

NATIONAL HISPANIC CULTURAL CENTER
BOARD OF DIRECTORS MEETING
MINUTES FOR DECEMBER 15, 2016

A meeting of the National Hispanic Cultural Center Board of Directors was held on Thursday, December 15, 2016, in the Salón Ortega in the History and Literary Arts Building of the National Hispanic Cultural Center at 1701 4th Street SW, Albuquerque, NM 87102.

I. Administrative Actions

Call to Order and Roll Call..... Christopher Saucedo

The meeting was called to order by NHCC Board of Directors President Christopher Saucedo, at 1:46 pm with the following individuals in attendance:

Board Members: Christopher Saucedo, Phil Archuleta, Sarah Brown, Albert Gallegos, Daniel Gallegos, Margie Huerta, Paul Maestas, Brookes McIntyre, Yvett Vazquez- Elias and Rebecca L. Avitia (non-voting, ex-officio). (The following Board Members were not present for the meeting: Darren Cordova, Kirk Clifton, LeeAnna Fresquez, Annette Garcia, Carolyn Ortega and Bill Miera.)

Guests: DCA Cabinet Secretary Veronica Gonzales, NHCC Visual Arts Director Tey Marianna Nunn, NHCC Archivist Anna Uremovich, NHCC Volunteer Coordinator Annette Lujan, NHCC Deputy Director Alberto Cuessy, NHCC Foundation Director Anna Sanchez, and NHCC Board Administrator Alicia Tenorio.

Public & Staff: NHCC Foundation Chair Emeritus Edward Lujan; NHCC Staff David Gabel, Jadira Gurule, Nicole Larranaga, Joseph Wasson, Santiago Candelaria, James Chavez, Elena Baca, Roger Mathes, Anthony Martinez, Karlina Chavez, Kinsey Cooper, Troy Bradley; Albuquerque Journal Reporter Adrian Gomez; NHCC Volunteers Marcela Gutierrez, Betty Jo Chavez, and Francesca Armenta; NHCC Interns Tazbah Gaussoin, Lizbeth Miscles, and Sandra Yellowhorse; and other unknown guests.

Approval of Agenda..... Christopher Saucedo

NHCC Board President Christopher Saucedo called for a motion to approve the agenda.

Margie Huerta made a motion to accept the agenda. Albert Gallegos seconded the motion, and it passed unanimously.

Approval of August Board Meeting Minutes..... Christopher Saucedo

Saucedo presented the August 18, 2016 Board Meeting Minutes to the Board, as contained in the Board materials.

Albert Gallegos made a motion to accept the minutes. Paul Maestas seconded the motion, and it passed unanimously.

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II. Business Items

New Business

- Presentation & Approval of General Acquisition

NHCC Executive Director Rebecca Avitia presented the general acquisition contained in the Board materials, which had been donated back to the NHCC by the live auction winners of the piece at Maravilla 2016.

Albert Gallegos made a motion to accept the artwork as a general NHCC acquisition. Brookes McIntyre seconded the motion, and it passed unanimously.

- Presentation & Approval of Visual Arts Acquisition.....Tey Marianna Nunn

NHCC Visual Arts Program Director Tey Marianna Nunn presented the visual arts acquisitions contained in the Board materials, which includes 30 works and one the NHCC is fundraising to acquire (A Nomad's Heart). Nunn also reminded the Board regarding end-of-year gifts and the need, for tax purposes, for these items to have their donation complete and in the possession of the NHCC by the end of December 31, 2016.

Brookes McIntyre made a motion to accept the visual arts acquisitions contained in the Board materials. Sarah Brown seconded the motion, and it passed unanimously.

Nunn also shared information on A Nomad's Heart by Zeke Pena, and read his artist statement. The NHCC has raised nearly half of the funds to purchase this piece, and hopes to complete the purchase by the end of the calendar year.

