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CITY SECRETARY
DALLAS, TEXAS

City of Dallas

*1500 Marilla Street, Room 6ES
Dallas, Texas 75201*



Quality of Life, Arts, and Culture Committee

February 18, 2020

9:00 AM

2019 CITY COUNCIL APPOINTMENTS

COUNCIL COMMITTEE	
ECONOMIC DEVELOPMENT Atkins (C), Blewett (VC), Gates, McGough, Narvaez, Resendez, West	ENVIRONMENT AND SUSTAINABILITY Narvaez (C), Atkins (VC), Blackmon, Blewett, Gates
GOVERNMENT PERFORMANCE AND FINANCIAL MANAGEMENT Gates (C), Mendelsohn (VC), Arnold, Bazaldua, Kleinman, Narvaez, Thomas	HOUSING AND HOMELESSNESS SOLUTIONS West (C), Thomas (VC), Arnold, Blackmon, Kleinman, Mendelsohn, Resendez
PUBLIC SAFETY McGough (C), Arnold (VC), Bazaldua, Blewett, Medrano, Mendelsohn, Thomas	QUALITY OF LIFE, ARTS, AND CULTURE Arnold (C), Gates (VC), Atkins, Narvaez, West
TRANSPORTATION AND INFRASTRUCTURE Kleinman (C), Medrano, (VC), Atkins, Bazaldua, Blewett, McGough, West	WORKFORCE, EDUCATION, AND EQUITY Thomas (C), Resendez (VC), Blackmon, Kleinman, Medrano
AD HOC JUDICIAL NOMINATING COMMITTEE McGough (C), Blewett, Mendelsohn, Narvaez, West	AD HOC ADMINISTRATIVE AFFAIRS Kleinman (C), Arnold, Atkins, Gates, Resendez

(C) – Chair, (VC) – Vice Chair, (L) – Liaison

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section [30.06](#), Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección [30.06](#) del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section [30.07](#), Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección [30.07](#) del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

Note: A quorum of the Dallas City Council may attend this Council Committee meeting.

Call to Order

MINUTES

A [20-307](#) Approval of the January 21, 2020 Minutes

Attachments: [Minutes](#)

INFORMATIONAL MEMORANDUM

B [20-326](#) FY 2020-21 Cultural Organizations Program Guidelines

Attachments: [Memo](#)

BRIEFING ITEMS

C [20-309](#) Senior Citizen's Program Update
 [Crystal Ross, Assistant Director
 Daryl D. Quarles, Senior Program Division Manager
 Park & Recreation Department]

Attachments: [Presentation](#)

D [20-308](#) Short Term Rentals Regulations
 [Kris Sweckard, Director, Sustainable Development & Construction]

Attachments: [Presentation](#)

ADJOURNMENT

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

Quality of Life, Arts & Culture Committee Meeting Record

The Quality of Life, Arts & Culture Committee meetings are recorded. Agenda materials are available online at www.dallascityhall.com.

Meeting Date: January 21, 2020

Convened: 9:08 a.m.

Adjourned: 10:47 a.m.

Committee Members Present:

Carolyn King Arnold, Chair
Jennifer S. Gates, Vice Chair
Tennell Atkins
Omar Narvaez
Chad West

Committee Members Absent:

Other Council Members Present:

Presenters:

Jennifer Scripps, Director, Office of Arts and Culture
Kay Kallos, Public Art Program Manager, Office of Arts and Culture
Jessica Galleshaw, Director, Office of Community Care

AGENDA

Call to Order (9:08 a.m.)

1. Approval of the December 3, 2019 Meeting Minutes

Presenter(s): Carolyn King Arnold, Chair

Action Taken/Committee Recommendation(s): A motion was made to approve the minutes for the November 18, 2019 Quality of Life, Arts & Culture Committee meeting.

Motion made by: Tennell Atkins

Item passed unanimously: X

Item failed unanimously:

Motion seconded by: Omar Narvaez

Item passed on a divided vote:

Item failed on a divided vote:

A. Public Art Program, Arthello Beck Project and Adelfa Callejo Statue

Presenter(s): Jennifer Scripps, Director; Kay Kallos, Public Art Program Manager; Office of Arts and Culture

Action Taken/Committee Recommendation(s): The Committee discussed: The Adelfa Callejo Statue and donation, its placement at the Main Street Garden and maintenance. The Committee discussed the Arthello Beck Project timeline and its pending approval of the site by Park Board. A motion was made to recommend City Council's approval of the the Adelfa Callejo donation and installation at Main St. Garden.

