

AGENDA



Thursday, April 29, 2010

**Financial and Administrative Services
RECOMMENDATION FOR COUNCIL ACTION**
Item No. 26

Subject: Authorize negotiation and execution of agreements with Mexic-Arte Museum, a Texas non-profit corporation, for improvements to the cultural facility used by the public and located at 419 Congress Avenue, Austin, Texas; the improvements will be funded from the 2006 Bond Program, Proposition 4, in an amount not to exceed \$5,000,000.

Amount and Source of Funding: Funding of \$1,000,000 is available in the 2009-2010 Capital Budget of the Financial and Administrative Services Department. Funding for future appropriation of \$4,000,000 is contingent upon approval in future budgets and will come from funds approved in Proposition 4 of the 2006 Bond Program.

Fiscal Note: A fiscal note is attached.

For More Information: Shelley Kilday, Bond Program Coordinator, 974-7922.

On November 7, 2006, Austin voters approved 7 propositions authorizing \$567.4 million of General Obligation Bond-funded capital improvement projects and programs. Among those propositions, Proposition 4 included \$5 million for an expanded Mexic-Arte Museum.

The Bond Fund Agreement will:

- Provide funding for design and construction of a building renovation at Mexic-Arte's current location, 419 Congress Avenue.
- Require that Mexic-Arte solicit, manage, and pay for the capital improvements in accordance with state and city purchasing and M/WBE requirements. The City reserves the right to audit compliance with these requirements.
- Require the project to follow City of Austin requirements regarding Leadership in Energy and Environmental Design, green building, and sustainable design.
- Require that prior to commencement of schematic design phase, Mexic-Arte complete a feasibility study that confirms that the scope of work is within the \$5,000,000 project budget.
- Require participation in the City's AIPP program.
- Provide adequate oversight on how City of Austin bond funds are spent.

The Services Agreement will:

- Amend and restate the current services agreement between the City of Austin and Mexic-Arte (current agreement was created in 2001 after the City of Austin provided \$740,000 for the building purchase).
- Require that Mexic-Arte use the facility for the operation of an art museum, related appreciation of the arts, and arts related educational purposes for the fifty year term of the agreement.

- Require that Mexic-Arte provide specific services during the term of the agreement including a Totally Cool Totally Art exhibition, reduced fee or no fee access to youth and senior groups, and visiting dignitaries.

- Protect the City's interests should Mexic-Arte decide to sell the building or cease to exist.

The Master Lease and Sub Lease Agreements will:

- Allow bond funds to be spent on property that is not owned by the City of Austin

Mexic-Arte Museum is dedicated to enriching the community through education programs and exhibitions focusing on traditional and contemporary Mexican, Latino, and Latin American art and culture. Since its founding in 1984, Mexic-Arte Museum has been designated as the Official Mexican and Mexican American Fine Art Museum of Texas by the 78th Legislature of the State of Texas.