



City of Dallas

ARTS AND CULTURE ADVISORY COMMISSION MEETING AGENDA

Thursday, August 11, 2022

4:30 p.m.

Latino Cultural Center

2600 Live Oak Street

Dallas, Texas 75204

The Arts and Culture Advisory Commission meeting will be held by videoconference and at the Latino Cultural Center. Members of the public who wish to speak must sign up at DallasCulture.org/publicspeakers or call (214) 670-3687 extension 4 by 5pm the day before the meeting.

The public is encouraged to attend the meeting via the link below. The Latino Cultural Center is available for those wishing to attend the meeting in person following all current pandemic-related public health procedures.

<https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m2a6e120930f82620f65d457f796dcf10>

Call to Order

Spotlight: Joaquin Zihuatanejo, Poet Laureate of Dallas

Public Speakers (*see note below*)

VOTING AGENDA ITEMS

1. Approval of minutes of the June 16, 2022, Arts and Culture Advisory Commission meeting

ALLOCATIONS COMMITTEE

2. Recommendation in support of addition to the Cultural Support Programs Review Panel Roster
3. Recommendation in support of Amended FY 2022 – 23 Cultural Organizations Program Guidelines

PUBLIC ART COMMITTEE

4. Recommendation in support of the initiation of the Tipton Park Public Art Project, located at 3607 Magdeline Street, in Council District 6 – Approximate commission value of \$113,746

ARTS AND CULTURE ADVISORY COMMISSION
August 11, 2022 Meeting Agenda

5. Recommendation in support of the initiation of the Singing Hills Recreation Center Public Art Project, located at 6805 Patrol Way, in Council District 8 – Approximate commission value of \$143,724

BRIEFINGS

- A. Cultural Spotlight: Forest Forward
- B. FY 2022-23 and FY 2023-24 City of Dallas Budget Update
- C. Chair's Report: Commissioner and Cultural Organizations Program Liaison Updates
- D. Director's Update: Delays to City Contracts due to COVID-19 Supply Chain Impacts

INFORMATIONAL MATERIALS

- I. FY 2022-23 and FY 2023-24 Office of Arts and Culture Budget One-Pager
- II. Community Artists Program (CAP) FY 2022-23 Roster

Adjournment

Upcoming Meetings and Events (Committee Dates Subject to Change)

August 19, 2022 – Allocations Committee (Hybrid/In-Person at Latino Cultural Center)

September 1, 2022 – Allocations Committee (Hybrid/In-Person at Latino Cultural Center)

September 6, 2022 – Public Art Committee (Hybrid/In-Person at Latino Cultural Center)

September 15, 2022 – Arts and Culture Advisory Commission (Hybrid/In-Person location to be announced)

NOTE: The Arts and Culture Advisory Commission welcomes public speakers who wish to comment on matters related to agenda items or other matters concerning the Commission. Public speakers must register with the Office of Arts and Culture by 5 p.m., Wednesday, August 10. Register online at DallasCulture.org/publicspeakers, or call (214) 670-3687 extension 4. Speakers generally have a maximum of 3 minutes to speak, but the allotted speaking time may be limited if there is a large number of registered speakers.

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex. Govt. Code §551.089]

“HANDGUN PROHIBITION NOTICE FOR MEETING OF GOVERNMENT ENTITIES”

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

AGENDA DATE: August 11, 2022
COUNCIL DISTRICT(S): N/A
SERVICE: Arts and Culture Advisory Commission
STAFF CONTACT: Nikki Christmas, 214-670-3852

SUBJECT

Approval of minutes of the June 16, 2022, Arts and Culture Advisory Commission meeting

BACKGROUND

This action is to approve the minutes of the June 16, 2022, Arts and Culture Advisory Commission meeting.

PRIOR ACTION/REVIEW

This item has no prior action.

FISCAL INFORMATION

This item has no cost consideration to the City.



City of Dallas

**ARTS AND CULTURE ADVISORY COMMISSION
MEETING MINUTES**

Thursday, June 16, 2022

4:30 p.m.

Latino Cultural Center

2600 Live Oak Street

Dallas, Texas 75204

PRESENT: [13]

Augustine Jalomo, Linda Blasé, Ella Goode Johnson, Jesse Hornbuckle, J Damany Daniel, Dr. Teresa L. Jackson, Brad Spellicy, Mickie Bragalone, Kathy Stewart, Krista Weinstein, Jo Trizila, Grady McGahan, Jodi Voice Yellowfish

ABSENT: [3]

Macey Davis, Grace Glover, Vicki Meek

CITY STAFF PRESENT:

Benjamin Espino, Anne Marie Gan, Nikki Christmas, Anne Kogan, Gabriel Gonzalez

I. Call to Order

A quorum of the commission being present, Chair Johnson called the meeting to order at 4:34 p.m.

II. Public Speakers

The commission provides “open microphone” opportunities for the following individuals to comment on matter that were no scheduled on the commission voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

There were no public speakers.

III. VOTING AGENDA ITEMS

1. Approval of minutes of the June 1, 2022, Arts and Culture Advisory Commission meeting

Mr. Daniel moved to adopt the item with the amendment of Ms. Stewart counted as present. Motion seconded by Mr. Hornbuckle, and the item was unanimously approved.

2. Recommendation in support of Amended FY 2022 – 23 Cultural Organizations Program Guidelines

Item was deferred until next meeting in August.

IV. **BRIEFINGS**

- A. Cultural Spotlight: Remembering Black Dallas

Dr. George Keaton, Founder and Executive Director of Remembering Black Dallas briefed the Commission on this organization.

- B. WRR / KERA Transition Update

Interim Assistant Director Anne Marie Gan briefed the Commission on this item.

- C. Summer Programming Highlights

Interim Director Benjamin Espino briefed the Commission on this item.

- D. Chair's Report: Commissioner and Cultural Organizations Program Liaison Updates

Chairwoman Johnson briefed the Commission on this item.

- E. Director's Update

Interim Director Benjamin Espino briefed the Commission on this item.