Albert Gallegos made a motion to authorize the NHCC to acquire A Nomad's Heart. Margie Huerta seconded the motion, and it passed unanimously.

Finally, Avitia explained that while the Board has authorized staff to accept end-of-year visual arts acquisitions on its behalf through the Collections Policy, a motion in the Board meeting would help formalize this authorization.

Margie Huerta made a motion to authorize the NHCC to accept acquisitions on the Board's behalf through the end of calendar year 2016. Paul Maestas seconded the motion, and it passed unanimously.

- Presentation & Approval of History & Literary Arts Acquisitions.....Anna Uremovich

NHCC Archivist Anna Uremovich presented the History & Literary Arts acquisitions contained in the Board materials.

Margie Huerta made a motion to accept the HLA acquisitions contained in the Board materials. Paul Maestas seconded the motion, and it passed unanimously.

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- Presentation & Approval of Pop Fizz Lease & Liquor License Leases...Alberto Cuessy

NHCC Deputy Director Alberto Cuessy presented the premises lease and two liquor license leases for Pop Fizz contained in the Board materials. He explained that these leases are intended to continue the NHCC's relationship with Pop Fizz, which would have otherwise ended in March 2017. A new appraisal was done to value the space, and that was also included in the Board packet and it forms the basis for the rent payment in the Lease, which is just shy of \$15,000 a year. The leases also will cover the outside patio area, which will allow Pop Fizz to sell alcohol in that area, and the two concession areas in Performing Arts. General Counsel for DCA and Pop Fizz have reviewed the leases and are in agreement with them. That said, this review did result in a few minor changes between what the Board was sent last week and what is now in their Board materials. Specifically, in the Lease Agreement, in section 1, the percentage of NHCC use of the commercial kitchen was changed from 25% to 5%, which is more accurate, and the amenities (patio and concession areas) were more fully called out. All other changes were non-substantive, such as adding a comma or deleting an extra line.

Albert Gallegos made a motion to approve the three leases to Pop Fizz and pass the resolution so stating, as contained in the Board materials. Yvett Vazquez-Elias seconded the motion, and it passed unanimously.

- Presentation & Approval of FY2017 Code of Conduct and Ethics.....Rebecca Avitia

Avitia presented the FY2017 Code of Conduct and Ethics for the Board's review and approval. It contains no revisions from the FY2016 Board-approved Code of Conduct and Ethics, except to change the fiscal year.

Brookes McIntyre made a motion to approve the FY2017 Code of Conduct and Ethics. Margie Huerta seconded the motion, and it passed unanimously.

After approval of the Code, a copy of the Code was distributed to each Board member for their signature. McIntyre stated that Board members not present should receive a copy via email for their signature also.

- Presentation & Approval of FY2017 Open Meetings Act Resolution....Rebecca Avitia

Avitia presented the FY2017 Open Meetings Act Resolution for the Board's review and approval. It contains no revisions from the FY2016 Board-approved Open Meetings Act Resolution, except to change the fiscal year.

Paul Maestas made a motion to approve the FY2017 Open Meetings Act Resolution. Phil Archuleta seconded the motion, and it passed unanimously.

- Presentation & Approval of Resolution Acknowledging Volunteers.....Annette Lujan

NHCC Volunteer Coordinator Annette Lujan presented a Board resolution to acknowledge the outstanding service of certain NHCC volunteers, who carried on duties that would ordinarily be performed by staff but could not be due to budget shortfalls in FY2016, thereby allowing the NHCC to

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continue operations in service of the public. The volunteers recognized were Sylvia Ceballos, Betty Jo Chavez, Marcela Gutierrez, Edward Luján, Iris Puentes, Mac Rodriguez and Doug Simon.

Brookes McIntyre made a motion to approve the resolution. Albert Gallegos seconded the motion, and it passed unanimously.

