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3	WHEREAS, the City allocates fifteen percent of the funds received from the
4	hotel occupancy tax to the Cultural Arts Fund for the encouragement, promotion,
5	improvement, and application of the arts, including instrumental and vocal music,
6	dance, drama, folk art, creative writing, architecture, design and applied fields,
7	painting, sculpture, photography, graphic and creative arts, motion pictures, radio,
8	television, tape and sound recording and other arts related to the presentation,
9	performance, execution and exhibition of a major art form; and
10	WHEREAS, the City, through its Economic Development Department
11	Cultural Arts Division, serves to encourage, develop, and facilitate an enriched
12	environment of artistic, creative, cultural activity in the City; and
13	WHEREAS, the Cultural Arts Division manages the Cultural Arts Fund in
14	compliance with Chapter 351 of the Texas Tax Code which authorizes funds to be
15	spent to encourage the promotion of tourism and the hotel and convention industry;
16	and
17	WHEREAS, the City Arts Commission, along with the Cultural Arts
18	Division, developed a funding plan based on the model adopted by the City Council
19	in Resolution No. 20050818-007 on August 18, 18 2005; and

WHEREAS, the City Arts Commission and the Cultural Arts Division have recommended the cultural arts services contracts for Fiscal Year 2018-2019 to be

- 1 funded in the amounts shown in Exhibit "A", and forwarded their recommendation
- 2 for City Council approval as required by the August 18, 2005 Council action; and
- WHEREAS, the City and the Zachary Scott Theatre have entered into an
- 4 operation agreement in which the City pays \$60,000 for maintenance, and it is
- 5 sourced from the Cultural Arts Fund; and
- 6 **WHEREAS**, Council reaffirms its support of language in the agreements for
- 7 Zachary Scott Theatre regarding labor matters in the contract for the upcoming year;
- 8 NOW THEREFORE,

9 BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

- The City Council approves the award of contracts for cultural arts services for
- Fiscal Year 2018-2019 to the contractors listed in the attached Exhibit "A" in the
- 12 corresponding amounts, subject to adjustment as set out below, in a total amount not
- to exceed \$8,742,114 and authorizes the City Manager to negotiate and execute these
- 14 contracts with terms and conditions as may be favorable, necessary, or required; and

15 **BE IT FURTHER RESOLVED:**

- The Council authorizes payment in the amount of \$60,000 for Zachary Scott
- 17 Theatre for maintenance and operations per a separate current operations agreement,
- to be paid from the Cultural Arts Fund with the additional direction to the City
- Manager that the labor peace language from the 2016-2017 agreement be included
- in the new agreement, and that language also be added to that agreement and in the

award of the cultural arts grant to require return of funds paid to Zachary Scott 1 Theatre from the City in the event of a determination of violation of labor law by a 2 federal court of appeals with competent jurisdiction over the matter; 3 BE IT FURTHER RESOLVED: 4 The Council authorizes payment in the amount of \$25,000 to Austin Fine Arts 5 Alliance for marketing the Art City Austin Festival through the Austin Convention 6 Center Department Operating Budget; and 7 **BE IT FURTHER RESOLVED:** 8 The City Manager or his designee is authorized to make formula-based adjustments to funding amounts not to exceed the amount of his administrative 10 authority, based on the arts funding matrix approved by Council and as necessary to 11 correct mathematical or categorization errors, or based on updated financial 12 information. 13

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16 **ADOPTED:**_______, 2018 **ATTEST:**______

Jannette S. Goodall
City Clerk