

AGENDA DATE: April 18, 2019
COUNCIL DISTRICT(S): N/A
SERVICE: Arts and Culture Advisory Commission
STAFF CONTACT: Cliff Gillespie, 214-670-3996

SUBJECT

Approval of minutes of the March 21, 2019 Arts and Culture Advisory Commission meeting

BACKGROUND

This action is to approve the minutes of the March 21, 2019 Arts and Culture Advisory Commission meeting.

PRIOR ACTION/REVIEW

This item has no prior action.

FISCAL INFORMATION

This item has cost consideration to the City.



City of Dallas

**ARTS AND CULTURE ADVISORY COMMISSION
MEETING MINUTES**

Thursday, March 21, 2019

4:30 p.m.

Dallas City Hall, Park Board Room

1500 Marilla Street, 6FN

Dallas, Texas 75201

PRESENT: [16]

John P Batiste (Chair), Phillip E Collins (Vice Chair), Meghann Bridgeman, Linda Blase, Ella Goode Johnson, Albert Gonzalez, Jesse Smith, James White, Jayne Suhler, Jo Trizila, Leland Burk, Angela Faz, Daphna Yoffe, Grady McGahan, Jesse Hornbuckle, Cannon Flowers

ABSENT: [0]

CITY STAFF PRESENT:

Jennifer Scripps, David Fisher, Nikki Christmas, Russell Dyer, Anne Marie Gan, Clifton Gillespie, Rhonda Ivery, Kay Kallos

I. Call To Order

A quorum of the commission being present, the Chair called the meeting to order at 4:33 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: Kim Campbell

SUBJECT: Update on The Dallas Winds

**ARTS AND CULTURE ADVISORY COMMISSION
MEETING MINUTES – MARCH 21, 2019**

III. Voting Agenda Items

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

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

2. Recommendation in support of a 5th Amendment to the Use Agreement for the Morton H. Meyerson Symphony Center between the City of Dallas and the Dallas Symphony Association, Inc. which will provide for the Dallas Symphony Association, Inc.'s use, lease, occupancy, management, and operation of the Morton H. Meyerson Symphony Center, subject to the major deal points briefed to the Arts and Culture Advisory Commission on February 21, 2019, and on March 21, 2019, and at a public meeting held on March 6, 2019 (Council District 14) [APPROVED]

The Chair asked that Jennifer Scripps brief Item D from the agenda (Proposed Fifth Amendment to the Use Agreement for the Morton H. Meyerson Symphony Center Update) before a vote.

Jennifer Scripps briefed the Commission on this item. Following discussion, the Commission asked that the following three items be added to the major deal points for their recommendation: a private foundation or donor guarantee of the \$5 million to be raised by the symphony within 5 years for capital improvements; a locked-in facility fee for grandfathered user groups for 10 years with a maximum increase of \$0.50 every two years; and protections for grandfathered user groups.

Mr. White moved to adopt the item as amended. Motion seconded by Ms. Suhler and unanimously adopted.

IV. Briefings

- A. Public Art Bond Fund Process

Kay Kallos briefed the Commission on the process to create a new work of bond-funded Public Art.

- B. Rules of Procedure Briefing

Mr. Smith briefed the Commission on the task force's proposed Rules of Procedure.

**ARTS AND CULTURE ADVISORY COMMISSION
MEETING MINUTES – MARCH 21, 2019**

C. Conflict/Gift Disclosure Form

Clifton Gillespie briefed the Commission on the City's Conflict/Gift Disclosure Form and associated requirements.

D. Kalita Humphreys Theater Update

Nikki Christmas briefed the Commission on the work of the Kalita Humphreys Theater task force.

E. Latino Cultural Center Update

Jennifer Scripps briefed the Commission on the Latino Cultural Center Phase II and booking of the Latino Cultural Center by core groups for FY19-20.

F. Confederate Monuments Update

Jennifer Scripps briefed the Commission on the Confederate Monuments.

G. Arts Month Preview

David Fisher briefed the Commission on Arts Month events

H. Audit Update

Clifton Gillespie briefed the Commission on the recommendations in the FY16 and FY17 Audits related to OCA and the OCA's implementation of the recommendations.

V. Adjournment

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

John Paul Batiste, Chair

ATTEST:

Clifton Gillespie, Office of Cultural Affairs

Date Approved

AGENDA DATE: April 18, 2019
COUNCIL DISTRICT(S): 14
SERVICE: Cultural Venues
STAFF CONTACT: Nikki Christmas, 214-670-3687

SUBJECT

Recommendation in support of a five year lease agreement between the City of Dallas and Dallas Theater Center for the Kalita Humphreys Theater, subject to the major deal points briefed to the Arts and Culture Advisory Commission by the Kalita Task Force on April 18, 2019

BACKGROUND

Details on this recommendation may be found in the attached memorandum from the Kalita Task Force.

PRIOR ACTION/REVIEW

On November 15, 2018, the Commission was briefed on the 2009 Master Plan Update.

On February 21, 2019, the Commission was briefed on the Dallas Theater Center and Proposed Lease Extension.

On March 21, 2019, the Commission was briefed on the Kalita Humphreys Theater Update.

FISCAL INFORMATION

See attached memorandum.

Kalita Task Force

MEMORANDUM

DATE: April 18, 2019
TO: Arts and Culture Advisory Commission
CC: Director of the Office of Cultural Affairs
FROM: Kalita Task Force
RE: Executive Summary of the Kalita Task Force Recommendations

This memorandum sets forth the recommendations of the Kalita Task Force (the "Task Force") of the Arts and Culture Advisory Commission (the "Commission") regarding (1) an extension to that certain Lease dated September 26, 1973 (as amended, the "Lease") between the City of Dallas (the "City") and the Dallas Theater Center ("DTC") for the Kalita Humphreys Theater (the "Kalita"), and (2) the Dallas Theater Center Master Plan (the "Original Master Plan") commissioned by the Office of Cultural Affairs ("OCA") in 2008 and completed in 2010. The full report containing the Task Force's work, analysis and recommendations will be delivered separately to the Commission.

#1: Lease Extension:

A. Overview:

As further detailed below, the Task Force concluded that the Lease with DTC should be renewed for 5 years and include certain performance benchmarks such as timely completion of (1) an equitable access plan (the "Equitable Access Plan") for the Kalita and the Heldt Administration Building (the "Heldt"), and (2) an update to the Original Master Plan (the "Updated Master Plan") for the Kalita, the Heldt, and the surrounding 9.87 acres of park land (collectively, the "Kalita Campus").

B. Recommendations:

TERM	RECOMMENDATION
1. Term	The term of the Lease should be extended for 5 years, beginning upon the execution of the Lease and ending 5 years thereafter.
2. Rent	Annual base rent should remain \$1/year.
3. Equitable Access Plan	During Year 1 of the extension term, DTC should be obligated to complete the Equitable Access Plan for the Kalita and the Heldt, which at a minimum should include (i) -effective policies and procedures for non-resident groups (i.e. groups other than DTC, Uptown Players and Second Thought Theater) <u>(i)</u> to book and use the Kalita and the Heldt, and (ii) <u>to utilize</u> basic sound and lighting equipment for rent and technical support for non-resident groups . The Equitable

	<p>Access Plan should be presented to the Commission for recommendation and approved by the Director.</p> <p>Implementation of and compliance with the Equitable Access Plan should be an obligation of DTC under the Lease. Accordingly, during years 2 through 5 of the extension term, (i) the booking calendar for the Kalita and the Heldt's upcoming calendar year should be submitted to the Director of OCA (the "Director") for approval and (ii) any changes to sublessee (i.e. groups other than DTC) dates must have sublessee's prior consent.</p> <p>The Task Force recommends that DTC and Uptown Players retain their status as primary and secondary anchor tenants respectively at the Kalita, Second Thought Theater retain its status as anchor tenant at the Heldt or any future replacement building, and the Equitable Access Plan require, at a minimum, that the following number of weeks are reserved for non-resident groups at the Kalita and the Heldt:</p> <ul style="list-style-type: none"> A. Year 3: 4 weeks reserved for non-resident groups. B. Year 4: 8 weeks reserved for non-resident groups. C. Year 5: 12 weeks reserved for non-resident groups.
<p>4. Updated Master Plan</p>	<p>During year 1 of the extension term, DTC should be obligated to create (i) <u>to complete</u> the Updated Master Plan, <u>by the end of year 1 of the extension term,</u> and (ii) <u>to, in good faith, participate in the creation of</u> a separate non-profit (a "Manager") to implement the Updated Master Plan and manage the Kalita Campus, similar to the construct adopted by the City and the Dallas Zoo- <u>(unless the Updated Master Plan recommends or requires a different management structure).</u></p> <p>As further detailed in <u>Section #2</u> regarding the Updated Master Plan, DTC should (i) hire an independent third party consultant with relevant experience with historic buildings and theater design and (ii) form a steering committee of interested parties, both of which should be requirements of the Lease.</p>
<p>5. Implementation of Equitable Access and Updated Master Plan</p>	<p>During years 2 through 5 of the extension term, DTC should be obligated to implement the Equitable Access Plan and use reasonable best efforts to assist the Manager in fundraising for the implementation of the theater-related elements of the Updated Master Plan.*</p>
<p>6. Subleasing</p>	<p>DTC should sublease the Kalita and the Heldt at market rates.</p>
<p>7. Maintenance; Use</p>	<p>During the extension term, DTC must maintain and cause its sublessees to maintain the Kalita and the Heldt in a clean and safe condition and in good order and repair, however, to clarify, DTC should not be responsible for capital repairs under the Lease during the extension term.</p> <p>During years 2 through 5 of the extension term, DTC should provide some designated office and storage space and props and costume design space in the Kalita for use by sublessees concurrently with the main stage/space, and Second Thought should do the same with respect to the Heldt office space.</p>

8. Assignment	The Lease may be assigned by the City to the Manager.

#2: Master Plan:

A. Overview:

The Task force concluded that the Original Master Plan is sound and valuable work product, however the age of the Original Master Plan (~10 years), the current usage and needs of DTC, Uptown Players and Second Thought Theater, the need for updated cost estimates from the Original Master Plan, and the passage of the City's 2018 Cultural Plan (the "Cultural Plan") require that the Original Master Plan be updated.