V. **Adjournment**

Ms. Bragalone moved to adjourn the meeting. Motion seconded by Ms. Weinstein, and the item unanimously approved. Meeting adjourned at 5:09 p.m.

Ella Goode Johnson, Chair

ATTEST:

Nikki Christmas, Office of Arts and Culture

Date Approved

AGENDA DATE: August 11, 2022
COUNCIL DISTRICT(S): N/A
SERVICE: Cultural Support Programs
STAFF CONTACT: Anne Marie Gan, 214-671-7023

SUBJECT

Recommendation in support of additions to the Cultural Support Programs Review Panel Roster

BACKGROUND

This item provides for the Commission’s recommendation of panelists to add to the currently approved cultural support programs review panel roster for the Cultural Programs Division. For all funding programs, review panels shall consist of no fewer than five members, and panelists shall comply with the Code of Ethics in Chapter 12A of Dallas City Code as well as any conflict of interest provisions made by the OAC or Cultural Policy. Review panels shall, to the greatest extent possible, reflect the diversity of the city of Dallas, without sacrificing expertise, knowledge, or demonstrated interest in arts and culture.

Review panelists are not required to live in Dallas, and panelists should be actively involved in the Dallas arts community.

In April 2022, the Allocations committee was presented with a proposed panelist, Olaniyi Akindiya, an artist based in Pflugerville who is part of the Public Art Emerging Artists List, which includes artists from an approximately 150-mile radius around Dallas. This individual travels back and forth between Pflugerville and Dallas, and regularly works in the Dallas arts community.

Proposed changes may be made to the list presented by Commissioner request and will be valid after an affirmative vote by the Commission. There are currently over 160 active panelists on the roster, and nominations may be made at any time on the OAC grants portal at <https://webportalapp.com/webform/panelreviewnomination>

PRIOR ACTION/REVIEW

On April 7, 2022, the Allocations Committee asked defer the consideration of this addition to recommend the additions to the Panel Roster.

On July 7, 2022, the Allocations Committee voted unanimously in favor of this addition to the Panel Roster.

FISCAL INFORMATION

This action has no cost consideration to the City.

AGENDA DATE: August 11, 2022
COUNCIL DISTRICT(S): N/A
SERVICE: Cultural Support Programs
STAFF CONTACT: Anne Marie Gan, 214-671-7023

SUBJECT

Recommendation in Support of Amended FY 2022-23 Cultural Organizations Program Guidelines

BACKGROUND

The updated Cultural Policy of the City of Dallas, adopted on November 28, 2018, provides that guidelines for the various Cultural Funding Programs will be submitted annually for review and approval of the City Council. This serves to affirm the artistic nature of services to be provided through these various cultural programs and to specify the review and selection process for cultural services.

The Cultural Organizations Program (COP) is the support program through which the Office of Arts and Culture contracts for a full season of cultural services with established non-profit organizations for a variety of cultural programs that include concerts, plays, exhibitions, performances, workshops and other cultural programming for the benefit of Dallas residents and visitors.

The FY 2022-23 Cultural Organizations Program guidelines were approved by City Council on January 26, 2022 by Resolution No. 22-0239. Under these guidelines, cultural organizations were to have a minimum revenue of \$100,000, and mergers between organizations were not contemplated or addressed.

The Women’s Chorus of Dallas (TWCD) had its first year in COP in FY 2021-22 with a revenue of \$143,943. Early in the FY 2022-23 COP application period, TWCD let OAC staff know that their total revenue last year was \$96,208 (\$3,792 short of the \$100,000 minimum), and that they are on track to surpass \$100,000 in their current fiscal year. If approved, the proposed changes related to a one-year probationary period if a returning organization drops 5% below the \$100,000 minimum for a single year would allow the TWCD application to continue. The changes related to this are on page 3 of the guidelines.

The Children’s Chorus of Greater Dallas (CCGD) applied for COP by the application deadline of April 11, 2022, while the organization was undergoing some significant transitions. CCGD staff proactively met with OAC staff on April 8, 2022, to address current year (FY 2021-22) COP services, and to advise that the organization was in flux, and that

VOTING AGENDA ITEM # 3

CCGD would keep the Office of Arts and Culture updated. On April 25, the Dallas Symphony Association announced that it would be forming a new Dallas Symphony Children's Chorus, building upon the legacy of CCGD. CCGD will wind up operations and terminate its existence on or around June 30, 2022, and all assets will be transferred to the Dallas Symphony Association. CCGD will be collaborating with the Dallas Symphony Association on its outstanding OAC funding applications. CCGD's revenue placed it as a Tier 2 organization (revenue \$500K-\$1M), and the Dallas Symphony Association is a Tier 4 organization (revenue \$5M+). For panel presentations and administrative scoring, the CCGD application was considered, and CCGD presented to panels with some support from the Dallas Symphony Association. If approved, the proposed changes would allow the Dallas Symphony Association to assume the CCGD application for FY 2022-23 only; in following years, the Dallas Symphony Association would need to submit its own application for consideration. The changes related to this are on page 6 of the guidelines.

COP cultural service contracts are awarded annually using a volunteer review panel approach to evaluate applications. In accordance with Cultural Policy, the panelists are approved by the Arts and Culture Advisory Commission, and the panels are composed to reflect the diversity of the people of Dallas. Following panel review and scoring, the Allocations Committee of the Arts and Culture Advisory Commission will make recommendations to the full Arts and Culture Advisory Commission. The Commission's funding recommendations will be brought to City Council in the Fall of 2022 for authorization of the associated cultural service contracts.

PRIOR ACTION/REVIEW

On January 26, 2022, City Council approved the FY 2022-23 Cultural Organizations Program Guidelines by Resolution No. 22-0239.

On June 9, 2022, the Allocations Committee of the Arts and Culture Advisory Commission was briefed on proposed amendments to the FY 2022-23 Cultural Organizations Program Guidelines.

On July 7, 2022, the Allocations Committee of the Arts and Culture Advisory Commission unanimously approved a recommendation in support of the the proposed amendments to the FY 2022-23 Cultural Organizations Program Guidelines.

