RESOLUTION NO.

1 2	RESOLUTION NO.
2	WHEREAS, the City allocates 15 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, and 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
19	Council in Resolution No. 20050818-007 on August 18, 2005; and
20	WHEREAS, the City and the Zachary Scott Theatre have entered into an
21	operations agreement in which the City pays \$60,000 for maintenance, and it is
22	sourced from the Cultural Arts Fund; and
23	WHEREAS, City Council reaffirms its support of language in the
24	agreements for Zachary Scott Theatre regarding labor matters in the contract for
25	the upcoming year; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN: 26

The City Council approves the award of contracts for cultural arts services for Fiscal Year 2019-2020 to the contractors listed in the attached Exhibit "A" in the corresponding amounts, subject to adjustment as set out below, in a total amount not to exceed \$8,654,255 and authorizes the City Manager to negotiate and execute these contracts with terms and conditions as may be favorable, necessary, or required; and

BE IT FURTHER RESOVLED:

The City Council authorizes payment in the amount of \$60,000 for Zachary 34 Scott Theatre for maintenance and operations, per a separate, current operations 35 36 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 37 38 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 39 40 Scott Theatre from the City in the event of a determination of violation of labor law by a federal court of appeals with competent jurisdiction over the matter; 41

42 **BE IT FURTHER RESOVLED:**

The City Manager or his designee is authorized to make formula-based adjustments to funding amounts not to exceed the amount of his administrative authority, based on the arts funding matrix approved by City Council and as necessary to correct mathematical or categorization errors, or based on updated financial information.

- 48
- 49 ADOPTED: _____, 2019
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 51
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ATTEST: _____

Jannette S. Goodall City Clerk