B. Recommendations:

TERM	RECOMMENDATION
1. Updated Master Plan	DTC should lead the process of creating the Updated Master Plan for the Kalita Campus.
2. Consultant	An independent third party consultant with relevant experience with historic buildings and theater design (" <u>Consultant</u> ") should be hired by DTC to create the Updated Master Plan.
3. Steering Committee	A balanced steering committee of interested parties should be formed by DTC and the Consultant in consultation with the Director and approved by the Commission. By way of example, interested parties might include representatives from DTC, Uptown Players, Second Thought Theatre, small and mid-size arts groups interested but not currently performing in the Kalita, Preservation Dallas, the Oak Lawn Committee, Friends of the Katy Trail, an AIA architect with experience in historical restorations and renovations, and the Commission and Park Board.
4. Management	The City should contract with the Manager and the Manager should be charged with management of the Kalita Campus and fundraising for and implementation of the Updated Master Plan. The Task Force recommends a relatively small board and the management contract with the City should require appropriate representation from interested parties.
5. Original Master Plan – Key Recommendations	The Task Force recommends that the Updated Master Plan address the key recommendations of the Original Master Plan (see below), subject to the following clarifications: <ul style="list-style-type: none"> A. The interior of the Kalita should be renovated based upon additional feedback from the performing arts community. B. Completion of a support building should precede renovation or replacement of the Heldt. C. The Updated Master Plan should allow for the restoration of the exterior

	<p>of the Kalita to the 1959-60 period of significance. However, unless the architectural and preservation community and/or the City has secured the funds necessary for the restoration of the exterior, items A (renovation of the interior) and B (completion of the support building) should precede the full restoration of the exterior.</p> <p>Key Recommendations of Original Master Plan:</p> <ul style="list-style-type: none"> A. Restore the Kalita as a unique creative venue with modern functionality and upgrades; B. Restore/rehabilitate the Kalita architecture, Frank Lloyd Wright's only theater fully designed and built during his lifetime, to the period of greatest significance; C. Create a "Support Building" that fully supports current space needs including performance and rehearsal space, storage, concessions, orientation, archive and offices; D. Plan for a third "Expansion Building" to meet demand for a small additional performance venue; E. Integrate the Kalita into its natural setting as a focal point for the park; F. Restore and enhance the Turtle Creek park land and improve parking areas for aesthetics, convenience and safety; G. Increase accessibility, activity, and connectivity of the project area; and H. Bring together advocates and owners in a public/private collective operation to ensure good stewardship for the future with a management entity that fills current gaps.
6. Timing	<p>In accordance with the Lease, the Updated Master Plan should be completed within a year and in time to reach the floor of the Dallas City Council by August, 2020.</p> <p>The City's contract with the Manager should also include fundraising benchmarks to align with the City's next bond program.</p>

KALITA TASK FORCE:

| _____
Jayne Suhler, Chair

| _____
John Paul Batiste

| _____
Linda Blase

| _____
Grady McGahan

| _____

Jesse Smith

AGENDA DATE: April 18, 2019
COUNCIL DISTRICT(S): N/A
SERVICE: Cultural Support Programs
STAFF CONTACT: Glenn Ayars, 214-671-0878

SUBJECT

Recommendation in support of the ArtsActivate 2020 program guidelines for FY 2019-20

BACKGROUND

ArtsActivate 2020 is the proposed project-based cultural support program through which the Office of Cultural Affairs will contract for project-based cultural services in FY 2019-20. The program will be open for proposals from non-profit arts/cultural organizations, educational institutions, social services organizations, individual artists, artist collectives and other eligible non-profit organizations.

ArtsActivate 2020 is a new program that combines the previous Cultural Projects Funding program and the Cultural Vitality Program. ArtsActivate 2020 will continue to emphasize the goals of neighborhood/community engagement of the Cultural Vitality Program while allowing for more opportunities to apply for funding like the multiple rounds of the Cultural Projects Funding program.

The new program will open for three rounds during the fiscal year. Applicants are eligible to apply for all three rounds; however, an applicant may only be funded a maximum of two times in a single fiscal year given that the proposed projects are not the same project. Organizations currently funded in the Cultural Organizations Program (COP) for FY 2019-20 may apply in any given ArtsActivate 2020 round but may only be funded once per fiscal year given that the proposed project is not currently a part of the organization's current COP scope of services. Any applicant may reapply in any given round if not recommended for funding in a previous round.

PRIOR ACTION/REVIEW

On April 8, 2019 the Allocations Committee of the Arts and Culture Advisory Commission was briefed and subsequently approved a recommendation in unanimous support of this item.

FISCAL INFORMATION

This item has cost consideration to the City.

The proposed ArtsActivate 2020 for FY 2019-20 budget is \$775,000. The FY 2019-20 budget is expected to remain consistent with the combined budgets of current year Cultural Projects Funding and Cultural Vitality Program funding amounts.

ArtsActivate 2020

FY 2019-20 Guidelines:

Non-Profit Organizations and Individual Artists

DRAFT



City of Dallas

Office of
Cultural Affairs

Table of Contents

Introduction	1
Contact OCA	1
Cultural Support Programs	2
Vision	2
Mission	2
Statement on Cultural Equity	2
ArtsActivate 2020 / Application	3
Program Goals	3
Definitions	3
General Application Guidelines	4
First Time Applicants	4
Funding Period	4
ArtsActivate 2020 Timelines	4
Eligibility Requirements	5
Panel Review & Selection Process	6
Tier Structure	7
Panel Presentation	7
Selection	7
Funding Request Amounts	8
ArtsActivate 2020 Funding Allocation	8
Scoring.....	8
Review Panel Scoring	8
OCA Administrative Scoring	9
Payment	11
Compliance	12

Introduction

The Office of Cultural Affairs is continuing its work to *activate* the Dallas Cultural Plan 2018 guided by our mission to create an equitable environment wherein artists as well as arts and cultural organizations thrive while ensuring that all Dallas residents have the opportunity to experience arts and culture throughout the city of Dallas.

As we continue to evolve with the guidance of the Cultural Plan and the community, the Cultural Funding Programs Division of OCA is launching a new funding program called ArtsActivate 2020. This new program combines the previous Cultural Projects Funding program and the Cultural Vitality Program. ArtsActivate 2020 will continue to emphasize the goals of neighborhood/community engagement of the Cultural Vitality Program while allowing for more opportunities to apply for funding like the multiple rounds of the Cultural Projects Funding program.

ArtsActivate 2020 is the project-based cultural support program through which the City of Dallas Office of Cultural Affairs will contract for cultural services which establish a thriving cultural ecosystem that ensures all Dallas residents and visitors have an opportunity to experience the finest in arts and culture. OCA commits to championing policies and practices of cultural equity that help empower a just, inclusive, and equitable City. ArtsActivate 2020 is open for proposals from non-profit arts/cultural organizations, educational institutions, social services organizations, individual artists, artist collectives and other eligible non-profit organizations.

Artistic and cultural services contracts are awarded using a review panel approach to evaluate applications. This document contains guidelines, program eligibility and review criteria, deadlines, and application instructions for ArtsActivate 2020 managed by the Office of Cultural Affairs (OCA) for fiscal year 2019-20.

ArtsActivate 2020 will open for three rounds during the fiscal year. Applicants are eligible to apply for all three rounds; however, an applicant may only be funded a maximum of two times in a single fiscal year given that the proposed projects are not the same project. Organizations currently funded in the Cultural Organizations Program (COP) for FY 2019-20 may apply in any given ArtsActivate 2020 round but may only be funded once per fiscal year given that the proposed project is not currently a part of the organization's current COP scope of services. Any applicant may reapply in any given round if not recommended for funding in a previous round.

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 fiscal year.

Applicants are responsible for the quality, completeness and timely submission of the proposal. Application steps and deadlines are included in this document and online at the ArtsActivate 2020 page found at dallasculture.org/culturalprograms. OCA staff are available to answer additional questions. See Contact OCA below.

Contact OCA

For general inquiries or assistance, please contact the Office of Cultural Affairs, Cultural Programs Division at 214-670-3687, extension 4. Specific staff telephone numbers and email addresses may be found online at dallasculture.org/contact.

Cultural Support Programs

The ArtsActivate 2020 is one of OCA's cultural support programs that provides project support as described in the Dallas Cultural Policy, approved by City Council on November 28, 2018 [Section 5(D)(ii)]. 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

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.

ArtsActivate 2020 / Application

All organizations, new and previously funded, are required to complete an application and review process to be considered for funding through ArtsActivate 2020.

The ArtsActivate 2020 application can be found on the ArtsActivate page of the OCA website at: <https://dallasculture.org/cultural-programs/>.

Applications must be submitted via the online application system by their respective due date. Hard copies of funding applications will not be accepted.

NOTE: An organization or artist 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 rejection of an application.

Program Goals

ArtsActivate 2020 proposals should be innovative projects or residencies that create active and ongoing engagement with people, neighborhoods, and communities in Dallas. They should celebrate our diversity, build community connections and enhance the visibility of neighborhoods through arts and culture. Priority will be given to projects or residencies focusing on neighborhoods outside of the Urban Core (see typology map here: <http://dallasculturalplan.com/typologies/>).

1. Engage with the Dallas Cultural Plan 2018 and create programming to address its priorities and initiatives (see Dallas Cultural Plan 2018 Summary for more information regarding priorities and initiatives: <http://bit.ly/culturalplansummary>)
2. Enhance understanding of and respect for diverse cultural traditions, heritages and forms of expression
3. Increase access and inclusivity in the experience of art and creativity for communities that have been historically underserved or underrepresented
4. Connect individuals from diverse cultures, ages and economic means in an effort to strengthen communities and/or neighborhoods through the arts
5. Invest in historically underserved communities with artists or organizations rooted in that community to build individual capacity and economic viability

Definitions

Project Definition

A project is defined as a specific one-time event or production (such as one concert, theater production, exhibit, etc.) or a project that includes a series of events using one theme or title.

Residency Definition

Residencies are tailored to the needs of a specific neighborhood, community, or host site(s). Residency programs are implemented by artists or organizations with a history of engagement and a commitment to utilize arts education and services for community development. A residency is an opportunity for artists to provide artistic/cultural services for a continuous period of time.

Residencies should encompass no less than 30 days within a six-week period if full funding is awarded. The 30-day minimum can be extended for up to six months with full funding. Should an artist be awarded partial funding, the 30-day minimum can be adjusted accordingly.

Art in Public Places Projects

Not to be confused with Public Art, art in public places is defined as permanent or temporary visual art installations in privately owned locations that are visible and accessible to the public. Permission from the property owner must be obtained prior to submitting an ArtsActivate application. Projects cannot be installed on any City-owned property.