FISCAL INFORMATION

This action has no cost consideration to the City. Appropriations for the Cultural Support Programs are established in the General Fund through the annual budget development process. Each award to a cultural organization through Cultural Organizations Program will be authorized by resolution of the City Council.

EXHIBIT A



Cultural Organizations Program

FY 2022-23 Amended Guidelines Non-Profit Arts and Culture Organizations

As recommended by the
Arts and Culture Advisory Commission of the City of Dallas

Approved by the
City Council of the City of Dallas
by Council Resolution No. 22- _____
on _____

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Office of Arts and Culture

Vision

The Office of Arts and Culture aims to create an equitable, diverse and connected community, whose residents and visitors thrive through meaningful arts and cultural experiences in every neighborhood across Dallas.

Mission

The Office of Arts and Culture works to enhance the vitality of the city and the quality of life for all Dallas residents by creating an equitable environment wherein artists as well as arts and cultural organizations thrive; people of all ages enjoy opportunities for creative expression; and all celebrate our multicultural heritage.

Our mission is to support and grow a sustainable cultural ecosystem that ensures all residents and visitors have opportunities to experience arts and culture throughout the city.

Statement on Cultural Equity

In Dallas, we envision a city of people whose success and well-being are not pre-determined by their race, age, disability, sexual orientation, gender, social status, zip code, or citizenship status. We recognize that artistic and cultural expression are fundamental to the development of our identity, as individuals and as a community at large. We assert the right for all people to have access to arts and cultural experiences throughout Dallas.

We recognize the historic legacies of racism, overt bias and injustice that shape our present reality. In fact, the City of Dallas' arts funding originated to support organizations of the Western European canon, collectively referred to as "The Big Six." Going forward, we will strive to support the broadest range of art forms and creative producers, considering inclusivity, diversity and neighborhood impact to direct resources equitably to artists and organizations. We will work to build a robust arts ecosystem that continually evolves to better reflect the diverse composition of Dallas. Towards this end, we recognize and affirm the potential of new and emerging artists and organizations.

The Office of Arts and Culture will serve as convener and connector to catalyze equity in the policies and practices of its partners across the Dallas arts ecosystem. Core to this is leading other organizations and private resource providers to advance diversity, equity and inclusion in concrete, measurable ways. Annually, the Office of Arts and Culture will summarize its own support for artists and arts organizations, highlighting measures of equity and diversity.

As we work together to create a more vibrant Dallas, the Office of Arts and Culture is committed to nurturing the wide diversity of creative culture and experiences that make up this great city.

Contact OAC

For general inquiries or assistance, please contact the Office of Arts and Culture, Cultural Programs Division at 214-670-3687, extension 2. Specific staff telephone numbers and email addresses may be found online at dallasculture.org/contact.

FY 2022-23 Cultural Organizations Program

The Cultural Organizations Program (COP) is the program through which the City of Dallas Office of Arts and Culture (OAC) provide operational support as described by the Dallas Cultural Policy, approved by City Council on November 28, 2018 [Section 5(D)(i)]. Per the Dallas Cultural Policy, the Office of Arts and Culture contracts for cultural services with established, Dallas-based non-profit organizations for a variety of cultural programs that include concerts, plays, exhibitions, performances, workshops and other cultural programming for the benefit of Dallas residents and visitors. These cultural service contracts are awarded annually using a review panel approach to evaluate applications. Program eligibility and review criteria are published annually.

This document contains guidelines, deadlines and application instructions for the COP managed by the OAC for fiscal year 2022-23. Please refer to the appropriate sections of this guide for more detailed information about the different parts of this program. The FY 2022-23 City of Dallas fiscal year begins October 1, 2022 and ends September 30, 2023.

All applicants are required to read the guidelines and application instructions for details of program eligibility and requirements prior to beginning the application process. Guidelines are updated every funding cycle.

The organization is responsible for the quality, completeness and timely submission of the proposal and supplemental materials. Application steps and deadlines are included in this document and online at dallasculture.org. OAC staff are available to answer additional questions. See [Contact OAC](#).

FY 2022-23 COP Timeline

March 1, 2022	FY 2022-23 COP Online Application Opens
April 11, 2022	FY 2022-23 COP Application Closes at 11:59 PM
April 15 – May 16, 2022	Virtual Panel Review Period
May 17 – May 20, 2022	Web-meeting Question and Answer session
	Tier 1 – May 17; Tier 2 – May 18; Tier 3 – May 19; Tier 4 – May 20;
June – September 2022	COP Application Review/Funding Levels – Allocations Committee; COP funding recommendations made by the Arts & Culture Advisory Commission
October 2022	COP funding recommendations approved by City Council; initiation of COP Contract execution
January 2023	COP organizations eligible to receive first payment (if compliance and insurance requirements are met)
April 15, 2023	COP organizations eligible to receive second payment (if compliance and insurance requirements are met)
October 15, 2023	COP Final Monthly Report due for FY 2022-23
October 31, 2023	COP Final Report due for FY 2022-23
COP organizations are eligible to receive final payment after FY 2022-23 Final Report and Final Monthly Report are submitted (if compliance and insurance requirements are met)	

FY 2022-23 COP Application

All organizations, new and previously funded, are required to complete an application and review process to be considered for funding through the FY 2022-23 Cultural Organizations Program (COP).

“Returning applicants” are applicants contracted in the Cultural Organizations Program for FY 2021-22 at the time of application.

The FY 2022-23 COP Application can be found on the COP page of the OAC website at: <https://dallasculture.org/cultural-programs/cultural-organizations-program/>. Applications must be submitted via the online funding system by April 11, 2022 at 11:59 PM. Hard copies of applications will not be accepted.

NOTE: An organization that submits a substantially incomplete application at the time of the deadline, as deemed by the Office of Arts and Culture, will receive notification via e-mail as to the incomplete status of the application from OAC staff. This could result in the application being rejected.