Motion made by: Omar Narvaez

Item passed unanimously: X

Item failed unanimously:

Motion seconded by: Jennifer S. Gates

Item passed on a divided vote:

Item failed on a divided vote:

B. Senior Transportation Program Update

Presenter(s): Jessica Galleshaw, Director, Office of Community Care

Action Taken/Committee Recommendation(s): The Committee discussed: Zip codes receiving services and those in need of these services. The committee was presented with information between the Transportation Department and DART to showcase the distance to DART stops for seniors and where they live. The pilot program will be funded 25% by senior participants and the remainder will be funded by the City of Dallas and NCTCOG grant funding.

Motion made by:

Item passed unanimously:

Item failed unanimously:

Motion seconded by:

Item passed on a divided vote:

Item failed on a divided vote:

C. INFORMATIONAL MEMORANDUM: Dallas Animal Services Response to Calls for Wildlife, Exotics, and Deceased Animals

Presenter(s): Ed Jamison, Director, Dallas Animal Services

Action Taken/Committee Recommendation(s): The Committee discussed: Specific services that the Dallas Animal Services Department and its third-party vendor, 911 Wildlife, are providing for wildlife, exotic and deceased animals.

Adjourn (10:47 a.m.)

Carolyn King Arnold, Chair
Quality of Life, Arts & Culture Committee

Juan Garcia, Coordinator
Quality of Life, Arts & Culture Committee

Memorandum



CITY OF DALLAS

DATE February 14, 2020

TO Honorable Members of the Quality of Life, Arts & Culture Committee:

SUBJECT **FY 2020-21 Cultural Organizations Program Guidelines**

On Wednesday, February 26, 2020, City Council will consider a resolution authorizing the guidelines for the Cultural Organizations Program (COP) within the Office of Arts and Culture to support cultural services in the City of Dallas for FY 2020-21. Annual review and approval of the COP guidelines are required per Cultural Policy.

The authorization of these guidelines will initiate the FY 2020-21 Cultural Organizations Program application, selection, and allocation of annual operating support for qualifying Dallas-based arts and culture organizations. Applications and presentations are reviewed by volunteer community panels, and funding is recommended by the Allocations Committee of the Arts and Culture Advisory Commission (ACAC) and then by the full Commission. The proposed allocation of funds will be presented to the Quality of Life Committee and full City Council for approval in the Fall of 2020.

The FY 2020-21 Cultural Organizations Program guidelines contain no substantive changes when compared to the FY 2019-20 guidelines. The only proposed changes are re-ordering of the introduction to improve readability for first-time applicants, minor wording clarifications, updating the name of the Office of Cultural Affairs (OCA) to Office of Arts and Culture (OAC), and updated submission deadlines and dates. Scoring categories, point values, eligibility requirements, and process will remain the same as in FY 2019-20, when these categories were aligned to advance the goals of the *Dallas Cultural Plan 2018*. The FY 2019-20 guidelines were previously briefed to the Quality of Life, Arts & Culture Committee on February 25, 2019.

In FY 2019-20, the 36 organizations contracted through the Cultural Organizations Program received \$4.92 million in funds and are projected to have an attendance of 4.9 million by Dallas residents and visitors. A list of organizations contracted in FY 2019-20 is attached.

If you have questions, please contact Jennifer Scripps, Director of Arts and Culture.