Privately Owned Property – If a private person or company/organization owns the property, the applicant must obtain a formal letter of support and authorization from the owner allowing the applicant to install the proposed artwork. This letter must be included with the application. Without the property owner’s written consent, the application cannot be reviewed.

General Application Guidelines

First Time Applicants

First time applicants must contact OCA staff before the application deadline initially by email. This is to ensure that the applicant is aware of the application requirements and any additional information that is needed.

The term “first-time applicant,” refers to applicants submitting project- or residency-based proposals to OCA for the first time, as well as to applicants that have applied in the past but have not been recommended for funding.

Funding Period

Projects must occur between October 1, 2019 and September 30, 2020 and not before contract execution with the City of Dallas.

ArtsActivate 2020 Timelines

Round 1 Timeline	
July 15, 2019	Round 1 Application Opens
August 12, 2019	Round 1 Application Closes
September 9-14, 2019	Round 1 Panel Presentations
September 16-20, 2019	Round 1 Application Review/Funding Level Recommendations – Allocations Committee
September 23, 2019	Round 1 Funding Recommendation Notifications to Applicants
October 15, 2019	Earliest start date for Round 1 contracts
September 15, 2020	Latest end date for Round 1 contracts

Round 2 Timeline	
October 14, 2019	Round 2 Application Opens
November 11, 2019	Round 2 Application Closes
December 9-14, 2019	Round 2 Panel Presentations
December 16-20, 2019	Round 2 Application Review/Funding Level Recommendations – Allocations Committee
December 23, 2019	Round 2 Funding Recommendation Notifications to Applicants
January 15, 2020	Earliest start date for Round 2 contracts
September 15, 2020	Latest end date for Round 2 contracts
Round 3 Timeline	
November 18, 2019	Round 3 Application Opens
December 16, 2019	Round 3 Application Closes
January 13-18, 2020	Round 3 Panel Presentations
January 21-24, 2020	Round 3 Application Review/Funding Level Recommendations – Allocations Committee
January 27, 2020	Round 3 Funding Recommendation Notifications to Applicants
February 15, 2020	Earliest start date for Round 3 contracts
September 15, 2020	Latest end date for Round 3 contracts

Eligibility Requirements

- Applications must align with one of the ArtsActivate 2020 goals (see above)
- Priority will be given to organizations with a minimum of a 3-year operating history
- Priority will be given to artists with at least 3 years of professional experience in their field
- Artists must provide a resume or vita AND examples of their work
- Projects or residencies must be completed by September 15, 2019
- Organizations/Artists must be willing and able to enter into a contract with the City and meet the requirements associated with receiving funds from the City.
- Organizations must be a 501(c)(3) tax-exempt entity as provided by the U.S. Internal Revenue Code, as amended, in good standing.
- Organizations must be in-compliance with local, state, and federal laws prohibiting discrimination.
- Organizations must be authorized to transact business in the State of Texas.
- All projects must occur within the city limits of Dallas to receive funding and must be completed by the end of the City's fiscal year (September 30, 2020). NOTE: Highland Park, University Park, and Cockrell Hill are NOT considered within the City limits of Dallas. (see City of Dallas boundaries at this map: <http://gis.dallascityhall.com/cityinfo/>)
- Organization's prior year IRS 990 must be submitted with their application.
- 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.
- Organizations must have non-discriminatory employment and personnel practices
- Organizations/Artists must have professional direction for the proposed project
- Must work to demonstrate commitment to cultural equity, diversity, and inclusion in all aspects of the organization's operations and programming.
- Must obtain and maintain all necessary licenses, permits, insurance and other approvals required by law for the provision of services during the contract term.
- Organizations/Artists who were at fault and/or failed to successfully complete their contract in the previous City of Dallas fiscal year are not eligible to apply for project-based funding in FY 2019-20.

- 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.

Applications will not be accepted for the following:

- Activities which do not have a cultural or artistic focus or whose primary focus is religious or political in nature
- Projects planned primarily for fundraising purposes
- Activities restricted to members or which do not benefit the public
- Tuition expenses
- College/university or school projects that are part of a course or curriculum or which do not benefit the public
- Fellowships/grants to individuals (does not prevent purchase from individuals)
- Scholarships, cash prizes or awards
- Travel
- Underwriting of capital expenditures (buildings, land, permanent equipment or artwork)
- Purchase of artwork or public art on city property
- Activities that have occurred prior to the execution of the cultural service contract
- Underwriting of past deficits
- Activities of Dallas based organizations that occur outside of the city limits of Dallas. NOTE: Highland Park and University Park are considered outside the city limits of Dallas.
- Endowments
- Non-contract related services, lobbying, attorney's fees, fees for penalties, and fees for incorporation or obtaining tax-exempt status
- Alcoholic beverages and food
- Festivals that are organized by managers or promoters for profit or that the organizer is promoting but not participating in.
- Publication of books for personal promotion
- Exhibitions or projects for personal financial gain
- Events or projects that don't have the proper permits or insurance coverage
- Commercial (for-profit) enterprises or activities

Panel Review & 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 applicants will be reviewed in tier levels. Individual artists will be grouped into tiers based on project or residency, while organizations will be grouped into tiers based on their operating budget from the previous completed year's budget found in the application or referenced in their IRS 990. Unless scheduling prohibits otherwise, there will be one review panel for each organization tier level. Artists may be split into multiple panel days depending on capacity and number of applicants for panel review. Each panel will consist of a diverse group of people knowledgeable in the visual arts, dance, theatre, music, literature, film and other fields as pertains to the organizations in that tier. The tier levels are as follows;

Tier IA – Projects	Individual Artists – Projects
Tier IA – Residencies	Individual Artists – Residencies
Tier 1	Organizations \$100,000 or less
Tier 2	Organizations \$100,001 - \$500,000
Tier 3	Organizations \$500,001 - \$1,000,000
Tier 4	Organizations \$1,000,001 or more

Panel Presentation

ArtsActivate 2020 applications are evaluated by a Review Panel whose membership is taken from a list of qualified candidates nominated from the field and recommended by the Allocations Committee of the Arts & Culture Advisory Commission. All applicants will be required to present to the panel a brief project summary and answer questions following the presentation.

Applicants will be notified by email of the scheduled time and date for their panel review.

Individual artists must be represented at the review panel presentation by the individual artist and any partners involved in the project. Organizations should be represented at the review panel presentation by principal representatives, e.g. the executive director, artistic director, board president and/or a financial officer or other senior staff as determined by the organization.

The presentation times will be allotted in the following manner:

- 2 minutes – Artist or organization will be introduced to the panel members
- 5 minutes – Presentation time for the artist or organization to the panel
- 5 minutes - Q and A time for panel members with the artist or organization

A notice about what type of audio-visual equipment will be available for the presentation will be sent prior to the panel dates.

Failure to attend the review panel meeting may result in the artist or organization project being disqualified.

Selection

Panel and staff scores are forwarded to the Allocations Committee of the Arts & Culture Advisory Commission for review. The Allocations Committee recommends a level of funding for each applicant taking into consideration the scoring, prior year funding, funding projections, contract compliance, and fiscal management of applicants. **An applicant whose normalized panel score is below 70% will not be considered for funding.** All scores are normalized within their tier. Normalizing a score means each score is divided by the highest score of that tier.

All funding levels are determined by the panel score, OCA administrative score, and the availability of funding for the year, with final funding recommendation by the Allocations Committee of the Arts & Culture Advisory Commission and final approval by the Director of Cultural Affairs.

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

Funding Request Amounts

Organizations and artists can apply for a maximum funding request based on its respective tier. The maximum funding requests are as follows:

Tier IA (Projects)	\$7,500
Tier IA (Residencies)	\$15,000
Tier 1	\$10,000
Tier 2	\$15,000
Tier 3 & Tier 4	\$20,000

ArtsActivate 2020 Funding Allocation

No more than 20% of the total ArtsActivate 2020 available funding will be awarded to organizations with budget over \$1,000,000. No more than 15% of the total ArtsActivate 2020 available funding will be awarded to COP organizations funded for FY 2019-20.

Scoring

Each applicant will be scored on a 100-point scale. Seventy (70) points will be at the discretion of the review panel. The remaining 30 points will be an administrative and compliance score calculated by OCA staff.

Review Panel Scoring

- **Quality of Services (35 points)** – The organization or artist exhibits a commitment to high quality standards in the artistic and cultural services and programming provided for Dallas residents and visitors.
- **Impact of Community Programming and Neighborhood Outreach (20 Points)** – The organization or artist has a significant impact on their projected audience through 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 or artist. The organization or artist demonstrates a benefit to the residents and visitors of Dallas through a strong application and panel presentation.

OCA Administrative Scoring

Non-Profit Organizations

Financial Viability (2.5 points) –The organization has sound financial viability based on unrestricted net assets (measured from the organization’s most recent fiscal year financial audit or Form 990).

2.5 Points: Change in unrestricted net assets

2.5 = Change in unrestricted net assets greater than \$0 (surplus)

0 = Change in unrestricted net assets less than \$0 (deficit)

Application and Contracting Compliance (2.5 points) – New Applicants have shown the capacity to contact OCA Cultural Programs staff as a new applicant or returning applicants have shown the capacity to comply with previous contracting and reporting deadlines and requirements (measured from the most recent projects-based application for which funding was recommended).

2.5 Points: Contact OCA Cultural Programs Staff (First Time Applicants)

2.5 = Contacted OCA Cultural Programs Staff via email prior to application submission

0 = No record of contacting OCA Cultural Programs Staff prior to application submission

2.5 Points: Contract Compliance (Returning Applicants)

2.5 = Most recent funded project contract executed with an on-time submission of final report

0 = Failed execution of most recent project contract or late submission of final report

Board & Staff Diversity (5 points) ¹

Board Diversity (2.5 points) – Per the City of Dallas Cultural Policy as adopted November 28, 2018, the 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 ArtsActivate2020 Application)

Points	Tier 1	Tier 2	Tier 3	Tier 4
2.5	5% or more	10% or more	10% or more	20% or more
0	Less than 5%	Less than 10%	Less than 10%	Less than 20%

Staff Diversity (2.5 points) – While the Cultural Policy does not set specific goals for staff diversity, the Office of Cultural Affairs 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. NOTE: Organizations with only 1 staff member will receive full points for staff diversity. (Diversity numbers taken from the FY 2019-20 ArtsActivate2020 Application)

Points	Tier 1	Tier 2	Tier 3	Tier 4
2.5	5% or more	10% or more	10% or more	20% or more
0	Less than 5%	Less than 10%	Less than 10%	Less than 20%

¹ Diversity (as relates to board and staff goals) means the percentage of non-majority (based on race/ethnicity) members of a board or staff. For example, if the goal is at least 10% diversity on a board, an organization meeting that goal must have no more than 90% of any one racial/ethnic group on their board.