COP Eligibility Requirements

Organizations must meet the following criteria to qualify for COP funding:

- Must be a 501(c)(3) tax-exempt entity as provided by the U.S. Internal Revenue Code, as amended, in good standing for at least 3 years.
- Must be authorized to transact business in the State of Texas.
- Must be an established City of Dallas arts or cultural organization with an operation history of at least 3 years.
- Organizations must have administrative offices permanently located in the City of Dallas. **This does not include P.O. Boxes – organization must have a physical Dallas administrative office address.**
- Must have an annual operating budget of at least \$100,000, based on the organization’s prior year’s unrestricted revenue. An applying organization must be able to verify most recent completed fiscal year’s unrestricted revenue through a Form 990, Form 990-EZ, or third-party financial audit.
 - An organization that is a returning applicant (in the Cultural Organizations Program for FY 2021-22 at the time of application) may be granted one probationary year in which it is allowed to have a revenue of \$95,000 – 99,999 for the prior year’s revenue, and will be considered as a Tier 1 organization for the probationary year. The organization will be required to have at least one paid full- or part-time employee as described below throughout the 12-month contract period of the probationary year. The organization may only be granted a single probationary year. After the probationary year, the organization must achieve revenues of at least \$100,000, as demonstrated by a Form 990, Form 990-EZ, or third-party financial audit, to be considered for eligibility in the Cultural Organizations Program.
- Obtain and maintain during the contract term all necessary licenses, permits, insurance and other approvals required by law for the provision of services.
- Must have at least one paid full- or part-time employee of a Director/Manager level hired upon award of City contract and employed throughout the 12-month contract period. For the purposes of this requirement, an employee is defined as an individual who, through the applicant organization, is paid a regular wage, receives a W-2, and has taxes withheld from those wages. An employee does not include independent contractors.
- Must produce an annual season of programs, exhibitions, and/or performances in the City of Dallas for the public.
- The primary focus of the organization’s operation must be to provide services to residents and visitors in the city limits of Dallas and at least 50% of activities must take place within the city limits of Dallas. COP funding may only be used for services provided within the City of Dallas.
- Must be in compliance with local, state, and federal laws prohibiting discrimination.

- Comply with regulations pertaining to federal grant recipients including Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Education Amendments of 1972, the Americans with Disabilities Act of 1990, and the Drug Free Workplace Act of 1988.
- Must have board-approved safe workplace policies (including, but not limited to, anti-discrimination and anti-harassment policies).
- Must have an Equity, Diversity, and Inclusion policy with measurable goals related to equity, diversity and inclusion that are board-approved and published on the organization's website.

COP funds allocated cannot be used to pay direct costs for:

- Activities which do not have a cultural or artistic focus
- Projects planned primarily for fundraising purposes
- Activities restricted to members or which do not benefit the general public
- Tuition expenses
- College/university or school projects that are part of a course or curriculum or which do not benefit the general public
- Fellowships/grants, scholarships, cash prizes or awards
- Activities that include food or alcohol
- Out-of-city travel
- Underwriting of capital expenditures (buildings, land, permanent equipment or artwork)
- Purchase of artwork
- Activities that have occurred prior to the execution of the cultural services contract
- Underwriting of past deficits
- Endowments
- Non-contract related services, lobbying, attorney's fees, fees for penalties, and fees for incorporation or obtaining tax-exempt status
- Activities of Dallas-based organizations that occur outside of the City limits
- Permanent or semi-permanent public art that is located on City property

COP Diversity Requirements

Per the Cultural Policy of the City of Dallas, organizations funded through COP should aim to meet the following goals, as set forth in the Cultural Policy. Organizations' progress will be monitored by the OAC on an ongoing basis and OAC staff are available to answer any questions or provide guidance on achieving these goals:

- (1) Have board-approved safe workplace policies (including, but not limited to, anti-discrimination and anti-harassment policies).
- (2) Have a policy and measurable goals related to equity, diversity and inclusion that is board-approved and published on their website.
- (3) Board Diversity¹ goals (by organization budget size):
 - a. Annual operating budget of \$5 million and above: at least 30% board diversity.
 - b. Annual operating budget of \$1 million - \$5 million: at least 20% board diversity.
 - c. Annual operating budget of \$500,000 to \$1 million: at least 10% board diversity.
- (4) For organizations with operating budgets over \$1 million: offer paid internships with livable wages to increase the diversity of the pipeline for future arts leaders.

¹ Diversity (as relates to board goals) means the percentage of non-majority (based on race/ethnicity) members of a board. For example, if the goal is at least 30% diversity on a board, an organization meeting that goal must have no more than 70% of any one racial/ethnic group on their board.

Funding Level Restrictions

A. The limit on support through COP is scaled to be proportional, based on an organization's most recently completed fiscal year's revenue as supported by submitted financial documentation, and in no case shall the amount of funding for an organization through COP be greater than:

- (i) 25% of the applicant organization's revenues up to \$1 million;
- (ii) 15% of the applicant organization's revenues over \$1 million up to \$5 million;
- (iii) and 10% of the applicant organization's revenues greater than \$5 million.

For example, an organization with a documented revenue of \$5,500,000 dollars could receive a maximum of 25% of \$1 million, 15% of \$4 million, and 10% of the remaining \$500,000.

NOTE: All funding level restriction calculations shall be made excluding in-kind revenues

B. Total support by the City in a fiscal year, whether cash or in-kind, regardless of the department from which the funds and support originate, shall not exceed:

- (i) 50% of an organization's most recent year's audited revenue for organizations with revenue less than \$1 million.
- (ii) 40% of an organization's most recent year's audited revenue for organizations with revenue of \$1 million or more.

C. In-kind support includes, but is not limited to, utility payments made directly by the City, payments made to a third party, including other City departments, in support of the organization, and facility use fee discounts at Cultural Centers.

Source of Cultural Support Funds

The City of Dallas invests in the arts by allocating a portion of the City's general fund (primarily property and sales tax collections) and a portion of Hotel Occupancy Tax (HOT) revenue to eligible applicants who meet the established program criteria and are recommended for funding as a result of an application and review panel process. Per state law, revenue from the municipal Hotel Occupancy Tax collection may be used only to promote tourism and the convention and hotel industry (Texas Tax Code, Chapter 351.101. Use of Tax Revenue)

New Applicants

New applicants are applicants submitting proposals to the program for the first time, as well as to applicants that have applied in the past but are not currently funded through the program.

