

CITY OF SAN ANTONIO
OFFICE OF CULTURAL AFFAIRS DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM

TO: Sheryl Sculley, City Manager

FROM: Felix Padron, Office of Cultural Affairs Director

SUBJECT: Ordinance Authorizing First Amendment to Arts in the Community Delegate Agency Agreement

DATE: May 18, 2006

SUMMARY AND RECOMMENDATIONS

Arts in the Community Program (AiC). This Ordinance authorizes the City Manager or her designee of the City of San Antonio ("City") to execute the First Amendment to the Delegate Agency Agreement for the *Pieces of the Neighborhood* Project replacing the original project with El Gran Dia de Los Artistas.

City Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

Arts in the Community Program: On January 29, 2004, City and Centro Cultural Aztlan with the Woodlawn Lake Community Association as the community partner, entered into the Arts in the Community Delegate Agency Agreement pursuant to City of San Antonio Ordinance No. 98757 for the project entitled "*Pieces of the Neighborhood*" in the amount of \$16,000.00.

Pieces of the Neighborhood, was a collaborative art project in Council District 7. The partners, along with artists and area residents, were to develop an interactive kinetic sculpture blending the cultural and environmental elements present at the Woodlawn Lake area. Basic workshops on a variety of techniques to guide the participants through the process of creating the metal components were to be offered in the Galeria Expresion at Centro Cultural Aztlan.

Since the execution of the Agreement, financial considerations necessitated the project be downscaled from the original concept. The community partner has withdrawn its support for the project because they felt "the project as it now stands is not as was envisioned when we made our grant application to the City's Office of Cultural Affairs." Further, they state, "We feel it is best for all concerned... that the project "*Pieces of the Community (sic)*" be cancelled in its entirety. (Letter is attached (See Attachment I). No payments have been made under the current agreement.

The Contractor in this project, Centro Cultural Aztlan has stepped forward with an alternate project, "*El Gran Dia de los Artistas*" which is an artistic and creative event to be held in District 7. The Monticello Park Neighborhood Association and Bihl Haus Arts, both located in District 7, represent that they are willing and able to go into a partnership with Centro Cultural Aztlan in this endeavor.

El Gran Dia de Los Artistas will coincide with the Deco Days of the Jefferson Woodlawn Lake CDC in September, 2006. The event will begin with a Community Photo Exhibit of area photographers to be held at Bihl Haus Arts Center and will be the staging area for the participants of a neighborhood parade. A Native American Blessing will initiate the parade and it will travel down Fredericksburg Road towards Centro Cultural Aztlan's new home located in the Deco Building, formerly the Travis Building. Letters of support are attached (See Attachment II).

Approval of the proposal will impact a large number of the community in that it will involve more neighborhood groups and advance business alliances and community support in a neighborhood that is currently undergoing a tremendous amount of revitalization.

POLICY ANALYSIS

This request is consistent with The Cultural Collaborative's objective to provide greater access to arts and culture to residents throughout San Antonio and supports community partnering projects among homeowner associations, business alliances, neighborhood associations, community groups, and the arts community.

FISCAL IMPACT

Approval of this request will not require the appropriation of additional funds and will not affect the City's General Fund. The funding comes from the Community and Visitors Facilities Fund.

COORDINATION

This request has been coordinated with the Cultural Arts Board, District 7 Councilwoman Elena Guajardo, the Office of Management and Budget, the Finance Department, and the City Attorney's Office.

