ARTS AND CULTURE ADVISORY COMMISSION
MEETING AGENDA

Thursday, February 20, 2020
4:30 p.m.
Dallas City Hall
Park Board Room
1500 Marilla Street, 6FN
Dallas, Texas 75201

Call to Order

Public Speakers (see note below)

VOTING AGENDA ITEMS

1. Approval of minutes of the January 16, 2020, Arts and Culture Advisory Commission meeting

ALLOCATIONS COMMITTEE

2. Recommendation in support of the Cultural Organizations Program (COP) Guidelines for FY 2020-21

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

BRIEFINGS

A. Spotlight: Soul Rep Theatre Company (approx. 5 minutes)

B. Culture Pass Update (approx. 15 minutes)

C. City of Dallas Gift Policy Briefing (approx. 10 minutes)

D. City of Dallas General Fund Budget Overview (approx. 15 minutes)

E. Arts Month 2020 (approx. 5 minutes)

Adjournment
Upcoming Meetings and Events:
February 18, 2020 – Quality of Life Committee of City Council – Briefing by Memo of COP Guidelines for FY 2020-21
February 26, 2020 – City Council – Voting Item for FY 2020-21 COP Guidelines
March 3, 2020 – Public Art Committee
March 4, 2020 – Allocations Committee
March 26, 2020, 10am – Arts Month Press Conference (Music Hall at Fair Park)
March 26, 2020 - Arts and Culture Advisory Commission

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 12 p.m. (noon), Thursday, February 20. 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."
SUBJECT

Approval of minutes of the January 16, 2020, Arts and Culture Advisory Commission meeting

BACKGROUND

This action is to approve the minutes of the January 16, 2020, 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.
ARTS AND CULTURE ADVISORY COMMISSION
MEETING MINUTES

Thursday, January 16, 2020
4:30 p.m.
Dallas City Hall, Park Board Room
1500 Marilla Street, 6FN
Dallas, Texas 75201

PRESENT: [16]

Sam Santiago (Chair), Meghann Bridgeman, Linda Blase, Ella Goode Johnson, Jesse Hornbuckle, Priscilla Rice, Yolanda Alameda, Phillip Collins, Brad Spellicy, Kathy Stewart, Jayne Suhler, Jo Trizila, Leland Burk, Suzanne Smith, Grady McGahan, Victoria Ferrell Ortiz

ABSENT: [2]

Mickie Bragalone, Vicki Meek

CITY STAFF PRESENT:

Jennifer Scripps, David Fisher, Glenn Ayars, Barbara Bernier, Nikki Christmas, Anne Marie Gan, Rhonda Ivery, Kay Kallos, Adriana Portillo, Gerardo Robles

I. Call To Order

A quorum of the commission being present, the Chair 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 matters that were not 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:

SPEAKER: Sharad Elhence
SUBJECT: ARTSonepass
SPEAKER: Mae Beck  
SUBJECT: Arthello Beck, Jr. Twin Falls Art Project

III. Voting Agenda Items

1. Approval of minutes of the November 21, 2019, Arts and Culture Advisory Commission meeting [APPROVED]

   Mr. Burke moved to adopt the item. Motion seconded by Ms. Trizila and unanimously adopted.

2. Recommendation in support of artists Jennifer Cowley and Tyra Goodley for the commission of artwork at Twin Falls Park, located 6300 S Polk Street - Total not to exceed $81,000.00 – Financing: 2006 Park and Recreation Bond Fund ($81,000.00) [APPROVED]

   Ms. Bridgeman moved to adopt the item. Motion seconded by Mr. Hornbuckle. Following discussion, the item was unanimously adopted.

3. Recommendation in support of artist Legge Lewis Legge for the commission of artwork at the Bath House Cultural Center, 521 East Lawther Drive - Total not to exceed $250,000.00 – Financing: Dallas Water Utilities Bond Funds ($250,000.00) [APPROVED]

   Ms. Suhler moved to adopt the item. Motion seconded by Ms. Blase. Following discussion, this item was unanimously adopted.

4. Approval of the FY 2018-19 Arts and Culture Advisory Commission Annual Report

   Ms. Johnson moved to adopt the item. Motion seconded by Mr. Hornbuckle.