- Presentation & Approval of NHCC Finance Committee Recommendation re Clear Channel Outdoors Line Item on NHCC Foundation Financials..... Paul Maestas

NHCC Finance Committee Chair Paul Maestas presented a recommendation from the Committee to release from restriction approximately \$30,000 currently held by the NHCC Foundation. As background, Maestas explained that there is a large billboard located in the NHCC’s north parking lot, and that Clear Channel leased this from the NHCC for ten years by contract in September 2007. In that contract, Clear Channel agreed to install a marquee for the NHCC and pay \$21,417 in cash to the NHCC in exchange for the leased space. The marquee was installed, but a cash payment was made to the NHCC Foundation instead of the NHCC, and it was for just over \$30,000. There is no documentation on why the cash payment was made to the NHCC Foundation, or what, if any, restrictions were contractually placed on those funds when paid to the Foundation. Still, the NHCC Foundation has carried these funds on its finances as restricted for the Center’s use to repair the marquee only, which artificially creates a liability that impacts the NHCC Foundation’s finance statements and ability to fundraise for the NHCC.

The Committee recommended that the Board release the restriction on the funds given the lack of contractual documents restricting the Foundation’s use of the funds and the importance of a solvent and prospering Foundation to fundraising efforts in support of the Center.

Albert Gallegos made a motion to release the restriction on the Clear Channel funds held by the NHCC Foundation. Sarah Brown seconded the motion, and it passed unanimously.

Old Business

- Update on Revisions to Collections Policy..... Rebecca Avitia

Avitia informed the Board that staff is working on proposed revisions to the collections policy, per their request and specifically to address general acquisitions. She expects to have these revisions ready for the Board’s review at their March meeting.

III. Reports

Board President’s Report..... Christopher Saucedo

Saucedo reviewed the proposed Board meeting dates for 2017 as contained in the Board materials. Saucedo also noted that at the next Board meeting, the Board would be performing the annual evaluation of the NHCC Executive Director, who would be reaching her third year anniversary in the position in February 2017. Saucedo mentioned that Board members likely have received a call from the Governor’s office regarding confirmation, and encouraged Board members to get these scheduled. During the legislative session, Saucedo encouraged Board members to attend legislative hearings, particularly appropriations, related to the Department of Cultural Affairs. Finally, Saucedo also appointed McIntyre

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and Vasquez Elias to serve as the NHCC Board's appointed trustees to the NHCC Foundation's Board of Trustees for calendar year 2017.

DCA Report.....Cabinet Secretary Veronica Gonzales

Secretary Gonzales thanked Edward Lujan for his advocacy, including joining Museum of New Mexico Regents Chair Thelma Domenici in meeting with Representative Monica Youngblood and Larry Larranaga regarding DCA's budget. She also encouraged Board members to review Domenici's op-ed in the Albuquerque Journal regarding DCA budget shortfalls.

The Secretary Gonzales also reviewed the special session with the Board, including the Governor's office's recommendation going into the session of only a 1.5% budget reduction, unlike the 5% reduction proposed for most other agencies. This was upheld by the Senate, but was not ultimately upheld by the House, whose bill became final law. The way the language in the final bill was written, there was no way the Governor could line-item veto the impact to DCA. In addition to this, DCA went into the Special Session hoping to swap the remaining art in public places funds for DCA operating needs. This was supported by the Governor's office, but the legislature did not entertain any discussion of swaps. As a result, the art in public places funds were swept, but the language was crafted to only impact \$900-800,000 of a balance over \$2,200,000. Therefore, DCA continues to advocate for keeping the remaining funds or swapping them with operating. This is imperative because the most serious shortfall for DCA will occur in FY2018, when the Department would be looking at a \$2.3 million shortfall due to the exhaustion of non-reoccurring funds.

To address this future shortfall, DCA leadership and the 15 division directors have been meeting to identify solutions. All of the directors have come together collaboratively, working across divisions to find efficiencies while enriching our programming. The solutions are not ideal, but they are focused on the need to address the shortfall while preserving accreditation and public service. Still, DCA will have to rely a bit more heavily on our volunteer core and foundation partners.