Projected Budget Support (5 points) – Applicant shows percentage of financial support in total proposed project budget in comparison to requested funded from OCA. This includes in-kind contributions.

Points	Percent of Support
5	50% or more
4	40% - 49%
3	30% - 39%
2	20% - 29%
1	10% - 19%
0	9% or less

For example, if an organization’s total proposed budget is \$20,000, showing other sources of revenue at \$10,000 (including in-kind) and requesting \$10,000 in funding from OCA would merit 5 points. The amount of support outside of the OCA funding request by the organization is 50% of the total proposed budget.

Neighborhood Typologies (10 points) – Based on the Cultural Plan as approved by City Council on November 28, 2018, neighborhood typologies were outlined for the City of Dallas to identify and illustrate how different neighborhoods in Dallas are served by the city’s arts and culture ecosystem. Organizations will be scored based on the proposed locations in their proposal. If multiple locations are listed in a proposal, the average score of the locations will be used. See map of typologies here: <http://dallasculturalplan.com/typologies/>. Please contact OCA if proposed event location is unclear in typology map.

Points	Neighborhood Typology
10	Non-traditional Spaces (green)
7	Residential Opportunities (red)
5	Mixed Urbanism (blue)
0	Urban Core (yellow)

Cultural Plan Priorities (5 points) – Applicant strategically addresses at least one Cultural Plan priority in the submitted application with supporting information justifying which initiatives under the selected priority(-ies) are being met. See description of priorities and initiatives in the Dallas Cultural Plan Summary here: <http://bit.ly/culturalplansummary>

Points	Priority Support
5	Clearly supports selected priority(-ies)
3	Somewhat supports selected priority(-ies)
0	Does not support selected priority(-ies)

Individual Artists (Artist Collectives)

Application and Contracting Compliance (5 points) – The artist has either shown the capacity to contact OCA Cultural Programs staff as a new applicant or returning applicants have shown the capacity to comply with previous contracting and reporting deadlines and requirements (measured from the most recent projects-based application for which funding was recommended).

5 Points: Contact OCA Cultural Programs Staff (First Time Applicants)

- 5 = Contacted OCA Cultural Programs Staff via email prior to application submission
- 0 = No record of contacting OCA Cultural Programs Staff prior to application submission

5 Points: Contract Compliance (Returning Applicants)

- 5 = Most recent funded project contract executed with an on-time submission of final report
- 0 = Failed execution of most recent project contract or late submission of final report

Projected Budget Support (5 points) – Applicant shows percentage of financial support in total proposed project budget in comparison to requested funded from OCA. This includes in-kind contributions.

Points	Percent of Support
5	10% or more
4	8% - 9.9%
3	6% - 7.9%
2	4% - 5.9%
1	2% - 3.9%
0	Less than 2%

For example, if an artist’s OCA funding request is \$7,500 then showing a total proposed budget of \$8,334 would merit 5 points. In this case, the artist is showing support outside of the OCA funding request (including in-kind) of \$834 which amounts to 10% of the total proposed budget.

Date & Venue Availability Confirmation (5 points)² – The artist has exhibited due diligence in proper planning and coordination to, at a minimum, confirm that any proposed dates are available at a desired venue/location and that such is reported in the Events Listing step of the application.

5 = Confirmation that date and venue/location of proposed programming is available at time of application and recorded in Events Listing of application

0 = No confirmation that date and venue of proposed programming is available, or no date or venue/location listed in Events Listing of application

Neighborhood Typologies (10 points) – Based on the Cultural Plan as approved by City Council on November 28, 2018, neighborhood typologies were outlined for the City of Dallas to identify and illustrate how different neighborhoods in Dallas are served by the city’s arts and culture ecosystem. Individual artists will be scored based on the proposed locations in their proposal. If multiple locations are listed in a proposal, the average score of the locations will be used. See map of typologies here: <http://dallascultrualplan.com/typologies/>. Please contact OCA if proposed event location is unclear in typology map.

Points	Neighborhood Typology
10	Non-traditional Spaces (green)
7	Residential Opportunities (red)
5	Mixed Urbanism (blue)
0	Urban Core (yellow)

Cultural Plan Priorities (5 points) – Applicant strategically addresses at least one Cultural Plan priority in the submitted application with supporting information justifying which initiatives under the selected priority(-ies) are being met. See description of priorities and initiatives in the Dallas Cultural Plan Summary here: <http://bit.ly/culturalplansummary>.

Points	Priority Support
5	Clearly supports selected priority(-ies)
3	Somewhat supports selected priority(-ies)
0	Does not support selected priority(-ies)

Payment

² Does not require that an artist pay to secure a venue, only that a date and venue are potentially available pending funding recommendation from OCA.

Payments will be made in installments as determined by the time frame and scope of work of the project. A portion of the funding will be held until the final report is submitted.

[Compliance](#)

If an applicant's panel score and review leads to a funding level being recommended by the Arts & Culture Advisory Commission, notification will be sent to the artist or organization after the funding process has been completed.

[Contracting Deadlines](#)

The following lists the deadlines an applicant must follow during the contracting process:

Scope of Work Approval – 1 week after initial receipt of initial draft

Certificate of Insurance – 30 days after receipt of Risk Assessment Memo and Insurance Requirements

Signing of Contract – 48 hours to sign or respond with questions or concerns (contract sent electronically via Adobe Sign)

[Insurance Requirements](#)

Insurance may be required of artists and organizations recommended for funding and contracting with the City of Dallas. Insurance requirements are included in the contract and are determined by the Office of Risk Management. A Certificate of Insurance (COI) must be submitted to the City covering the entire term of the contract. Funds cannot be released without a memorandum of compliance from the Office of Risk Management stating 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.

Insurance Requirements may include but are not limited to: commercial/general liability, auto liability, workers' compensations, abuse and molestation (for work with children under 18).

Failure to meet and maintain insurance requirements will be reported to the Allocations Committee of the Arts & Culture Advisory Commission and could result in contract termination. (For more information on insurance requirements please see FY 2019-20 ArtsActivate 2020 Resource Guide)

[Final Reporting](#)

A final report for the project should be submitted to the OCA by the pre-determined due date referenced in the Scope of Work. The final report includes an itemized amount of project expenditures and revenue, and a narrative summary of the project. Samples of promotional materials and programs / playbills relating to the project are required. Failure to submit the final report by the due date may result in loss of funding and future eligibility for projects-based support from the OCA.

[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 in terms of benefits, type size on publications, and frequency of acknowledgment. Arts organizations and artists awarded City of Dallas contracts for cultural services must include the following 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.”

Download the logo at <https://dallasculture.org/our-logo/>

Social Media Recognition

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

Facebook

- Through professional and/or personal pages, “like” the City of Dallas Office of Cultural Affairs
- Facebook page <https://www.facebook.com/dallasculture>
- When making posts about your project, tag in them @City of DallasOffice of Cultural Affairs
- Tag @City of DallasOffice of Cultural Affairs 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 hashtags on Facebook posts of your projects

Instagram

- Through professional and/or personal accounts follow Dallas OCA 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

Complimentary Tickets

Organizations and artists shall make available up to four complimentary tickets per event, program, production, exhibition or other activity produced under the contracted services to the Office of Cultural Affairs 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.

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.

AGENDA DATE: April 18, 2019
COUNCIL DISTRICT(S): N/A
SERVICE: Cultural Affairs Commission
STAFF CONTACT: Glenn Ayars, 214-671-0878
MAPSCO: N/A

SUBJECT

Recommendation in support of additions to the Cultural Support Programs Review Panelists List

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 OCA 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

Listed additions recommended by the Allocations Committee on April 8, 2019.

FISCAL INFORMATION

No cost consideration to the City.

AGENDA DATE: April 18, 2019
COUNCIL DISTRICT(S): 6
SERVICE: Public Art Program
STAFF CONTACT: Kay Kallos, 214-670-3281

SUBJECT

Recommendation in support of artist designs by Barbara Dybala and Pascale Pryor for the Dallas Animal Services Public Art Project, 1818 N. Westmoreland Road (Council District 6)

BACKGROUND

The Public Art Program of the City of Dallas Office of Cultural Affairs requested the submission of qualifications from artists for consideration to design, fabricate and install free-standing, outdoor sculptures installed along a berm to direct traffic in to the entrance of the Dallas Animal Service building. Up to three artists will be commissioned \$40,000.00 for up to three sculptures.

Barbara Dybala (2 sculptures for \$80,000) and Pascale Pryor (1 Sculpture for \$40,000.00) were selected based on how their design concepts related to the location, took inspiration from the mission of Dallas Animal Services.

SELECTION PROCESS:

A panel comprised of arts professionals and community representatives reviewed qualified submissions.

Five short-listed artists were commissioned to create concept designs for site specific sculptures and paid a \$500.00 stipend to present their concept design to the artist selection panel.

ABOUT BARBARA DYBALA:

Creating art with mosaic has been part of her creative journey for many years. It is Barbara's creative thought process that encompasses everything she sees. Barbara's love affair is in designing and creating one-of-a-kind works of art that inspire others to feel deeply, to think, and to passionately create. People of all ages have come to discover their own creative passion through her workshops and classes. In 2010, Barbara and husband, David, decided to purchase 8 acres of land in rural Rockwall County, and developed a studio they named Hidden Mosaic.

VOTING AGENDA ITEM # 5

Barbara's art has a voice other than her own. Her commission work reflects the style of its surroundings and the client's input to achieve an emotional reaction by the viewer. Thus, her work stretches from traditional to contemporary, humorist, to sublime. She uses a blend of material which may include enameled glass, ceramic, tile, gems, precious stones, and recycled materials depending on the environment in which they are installed.

ABOUT PASCALE PRYOR:

Pascale Mançon Pryor was born in Argenteuil, France, and grew up in Coulommiers and Paris. In 1979, at 19, she came to America, and then moved to Dallas in the mid-80's. She began creating her three-dimensional works first in ceramics, then branched out into metal, which she has worked in for over a decade now. Pascale loves the strength and endurance of metal, and the ability to do large scale work in this medium. She strives to find a timeless, simple beauty and a natural rhythm in organic shapes in each medium she works in—for both garden and the home. Pascale's recent sculpture, part of the Henderson Art Project, is located at the southeast corner of Belmont and Bennett in Dallas, TX. Her other works can be viewed at her online gallery. Pascale Pryor resides and creates her work in Oak Cliff, Texas.