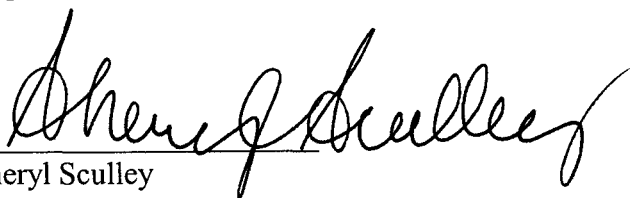


Felix Padron
Director Office of Cultural Affairs



Roland A. Lozano,
Assistant to the City Manager

Approved for Council Consideration:



Sheryl Sculley
City Manager

Attn: Victoria Garcia

Woodlawn Lake Community Association

P.O. Box 28374
San Antonio TX 78228

210-733-5755
asoto682@earthlink.net

February 3, 2006

Malena Gonzalez-Cid
Centro Cultural Aztlan
830 Castroville Road
San Antonio, Texas 78237

Dear Ms Gonzalez-Cid:

The Woodlawn Lake Community Association has voted to discontinue our participation in the Arts in the Community project "Pieces of the Community." The project is the one in which we joined with Centro Cultural Aztlan in 2003 and which was approved by the City of San Antonio in January 2004.

Our project chair, Rita Maria Contreras, informed us 2 weeks ago that she could not continue her involvement with this project. At our regular meeting on January 31st, we considered whether the project could be coordinated by another individual and whether, at this point, we still believed that the project was worth pursuing.

We feel that the project as it now stands is not as was envisioned when we made our grant application to the City's Office of Cultural Affairs. On July 31, 2003, in support of the application, I told that office:

"[The project] will bring an artistic and cultural element to a focal point of the inner northwest community that will be designed and developed by the area residents. It will become a living and growing monument with which its visitors can interact as they enjoy its features. As the project envisions the participation of the area schools in its inception and as it later evolves, we believe that the youths of the community will identify with the project and in turn strengthen their ties to the community as a whole."

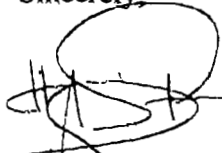
We understand that the cost of the original concept was later projected to far exceed the amount of the grant. For that reason, the project was revamped and redesigned. We feel that Rita has done an excellent job in trying to fit all the original elements into the revised design. However, in looking at the current project papers, it appears questionable whether the project as it now stands could be completed within the confines of the grant. Further, even if another person could step in and continue Rita's work and get it within bounds of the grant, the end product would not be consistent with the theme that our Association had at the onset endorsed.

We feel that it is best for all concerned, the sponsoring organizations, the project workers, the City's Office of Cultural Affairs and the Parks and Recreation Department, and the many people who visit and enjoy Woodlawn Lake Park, that the project "Pieces of the Community" be cancelled in its entirety. We know that several people have given their time and energy in trying to make this project a reality. For their sakes and for the best interests of our organizations, it is best to stop now before investing any funds or additional labor.

Please let me know if you agree to end this project. If you do agree, I will pass that information on to the City. If you choose to continue alone or with another partner, I will advise the City of our Association's withdrawal and leave it to you to make any other needed arrangements. It is our view, however, that the proposed structure should not be placed in Woodlawn Lake Park.

If you wish to discuss this further, please call me at 733-5755. The Woodlawn Lake Community Association appreciates having had the opportunity to work with Centro Cultural Aztlan on this venture.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alejandro Soto', with a large circular flourish above it.

Alejandro Soto
President

cc:

Elena Guajardo, City Council District 7
Joe Alderete, Park Planning Team
Rita Maria Contreras
Roland Mazuca, ASKEW Studios
Teri Hatch Aguilar
Anita Valencia

Felix Padrón
Executive Director
Office of Cultural Affairs
P.O. Box 839966
San Antonio, TX 78283

Dr. Kellen Kee McIntyre
Executive Director
Bihl Haus Arts
330 Quentin Dr.
San Antonio, TX 78201

February 14, 2006

Dear Felix Padrón,

Centro Cultural Aztlán, soon to be located in the Deco District on Fred Rd., and Bihl Haus Arts (BHA), 2803 Fredericksburg Rd., have formed a partnership to organize "El Día de los Artistas" parade and arts festival. The event draws inspiration from "El Día de los Locos" in San Miguel Allende, Guanajuato, Mexico, a mid-summer ritual that brings the numerous visual, literary, and performing artists active in San Miguel together once a year to celebrate their multiple art forms and cultures. The San Miguel parade and festival unite ancient masking and costume traditions with contemporary performance, literary, and musical arts. It is the perfect model for a celebration of the arts in the Deco District where so many artists—more than 100—from various arts disciplines live and/or work in the surrounding neighborhoods. It is a wonderful place to live and make art, but where, until only recently, there have been few venues through which to promote the work these artists do.