There have been two legislative finance committee hearings. The first was in Ruidoso and was very difficult, because DCA was asked to make further reductions even after coming off of a Reduction in Force. The second was in Santa Fe and was strengthened by the presence of many supporters, including Edward Lujan, Anna Sanchez and Avitia.

Despite the budget shortfalls, Secretary Gonzales remains hopeful given all efforts being taken to educate budget leaders in the legislature.

Saucedo asked the Secretary to share with the Board the situation that occurred with the Welcome Center. The Secretary explained that there had originally been two authorizations for the Welcome Center – one was an expanded reauthorization for Torreon funds that was reauthorized to include the Welcome Center, the second was an appropriation solely for the Welcome Center. These funds were among those to be swept for the Special Legislative Session. Through a great deal of advocacy, DCA and the NHCC were able to make clear that private funds had been leveraged for the project, that an RFP had been performed, and that the funds were on the verge of being encumbered pursuant to that RFP right as the sweep list was being created. The line item veto from the Governor was a result of this advocacy, particular thanks to Representative Monica Youngblood. Saucedo added his thanks, also, to the Secretary for her advocacy on this issue.

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Board Finance Committee's Report.....Paul Maestas

Maestas thanked McIntyre, Brown, Gallegos, Miera and Garcia for attending the many Committee meetings. He also informed the Board that the Foundation's audit should be wrapped up soon.

NHCC Executive Director's Report.....Rebecca Avitia

Avitia introduced several new staff to the NHCC, as contained in the Board materials. In addition, she shared with the Board that the transfer of Alicia Tenorio to the NHCC had been finalized just this week, making Tenorio the newest, formal addition, despite having already been at the NHCC for about two year's. Avitia did let the Board know that the ability to fill the librarian position was unlikely at this time, given budget shortfalls, but assured the Board that this position is the next highest priority to be filled. The remaining positions are unlikely to be filled any time soon given the budget shortfall, but are being considered for reclassifications so that when the positions can be filled, they better align with the Center's current needs.

Avitia noted the continued positive press of the NHCC and its activities, and pointed to several recent articles that were passed around to Board members.

Avitia then provided the Board with a strategic plan update. She reviewed the progress on action items as contained in the Board materials, and also suggested that a new strategic plan should be initiated in 2017 given the markedly different state of the NHCC now from when the last plan was created – both positively in terms of attendance, revenue and fundraising growth, and negatively in terms of budget availability. Avitia indicated that the Board's input on the plan would be solicited at its March meeting, with the full plan presented for approval at the June meeting.

Finally, Avitia updated the Board on a new, significant grant received by the W.K. Kellogg Foundation to support community building efforts and the eventual commissioning of several works based on these community convenings. A draft press release on the grant was provided in the Board materials. As noted in the press release, the funds received are for planning and total \$150,000, with the overall project projected to require an additional \$600,000 in funding and extend through 2019.

NHCC Deputy Director's ReportRebecca Avitia

Avitia, who reported on behalf of Deputy Director Alberto Cuessy, reviewed the Attendance and Revenue report included in the Board materials. The report covers July through November 2016 and shows an overall increase of 8.3% in attendance, with total attendance at 124,043. The report also shows an overall increase of 3.3% in revenue, with total revenue at \$168,224.50. Avitia then reviewed the capital projects report contained in the Board materials and shared the design of the Central Dirt Lot, now in its last finalization phase.

NHCCF Report.....Anna Sanchez


Avitia, who reported on behalf of NHCC Foundation Director Anna Sanchez, directed the Board's attention to the Foundation report included in the Board packet.

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IV. Adjournment

Albert Gallegos made a motion to adjourn. Margie Huerta seconded the motion, and it passed unanimously.

The meeting adjourned at 3:44 pm.

Board President  Date 3-16-2017

Board Secretary  Date 3-16-17