   Ms. Blase asked if Ms. Johnson would accept a friendly amendment to revise the annual report to remove the repetition of Asian Film Festival of Dallas on page 22 and to correct the typo of “youthful them” to “youth for them” in Dark Circles Contemporary Dance on page 30.

   Ms. Johnson accepted Ms. Blase’s friendly amendment as part of her motion.

   Mr. Burke asked Ms. Johnson would accept a friendly amendment to her amended motion to correct the description of the Dallas Symphony Association on page 16.
Ms. Johnson accepted Mr. Burke’s friendly amendment as part of her motion.

Mr. McGahan asked Ms. Johnson to accept a friendly amendment to her amended motion to correct the spelling of artist Tamitha Curiel’s name on page 31.

Ms. Johnson accepted Mr. McGahan’s friendly amendment as part of her motion.

Chairman Santiago called a vote, and this item was unanimously adopted as amended.

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

Ms. Rice moved to adopt the item. Motion seconded by Mr. McGahan and unanimously adopted.

IV. **Briefings**

A. Spotlight: Verdigris Ensemble

   Sam Brukhman briefed the Commission on this item.

B. Overview of Public Art Program

   Kay Kallos briefed the Commission on this item.

C. OAC Organizational Announcements

   Jennifer Scripps briefed the Commission on this item.

D. Cultural Plan Goals for Equity and Diversity

   Anne Marie Gan and Glenn Ayars briefed the Commission on this item.

E. Discuss Cultural Plan Overview and Goal Setting for Commission

   Chairman Santiago briefed the Commission on this item.

F. Liaison Role of Commissioners and Assignments

   Chairman Santiago briefed the Commission on this item.
V. **Adjournment**

After all business properly brought before the commission had been considered, the commission adjourned at 6:35 p.m.

_______________________________________________
Sam Santiago, Chair

ATTEST:

_______________________________________________
Anne Marie Gan, Office of Arts and Culture

_______________________________________________
Date Approved
VOTING AGENDA ITEM # 2

AGENDA DATE: February 20, 2020
COUNCIL DISTRICT(S): N/A
SERVICE: Cultural Support Programs
STAFF CONTACT: Glenn Ayars, 214-671-0878

SUBJECT

Recommendation in support of the Cultural Organizations Program (COP) Guidelines for FY 2020-21

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 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 FY 2020-21 Cultural Organizations Program guidelines (Exhibit A attached) contain no substantive changes compared to the FY 2019-20 guidelines. The only proposed changes are re-ordering of the introduction to improve readability for first-time applicants, minor wording clarifications, updating Office of Cultural Affairs/OCA to Office of Arts and Culture/OAC, and updated submission deadlines and dates. Scoring categories, point values, eligibility requirements, and process will remain the same as in FY 2019-20.

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. These cultural service contracts are awarded annually using a volunteer review panel approach to evaluate applications. 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 2020 for authorization of the associated cultural service contracts.

PRIOR ACTION/REVIEW

On February 12, 2020, the Allocations Committee of the Arts and Culture Advisory Commission voted to recommend these guidelines with amendments to clarify eligibility for other cultural funding programs and logo and credit line visibility expectations. These changes have been integrated into the guidelines attached.
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.
FY 2019-20 2020-21
Cultural Organizations Program (COP) Guidelines
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Introduction

The Cultural Organizations Program is the support program through which the City of Dallas Office of Cultural Affairs contracts for 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. These cultural service contracts are awarded annually using a review panel approach to evaluate applications. Program eligibility and review criteria are published annually. An organization receiving a COP contract cannot receive a Cultural Projects Funding (CPF) contract but is eligible to apply for the Cultural Vitality Program (CVP) with the condition that the project is not a repeated annual project, or part of the scope of services to be provided in the COP contract.

This document contains guidelines, deadlines and application instructions for the Cultural Organizations Program (COP) managed by the Office of Cultural Affairs (OCA) for fiscal year 2019-20. Please refer to the appropriate sections of this guide for more detailed information about the different parts of this program. The FY 2019-20 City of Dallas fiscal year begins October 1, 2019 and ends September 30, 2020.