TIMELINE

June 26, 2019	Artists Contract Approval-City Council
July 2019	Artists under contract-Notice to Proceed
June 2020	Installation

PRIOR ACTION/REVIEW

On April 2, 2019, the Public Art Committee recommended the design concepts by Barbara Dybala and Pascale Pryor for the Dallas Animal Shelter Public Art Commission.

October 20, 2016The Arts and Culture Advisory Commission approved the initiation of the Dallas Animal Service Public Art project.

FISCAL INFORMATION

\$120,000 – 2003 Bond Funds

The Emotion of a Pet Adoption

"Turn, turn, turn! Oh look, hitch-hiking dogs. Let's adopt a pet and take a picture."

This three-part wayfinding sculpture system has something for everyone's taste in selecting a pet and a great photo op to remember the day.

The personality of a pet should coincide with their owner's. I've created three types of personalities most desired in pets. Bella is a sweet and loving kitty who loves to cuddle but can be demanding when hungry. Teddy, the senior retriever mix, has lots of companionship and devotion to give. He doesn't know he is too big to sit in your lap. Ace, a Beagle and Dachshund mix (Doxle) is raring to go anywhere. He especially loves the outdoors, just say the word and his toys are packed.

This three-part series builds anticipation of what is inside the Dallas Animal Services building and the joy of selecting a new buddy that matches your personality.

You can select up to three of the following sculptures. All are made with a reinforced steel frame covered in architectural foam and sealed in a glass fiber reinforced concrete (GFRC). Facial features, clothing, sign, suitcase and details will be mosaic with colorful tile and a few glass accents.



Bella

Teddy

Ace

Dallas Animal Services Site-specific View



Sense of scale. Photo Op



AGENDA DATE: April 18, 2019
COUNCIL DISTRICT(S): 11
SERVICE: Public Art Program
STAFF CONTACT: Kay Kallos, 214-670-3281

SUBJECT

Recommendation in support of an artist design by Andrew Scott for the Anderson Bonner Park Public Art Project, 12000 Park Central Drive (Council District 11)

BACKGROUND

The Public Art Program of the City of Dallas Office of Cultural Affairs requested the submission of qualifications from artists for consideration to design, fabricate and install a free-standing, outdoor public artwork to serve as a tribute to Anderson Bonner and his legacy of entrepreneurship, agriculture, literacy, education and scholarship. The project budget is \$68,000.00.

Andrew Scott was recommended by the Selection Panel based on how his design concept related to the location and served as a tribute to Anderson Bonner and his legacy.

ABOUT ANDERSON BONNER

Anderson Bonner, African-American landowner, entrepreneur, and early Dallas pioneer, was born into slavery in Alabama, most likely in the late 1830s. Family tradition holds that Bonner was given as a wedding gift to the daughter of his master, taking him from Alabama to Arkansas and ultimately to Texas. By 1870 Bonner had arrived in Dallas, along with his sister Caroline and his brother Louis, where he worked the family farm just north of White Rock Creek. According to the 1870 United States census, Bonner's personal financial worth was valued at \$275. Over the next few decades, however, Bonner was able to secure a remarkable amount of land in the Dallas area, ultimately making him a financial phenomenon of early Dallas.

One of Bonner's earliest land transactions was on August 10, 1874, when he purchased more than sixty acres in Dallas County. He soon began supplementing his farming income by leasing out land and houses to sharecroppers. He continued to build his unlikely empire and ultimately ended up with nearly 2,000 acres of land, located mostly along White Rock Creek and surrounding areas in what is today North Dallas and Richardson. The land where Medical City Dallas Hospital sits, located at Forest Lane and North Central Expressway, was originally part of Bonner's estate.

VOTING AGENDA ITEM # 6

The exact date of Bonner's death could not be determined, but several sources estimated 1920 (also the year listed on his gravestone), which would have made him around eighty-two years old. He was buried in White Rock Colored Union Cemetery (now White Rock Garden of Memories Cemetery) in Addison, Dallas County, Texas.

Bonner's descendants inherited his expansive land holdings, and in the early twenty-first century several family members still lived on the land once owned by their pioneering patriarch. Bonner's offspring have embraced their forefather's success and have reached out to the Dallas community in an effort to keep his legacy alive.

Bonner has also been the recipient of recognition from the city of Dallas, beginning with a school named in his honor. The Anderson Bonner School was located at Vickery and Hillcrest and served as the neighborhood's lone African-American school until its closing in 1955 when Hamilton Park School opened. Bonner was also honored with the naming of a park. Anderson Bonner Park, located just west of Medical City Dallas, had already been a popular destination for black family gatherings even prior to World War II. Once part of Bonner's original farm, the park included amenities such as tennis courts, bike trails, and soccer fields in 2012.

SELECTION PROCESS:

This was a regional Call. Artists who live within a 150-mile radius of Downtown Dallas were given preference. Diversity candidates were strongly encouraged to apply.

Short-listed artists were selected on the basis of their qualifications as demonstrated by past work, appropriateness of the proposal to the particular project, its probability of successful completion, and practicality of long-term maintenance.

A panel comprised of arts professionals and community representatives reviewed qualified submissions in January 2019 and recommended one of the short-listed artists on March 28, 2019. Descendants of Anderson Bonner were present in an advisory capacity.

Three short-listed artists were commissioned to create concept designs for site specific sculptures and paid a \$1,000.00 stipend to present their concept design to the artist selection panel.

Concept designs were required to demonstrate the concept for the sculpture, identify materials and demonstrate that the artwork can be made for the commission budget of \$68,000 including artist's fees.

ABOUT ANDREW SCOTT:

For thirty years his artistic practice has been an exploration of African American culture through a combination of computer graphic technologies and traditional sculptural practice. This project advances and fits within the body of his existing work as a signature

VOTING AGENDA ITEM # 6

project that speaks in a civic vernacular honoring one of Dallas' celebrated American heroes.

As an artist, professor and design professional, he has worked and taught with a variety of materials and conceptual forms for over 30 years. This experience allows him to create work that is responsive to medium, method, and place. Combining the tools associated with digital multi-media, 3d modeling, animation, digital fabrication and projection mapping with the traditional artistic practices of metal and wood fabrication, casting, mold making and printmaking.

TIMELINE

June 26, 2019	Artist Contract Approval-City Council
July 2019	Artist under contract-Notice to Proceed
June 2020	Installation

PRIOR ACTION/REVIEW

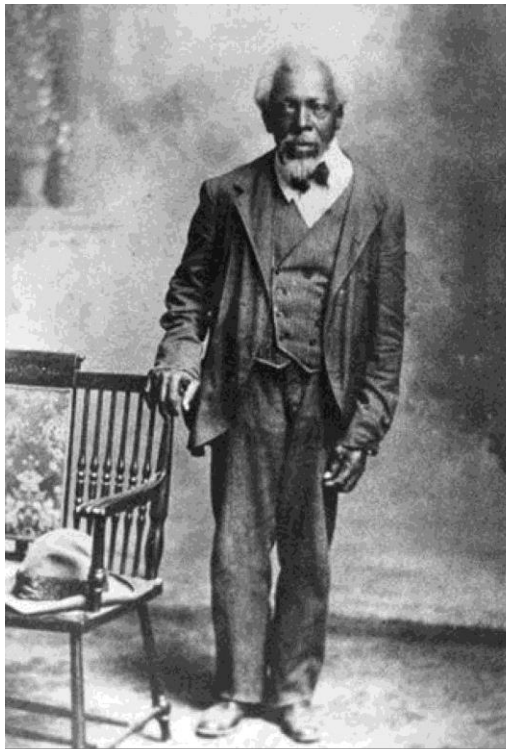
On April 2, 2019, the Public Art Committee recommended approval of design concepts by Andrew Scott for the commission of public art at Anderson Bonner Park

On October 17, 2018, Arts and Culture Advisory Commission approved the initiation of the project at Anderson Bonner Park

On February 15, 2018, Park and Recreation Board approve site for Anderson Bonner Park public art.

FISCAL INFORMATION

\$68,000 – 2017 Bond Funds



The Anderson Bonner project continues my exploration of African American culture through a combination of computer graphic technologies and traditional sculptural practice. This is a signature project that speaks directly to the vernacular of its site. An exploration of history, consideration of location and material choices will be used to create a tribute to one of Dallas' celebrated American heroes.



The Anderson Bonner tribute will employ the form of the Sankofa bird to create a free-standing sculptural form in steel, epoxy, and concrete. The sculpture will abstract the structure of the bird with it's back turned head holding an egg. Within the body of the bird on either side will be a circular relief sculpture based on a photo of Anderson Bonner. The outer ring of the relief sculpture will be embossed with his name and dates. The ring will also have the heart-shaped Sankofa symbol added and the Akan symbol for cooperative economics. The foreground of the relief will be activated with the image of Anderson Bonner while the background of the relief sculpture is subdivided using rectilinear patches that elude to the land tract amassed during his life. The concrete base will be embossed with the name of the statue on one side and go back and fetch it on the other. The sculpture will be powder coated using bright colors that will make it stand out in the parkland context.

Andrew F. Scott | Sankofa | Anderson Bonner Sculptural Tribute | 2019



AGENDA DATE: April 18, 2019
COUNCIL DISTRICT(S): N/A
SERVICE: Arts and Culture Advisory Commission
STAFF CONTACT: Cliff Gillespie, 214-670-3996

SUBJECT

Adoption of the Arts and Culture Advisory Commission Rules of Procedure

BACKGROUND

This action is to approve the Arts and Culture Advisory Commission Rules of Procedure as recommended by the Rules of Procedure Task Force. Further information is in the attached briefing memo from the task force that precedes the proposed Rules of Procedure.

PRIOR ACTION/REVIEW

On May 17, 2018, the task force provided an early update to the Commission.

On June 28, 2018, the Commission discussed the proposal in detail.

On November 15, 2018, the task force provided a briefing to the Commission.

On March 21, 2019, the task force provided a briefing and the draft Rules of Procedure document to the Commission.

FISCAL INFORMATION

This item has no cost consideration to the City.

