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MEMORANDUM

TO: Christine Goodman, Director of Cultural Affairs

FROM: Jeremy Jacobsen, Asst. Corporation Counsel

DATE: September 16, 2024

SUBJECT: **Arts & Culture Trust Fund Committee
Disputes & Final Determination**

The Jersey City Law Department understands that questions have recently arisen regarding what rights or processes, if any, exist for grantees to appeal approvals, denials, or amounts of funding for grants awarded from the from the Jersey City Arts & Culture Trust Fund (the "Trust Fund").

Such awards are made by the Jersey City Arts and Culture Committee ("Committee"), which was established by City Ordinance 21-030, and which acts as Jersey City's local arts council pursuant to N.J.S.A. 40:12-15.11 et seq. The City takes the position that the ultimate decision on distribution of resources from the Trust Fund is made at the discretion of the Committee, and that the Committee's determination of award is therefore final and not subject to modification by the City. Thus, no administrative appeal right, nor any process for appealing from a decision of award by the Committee has been established. Upon review of the aforementioned statute and ordinance, the Jersey City Law Department has concluded that the City's present policy of treating all Committee determinations as final is supported by applicable law.