Joey Zapata
Assistant City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (Interim)
Mark Swann, City Auditor
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager

Jon Fortune, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
Michael Mendoza, Chief of Economic Development and Neighborhood Services
M. Elizabeth Reich, Chief Financial Officer
Laila Alequresh, Chief Innovation Officer
M. Elizabeth (Liz) Cedillo-Pereira, Chief of Equity and Inclusion
Directors and Assistant Directors

DATE February 14, 2020
SUBJECT FY 2020-21 Cultural Organizations Program Guidelines

FY 2019-20 Cultural Organizations Program – Service Providers (listed alphabetically)	Contract Amount
Anita N. Martinez Ballet Folklorico	\$70,533
Big Thought	\$680,440
Bishop Arts Theatre Center (TeCo Theatrical Productions)	\$115,782
Bruce Wood Dance	\$27,000
Cara Mia Theatre Co.	\$57,258
Children's Chorus of Dallas	\$55,415
Creative Arts Center	\$43,363
Cry Havoc Theater	\$22,500
Dallas Black Dance Theatre	\$194,711
Dallas Chamber Symphony	\$48,000
Dallas Children's Theater	\$165,222
Dallas County Heritage Society (Dallas Heritage Village)	\$102,545
Dallas Holocaust Museum	\$60,000
Dallas Museum of Art	\$1,069,896
Dallas Opera, The	\$152,500
Dallas Theater Center	\$75,007
Dallas Wind Symphony	\$47,811
Fine Arts Chamber Players	\$49,604
Greater Dallas Youth Orchestra	\$54,367
Junior Players Guild	\$65,257
Kitchen Dog Theater	\$44,564
Lone Star Wind Orchestra	\$22,500
Perot Museum of Nature and Science	\$740,489
Sammons Center for the Arts	\$94,370
Shakespeare Festival of Dallas, The	\$102,156
Teatro Hispano de Dallas (Teatro Dallas)	\$72,831
Texas International Theatrical Arts Society (TITAS)	\$71,314
Texas Winds Musical Outreach	\$54,646
The Black Academy of Arts and Letters	\$199,956
Theatre Three, Inc.	\$87,420
Turtle Creek Chorale	\$27,000
Undermain Theatre	\$44,594
USA Film Festival	\$52,567
Writer's Garret, The	\$40,292
TOTAL	\$4,811,910

Organizations recommended for funding through Fair Park First	
Dallas Historical Society	\$36,435
Museum of African American Life & Culture	\$72,660
TOTAL Fair Park First	\$109,095
TOTAL including Fair Park Cultural Organizations	
	\$4,921,005



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

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Office of Arts and Culture

Vision

The Office of Arts and Culture 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 Arts and Culture 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 Arts and Culture 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 Arts and Culture 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 Arts and Culture is committed to nurturing the wide diversity of creative culture and experiences that make up this great city.

Contact OAC

For general inquiries or assistance, please contact the Office of Arts and Culture, Cultural Programs Division at 214-670-3687, extension 2. Specific staff telephone numbers and email addresses may be found online at dallasculture.org/contact.

FY 2020-21 Cultural Organizations Program

The Cultural Organizations Program (COP) is the program through which the City of Dallas Office of Arts and Culture provide organizational support as described the Dallas Cultural Policy, approved by City Council on November 28, 2018 [Section 5(D)(i)]. Per the Dallas Cultural Policy, the Office of Arts and Culture contracts for cultural services with established non-profit organizations for a variety of cultural programs that include concerts, plays, exhibitions, performances, workshops and other cultural programming for the benefit of Dallas residents and visitors. These cultural service contracts are awarded annually using a review panel approach to evaluate applications. Program eligibility and review criteria are published annually. An organization receiving a COP is eligible to apply for and be funded a maximum of one time through the project-based funding program, ArtsActivate with the condition that the project is not part of the scope of services to be provided in the COP contract.

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

All applicants are required to read the guidelines and application instructions for details of program eligibility and requirements prior to beginning the application process. Guidelines are updated every funding cycle.

The organization is responsible for the quality, completeness and timely submission of the proposal and supplemental materials. Application steps and deadlines are included in this document and online at dallasculture.org. OAC staff are available to answer additional questions. See [Contact OAC](#).