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. Application steps and deadlines are included in this document and online at dallasculture.org. OCA staff are available to answer additional questions. See Contact OCA below.

**FY 2019-20 COP Timeline**

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<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tr>
<td>March 4, 2019</td>
<td>FY 2019-20 COP Online Application Opens</td>
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<tr>
<td>April 19, 2019</td>
<td>FY 2019-20 COP Application Closes at 11:59 PM</td>
</tr>
<tr>
<td>May 14-17, 2019</td>
<td>COP Panel Presentations</td>
</tr>
<tr>
<td>June-August 2019</td>
<td>COP Application Review/Funding Levels – Allocations Committee</td>
</tr>
<tr>
<td>September 2019</td>
<td>COP funding recommendations made by Arts &amp; Culture Advisory Commission and approved by City Council</td>
</tr>
<tr>
<td>October 2019</td>
<td>COP contracts executed with funded organizations</td>
</tr>
<tr>
<td>January 2020</td>
<td>COP organizations eligible to receive first payment (if compliance and insurance requirements are met)</td>
</tr>
<tr>
<td>April 15, 2020</td>
<td>COP organizations eligible to receive second payment (if compliance and insurance requirements are met)</td>
</tr>
<tr>
<td>October 15, 2020</td>
<td>COP Final Reports due for FY 2019-20</td>
</tr>
<tr>
<td><strong>COP organizations are eligible to receive final payment after FY 2019-20 Final Report and Final Monthly Report are submitted (if compliance and insurance requirements are met)</strong></td>
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</tbody>
</table>
Office of Arts and Culture

Vision

The Office of Cultural Affairs 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 Cultural Affairs 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 Cultural Affairs 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 Cultural Affairs 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 Cultural Affairs is committed to nurturing the wide diversity of creative culture and experiences that make up this great city.
Contact OCA OAC

For general inquiries or assistance, please contact the Office of Cultural Affairs 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.

Cultural Support Programs

The Cultural Organizations Program is the OCA’s cultural support program that provides Organizational Support as described the Dallas Cultural Policy, approved by City Council on November 28, 2018 [Section 5(D)(i)]. Per the Dallas Cultural Policy:

Vision

The Office of Cultural Affairs 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

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

FY 2020-21 Cultural Organizations Program

The Cultural Organizations Program (COP) is the program through which the City of Dallas Office of Arts and Culture (OAC) provide organizational 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 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. An organization receiving COP funding is eligible to apply for and be funded a maximum of one time through the project-based funding program, ArtsActivate. A COP organization may also be eligible to apply for the Community Artist Program (CAP) with the condition that they meet the requirements of the Council-approved program guidelines. Any funding for services provided through ArtsActivate or CAP must not be part of the scope of services to be provided in the COP contract.

This document contains guidelines, deadlines and application instructions for the COP managed by the OAC for fiscal year 2020-21. Please refer to the appropriate sections of this guide for more detailed information about the different parts of this program. The FY 2020-21 City of Dallas fiscal year begins October 1, 2020 and ends September 30, 2021.

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 2020-21 COP Timeline**

<table>
<thead>
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</tr>
<tr>
<td>May 12-15, 2020</td>
<td>COP Panel Presentations (Tier date assignments may be subject to change. To confirm, visit the COP page at dallasculture.org)</td>
</tr>
<tr>
<td></td>
<td>Tier 1 – May 12 Tier 2 – May 13 Tier 3 – May 14 Tier 4 – May 15</td>
</tr>
<tr>
<td>June 2020 – September 2020</td>
<td>COP Application Review/Funding Levels – Allocations Committee; COP funding recommendations made by the Arts &amp; Culture Advisory Commission</td>
</tr>
</tbody>
</table>
October 2020 | COP funding recommendations approved by City Council; initiation of COP Contract execution
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January 2021 | COP organizations eligible to receive first payment (if compliance and insurance requirements are met)
April 15, 2021 | COP organizations eligible to receive second payment (if compliance and insurance requirements are met)
October 15, 2021 | COP Final Reports due for FY 2020-21
November 15, 2021 | COP Final Monthly Report due for FY 2020-21

COP organizations are eligible to receive final payment after FY 2020-21 Final Report and Final Monthly Report are submitted (if compliance and insurance requirements are met)

**FY 2020-21 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 2020-21 Cultural Organizations Program (COP)

The FY 2019-20 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 19, 2019 at 11:59 PM. Hard copies of funding 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 Diversity Requirements**

Organizations funded through the Cultural Organizational Program should aim to meet the following goals, as set forth in the Cultural Policy. Organizations’ progress will be monitored by the OCA on an ongoing basis and OCA 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 Diversity 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.