To: Arts and Culture Advisory Commission
 From: Rules of Procedure Task Force
 Date: April 18, 2019
 Re: Recommended Rules of Procedure

The Rules of Procedure Task Force (the “Task Force”) was formed in early 2018 for the purpose of establishing rules of procedure for the Arts and Culture Advisory Commission (the “Commission”) and codifying existing practices of the Commission. The Task Force utilized an issues based approach and an early update was provided during the Commission’s regular meeting on May 17, 2018 ([briefing linked here](#)), and discussed in detail over a working lunch at the Commission special-called meeting in conjunction with a half day workshop on the Cultural Plan on June 28, 2018 ([briefing linked here](#)). An earlier version of this memorandum was provided to the Commission during the November 15, 2018 meeting. The Task Force was composed of Commissioner Jesse Smith (lead), Commissioner Ella Goode Johnson, Commissioner Taylor Adams, and Commission Chair John Paul Batiste.

The following memo summarizes the recommendations of the Task Force with respect to certain key rules and procedural issues. The full text of the proposed Rules of Procedure has been provided to the Commission along with this memo.

Issue/Sub-issue:	Recommendation:	Comments:
1. Codify New Processes		
a. Regular meeting location	City Hall (Park Board Room) unless the Chair or a majority of the Commission opts otherwise.	
b. Meeting time	Start time: 4:30 End time: open ended	The Task Force concluded that we cannot insert an end time because that would have to be posted and adhered to; historically, meetings have gone 4:30 to 6:00.
c. Recordings	Meetings at City Hall broadcast live, recorded and posted on Office of Cultural Affairs (OCA) website by Public Affairs and Outreach (PAO). OCA will endeavor to cause PAO to post a recording within one business day of the meeting end time. At alternate locations, audio recordings (and video if feasible) will be made and posted by OCA.	
d. Draft agenda/voting item materials	OCA will use reasonable efforts to distribute to the Commission at least 4 days in advance.	

e. Final agenda/voting item materials	Final agenda must be posted to City Secretary website 72 hours before the Commission meeting. Final agenda/voting item materials will also be posted to OCA website 72 hours in advance.	
f. Briefing materials	To the extent briefing materials are final, OCA will use reasonable efforts to distribute to the Commission in advance of the meeting. OCA will endeavor to post briefing materials to the OCA website within two business days of the meeting end time.	
g. Calendar	Meeting calendar for following calendar year to be briefed to the Commission and adopted by the Commission at the November meeting.	
2. Public Speakers		
a. Time allotted	<ul style="list-style-type: none"> • 3 minutes subject to increase or decrease in Chair’s reasonable discretion. • Rules include a welcoming statement about importance of hearing from the public 	The Task Force concluded that giving the Chair discretion was necessary given all of the variables that go into meeting length (number of items on agenda, number of speakers etc.)
b. Registration/sign up deadline	<ul style="list-style-type: none"> • Noon day of meeting. • Chair has discretion to allow “walk-up” public speakers. 	
3. Annual Report	Draft report briefed by OCA to the Commission at November meeting. OCA and the Commission to work together to finalize vote at regular the Commission meeting for the following January, and following approval, will be sent to the City Manager by February 1 for distribution to the City Council thereafter.	Any dissenters may submit a written dissent, as provided in Chapter 8, to be distributed with all copies of the final annual report, without editing. Dissent must be submitted to OCA staff within two business days of the Commission vote to approve the annual report.
4. Agenda Items and Motions		
a. Adding Agenda Items	An item may be added to the Commission meeting agenda by (a) signatures of 1/3 of sitting commissioners (typically 6), (b) majority vote of committee or the Commission, or (c) discretion of the Chair.	Rules of Procedure provide a four-week lead time to ensure that OCA and City Attorney have adequate time to research and prepare agenda items; however OCA has the option to brief the Commission earlier than four weeks.

b. Consent Agenda	No consent agenda	The Task Force concluded that the volume of voting items did not justify a consent agenda.
c. Time Constraints	If an agenda item is not addressed at a meeting due to time constraints, the Chair will ensure that it is addressed at the following meeting.	
d. Motions	Include a brief reminder of Robert's Rules: equal right to make motions, process to hold motions, and procedures for discussing motions (address discussion to Chair; speaking limits of 5 min max and 2 speaking times per member; interruptions only allowed by Chair or point of order by another member) and reconsideration of motions.	This section on motions uses City Plan Commission rules as a source document.
5. Attendance: 8-21(b) rule requiring that you will be deemed absent if you miss more than 50% of a meeting.	The Task Force's recommendation is to remove the 8-21(b) 50% rule in its entirety.	The Task Force concluded that 8-21(a) is sufficient protection against early departures. 8-21(a) says if you leave a meeting after it has been called you will be absent unless you first obtain the consent of the Chair, which may only be granted in an emergency. 8-21(a) cannot be changed.
6. Codify Committees		
a. Existing Committees	Allocations (COP, CPF, CVP, CAP) and Public Art	Public Art Committee (PAC) is established in Chapter 2, Article X of City Code. The Rules contain the qualification requirements (previously used, with some modifications based on PAC recommendations) for the eight resident members as well as procedures for appointment and removal, term limitations, and attendance requirements for these eight members.

b. Ad Hoc Committees	Allow for the creation by the Chair or Commission; number of members and duration would need to be established when each is formed.	
c. Notice	Notice of committee meetings as part of the Commission regular meeting agenda.	This is the current practice.
d. Participation	All commissioners may attend and participate; only committee members may vote.	
7. Task Forces/Working Groups		
a. Task Forces and Working Groups	Task forces and working groups may be created by the Chair.	A task force must be less than a quorum of the Commission or any committee.
8. Address Liaison Appointments	<p>Commissioners may be assigned by the Chair to serve as Commission Liaisons to, but not limited to, all cultural organizations contracting with the City through the Cultural Organization Program and some cultural facilities operated by the Office of Cultural Affairs</p> <p>A Commissioner's role as liaison may include, without limitation, the following: reporting on the programs and needs of the organizations to the Commission and OCA, working with OCA staff to address management matters (e.g. funding recommendations, contract compliance issues, Arts Month planning).</p>	Commissioners no longer serve as ex officio board members due to conflicts of interest and other complexities.
9. Conflict of Interest Rules	City Code Chapter 12A is sufficient: conflict of interest related to own economic interest, employment within the past 12 months, or substantial economic interest of immediate family or domestic partner (City Code Chapter 12A) + language for panelists from Section 3(C)(viii) of Cultural Policy.	

Arts and Culture Advisory Commission
Rules of Procedure

DRAFT

Table of Contents

Section 1.	Authority	1
Section 2.	Definitions.....	1
Section 3.	Overview of the Commission.....	1
Section 3.	Meetings.....	2
Section 4.	Attendance	7
Section 5.	Committees	7
Section 6.	Task Forces and Working Groups.....	11
Section 7.	Public Speakers	11
Section 8.	Conflict of Interest	11
Section 9.	Annual Report	11
Section 10.	Code of Conduct	12
Section 11.	Communications/Media.....	13
Section 12.	Liaison roles	13
Section 13.	Enforcement.....	14
Section 14.	Other Rules of Procedure.....	14
Section 15.	Rules Suspension or Amendment.....	14

Section 1. Authority

The powers and duties of the Arts and Culture Advisory Commission (the “Commission”), formerly known as the Cultural Affairs Commission, are established by Chapter 2, Article XXVI of the Code. The Commission may adopt rules to govern its proceedings that are not inconsistent with Chapters 2 or 8 of the Code or state law. These supplementary rules of procedure (the “Rules”) establish such rules and guidelines to be followed by all persons at a meeting of the Commission, including Commissioners, city administrative staff and employees, the news media, and the public. **Should there be any conflict between these rules and guidelines and the Code, the Code shall control.**

Section 2. Definitions

- A. “Chair” means the presiding officer of the Arts and Culture Advisory Commission.
- B. “City” means the City of Dallas.
- C. “City Council” means the City Council of the City of Dallas.
- D. “City Manager” means the City Manager of the City of Dallas.
- E. “Code” means the City of Dallas, Texas Code of Ordinances, as amended.
- F. “Commission” is as defined in Section 1.
- G. “Commissioner” means a duly appointed member of the Arts and Culture Advisory Commission.
- H. “COP” means the Cultural Organization Program of the Office of Cultural Affairs.
- I. “Cultural Policy” means the Cultural Policy of the City of Dallas, as adopted by the City Council on November 28, 2018.
- J. “Director” means the Director of Cultural Affairs, as appointed by the City Manager, or his or her designee.
- K. “OCA” means the Office of Cultural Affairs.
- L. “Resident Member” is as defined in Section 5(B).
- M. “Rules” is as defined in Section 1.
- N. “Vice-Chair” means the vice-chair of the Arts and Culture Advisory Commission.

Section 3. Overview of the Commission

- A. As set forth and more fully detailed in the Chapter 2, Article XXVI of the Code:

- I. The Commission is an advisory body of 18 members appointed by the City Council. 15 of the Commissioners are appointed by each City Council member respectively and three of the Commissioners are appointed by the City Council as a whole. Each Commissioner is appointed for a two-year term beginning October 1 of each odd-numbered year and serves until his or her successor is appointed and qualified.
- II. The Chair of the Commission is appointed by the Mayor and the Vice-Chair is appointed by the full City Council. The Chair presides at all meetings of the Commission and in the absence of the Chair the Vice-Chair shall preside and exercise the powers of the Chair. The duties and privileges of the Chair are as set forth in Chapter 8 Article III of the Code and, in addition, include making liaison assignments, making committee, task force and working group assignments, and calling special meetings as more further detailed in these Rules.
- III. The three Commissioners appointed by the City Council as a whole shall also serve on the Public Art Committee of the Commission, and, in addition to qualifying for service on the Commission under this section and Section 5 herein, must meet the qualifications for service on the Public Art Committee as set forth in the city's cultural policy and program adopted by city council resolution.

Section 3. Meetings

A. Regular meetings

- I. The Commission must meet at least once each month and may hold additional meetings at the call of the Chair. The regular monthly meeting will be held in the Park Board Room at City Hall, unless the Chair or a majority of the Commission selects an alternative location in order to best fulfill the duties and responsibilities of the Commission. All regular and special meetings at City Hall will be recorded and broadcast live with audio and video and, to the extent that technology and City staff resources are available, all regular and special meetings at alternative locations will be recorded with audio and, if technologically feasible without degradation to the audio recording, video. The recording of meetings at City Hall is controlled by Public Affairs and Outreach, and OCA will endeavor to cause Public Affairs and Outreach to post such recordings to the City website within one business day after the meeting, followed by posting the link on OCA's website within a reasonable amount of time, not to exceed one business day. For alternative locations, OCA will endeavor to post any audio and, if applicable, video on OCA's website within a reasonable amount of time of the conclusion of the meeting, not to exceed two business days.