New applicants must contact OAC staff before the application deadline. This is to ensure that the applicant is aware of the COP requirements and additional information that is needed.

Review Panel & Selection Process

Applications for COP are evaluated by a review panel. The review panel should, to the greatest extent possible, reflect the diversity of the City of Dallas, without sacrificing expertise, knowledge, or demonstrated interest in arts and culture.

Nominations to review panels shall be provided by interested members of the public, the Arts & Culture Advisory Commission, and City staff. In no instance shall a City employee, Arts and Culture Advisory Commissioner, or other City official be a member of a review panel.

Review panel members shall be independent, impartial, and responsible only to the people of the city and shall comply with the Code of Ethics in Chapter 12A of the Dallas City Code including, but not limited to, recusal and disclosure provisions. Panelists should strive to avoid the appearance and risk of impropriety.

Tier Structure

All COP applicants will be reviewed in tier levels based on their unrestricted operating budget from the previous year's official audited records, Form 990, or Form 990 EZ. There will be one review panel for each tier level. The tier levels are as follows:

- Tier 1 – \$100,000 – \$499,999, or no less than \$95,000 for a single probationary year (returning applicants only)
- Tier 2 – \$500,000 – \$999,999
- Tier 3 – \$1,000,000 – \$4,999,999
- Tier 4 – \$5,000,000 or more

If a returning applicant (in the Cultural Organizations Program for FY 2021-22 at the time of application) winds up operations before October 1, 2022 with a transfer of assets including financial assets, trademarks, and domain names, to a Dallas-based non-profit cultural organization that would have been eligible to apply for COP during the application period ("acquiring organization"), the acquiring organization may assume the application for the FY 2022-23 Cultural Organizations Program. For scoring purposes, the application will be considered in the tier in which the returning applicant existed as of the application deadline (April 11, 2022).

Panel Review

In lieu of in-person presentations, each applicant will be required to submit a 10-minute maximum presentational video and attend a 10-minute question and answer session via a web-meeting platform (e.g. Zoom, Microsoft Teams, etc.) with the applicant's respective panel.

Applicants may reference the FY 2022-23 COP Timeline above for a date during which the question-and-answer sessions for each tier will take place. A shorter 30-minute timeslot will be made available to applicants at least a week in advance of the question-and-answer session. During the question-and-answer session, applying organizations must be represented by principal representatives, e.g. the Executive Director, Artistic Director, Board President and/or a Financial Officer or other staff as determined by the organization.

Selection

Review panel and administrative scores are forwarded to the Arts & Culture Advisory Commission for review. The Commission recommends a level of funding for each organization taking into consideration the scoring, prior year funding, funding projections, contract compliance, and fiscal standing of applying organizations. **A returning applicant whose normalized score is below 70% is only eligible to receive a maximum of 60% of their FY 2021-22 COP funding level. A new applicant whose normalized score is below 70% will not be eligible for funding in FY 2022-23.** All scores are normalized within their respective tier. Normalizing a score means each score is divided by the highest score of that tier.

The Commission's recommendation is then forwarded to the City Council through the City Manager's Office. The recommended allocation and individual contracts will receive approval or modification by the City Council in October of each year pending City of Dallas budget approval.

Variances from these guidelines may be approved by the Director; however, material variances shall require City Council approval.

Material variances include:

- Changes in tier structure
- Changes in scoring criteria
- Non-profit status requirements
- Status as a Dallas-based organization or artist
- Changes to ineligible activities

Scoring

Each applicant will be scored on a 100-point scale. Seventy points will be at the discretion of the review panel. The remaining 30 points will be an administrative and compliance score calculated by OAC staff.

Review Panel Scoring

Public Benefit (35 points) – The applicant defines its community in relation to its mission and provides programming that serves its identified audiences and promotes sustainability in the arts and culture sector of the City of Dallas.

- Creates unique or meaningful arts and cultural experiences
- Provides inviting opportunities which are accessible to the intended audience
- Meaningfully engages the community to achieve its mission
- Promotes a sustainable arts ecosystem
- Partners with Dallas-based artists or organizations
- Builds meaningful relationships with Dallas residents and community partners

Access & Impact (20 points) – The applicant eliminates barriers and increases equitable access and inclusivity through mission-driven community/neighborhood programming, outreach, and involvement.

- Reflects the values of cultural equity, access, and inclusion through programming
- Invests time, resources, and programming in historically underserved communities
- Elevates and expands neighborhood cultural assets
- Increases creative access, awareness, and appreciation in neighborhoods across Dallas
- Involves, represents, and centers on people and communities most impacted by racism and other forms of discrimination

Organizational Capacity (15 points) – The evaluation of the organization's ability to successfully plan for and manage its proposed services and audience.

- Clarity of application
- Ability to execute and deliver proposed services
- Supplemental materials enhance the overall application
- Clearly defined organizational goals
- Plans to monitor organizational success
- Marketing and communication strategies show an understanding of audiences

OAC Administrative Scoring

Contract Compliance & Financial Viability (10 points) – the organization has shown the capacity to comply with COP monthly reporting and financial report submission requirements that are required by the COP contract (measured from the prior complete fiscal year). The organization has sound financial viability in fundraising/development and unrestricted net assets (measured from the organization’s most recent audit).