FY 2020-21 COP Timeline

March 16, 2020	FY 2020-21 COP Online Application Opens			
April 27, 2020	FY 2020-21 COP Application Closes at 11:59 PM			
May 12-15, 2020	COP Panel Presentations (Tier date assignments may be subject to change. To confirm, visit the COP page at dallasculture.org)			
	Tier 1 – May 12	Tier 2 – May 13	Tier 3 – May 14	Tier 4 – May 15
June 2020 – September 2020	COP Application Review/Funding Levels – Allocations Committee; COP funding recommendations made by the Arts & Culture Advisory Commission			
October 2020	COP funding recommendations approved by City Council; initiation of COP Contract execution			
January 2021	COP organizations eligible to receive first payment (if compliance and insurance requirements are met)			
April 15, 2021	COP organizations eligible to receive second payment (if compliance and insurance requirements are met)			
October 15, 2021	COP Final Reports due for FY 2020-21			
November 15, 2021	COP Final Monthly Report due for FY 2020-21			
COP organizations are eligible to receive final payment after FY 2020-21 Final Report and Final Monthly Report are submitted (if compliance and insurance requirements are met)				

FY 2020-21 COP Application

All organizations, new and previously funded, are required to complete an application and review process to be considered for funding through the FY 2020-21 Cultural Organizations Program (COP)

The FY 2020-21 COP Application can be found on the COP page of the OAC website at: <https://dallasculture.org/cultural-programs/cultural-organizations-program/>

Applications must be submitted via the online funding system by April 27, 2020 at 11:59 PM. Hard copies of funding applications will not be accepted.

NOTE: An organization that submits a substantially incomplete application at the time of the deadline, as deemed by the Office of Arts and Culture, will receive notification via e-mail as to the incomplete status of the application from OAC staff. This could result in the application being rejected.

COP Eligibility Requirements

Organizations must meet the following criteria to qualify for COP funding:

- Must be a 501(c)(3) tax-exempt entity as provided by the U.S. Internal Revenue Code, as amended, in good standing for at least 3 years.
- Must be an established City of Dallas arts or cultural organization with an operation history of at least 3 years.
- Organizations must have administrative offices permanently located in the City of Dallas. **This does not include P.O. Boxes – organization must have a physical office and Dallas address.**
- Must have an annual operating budget of at least \$100,000, based on the organization's prior year's actual audited expenses. If not available at the time of application, an audited financial statement must be provided to the City before the organization may enter into a contract for organizational support.
- Obtain and maintain during the contract term all necessary licenses, permits, insurance and other approvals required by law for the provision of services.
- An audit that has been conducted by an outside certified accountant for the most recently completed fiscal year must be submitted by all COP funded organizations every year that they are funded.
- Must have at least one paid part-time Director/Manager staff person hired upon award of City contract and employed throughout the 12-month contract period.
- Must produce a season of programs, exhibitions, and/or performances in the City of Dallas for the public.
- Must work to have a diverse community representation on the Board of Directors.
- Must be in compliance with local, state, and federal laws prohibiting discrimination.
- Must be in good standing IRS regulations related to 501(c)(3) tax-exemption status.
- Must be authorized to transact business in the State of Texas.
- Must demonstrate community outreach programs.
- Must work to demonstrate commitment to cultural equity, diversity, and inclusion in all aspects of the organization's operations and programming.
- The primary focus of the organization's operation must be to provide services to residents and visitors in the city limits of Dallas and at least 50% of activities must take place within the city limits of Dallas. City funding may only be used for services provided within the City of Dallas.
- Comply with regulations pertaining to federal grant recipients including Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Education Amendments of 1972, the Americans with Disabilities Act of 1990, and the Drug Free Workplace Act of 1988.

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

- Activities which do not have a cultural or artistic focus or whose primary focus is religious in nature
- Projects planned primarily for fundraising purposes
- Activities restricted to members or which do not benefit the general public
- Tuition expenses
- College/university or school projects that are part of a course or curriculum or which do not benefit the general public
- Fellowships/grants, scholarships, cash prizes or awards
- Activities that include food or alcohol
- Out-of-city travel
- Underwriting of capital expenditures (buildings, land, permanent equipment or artwork)
- Purchase of artwork
- Activities that have occurred prior to the execution of the cultural services contract
- Underwriting of past deficits
- Endowments
- Non-contract related services, lobbying, attorney's fees, fees for penalties, and fees for incorporation or obtaining tax-exempt status
- Permanent or semi-permanent public art that is located on City property