- II. At the regular meeting in November, the Chair shall propose a schedule of regular meetings during the following calendar year for the Commission's approval. Absent approval by a majority of the Commission, the schedule for regular meetings will be in the sole discretion of the Chair. The Commission, by majority vote, may cancel up to two regular meetings per calendar year for good cause and historically the Commission has cancelled the regular meetings for July and December. Regular meetings shall begin at 4:30PM Central Time, unless the Chair or the Commission by majority vote determines otherwise. Historically, regular meetings have lasted for 90 minutes, but may extend beyond 90 minutes in the Chair's discretion.
- III. Commissioners shall occupy the seats in the meeting room assigned to them, generally in order of seniority (based on length of continuous service on the Commission), with the Chair at the center and flanked on either side by the Director and the Vice-Chair.

B. Special meetings

- I. In accordance with Chapter 8, Article II of the Code, special meetings may be called by the Chair at any time and shall be called upon written request of Commissioners comprising at least one-third of the Commission. As provided in the Code, attendance at special meetings does not count for or against a Commissioner's attendance record.

C. Cancellation

- I. The Chair may, in the event of inclement weather or if it is reasonably anticipated that a quorum will not be met, cancel a meeting, provided that the Chair notifies the Director by 10:00AM Central Time the morning of the meeting.
- II. Upon receipt of notification of cancellation of a meeting, the Director shall immediately:
 - a. Notify all Commissioners, registered public speakers, and any other person the Director deems necessary to be notified of the cancellation of the meeting;
 - b. Send notice of the cancellation with the cancelled meeting's agenda to the City Secretary's Office for publication on the City's open meeting locations; and
 - c. Post the notice of cancellation and the cancelled meeting's agenda on OCA's website.

D. Agenda, Voting Items, Materials, and Motions

- I. OCA and the Commission affirm that (1) the Commission's receipt of agendas, voting item materials and briefing materials in advance of meetings is important to allow for informed discussion and action by the Commission and to allow the Commission to fulfill its purpose and obligations under the Code and Cultural Policy, and (2) the timely posting of such items to OCA's website and the City's official open meetings website, as applicable, is important to ensure transparency and accountability of both OCA and the Commission to the residents of Dallas. Accordingly:
 - a. OCA will share draft agenda and voting item materials with the Commission at least 96 hours (four days) in advance of a meeting.
 - b. The final agenda will be posted the City's official open meetings locations at least 72 hours before the meeting in accordance with the requirements of the Texas Open Meetings Act (Texas Government Code, Chapter 551). In the interest of transparency, the final agenda and voting item materials will also be posted to OCA's website at least 72 hours before the meeting.
 - c. Subject to the availability of OCA staff resources and final completion of briefing materials, OCA will share briefing materials with the Commission in advance of a meeting and post such briefing materials to OCA's website within a reasonable amount of time of the conclusion of the meeting, not to exceed two business days.
- II. Voting and briefing items may be added to the agenda by the Chair, by a majority Committee or Commission vote, or by written request of at least 1/3 of sitting Commissioners. Requests for agenda item additions, if made at least four weeks in advance of the applicable meeting, will be added to the agenda, subject to the City Attorney's Office review and approval. If a request to add an agenda item is made less than four weeks in advance of a meeting, it may be added to the agenda if the City Attorney's Office and OCA staff have sufficient capacity to adequately research, review and prepare the requested item. Items that are not germane to the duties of the Commission may not be included in an agenda. If a germane agenda item is not added in the requested month, it will be addressed at the next regular meeting or alternatively, may be addressed at a special meeting before the next regular meeting. Items on the agenda will be acted upon in the order in which they appear, unless the Chair or a majority of the Commission elects otherwise.
- III. The Commission will not utilize a consent agenda unless the Commission, by a majority vote at a duly called meeting, elects otherwise for a calendar year or the remainder thereof. Any election by a Commission to utilize a consent agenda will not be binding on the Commission for the following calendar year.

IV. The agenda for each regular meeting shall contain notice of the known upcoming committee meetings scheduled to be held in the following 30 days. These dates are subject to change, and final notice shall be posted with the City Secretary's Office to the City's open meeting locations, including but not limited to the City's open meetings website, in accordance with the Texas Open Meetings Act.

E. Motions

- I. All Commissioners have an equal right to make a motion on any item before the Commission.
- II. When recognized by the Chair, a Commissioner may state a readiness to make a motion. It is the privilege of the Chair, if the Chair thinks debate is not ended, to ask the Commissioner to hold the motion. The Commissioner may defer to the Chair's request or make the motion. If the Commissioner defers to the request, the Chair must return to that Commissioner prior to accepting a motion from any other Commissioner.
- III. Discussion of motion.
 - a. The Chair shall require Commissioners to limit discussion to the question under consideration. [The Code §8-10 and §8-13]
 - b. All discussion must be addressed to the Chair and not to individual Commissioners.
 - c. No Commissioner may speak more than once upon any one item until every other Commissioner choosing to speak on the item has spoken, and no Commissioner may speak more than twice upon any one item, nor for longer than five minutes each time, without a two-thirds vote of the Commissioners present. The ten minute limitation includes time expended by the Commissioner on discussion and debate. [The Code §8-16]
 - d. A Commissioner, once recognized by the Chair, may not be interrupted while speaking unless called to order by the Chair or a point of order is raised by another Commissioner. If a Commissioner is called to order while speaking, the Commissioner shall cease speaking immediately until the question of order is determined. If ruled to be in order, the Commissioner may proceed. If ruled to be not in order, the Commissioner shall remain silent or shall alter the remarks so as to comply with rules of the Commission. [The Code §8-15]
 - e. No Commissioner may address the Chair or demand the floor while a vote is being taken. [The Code §8-13]

I. Reconsideration.

- a. Unless the City Council's Quality of Life, Arts & Culture Committee or City Council refers an item back to the Commission, a motion to reconsider is the exclusive method by which an item can again be brought before the commission after a final vote has been taken.
- b. A motion to reconsider may not be made later than the next regular meeting.
- c. A motion to reconsider can only be made by a Commissioner who voted with the prevailing side.
- d. A motion to reconsider may be seconded by any Commissioner.
- e. An item may not be twice reconsidered, except by unanimous consent of the Commission.
- f. The motion to reconsider must be on an agenda that is publicly posted. In order to reconsider the action in the same meeting at which the motion to reconsider is made, the subject matter of the reconsideration must be on the agenda that is publicly posted.
- g. A motion to reconsider may be placed on the agenda using the procedure outlined in Section 3(D)(II) herein.
- h. Once an action reaches the floor of the City Council's Quality of Life, Arts & Culture Committee or City Council, the Commission may not change it. Once an action can no longer be changed by the Commission, it may not be reconsidered.
- i. An item referred back to the Commission by the City Council's Quality of Life, Arts & Culture Committee or City Council is a new item.

F. Open Meetings

- I. All meetings of the Commission are open to the public unless pertaining to matters authorized under the Texas Open Meetings Act to be discussed in executive session. [Texas Government Code Chapter 551; the Code §8-6(a) and §8-25(a)]
- II. The decisions and official records of the Commission are public records except as provided by the Texas Open Records Act. [Texas Government Code Chapter 552; the Code §8-6(a)]

Section 4. Attendance

- A. Chapter 8, Article IV, Sections 8-20 and 8-21 of the Code govern the attendance requirements of the Commissioners. Pursuant to Chapter 8, Article IV, Section 8-20, a Commissioner who is absent from more than 25 percent of the regular meetings during any 12-month period, whether excused or not, shall result in a forfeiture. By way of example, if there are 10 regular meetings during a 12 month period, a Commissioner may not be absent for more than two regular meetings without resulting in a forfeiture.
- B. Commissioners shall endeavor to notify the Chair and OCA staff if they anticipate being absent from part or all a meeting as a courtesy to their fellow Commissioners so that meetings can be cancelled in advance if it is anticipated that a quorum will not be met.
- C. Excusal during meeting:
 - I. In accordance with Chapter 8, Article IV, Section 8-21(a) of the Code, a Commissioner who leaves a Commission meeting after the meeting has been duly called to order and is absent from the remainder of the meeting, without first obtaining the consent of the Chair, shall be charged with an unexcused absence for that meeting.
 - II. However, if the Commissioner shows up to the meeting and then obtains the consent of the Chair to leave the meeting because of an emergency beyond the control of the Commissioner, the absence will be considered excused and will not count against the Commissioner.
- D. If a published agenda item is not addressed at a meeting due to time constraints or loss of quorum, it will be added to the agenda for the next meeting of the Commission and the Chair will ensure that the item is addressed at that meeting.

Section 5. Committees

- A. Standing Committees
 - I. The following standing committee of the Commission is established:
 - a. Allocations Committee: The allocations committee recommends support levels to the Director for cultural service contracts through the Cultural Support Programs and other duties as provided in the Cultural Policy.
 - II. The Public Art Committee is established in Chapter 2, Article X of the Code and further governed in Section 5(B) of these Rules.
- B. Public Art Committee

- I. The duties and composition of the Public Art Committee are established in Article X, Sections 2-102(12) and 2-105(b) and Article XXVI, Section 2-161(e) of the Code and are incorporated by reference and made a part of these Rules for all purposes.
- II. Section 2-102 (12) of the Code provides that the Public Art Committee shall be composed of the three Commissioners who are full City Council appointments to the Commission plus an additional eight members who are professionally qualified residents of the City appointed by the Commission (each, a “Resident Member”). Resident Members must have been a resident of the City for at least six months prior to the date of appointment, be a qualified voter in the City at the time of appointment, maintain residency in the City during their term of appointment, and have demonstrated experience as one or more of the following:
 - a. a visual artist (by means of a currently demonstrable record of exhibitions, work sold/collected and/or commissioned),
 - b. as an architect,
 - c. landscape architect,
 - d. art historian or critic,
 - e. arts advocate/collector,
 - f. curator or gallerist,
 - g. urban planner or engineer,
 - h. producer of public art, or
 - i. art scholar or art teacher.
- III. It is the preference of the Commission that Resident Member nominees also have experience in one or more of the following:
 - a. environmental design,
 - b. place making,
 - c. economic development,
 - d. public relations/community outreach,
 - e. interest in arts education,
 - f. promotion of cultural activities and public art,
 - g. support of the efforts towards cultural equity in the city of Dallas.
- IV. Appointment of Resident Members.
 - a. Nominations shall be provided to the Director by Commissioners, City staff, and interested residents of the city of Dallas. Following research by the Director to confirm the candidate’s willingness to serve on the Public Art Committee and candidate eligibility in accordance with Section 5(B)(II) above, a list of qualified candidates will be submitted to the Commission for consideration.

