

December 11, 2024

**WHEREAS**, on November 28, 2018, the City Council adopted the *Dallas Cultural Plan 2018* and a revised and restated Cultural Policy of the City of Dallas (Cultural Policy) on by Resolution No. 18-1683; and

**WHEREAS**, the Cultural Policy provides for Cultural Support Programs for the support of Dallas-based cultural organizations and individual artists; and

**WHEREAS**, the Cultural Organizations Program (COP) falls under the Organizational Support category of the Cultural Policy, and provides support to established Dallas-based nonprofit arts and cultural organizations and institutions for general operating expenditures, including artistic and administrative expenses, directly related to a year-long program of events; and

**WHEREAS**, the Cultural Policy requires that Cultural Support Programs must be authorized by resolution of the City Council annually, including approval of the various program guidelines; and

**WHEREAS**, on February 28, 2024, the City Council approved the FY 2024-25 COP Guidelines, by Resolution No. 24-0334; and

**WHEREAS**, Dallas Black Dance Theatre was eligible for and applied for FY 2024-25 COP funding in the Spring of 2024; and

**WHEREAS**, the labor union, the American Guild of Musical Artists (AGMA), filed charges against Dallas Black Dance Theatre (DBDT) with the National Labor Relations Board (NLRB) alleging that DBDT violated the National Labor Relations Act, 29 U.S.C.A. §§ 151-169, as amended (the Act) after the termination of DBDT's company dancers; and

**WHEREAS**, on November 1, 2024, after investigating the charges filed by AGMA, the NLRB issued a complaint against DBDT; and

**WHEREAS**, the labor dispute between AGMA and DBDT is currently pending resolution; and

**WHEREAS**, on October 21, 2024, the Quality of Life, Arts & Culture Committee of City Council (QOLAC) considered the funding allocation recommendation for DBDT along with 55 other Dallas-based nonprofit arts and cultural organizations through the FY 2024-25 Cultural Organizations Program; and

**WHEREAS**, QOLAC recommended to City Council that, due to AGMA's charges against DBDT, the proposed FY 2024-25 COP funding allocations for consideration be recommended with the amendment, "to remand the funding allocation for Dallas Black Dance Theatre to the Arts and Culture Advisory Commission's Allocations Committee for reconsideration and referral back to the Quality of Life Committee for further consideration"; and

**WHEREAS**, on October 23, 2024, the City Council approved the FY 2024-25 COP funding allocations by Resolution No. 24-1567, as amended to adopt the QOLAC recommendation; and

**WHEREAS**, on November 7, 2024, the Allocations Committee of the Arts and Culture Advisory Commission met and reconsidered the FY 2024-25 COP funding allocation for DBDT as resolved by the City Council, and the Allocations Committee recommended that City Council preserve the initial funding recommendation of \$248,435.00 for DBDT subject to one of the following outcomes of the labor dispute between AGMA and DBDT: (i) if the NLRB issues a decision on or before April 15, 2025 finding that the DBDT did not violate the Act, the full \$248,435.00 funding recommendation for DBDT should be immediately approved; or (ii) if an agreement or settlement is reached between DBDT and AGMA on or before April 15, 2025, the full \$248,435.00 funding recommendation for DBDT should be immediately approved; or (iii) if the NLRB issues a decision on or before April 15, 2025 finding that DBDT violated the Act, the full \$248,435.00 funding recommendation should be reallocated to other Office of Arts and Culture (OAC) programs for the 2025 fiscal year, including but not limited to Community Arts, Community Artist Program (CAP), Culture of Value, or ArtsActivate with the direct instruction that consideration be given to funding ALAANA programming; or (iv) if the labor dispute between AGMA and DBDT has not been resolved on or before April 15th, 2025, the full \$248,435.00 funding recommendation will be reallocated to other OAC programs for the 2025 fiscal year including but not limited to: Community Arts, CAP, Culture of Value, or ArtsActivate with the direct instruction that consideration be given to funding ALANNA programming.; and

**WHEREAS**, on November 21, 2024, the Arts and Culture Advisory Commission met and recommended the funding allocation reconsideration as recommended by the Allocations Committee of the Arts and Culture Advisory Commission.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute a contract with Dallas Black Dance Theatre, Incorporated (DBDT), approved as to form by the City Attorney, for the provision of services to the City through the Cultural Organizations Program for a period ending September 30, 2025 in an amount not to exceed \$248,435.00, subject to one of the following occurring on or before April 15, 2025: (i) a decision by the National Labor Relations Board (NLRB) finding that DBDT did not violate the National Labor Relations Act, 29 U.S.C.A. §§ 151-169, as amended (the Act), in the labor dispute between the American Guild of Musical Artists (AGMA) and DBDT; or (ii) the execution of a settlement agreement between AGMA and DBDT.

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**SECTION 2.** That, subject to the conditions set forth in Section 1 of this Resolution, the Chief Financial Officer is hereby authorized to disburse funds in periodic payments, in an not to exceed \$248,435.00 to Dallas Black Dance Theater, Incorporated from General Fund, Fund 0001, Department OCA, Unit 1736, Object 3089, Activity CA01, Encumbrance/Contract No. MASC-OCA-2024-00025978, Vendor 219206, as invoices are processed by the Office of Arts and Culture.

**SECTION 3.** That this Resolution does not obligate the City to execute a contract with DBDT for FY 2024-25 COP funding.

**SECTION 4.** That should the NLRB issue a decision on or before April 15, 2025 finding that DBDT violated the Act, this Resolution shall thereafter be null and void.

**SECTION 5.** That should there be no resolution to the labor dispute between AGMA and DBDT on or before April 15, 2025, this Resolution shall thereafter be null and void.

**SECTION 6.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.