COP Diversity Requirements

Per the Cultural Policy of the City of Dallas, organizations funded through the Cultural Organizational Program should aim to meet the following goals, as set forth in the Cultural Policy. Organizations' progress will be monitored by the OAC on an ongoing basis and OAC staff are available to answer any questions or provide guidance on achieving these goals:

- (1) Have board-approved safe workplace policies (including, but not limited to, anti-discrimination and anti-harassment policies).
- (2) Have a policy and measurable goals related to equity, diversity and inclusion that is board-approved and published on their website.
- (3) Board Diversity¹ goals (by organization budget size):
 - a. Annual operating budget of \$5 million and above: at least 30% board diversity.
 - b. Annual operating budget of \$1 million - \$5 million: at least 20% board diversity.
 - c. Annual operating budget of \$500,000 to \$1 million: at least 10% board diversity.
- (4) For organizations with operating budgets over \$1 million: offer paid internships with livable wages to increase the diversity of the pipeline for future arts leaders.

Funding Level Restrictions

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

- (i) 25% of most recent year's audited revenue for organizations with revenue less than \$1 million;
- (ii) 15% of most recent year's audited revenue for organizations with revenue between \$1 million and \$5 million;

¹ Diversity (as relates to board goals) means the percentage of non-majority (based on race/ethnicity) members of a board. For example, if the goal is at least 30% diversity on a board, an organization meeting that goal must have no more than 70% of any one racial/ethnic group on their board.

- (iii) and 10% of most recent year's audited revenue for organizations with revenue greater than \$5 million.

B. Total support by the City in a fiscal year, whether cash or in-kind, regardless of the department from which the funds and support originate, shall not exceed:

- (i) 50% of an organization's most recent year's audited revenue for organizations with revenue less than \$1 million.
- (ii) 40% of an organization's most recent year's audited revenue for organizations with revenue of \$1 million or more.

C. In-kind support includes, but is not limited to, utility payments made directly by the City, payments made to a third party, including other City departments, in support of the organization, and facility use fee discounts at Cultural Centers.

Source of Cultural Support Funds

The City of Dallas invests in the arts by allocating a portion of the City's general fund (primarily property and sales tax collections) and a portion of Hotel Occupancy Tax (HOT) revenue to eligible applicants who meet the established program criteria and are recommended for funding as a result of an application and review panel process. Per state law, revenue from the municipal Hotel Occupancy Tax collection may be used only to promote tourism and the convention and hotel industry (Texas Tax Code, Chapter 351.101. Use of Tax Revenue)

First-Time Applicants

First time applicants must contact OAC staff before the application deadline. This is to ensure that the applicant is aware of the COP requirements and additional information that is needed.

Note: The term first-time applicant refers to applicants submitting proposals to the program for the first time, as well as to applicants that have applied in the past but are not currently funded through the program.

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

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

Review Panel & Selection Process

Applications for the Cultural Organization Program are evaluated by a review panel. The review panel should, to the greatest extent possible, reflect the diversity of the City of Dallas, without sacrificing expertise, knowledge, or demonstrated interest in arts and culture.

Nominations to review panels shall be provided by interested members of the public, the Arts & Culture Advisory Commission, and City staff. In no instance shall a City employee, Arts & Culture Advisory Commissioner, or other City official be a member of a review panel.

Review panel members shall be independent, impartial, and responsible only to the people of the city and shall comply with the Code of Ethics in Chapter 12A of the Dallas City Code including, but not limited to, recusal and disclosure provisions. Panelists should strive to avoid the appearance and risk of impropriety.

Tier Structure

All COP funding applicants will be reviewed in tier levels based on their adjusted operating budget from the previous year's official audited records. There will be one review panel for each tier level. The tier levels are as follows:

Tier I – \$100,000 – \$500,000

Tier II – \$500,001 – \$1,000,000

Tier III – \$1,000,001 – \$5,000,000

Tier IV – \$5,000,001 or more

Panel Presentations

Every organization that applies for funding is required to make a presentation to the review panel. Applicant organizations must be represented at the review panel by principal representatives, e.g. the Executive Director, Artistic Director, Board President and/or a Financial Officer or other staff as determined by the organization.

