levels with the appropriate procedures
- Contract performance for returning applicants will be shared with panelists
- Diverse geographic and ethnic representation
- Availability of funds
- 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 2015 and 2016). All organizations are required to file a 990 IRS form annually. The IRS form 990 for 2015 and 2016 determines the accuracy of Maximum Eligible Request (MER). If MCAD doesn't receive this form from the organization applying for funds, the application will be disqualified. If MCAD cannot verify the organization's 990, it will have an impact on the award.
- For returning CAP applicants, Host Evaluations will be shared with the panel from the previous fiscal year's funding
- Recommended funding will also be based upon Fiscal Year 2018 appropriation levels approved by the City Council of the City of El Paso

AWARD PROCESS:

- Applicants who are recommended for CFP funding will be notified by mail and email. Declined applications will also be notified.
- 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 14, 2017**.
- Any changes to the scope of work given the level of funding 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. 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 funding 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.
- Once the contract document is prepared by the city's legal staff, awardees must sign the contract no later than **November 15, 2017**, in order to receive the awarded funding.
- Applicants must ensure that the organization 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.
- The organization will 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.
- For OSP award recipients, a Certificate of Liability Insurance must be returned with the contract that 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.

CANCELLATION OF CONTRACT

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

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. "Serious discrepancy" shall mean violation of an existing statute or ordinance 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.

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.

The grounds for reconsideration of an application are:

- **Non-presentation of Information** – Information available in the proposal prior to the panel review was not presented, which might have altered the outcome of the panel's decision.
- **Misrepresentation of Information** – Information known prior to the panel review was not appropriately interpreted and, if presented differently, might have altered the outcome of the panel's decision

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.

Intent of Appeal –

- A formal, written intent of appeal letter must be sent to MCAD within ten (10) business days from the date of the funding award notification letter.
- The correspondence must be addressed to MCAD Cultural Development Coordinator, and must include specific information identifying the applicant, the cultural funding program applied for and a brief description on the basis of which an appeal is being made (e.g., administrative error, conflict of interest, presentation of misinformation, etc.).

Conference – Following the receipt and review of the intent of appeal letter, MCAD then schedules a conference with the applicant. The purpose of this conference will be to informally 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 MCAD identifying the findings, and will be provided to the appellant within ten (10) business days.

Conclusion – Every effort will be made by MCAD to mitigate the issue at hand. If the findings of the conference delineate grounds for an appeal, MCAD will re-evaluate the application and supplemental material, and initiate the award process as set forth in the Cultural Funding Program Guidelines.