Centro Cultural Aztlán and Bihl Haus Arts propose that "El Día de los Artistas" take place annually, beginning in September 2006, in San Antonio's Deco District during Deco Days, initiated last September by the CDC on Fred. Bihl Haus Arts actively supported the first Deco Days celebration by holding its inaugural exhibition on Friday, Sept. 10. That exhibition highlighted the art of 17 of the more than 40 practicing professional visual artists who live and work in the surrounding area. In addition, on Sunday, Sept. 12, BHA hosted a poetry reading, organized by Trinidad Sanchez, Jr., which featured the work of several area poets. This inaugural event was extremely well attended—more than 750 people visited the gallery over the opening weekend. The overwhelming support from the surrounding communities for the inaugural weekend and for events held at BHA since then suggests that our area is primed to support and promote the arts if only a venue were created. "El Día de los Artistas" could be that . . . and more! Other local arts groups—the Flamenco dance studio, Askew, the stained glass studio—together with area schools (Jefferson High School is an arts magnet; many of its arts instructors also live in our area) would be invited to make masks and costumes, and create dance, performance, and musical works for the parade and the arts festival that follows it.

"El Día de los Artistas" would begin with a light brunch at Bihl Haus Arts where participants would organize and then parade downhill on Fred to Centro Aztlan. The arts festival would continue in the new parking lot behind Centro and the Deco Building, where stages for performance and arts and food booths would be set up. Businesses along the parade route could participate by sponsoring artists' storefront installations, modeled after "Arts on Fred" that took place a few years ago. September is also the time for FotoSeptiembre, and BHA and Centro will host photography exhibitions to coincide with that city-wide event (both spaces are already working on these exhibitions).

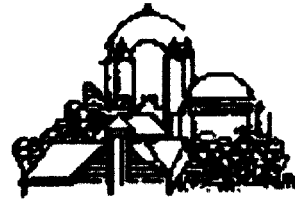
We believe the time is right in the Deco District to create a neighborhood arts event to highlight the work of the numerous talented and creative individuals who live and work here. Although "El Día de los Artistas" has not yet been formally proposed to the CDC, several CDC Board members are very supportive of the idea and they have offered to present this proposal to the rest of the board at the next meeting. This proposal will also be brought to the next board and community meetings of area neighborhood associations, which have been so supportive of BHA over the past year, and we anticipate enthusiastic support from them as well.

The support of OCA to bring this innovative, fun, and fresh celebration of the arts to the Deco District and to San Antonio is crucial to the success of this project. I thank you in advance for your kind consideration of this proposal. If there is any further information I can offer in regard to this project, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Kellen Kee McIntyre", with a stylized flourish at the end.

Dr. Kellen Kee McIntyre
Home: (210) 732-3502
Work: (210) 829-3855
Email: kellenkee@swbell.net



Monticello Park Neighborhood Association
Post Office Box 5851
San Antonio, TX 78201

March 13, 2006

Victoria Garcia de Marquez
Neighborhood Arts Program Manager
318 W. Houston, Suite 301
San Antonio, TX 78205

Dear Victoria Garcia de Marquez:

Subject: Dia de los Artistas Project

The Monticello Park Neighborhood Association (MPNA) strongly supports and is very excited at the prospect of the *Dia de los Artistas* project currently under development by Centro Cultural Aztlan.

The MPNA will support the *Dia de los Artistas* in whatever way it can and we hope to sponsor an MPNA booth at the event. We look forward to doing what we can to make this event as successful as possible and working with the wonderful staff at Centro Cultural Aztlan.

Sincerely,

A handwritten signature in cursive script that reads "Bianca Maldonado".