---

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.
(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.

**Funding Level Restrictions**

A. The limit on support through the COP program is scaled to be proportional, based on an organization’s most recently completed fiscal year’s audited revenue, and in no case shall the amount of funding for an organization through the COP program be greater than:

   (i) 25% of most recent year’s audited revenue for organizations with revenue less than $1 million;
   (ii) 15% of most recent year’s audited revenue for organizations with revenue between $1 million and $5 million;
   (iii) and 10% of most recent year’s audited revenue for organizations with revenue greater than $5 million.

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).

**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 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 office and Dallas address.
• Must have an annual operating budget of at least $100,000, based on the organization’s prior year’s actual audited expenses. If not available at the time of application, an audited financial statement must be provided to the City before the organization may enter into a contract for organizational support.

• Obtain and maintain during the contract term all necessary licenses, permits, insurance and other approvals required by law for the provision of services.

• An audit that has been conducted by an outside certified accountant for the most recently completed fiscal year must be submitted by all COP funded organizations every year that they are funded.

• Must have at least one paid part-time Director/Manager staff person hired upon award of City contract and employed throughout the 12-month contract period.

• Must produce a season of programs, exhibitions, and/or performances in the city of Dallas for the public.

• Must work to have a diverse community representation on the Board of Directors.

• Must be in compliance with local, state, and federal laws prohibiting discrimination.

• Must be in good standing IRS regulations related to 501(c)(3) tax-exemption status.

• Must be authorized to transact business in the State of Texas.

• Must demonstrate community outreach programs.

• Must work to demonstrate commitment to cultural equity, diversity, and inclusion in all aspects of the organization’s operations and programming.

• 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. City funding may only be used for services provided within the city of Dallas.

• 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.

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

• Activities which do not have a cultural or artistic focus or whose primary focus is religious in nature
• 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 service 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 are ineligible.
• 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 the Cultural Organizational Program 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 Diversity** 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.

**Funding Level Restrictions**

A. The limit on support through the COP program is scaled to be proportional, based on an organization’s most recently completed fiscal year’s audited revenue, and in no case shall the amount of funding for an organization through the COP program be greater than:

   (i) 25% of most recent year’s audited revenue for organizations with revenue less than $1 million;
   (ii) 15% of most recent year’s audited revenue for organizations with revenue between $1 million and $5 million;
   (iii) 10% of most recent year’s audited revenue for organizations with revenue greater than $5 million.

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.

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2 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.
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).

First-Time Applicants

First-time applicants must contact OCA 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.

Note: The term first-time applicant refers to 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.

In addition to the funding requirements, first-time COP applicants should submit one copy of the following:

- Charter and by-laws of the organization.
- Status as a non-profit 501(c)(3) corporation. A copy of the organization's Internal Revenue Service letter of determination must be submitted with the completed proposal form. Failure to submit this IRS letter will result in disqualification of the proposal.
- Prior Year Audited Financials or IRS Form 990's if audit is not completed. An audit will be required if the organization is recommended for funding in the COP program prior to contract execution.
- First time applicants will also be required to show the last three years of audited financial statements. This is a separate form that will be provided to you.

Exception: A new organization after its first three years of existence may apply by the proposal deadline without providing the required IRS letter of determination as long as: (a) the organization provides a completed copy of IRS Form 1023 and attachments as evidence that it has applied to the IRS for its 501(c)(3) status, and (b) if recommended for funding, provides the actual IRS letter of determination before the contract can be executed.

2019-20 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 2019-20 Cultural Organizations Program (COP).
The FY 2019-20 COP Application can be found on the COP page of the OCA website at: https://dallasculture.org/cultural-programs/cultural-organizations-program/

Applications must be submitted via the online funding system by April 19, 2019 at 11:59 PM. Hard copies of funding 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 Cultural Affairs, will receive notification via e-mail as to the incomplete status of the application from OCA staff. This could result in the application being rejected.