4 Points: Monthly Reports (returning applicants only)

- 4 = 10 to 12 reports submitted on time
- 2 = 7 to 9 reports submitted on time
- 0 = 6 or fewer reports submitted on time

2 Points: Financial report submitted by deadline (returning applicants only) – the organization has submitted the required financial reporting documentation 180 calendar days (6 months) after the close of the organization’s fiscal year. (See table below for financial reporting requirements)

Budget Size	Financial Report Type
\$100,000 - \$199,999 <u>Or not less than \$95,000 for a single probationary year (returning applicants only)</u>	Form 990-EZ, Form 990, or Financial Audit
\$200,000 - \$499,999	Form 990 or Financial Audit
\$500,000 or more	Financial Audit

- 2 = Financial report submitted on time
- 0 = Financial report submitted after deadline

6 points: Prior Contract Compliance (new applicants only) – The applicant has successfully been recommended for funding and executed at least one contract while maintaining full compliance for ArtsActivate or the Community Artist Program (CAP) in FY 2019-20, FY 2020-21, and FY 2021-22. If an applicant held multiple contracts throughout this time frame, all such contracts must have maintained compliance for full scoring consideration. Final acceptance into FY 2021-22 COP will be contingent upon completion of the terms of the contract amendment and compliance.

- 6 = Recommended for funding and maintained contract compliance
- 0 = Not recommended for funding or did not maintain contract compliance

2 Points: Fundraising Expense Percentage – Percentage of sum of fundraising/development expenses to sum of fundraising/development revenues.

- 2 = Ratio less than 20%
- 1 = Ratio between 20% and 40%
- 0 = Ratio more than 40%

2 Points: Average Days Cash on Hand – The applicant’s average days cash on hand, based on most recent Form 990 or Form 990 EZ, calculated by dividing the average of cash and cash equivalents over the year, including savings & temporary investments, by the average monthly expense for the most recent year. Depreciation, depletion, and amortization are excluded from calculation of average monthly expenses.

Form 990 EZ – Average of Line 22A and Line 22B divided by Line 17 minus any non-cash expenses as detailed in Schedule O

Form 990 – Average of Part X, Line 1A plus 2A and Line 1B plus 2B divided Part IX, Line 25A minus Line 22A and any other non-cash expenses

- 2 = 60 days or more cash on hand
- 1 = 30 – 59 days cash on hand
- 0 = less than 30 days cash on hand

Organization Program Management (10 points) – The organization has performed in a reliable manner in the past in terms of contract sustainability, program management, board governance, and employee compensation.

4 points: SMU DataArts Cultural Data Profile – The organization has completed a Cultural Data Profile (CDP) through SMU DataArts

- Returning applicants are required to complete the three-year history for full point consideration. New applicants may complete only a one-year history at the time of submission for the sake of timeliness of submission. The full three-year history must be completed by June 30, 2022, for full point consideration.

- 4 = Applicant has completed a three-year history CDP
- 2 = Applicant has completed a one-year history CDP
- 0 = Applicant has not completed a CDP

4 points: Organization Employee Pay – The organization provides sustainability in the Dallas arts ecosystem by providing, at a minimum, a living wage to all full- and part-time employees as aligned with the City of Dallas living wage rate of \$15.21 per hour. These criteria shall only be applied to organizations in Tiers 3 and 4 (revenues \$1 million or more).

Points	Tier 1	Tier 2	Tier 3	Tier 4
4			\$15.21 or more	\$15.21 or more
3			\$12.61 - \$15.20	\$12.61 - \$15.20
2			\$10.00 – \$12.60	\$10.00 – \$12.60
0			\$9.99 or less	\$9.99 or less

2 points: Organization Board Governance – Organization has “give or get” policy with board of directors. In the most recently completed fiscal year, what percentage of board members contributed either by personal donation or securing predetermined funding from a third party for the organization.

- 2 = 90% - 100% board participation in “give or get” policy
- 1 = 75% - 89% board participation in “give or get” policy
- 0 = Less than 75% board participation in “give or get” policy

Adherence to Cultural Policy Diversity Criteria (12 points)

5 points: Board Diversity – Per the City of Dallas Cultural Policy as adopted November 28, 2018, the following goals have been put in place for cultural organizations to demonstrate a commitment to diverse community representation of the organization’s board. (Diversity numbers taken from the FY 2022-23 COP Application)

Points	Tier 1	Tier 2	Tier 3	Tier 4
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5	10% or more	10% or more	20% or more	30% or more
3	3% - 9%	3% - 9%	6% - 19%	10% - 29%
0	2% or less	2% or less	5% or less	9% or less

5 points: Staff Diversity – While the Cultural Policy does not set specific goals for staff diversity, the OAC will mirror staff diversity goals based on those of board diversity goals and definitions for the purposes of this scoring category. Staff is considered pay-rolled staff, not contracted labor. Because organizations in Tier I generally do not have significant numbers of staff, they are exempt from staff diversity goals and receive credit for this criterion.

Points	Tier 1	Tier 2	Tier 3	Tier 4
5		10% or more	20% or more	30% or more
3		3% - 9%	6% - 19%	10% - 29%
0		2% or less	5% or less	9% or less

Compliance

COP contracts require compliance for the entirety of the contract period (October 1, 2020 – September 30, 2021). Any major contract compliance issues such as current audits not being received, or other similar items will be presented to the Allocations Committee to recommend a course of action to be taken. This will then be presented to the full Arts and Culture Advisory Commission for recommendation of funding continuation.

To maintain compliance, organizations must provide the following:

Financial Reports

An annual financial report must be submitted to the OAC no later than six months after the completion of the organization’s fiscal year. Depending on an organization’s operational budget size, the organizations will submit a third-party financial audit, a Form 990, or a Form 990-EZ (see table below). Failure to meet a financial report submission deadline may result in the withholding of contract payments.

Budget Size	Financial Report Type
\$100,000 - \$199,999 Or not less than \$95,000 for a single probationary year (returning applicants only)	Form 990-EZ, Form 990, or Financial Audit
\$200,000 - \$499,999	Form 990 or Financial Audit
\$500,000 or more	Financial Audit

Monthly COP Reports

A monthly report listing Dallas activities and programs presented by the organization, the total attendance at each activity and supporting information must be submitted by the 15th day of each month (reporting the prior month’s activities) to OAC.

Final Report

A final evaluation report summarizing activities for the contract period must be submitted to OAC by October 31, 2022. Failure to submit the report in a timely manner or submission of an incomplete report may result in delayed payment or

non-payment of the final contract installment as well as payment on future contracts. This online form can be found on the COP page at dallasculture.org.