Bianca Maldonado

President

Monticello Park Neighborhood Association



**Jefferson/Woodlawn Lake
Community Development
Corporation**

Board of Directors

Paul Stahl
President

Steve Avery
Vice President

John Davis
Treasurer

Alejandro Soto
Secretary

Megan Shrader
Business Representative

Eric Lane
Member at Large

Judge Andy Mireles
Member at Large

Becky Whitehead
Member at Large

Mayor Phil Hardberger
Ex-Officio Member

Councilman Roger O. Flores
Ex-Officio Member

Councilwoman Elena Guajardo
Ex-Officio Member

Staff

Mariana Peralta Dannelley
Executive Director

STAFF OFFICE
1800 Fredericksburg Road
Suite 116
San Antonio, TX 78201

Phone: 210.732.2238
FAX: 210.733.5568
deco@netzero.net

February 23, 2006

Victoria Garcia de Marquez
Program Manager
Office of Cultural Affairs
P.O. Box 839966
San Antonio, TX 78283-3966

Re: Día de los Artistas Application

Dear Victoria,

The Jefferson Woodlawn Lake Community Development Corporation (the Deco District) is pleased to support plans for *Día de los Artistas* currently under development by Centro Cultural Aztlan. We believe the program would add to the exciting panorama of culturally relevant events that is so unique to San Antonio.

The Deco District will support development, promotion and execution of this program to the best of our abilities and looks forward to continuing our partnership with the remarkable staff and volunteers at Centro Cultural Aztlan.

Sincerely,


Mariana Peralta Dannelley
Executive Director

City of San Antonio Discretionary Contracts Disclosure*

For use of this form, see City of San Antonio Ethics Code, Part D, Sections 1&2

Attach additional sheets if space provided is not sufficient.

State "Not Applicable" for questions that do not apply.

* This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed.

Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the City in the enforcement of provisions contained in the City Charter and the Code of Ethics, an individual or business entity seeking a discretionary contract from the City is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any **individual** who would be a party to the discretionary contract:

None

(2) the identity of any **business entity**¹ that would be a party to the discretionary contract:

None

and the name of:

(A) any individual or business entity that would be a **subcontractor** on the discretionary contract;

None

and the name of:

(B) any individual or business entity that is known to be a **partner**, or a **parent** or **subsidiary** business entity, of any individual or business entity who would be a party to the discretionary contract;

None

¹ A business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.

- (3) the identity of any lobbyist or public relations firm employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

None


Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any current or former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

To Whom Made:	Amount:	Date of Contribution:
None		

Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

Signature: 	Title: President	Date: 4/24/06
Bianca Malebualto	Company: Monticello Park Neighborhood Assoc.	

² For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

City of San Antonio

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N/A

(2) the identity of any **business entity**¹ that would be a party to the discretionary contract:

N/A

and the name of:

(A) any individual or business entity that would be a **subcontractor** on the discretionary contract;

N/A

and the name of:

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N/A

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N/A

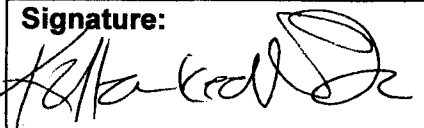
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To Whom Made:	Amount:	Date of Contribution:
Elena Guajardo	250.00	2005
Phil Hardberger	500.00	2005

Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

Signature:  KELLEN KEE MCINTYRE	Title: Executive Director Company: Bihl Haus Arts	Date: 4/25/06

² For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

City of San Antonio
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Attach additional sheets if space provided is not sufficient.
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(1) the identity of any individual who would be a party to the discretionary contract:

NONE

(2) the identity of any business entity¹ that would be a party to the discretionary contract:

NONE

and the name of:

(A) any individual or business entity that would be a subcontractor on the discretionary contract;

NONE

and the name of:

(B) any individual or business entity that is known to be a partner, or a parent or subsidiary business entity, of any individual or business entity who would be a party to the discretionary contract;

NONE

¹ A business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.

