



Legislation Details (With Text)

File #: 22-0562 **Version:** 1 **Name:** Resolution: First Amendment to Newark Arts Council, Inc., Memorandum of Understanding re: Harriet Tubman Monument Project

Type: Resolution **Status:** Adopted

File created: 4/7/2022 **In control:** Recreation, Cultural Affairs and Senior Services

On agenda: 5/4/2022 **Final action:** 5/4/2022

Title: Dept./Agency: Recreation, Cultural Affairs and Senior Services
Action: ☒ Ratifying ☒ Authorizing ☒ Amending
Type of Service: Memorandum of Understanding with Newark Arts Council, Incorporated
Purpose: First Amendment to the Agreement to have Newark Arts Council, Incorporated serve as the City's Fiscal agent in the Harriett Tubman Monument Project.
Entity Name: Newark Arts Council, Incorporated
Entity Address: 17 Academy Street, Newark, New Jersey 07102
Project Location: 33 Washington Street, Newark, New Jersey 07102 (at the Broad Street entrance of Washington Park)
Contract Period: November 2020 until the completion of the project
Contract Basis: ☐ Bid ☐ State Vendor ☐ Prof. Ser. ☐ EUS
☐ Fair & Open ☐ No Reportable Contributions ☐ RFP ☐ RFQ
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a
Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
5/4/2022	1	Municipal Council	Adopt	Pass

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☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a
Additional Information:

WHEREAS, the Municipal Council, by Resolution 7R11-b, adopted on December 22, 2020, entered into a Memorandum of Understanding ("MOU") with Newark Arts Council, Inc., 17 Academy Street, Newark, New Jersey 07102, to serve as the Fiscal Agent

to receive public and private donations in support of the Harriet Tubman Monument Project; and

WHEREAS, due to the fundraising efforts of both the City of Newark (the “City”) and Newark Arts Council, Inc., the Andrew W. Mellon Foundation, 40 East 62nd Street, New York, New York 10065 (“Mellon”) has provided a grant in the amount of Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00) to the Newark Arts Council, Inc. on behalf of the City of Newark to help support the Harriett Tubman Monument Project; and

WHEREAS, on or about December 13, 2021, Mellon provided an award letter and payment schedule (attached hereto) for the acceptance of the grant funds, which requires that the funds be used by December 31, 2022; and

WHEREAS, Newark Arts Council, Inc., received the grant funds from Mellon on or about December 17, 2021; and

WHEREAS, Mellon requires that the City incorporate and acknowledge this grant in the MOU; and

WHEREAS, the request from Mellon is deemed reasonable and necessary for the acceptance of these funds.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor of the City of Newark and/or his designee(s), the Business Administrator and the Director of the Department of Recreation, Cultural Affairs and Senior Services are hereby authorized and directed on behalf of the City of Newark to enter into and execute a First Amendment to the Memorandum of Understanding (the “Agreement”) to authorize the Newark Arts Council, Inc., to accept a grant from the Andrew W. Mellon Foundation, 40 East 62nd Street, New York, New York 10065, in the amount of Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00) to support the Harriet Tubman Monument Project and extend the contract period from November 2020, to the completion of the project.
2. The Municipal Council hereby ratifies this First Amendment to the contract from November 2020 to the date of adoption of this authorizing Resolution.
3. All other terms and conditions of the contract shall remain the same.
4. The Director of the Department of Recreation, Cultural Affairs, and Senior Services shall file a copy of the executed First Amendment to the Agreement to have Newark Arts Council, Inc. serve as the City’s Fiscal Agent in the commission of the Harriett Tubman Monument for the Harriett Tubman Monument Project herein authorized in the Office of the City Clerk and the same shall be made available for public inspection.

STATEMENT

This Resolution ratifies, amends, and authorizes the Mayor of the City of Newark and/or his designee(s), the Business Administrator and/or the Director of the Department of Recreation, Cultural Affairs and Senior Services to enter into and execute a First Amendment to the Memorandum of Understanding with Newark Arts Council, Inc., 17 Academy Street, Newark, New Jersey 07102 to authorize it to accept a grant from the Andrew W. Mellon Foundation, Inc., 40 East 62nd Street, New York, New York 10065, in the amount of \$350,000.00 to support the creation of the Harriet Tubman Monument and extend the contract period from November 2020 to the completion of the project.