Business Inclusion and Development: Minority and Women-Owned Business Enterprises

It is the policy of the City of Dallas to use qualified Minority and Women-Owned Business Enterprises (M/WBEs) to the greatest extent feasible on the City's construction, procurement and professional services contracts. The City and its contractors shall not discriminate on the basis of race, color, religion, national origin, age or sex in the award and performance of contracts. In consideration of this policy, the City of Dallas has adopted the Business Inclusion and Development Plan (BID Plan) for all City of Dallas contracts. The purpose of the Business Inclusion and Development Plan is to increase participation of M/WBEs in City procurement and contracting opportunities. And to develop the local business base through the award of contracts and purchases to locally owned businesses. Under the BID Plan, bidders/proposers are required to sign an affidavit agreeing to comply with the City's BID Plan.

The BID Plan shall apply to all City contracts for the procurement of construction, architectural and engineering, goods, other services and professional services, with emphasis on first tier subcontracts on City contracts over \$50,000. As a prerequisite for City Council award, the prime contractor must make a good faith effort to meet established M/WBE subcontracting goals and if goals are not met, must demonstrate and document its good faith effort to meet the established goals.

In addition to the goal-based policy, it is the preference of the City of Dallas for the workforce of contract awardees to be reflective of the diversity of the residents of the City of Dallas.

The City reserves the right to request a company's affirmative action plan or equal opportunity plan from potential contract awardees. In addition, if the potential awardee plans to hire additional staff to complete the contract, the City reserves the right to request a local hiring plan.

Insurance Requirements

Insurance requirements are included in the contract and are determined by the City of Dallas Office of Risk Management. A Certificate of Insurance (COI) must be submitted to the City whenever a policy expires and is renewed. Funds cannot be released without a memorandum of compliance from the Office of Risk Management stating the insurance requirements have been met. Proof of insurance must meet the specific terms of the contract. During the contract term, applicants are required to obtain and maintain all necessary licenses, permits, insurance and other approvals required by law for the provision of services.

Failure to meet insurance requirements will be reported to the Arts & Culture Advisory Commission and is a default under the contract terms.

Logo and Credit Line

It is imperative that the residents of Dallas know that their local tax dollars make it possible for them to enjoy the caliber of arts produced in this City. All contractors must recognize the City of Dallas in the same way it recognizes other contributors at the same support level in terms of benefits, type size on publications, and frequency of acknowledgment.

The City of Dallas logo can be downloaded from our website: www.dallasculture.org/our-logo.

Arts organizations and artists awarded City of Dallas contracts for cultural services must include the following reasonably visible and legible credit line and logo in publications, programs, press releases, season brochures, lobby displays, advertising and every other mode of public communication:

“(Name of your organization/program) is supported in part by the City of Dallas Office of Arts and Culture.”

Complimentary Tickets

Cultural organizations shall make available up to four complimentary tickets per event, program, production, exhibition or other activity produced by the organization to the OAC for the purpose of allowing City staff to assess the management and operation of City-owned facilities within their jurisdiction and to oversee City sponsored events. This requirement applies to organization’s regular programming only and not to special fundraising events. Additionally, the organization may provide free tickets to promotional activities to the Director for distribution to the general public at various OAC facilities.

Receipt of complimentary tickets by City staff is subject to the provisions of the City’s Gift Policy For City Employees, provided in Council Resolution 17-0516 adopted on March 22, 2017.

DRAFT

Social Media Recognition

In social media promotions related to any service funded by COP, you can tag City of Dallas Office of Arts and Culture and utilize preferred hashtags when appropriate. See Dallas Culture handles, preferred hashtags and recommendations for social media engagement below.

Twitter

- Through professional and/or personal accounts follow Dallas OAC Twitter account <https://twitter.com/dallasculture>
- When making posts about your project tag us in your tweet by using our handle @dallasculture
- Include the hashtags: #dallasculture #liveart #oac

Facebook

- Through professional and/or personal pages, “like” the City of Dallas Office of Arts and Culture
- Facebook page <https://www.facebook.com/dallasculture>
- When making posts about your project, tag in them @City of Dallas Office of Arts and Culture
- Tag @City of Dallas Office of Arts and Culture in any photos/videos you post related to your project. Be sure to share photos on the Dallas Culture page as well
- Utilize the #dallasculture #liveart #oac hashtags on Facebook posts of your projects

Instagram

- Through professional and/or personal accounts follow Dallas OAC Instagram account https://www.instagram.com/dallas_culture/
- When making posts about your project tag us in your tweet by using our handle @dallas_culture
- Include the hashtags: #dallasculture #liveart #oac

Arts and Culture Advisory Commission Liaison

Funded COP organizations will be assigned a liaison from the Arts and Culture Advisory Commission whose duties will be outlined per organization needs. The liaison assignment will depend on the availability of the Commissioners. COP organizations shall allow attendance by and share minutes with the assigned Arts and Culture Advisory Commission liaison for governing board proceedings, excluding proceedings that are confidential, to the extent allowable by law and board governance.

ALAANA Designation

Applicant organizations are asked to identify as an ALAANA organization if applicable. ALAANA means African, Latinx, Asian, Arab, and Native American. This also includes Native Hawaiian and Pacific Islander (category as defined by the US Census Bureau). An ALAANA organization is one whose primary intentions, practices, and mission are by, for, or about ALAANA artists, cultures, and communities. The word “for” refers to the intention of the organization to perpetuate, promote, and present art that is representative of an ALAANA culture and people and/or is given form by ALAANA artists. ALAANA designation has no impact on funding decisions by the City of Dallas. ALAANA designation has no impact on funding decisions by the City of Dallas, rather it assists OAC in tracking our Dallas Cultural Policy and Plan goals surrounding diversity, equity, inclusion, and access.

Probation

Organizations that fail to provide contractual services or meet program eligibility and reporting requirements may be in default of contract and may be placed on probation per OAC Director discretion. Failure of an organization to satisfactorily address the City's concerns within a period of the probation may result in a recommendation of "no funding" for the next fiscal year.