- b. Following appointment by the Commission, the Commission coordinator shall notify the person in writing of the appointment. The notification shall contain the City's Code of Ethics and a form of acceptance of appointment to be returned to the Commission coordinator by the appointee.
 - c. The appointee shall return the signed acceptance of appointment to the Commission coordinator within 15 calendar days from the date of receiving notice of the appointment. If the Commission coordinator does not receive the signed acceptance of appointment within the required 15 days, that committee position shall be considered vacant and a new appointment made.
- V. Chair and Vice Chair. The chair and vice chair of the Public Art Committee shall be appointed from among the membership of the committee by the Chair of the Commission.
- VI. Appointment Terms and Term Limitations.
- a. After the 2019 adoption of these Rules, the Resident Members of the Public Art Committee shall serve staggered terms of up to two years. The terms of these 2019-appointed Resident Members shall be assigned to achieve a staggered rotation, spread as fairly as possible, with terms ending on September 30, 2020 or September 30, 2021 as resolved by the Commission.
 - b. Subsequent to the appointment of the 2019 Resident Members, each Resident Member shall be appointed for a two-year term beginning on October 1 of each year. All Resident Members shall serve until their successors are appointed and qualified, except that a Resident Member may not hold over in his or her position longer than nine months after the expiration of his or her term.
 - c. A person who has served as a Resident Member of the Public Art Committee for four consecutive two-year terms will not again be eligible to serve on the Public Art Committee until at least one term has elapsed, regardless of whether service was as a member or chair.
- VII. Removal of Resident Members.
- a. A Resident Member of the Public Art Committee automatically forfeits his or her appointment to the Public Art Committee for violation of the attendance requirements of the committee provided in Section 5(B)(VIII) below.
 - b. The Chair of the Commission or the Director may only remove a Resident Member from the Public Art Committee for a violation of these Rules (other

than attendance requirements) or other good cause with the written support of not less than two Commissioners who are also members of the Public Art Committee.

VIII. Attendance Requirements for Resident Members.

The Resident Members are subject to the same attendance rules as set forth in Section 4 of these Rules.

C. Ad Hoc Committees

- I. The Chair or the Commission, by majority vote, may create ad hoc committees from time to time to study and review specific issues. The Chair shall determine the number of members on the committee. The ad hoc committees shall be established for a designated period of time which may be extended by the Chair and shall meet as needed.
- II. A committee shall consist of not less than three members and not more than eight Commissioners, with the exception of the Public Art Committee, whose members and appointments are established in the Code, Article X, Section 2-102(12).
- III. The Chair may assign and remove committee chairs and members to and from the various standing and ad hoc committees, except for the Public Art Committee which is governed by the Code and Section 5(B) of these Rules. All such actions must be made in writing to notify the Director or his or her designee, the committee chair, and the member whom the action concerns.
- IV. A member of a committee automatically forfeits their appointment to the committee for violation of the attendance requirements of the committee provided in Section 5(C)(VI) below. The Chair, at his or her sole discretion, may choose to re-appoint a member whose committee membership was forfeited due to a violation of the attendance requirements.
- V. Committee meetings must be conducted in accordance with the Texas Open Meetings Act (Texas Government Code, Chapter 551).
- VI. Committee members are subject to the same attendance rules as stated in Section 4 of these Rules.
- VII. Any Commissioner may attend a committee meeting, regardless of committee membership, and participate in discussion if no conflict of interest exists, but a Commissioner shall not have a vote at the Committee unless that Commissioner is a member of the Committee.

Section 6. Task Forces and Working Groups

The Chair may create ad hoc task forces and working groups as may be appropriate from time to time.

Section 7. Public Speakers

- A. The Commission acknowledges the importance of hearing from public speakers to allow for informed discussion and action at the Commission and to allow the Commission to fulfill its purpose and obligations under the Code and Cultural Policy.
- B. For regular meetings of the Commission, speakers must register by noon on the day of the meeting in the manner as prescribed on the published agenda. The Chair at his or her sole discretion may allow people who register after this deadline to speak.
- C. Public speakers must address their comments to the Chair and will typically each have three minutes to speak. This time limit may be changed at the sole discretion of the Chair, and may be shortened if there are a large number of speakers. The Chair may also allow speakers to speak for longer than three minutes in his or her sole discretion. The Chair's decision to limit the duration of each public speaker to under three minutes or to not hear from public speakers who have timely registered may be overruled by a motion and 2/3 vote of the Commission.

Section 8. Conflict of Interest

- A. A Commissioner prevented from voting by conflict of interest shall leave the meeting room during the discussion of the item, shall not vote on the matter, and shall otherwise comply with the state law and City ordinances concerning conflict of interest.
- B. A conflict of interest for Commissioners exists as described in Chapter 12A of the Code. Given its review and role of recommending funding for the procurement of cultural services, the Commission also holds itself up to the definition of conflict of interest for panelists as defined in Section 3(C)(iii) of the Cultural Policy. This includes affiliate, economic, or adversarial relationships of the Commissioner or his or her immediate family members. An exception to this conflict of interest is made in the case of the Commission-assigned liaison role. If a Commissioner is assigned to be an organization liaison to an organization that works with OCA, then a conflict of interest does not exist due to that assignment.

Section 9. Annual Report

- A. At the regular meeting for November, OCA staff will furnish a draft of the proposed annual report for the previous fiscal year (October 1 – September 30). The report

(as required by the Code sec 8-1.1) will contain the mission or guiding principles, summary of the prior year's activities, a list of the current year's objectives or programs and Commission recommendations.

- B. Commissioners may submit revisions to the draft to OCA and the Commission task force, if applicable. Such revisions must be made during the regular November Commission meeting or in writing to OCA staff at least five business days prior to the regular January meeting to allow for updating and publication in advance of the January Commission vote.
- C. The proposed report will be submitted for vote at the regular meeting in January, and upon approval, will be sent to the City Manager by February 1 for distribution to the City Council. Any Commissioner present on the Commission for the previous fiscal year may submit a minority or dissenting viewpoint for inclusion without editing in the final written report as provided in the Code §8-1.1(e). Submissions must be made to OCA staff within two business days of the Commission vote to adopt.
- D. In accordance with the Cultural Policy, the Commission's annual report shall also include measures of equity and diversity provided by the Office of Cultural Affairs. Given the timing of final report submission to OCA from COP organizations in November, the draft of these metrics may be prepared as an addendum to the Annual Report and distributed to Commissioners via email at least ten business days prior to the regular January meeting of the Commission. Commissioners must submit revisions at least five business days prior to the regular January meeting, as noted above in Section 9(B).

Section 10. Code of Conduct

- A. Commissioners shall comply with Chapter 12A – Code of Ethics of the Code and Section 8, Article V – Code of Conduct of the Code, including without limitation, the following standards of civility:
 - I. City officials shall accord the utmost respect and courtesy to each other, City officials, City employees, citizens, and persons doing business with the City.
 - II. City officials shall not discriminate against any person because of the person's race, color, age, religion, marital status, sexual orientation, gender identity and expression, genetic characteristics, national origin, disability, military or veteran status, sex, or political opinions or affiliations.
 - III. City officials shall not make comments or take actions that are abusive; belligerent; crude; derogatory; disparaging; impertinent; personal attacks upon the character, integrity, or motives of others; profane; rude; slanderous; or threatening.

- B. In addition, while in a meeting room, Commissioners shall refrain from any activity that could divert their attention or that of the other Commissioners from the matters before the Commission.

Section 11. Communications/Media

Commissioners must avoid “walking quorums” (including, but not limited to, gatherings at which Commission business is discussed in person, by email, or on social media). A walking quorum is defined as a simple majority of Commissioners officially appointed to the Commission or a committee, regardless of the total number of Commissioners actually provided for the commission or committee.

Section 12. Liaison roles

- A. Commissioners may be assigned by the Chair to serve as Commission liaisons to, but not limited to, all organizations contracting with the City through COP.
- B. Individual Commissioners may also be appointed by the Chair to serve as liaisons to cultural facilities operated by OCA.
- C. Commissioner liaisons shall be reviewed and appointed by the Chair of the Commission, based on specific interests and capabilities of individual Commissioners in order to serve as a resource to the organization.
- D. These liaison roles will allow Commissioners to report on the programs and needs of those organizations to the Commission and OCA. Direct access to individual Commissioners will enable the various cultural organizations to readily obtain information regarding the activities of the Commission and OCA.
- E. The appointments shall change every two years and/or at the discretion of the Chair of the Commission
- F. At no time during the relationship should the individual Commissioner liaison attempt to speak for or make promises on behalf of the Commission or OCA. It must always be made clear that the liaison is speaking as an individual.
- G. Liaisons may work with OCA staff and their assigned cultural organization to address management matters (for example, funding recommendations, contract compliance issues, Arts Month planning). In his or her role as a liaison, the Commissioner may authorize another Commissioner to liaise on his or her behalf as desired. During all such conversations, the liaisons must be independent, impartial, and responsible only to the people of the City. This guidance is from Chapter 12A: Code of Ethics of the Code (Sec 12A-1).

Section 13. Enforcement

Commissioners, citizens, and other visitors shall be removed from the meeting for failure to comply with decisions of the Chair or continued violations of these Rules or the Code. In accordance with Chapter 8, Article V of the Code, if the Chair fails to act, any Commissioner may move to require the Chair to enforce these Rules, and the affirmative vote of a majority of the Commission shall require the Chair to act.

Section 14. Other Rules of Procedure

Unless other specified in these Rules and in Chapter 8 of the Code, the proceedings of the Commission shall in all cases be governed by the rules of order as set forth in the most recent edition of "Robert's Rules of Order." [The Code, Sec 8-5.]

Section 15. Rules Suspension or Amendment

A. Suspension of Rules

Any provision of these Rules not governed by the City Charter, the Code or State law may be temporarily suspended by a two-thirds vote of Commissioners present.

B. Amendment of Rules

These Rules may be amended or new rules adopted by a majority vote of the Commissioners, following appropriate public notice in accordance with the Texas Open Meetings Act (Texas Government Code, Chapter 551).