**General Application Guidelines**

Before you begin your application, carefully read all applicable COP program guidelines. Develop your application so that it addresses applicable program goals and evaluation criteria. Complete every required section and upload any additional required documents.

All supplementary materials submitted should reflect the quality of the organization’s artistic product.

Please limit your online supplemental materials to create a concise list that represents the organization.

Contact the Cultural Programs Staff for clarification. The OCA staff can review an application with the organization PRIOR to the submission date. See Contact OCA above for information.
Review Panel & Selection Process

Applications for the Cultural Organization Program 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 & Culture Advisory Commissioner, or other City official be a voting 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 funding applicants will be reviewed in tier levels based on their adjusted operating budget from the previous year’s official audited records. There will be one review panel for each tier level. The tier levels are as follows:

- **Tier I** – $100,000 – $499,999
- **Tier II** – $500,000 – $999,999
- **Tier III** – $1,000,000 – $4,999,999
- **Tier IV** – $5,000,000 or more

Panel Presentations

Every organization that applies for funding is required to make a presentation to the Review Panel. Applicant organizations must be represented at the review panel meeting 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.

The presentation times will be allotted in the following manner:

- 2 minutes – Organization will be introduced to the panel members by a Commission member
- 5 minutes – Presentation time for the organization to the Panel
- 10 minutes - Q and A time for panel members with the organization

A notice about audio-visual capabilities and equipment for the presentation will be sent to groups prior to the panel dates. Failure to attend the Review Panel meeting will result in the organization being disqualified.

Selection

Panel and staff 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 management of applying organizations. An organization whose normalized panel score is below 70% is only eligible to receive a maximum of 60% of their FY2018-19 FY 2019-20 COP funding level. All scores are normalized within their 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.

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

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 OCA OAC staff.

Review Panel Scoring

- **Quality of Services (35 points)** – The organization exhibits a commitment to high quality standards in its artistic and cultural services and programming for Dallas residents and visitors.
- **Impact of Community Programming and Neighborhood Outreach (20 Points)** – The organization has a broad and significant impact on the residents of Dallas by direct neighborhood/community outreach or an intentional inclusion and involvement of underserved populations and/or outlying neighborhoods/communities at a headquarter location.
- **Overall (15 points)** – The overall evaluation of the organization. The organization demonstrates a benefit to the residents and visitors of Dallas through a strong application and panel presentation.

OCA OAC Administrative Scoring for Returning Applicants

**Contract Compliance & Financial Viability (8 points)** – the organization has shown the capacity to comply with COP monthly reporting and financial audit 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).

**2 Points:** Monthly Reports (submitted by the 15th of each month)

2 = 75%-100%
1 = 51% - 74%
0 = 50% or below

**2 Points:** Audit submitted by deadline (6 months after the close of the organization’s fiscal year)

2 = Audit submitted on time
0 = Audit submitted after deadline
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: Change in unrestricted net assets

2 = Change in unrestricted net assets greater than $0 (surplus)
0 = Change in unrestricted net assets less than $0 (deficit)

Organization Program Management (8 points) – Organization has performed in a reliable manner in the past in terms of contract sustainability. Special consideration will be taken for organizations going dramatically over their proposed number on an individual basis. Calculations based on proposed numbers in the FY 2017-18 COP contract Scope of Services versus actual reported FY 2017-18 numbers by the organization through the monthly reports.

4 Points: Services

4 = Has met or exceeded the proposed service numbers
2 = Has not met the proposed service numbers
0 = Is 50% or lower than the proposed service numbers

4 Points: Attendance

4 = Has met or exceeded the proposed attendance numbers
2 = Has not met the proposed attendance numbers
0 = Is 50% or lower than the proposed attendance numbers

Organization Board Governance (2 points) – 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)

Board Diversity (5 points) – 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 2019-20 2020-21 COP Application)
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**Staff Diversity (5 points)** – While the Cultural Policy does not set specific goals for staff diversity, the Office of Cultural Affairs 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.