Revisions

Once the contract has been signed, any changes in the project (either programmatic or financial) must be approved in advance by the Director of the Office of Arts and Culture and will require a formal amendment if it affects the contractual requirements. The contractor must submit a written request for approval of any changes.

DRAFT

AGENDA DATE: August 11, 2022
COUNCIL DISTRICT(S): 6
SERVICE: Public Art
STAFF CONTACT: Drema Chávez, 214-670-3284

SUBJECT

Recommendation in support of the initiation of the Tipton Park Public Art Project, located at 3607 Magdeline Street, Dallas, TX 75212 in Council District 6 – Approximate commission value of \$113, 746

BACKGROUND

The Office of Arts and Culture will request the submission of qualifications from artists or artist teams to design, fabricate and install a work of public art at Tipton Park. Public Art Staff will gather input from members and stakeholders of the community to define the scope of the project, including content, theme and style, followed by a Request for Qualifications.

ESTIMATED SCHEDULE OF PROJECT

Request for Qualifications	Spring 2023
Artist Selection	Fall 2023
Project Completion	Summer 2024

PRIOR ACTION/REVIEW

On August 2, 2022, the Public Art Committee recommended the initiation of Tipton Park Art Project.

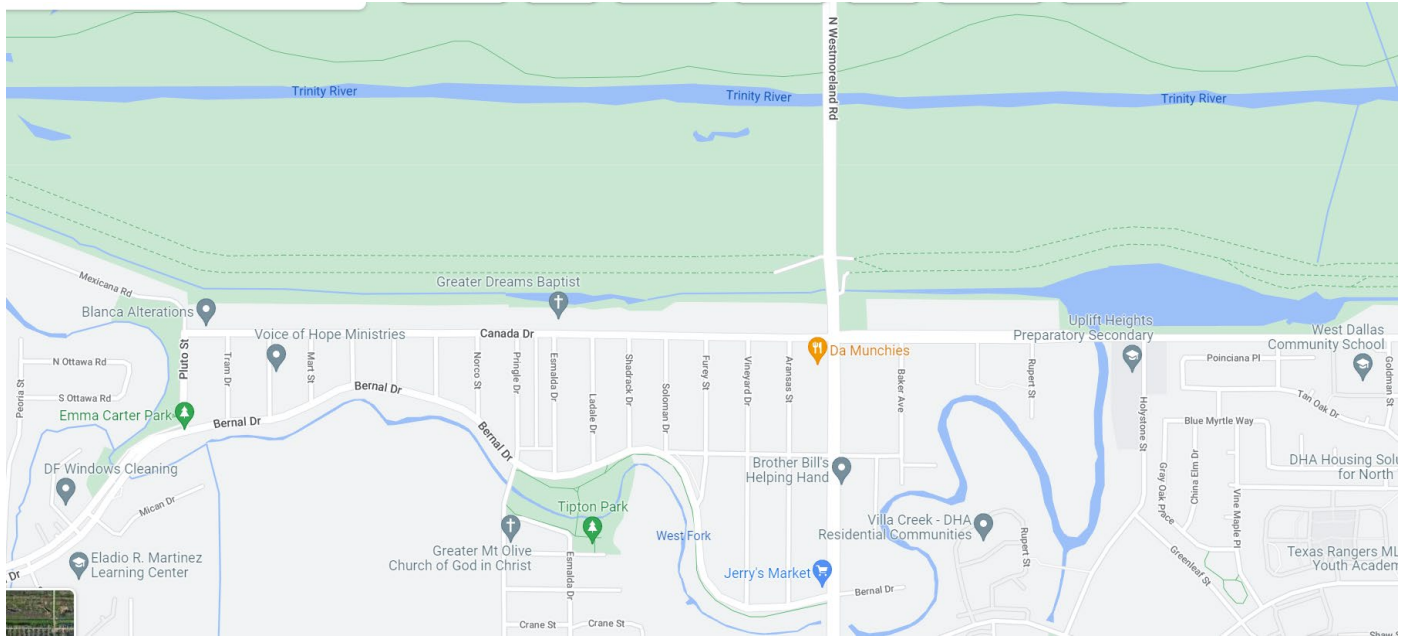
On January 20, 2022 the Arts and Culture Advisory Commission approved the 2022 Public Art Annual Plan including planning for Tipton Park in Council District 6.

On January 11, 2022 the Public Art Committee recommended support of the 2022 Public Art Annual Plan including planning for Tipton Park in Council District 6.

FISCAL INFORMATION

Parks and Recreation 2017 Bond Fund for Public Art \$113,746

LOCATION MAP



ATTACHMENTS

No attachments

AGENDA DATE: August 11, 2022
COUNCIL DISTRICT(S): 8
SERVICE: Public Art
STAFF CONTACT: Drema Chávez, 214-670-3284

SUBJECT

Recommendation in support of the initiation of the Singing Hills Recreation Center Public Art Project, located at 6805 Patrol Way, in Council District 8 – Approximate commission value of \$143,724

BACKGROUND

The Office of Arts and Culture will request the submission of qualifications from artists or artist teams to design, fabricate and install a work of public art at Singing Hills Recreation Center. Public Art Staff will gather input from members and stakeholders of the community to define the scope of the project, including content, theme and style, followed by a Request for Qualifications.

ESTIMATED SCHEDULE OF PROJECT

Request for Qualifications	Spring 2023
Artist Selection	Fall 2023
Project Completion	Summer 2024

PRIOR ACTION/REVIEW

On August 2, 2022, the Public Art Committee recommended the initiation of Singing Hills Recreation Center Art Project.

On January 21, 2021 the Arts and Culture Advisory Commission approved the 2021 Public Art Annual Plan including planning for the Singing Hills Recreation Center in Council District 8.

On January 12, 2021, the Public Art Committee recommended support of the 2021 Public Art Annual Plan including planning for the Singing Hills Recreation Center in Council District 8.

FISCAL INFORMATION

Parks and Recreation 2017 Bond Fund for Public Art \$143,724

LOCATION MAP



ATTACHMENTS

No attachments