- (3) the identity of any lobbyist or public relations firm employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

NONE

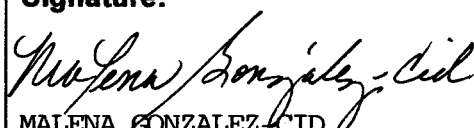
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To Whom Made:	Amount:	Date of Contribution:
NONE		

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Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

Signature:  MALENA GONZALEZ-CID	Title: EXECUTIVE DIRECTOR Company: CENTRO CULTURAL AZTLAN	Date: 04/21/2006

² For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

**FIRST AMENDMENT TO
ARTS IN THE COMMUNITY DELEGATE AGENCY AGREEMENT**

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, this First Amendment to the Arts in the Community Delegate Agency Agreement ("First Amendment") is entered into by the CITY OF SAN ANTONIO, a Texas Municipal corporation ("City"), acting by and through its City Manager pursuant to and duly authorized by Ordinance No. _____, passed and approved on May __, 2006, and Centro Cultural Aztlan, acting by and through its duly authorized and designated officer.

- A. City and Centro Cultural Aztlan entered into the Arts in the Community Delegate Agency Agreement ("Agreement") pursuant to City of San Antonio Ordinance No. 98757 dated January 29, 2004 for the project entitled "Pieces of the Neighborhood."
- B. Since the execution of the Agreement, financial considerations necessitated that the project be downscaled and the community partner, the Woodlawn Lake Community Association, withdrew its support.
- C. Centro Cultural Aztlan has proposed a new project, entitled "El Gran Dia de los Artistas," which will consist of a street festival with the Monticello Park Neighborhood Association and Bihl Haus Arts as community partners.
- D. **City and Centro Cultural Aztlan agree to amend specific provisions of the Agreement as set out in this First Amendment:**
 - 1. The Agreement is amended to reflect that the project authorized by the Agreement is entitled "El Gran Dia de los Artistas" ("Project").
 - 2. Attachment I to the Agreement is revised to reflect the Project authorized by this First Amendment. The amended Attachment I is attached to this First Amendment and incorporated into the Agreement for all purposes.

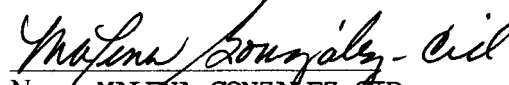
Except as otherwise expressly modified hereby, all terms and provisions of the Agreement are ratified and confirmed and shall remain in full force and effect, enforceable in accordance with their terms.

EXECUTED AND SIGNED this _____ day of _____, 2006.

CITY OF SAN ANTONIO

Sheryl Sculley
City Manager

CENTRO CULTURAL AZTLAN


Name: MALENA GONZALEZ-CID
Title: EXECUTIVE DIRECTOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

**Arts in the Community
Attachment I
to First Amendment**

Artist/Organization: Centro Cultural Aztlan

Project Title: *El Gran Dia de Los Artistas*

Grant Amount: \$16,000.00

Centro Cultural Aztlan in partnership with the Monticello Neighborhood Association and Bihl Haus Arts both located in District 7 will hold *El Gran Dia de Los Artistas* a collaborative project taking place in September, 2006. *El Gran Dia de Los Artistas* will begin at Bihl Haus Arts in the Monticello Park Neighborhood. A photo exhibit, coinciding with FotoSeptiembre will be held at Bihl Haus Arts. Participants will gather there to view the exhibit and then lead participants down Fredericksburg Road towards Centro Cultural Aztlan's new home located in the Deco Building, formerly the Travis Building where the Deco Days Arts festival will be held.

The event draws inspiration from "El Dia de Los Locos" in San Miguel de Allende, Guanajuato, Mexico, a mid-summer ritual that brings the numerous visual, literary, and performing artists active in San Miguel together once a year to celebrate their multiple art forms and cultures. It is the perfect model for a celebration of the arts in the Deco District where so many artists – more than 100 – from various arts disciplines live and/or work in the surrounding neighborhoods. They will be invited to make masks and costumes and create dance, performance, and musical works for the parade and the arts festival.