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**Equity, Diversity & Inclusion Policy (2 points)** – Per the City of Dallas Cultural Policy as adopted November 28, 2018, organizations receiving operational support through COP must have measurable goals related to equity, diversity and inclusion that are board-approved and published on the organization’s website.

- **2 Points =** Organization has completed and published their board-approved policy
- **0 Points =** Organization has not completed and published their board-approved policy

**OCA OAC Administrative Scoring for New Applicants**

**Contract Compliance & Financial Viability (8 points)** – the organization has shown the capacity to comply with IRS 501(c)(3) Status and financial audit 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).

- **2 Points:** IRS non-profit status letter submitted with application
  - **2 =** Letter submitted with application
  - **0 =** Letter not submitted with application

- **2 Points:** Financial audit or IRS Form 990 submitted with application (documentation based on most recent fiscal year of organization)³
  - **2 =** Audit submitted with application
  - **0 =** Audit not submitted with application

³ NOTE: A financial audit will be required if the organization is recommended for funding in the COP program prior to contract execution.
2 Points: Fundraising Expense Percentage – Percentage of sum of fundraising/development expenses to sum of fundraising/development revenues (calculated from financial audit or IRS Form 990)

2 = Expense percentage less than 20%
1 = Expense percentage between 20% and 40%
0 = Expense percentage more than 40%

2 Points: Change in unrestricted net assets (calculated from financial audit or Form 990)

2 = Change in unrestricted net assets greater than $0 (surplus)
0 = Change in unrestricted net assets less than $0 (deficit)

Organization Program Management (8 points) – Organization has performed in a reliable manner in the past in terms of services/public events provided and event attendance. Calculations based on three-year services and attendance reporting in 2019-20 FY 2020-21 COP Application.

4 Points: Services/Public Events

4 = Shows an increase in both second and third year in services provided
2 = Shows an increase in either second or third year in services provided
0 = Shows decrease or no change in both second and third year in services provided

4 Points: Event Attendance

4 = Shows an increase in both second and third year in event attendance
2 = Shows an increase in either second or third year in event attendance
0 = Shows decrease or no change in both second and third year in event attendance

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2 Points = Organization has completed and published their board-approved policy

0 Points = Organization has not completed and published their board-approved policy
Compliance

COP contracts require compliance for the entirety of the contract period (October 1, 2019 – 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:

**Audited Financial Reports**

An annual audit that has been conducted by an outside certified accountant for the most recently completed fiscal year must be submitted by all COP funded organizations to the OCA OAC. Audits should be available and sent no later than six months after the completion of the organization’s fiscal year. Failure to meet audit deadlines may result in the withholding of contract payments. First time applicants must submit an audit prior to contract execution.

**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 OCA OAC.

**Final Report**

A final evaluation report summarizing activities for the contract period must be submitted to OCA OAC by October 15, 2020. 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 could result in contract termination. (For more information on insurance requirements please see 2019-20 FY 2020-21 COP Appendix)

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, click on “Funding Programs” scroll down to the bottom of that page to the City of Dallas logo. You will find several versions there to download.

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 Cultural Affairs 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 Office of Cultural Affairs Office of Arts and Culture 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 OCA 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.

Social Media Recognition

In social media promotions related to any service funded by COP, you can tag City of Dallas Office of Cultural Affairs 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 OCAOAC 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 #oca oac

Facebook
- Through professional and/or personal pages, “like” the City of Dallas Office of Cultural Affairs 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 Cultural Affairs Office of Arts and Culture
- Tag @City of Dallas Office of Cultural Affairs 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 #oca oac hashtags on Facebook posts of your projects

Instagram
- Through professional and/or personal accounts follow Dallas OCAOAC 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 #oca 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.

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. 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 Cultural Affairs - Arts and Culture and may require a formal amendment. The contractor must submit a written request for approval of any changes.
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.

Proposed changes may be made to the list by Commissioner request and will be valid after an affirmative vote by the Allocations Committee and Commission.

PRIOR ACTION/REVIEW

On February 12, 2020, the Allocations Committee recommended the additions to the Panel Roster

FISCAL INFORMATION

This action has no cost consideration to the City.