The presentation times will be allotted in the following manner:

2 minutes – Organization will be introduced to the panel members by a Commission member

10 minutes – Presentation time for the organization to the Panel

10 minutes - Q and A time for panel members with the organization

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

Selection

Panel and staff scores are forwarded to the Arts & Culture Advisory Commission for review. The Commission recommends a level of funding for each organization taking into consideration the scoring, prior year funding, funding projections, contract compliance, and fiscal management of applying organizations. **An organization whose normalized score is below 70% is only eligible to receive a maximum of 60% of their FY 2019-20 COP funding level.** All scores are normalized within their tier. Normalizing a score means each score is divided by the highest score of that tier.

The Commission's recommendation is then forwarded to the City Council through the City Manager's Office. The recommended allocation and individual contracts will receive approval or modification by the City Council in October of each year.

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

Scoring

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

Review Panel Scoring

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

OAC Administrative Scoring for Returning Applicants

Contract Compliance & Financial Viability (8 points) – the organization has shown the capacity to comply with COP monthly reporting and financial audit submission requirements that are required by the COP contract (measured from the prior complete fiscal year). The organization has sound financial viability in fundraising/development and unrestricted net assets (measured from the organization's most recent audit).

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

2 = 75%-100%

1 = 51% - 74%

0 = 50% or below

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

2 = Audit submitted on time

0 = Audit submitted after deadline

2 Points: Fundraising Expense Percentage – Percentage of sum of fundraising/development expenses to sum of fundraising/development revenues.

2 = Ratio less than 20%

1 = Ratio between 20% and 40%

0 = Ratio more than 40%

2 Points: Change in unrestricted net assets

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

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

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

4 Points: Services

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

4 Points: Attendance

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

Organization Board Governance (2 points) – Organization has “give or get” policy with board of directors. In the most recently completed fiscal year, what percentage of board members contributed either by personal donation or securing predetermined funding from a third party for the organization.

- 2 = 90% - 100% board participation in “give or get” policy
- 1 = 75% - 89% board participation in “give or get” policy
- 0 = Less than 75% board participation in “give or get” policy

Adherence to Cultural Policy Diversity Criteria (12 points)

Board Diversity (5 points) – Per the City of Dallas Cultural Policy as adopted November 28, 2018, the following goals have been put in place for cultural organizations to demonstrate a commitment to diverse community representation of the organization’s board. (Diversity numbers taken from the FY 2020-21 COP Application)

Points	Tier I	Tier II	Tier III	Tier IV
5	10% or more	10% or more	20% or more	30% or more
3	3% - 9%	3% - 9%	6% - 19%	10% - 29%
0	2% or less	2% or less	5% or less	9% or less

Staff Diversity (5 points) – While the Cultural Policy does not set specific goals for staff diversity, the Office of Arts and Culture will mirror staff diversity goals based on those of board diversity goals and definitions for the purposes of this scoring category. Staff is considered pay-rolled staff, not contracted labor. Because organizations in Tier I generally do not have significant numbers of staff, they are exempt from staff diversity goals.

Points	Tier I	Tier II	Tier III	Tier IV
5		10% or more	20% or more	30% or more
3		3% - 9%	6% - 19%	10% - 29%
0		2% or less	5% or less	9% or less

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

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

OAC Administrative Scoring for New Applicants

Contract Compliance & Financial Viability (8 points) – the organization has shown the capacity to comply with IRS 501(c)(3) Status and financial audit submission requirements that are required by the COP contract (measured from the prior complete fiscal year). The organization has sound financial viability in fundraising/development and unrestricted net assets (measured from the organization's most recent audit).

2 Points: IRS non-profit status letter submitted with application

2 = Letter submitted with application

0 = Letter not submitted with application

2 Points: Financial audit or IRS Form 990 submitted with application (documentation based on most recent fiscal year of organization)²

2 = Audit submitted with application

0 = Audit not submitted with application

2 Points: Fundraising Expense Percentage – Percentage of sum of fundraising/development expenses to sum of fundraising/development revenues (calculated from financial audit or IRS Form 990)

2 = Expense percentage less than 20%

1 = Expense percentage between 20% and 40%

0 = Expense percentage more than 40%

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

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

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

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

4 Points: Services/Public Events

4 = Shows an increase in both second and third year in services provided

2 = Shows an increase in either second or third year in services provided

0 = Shows decrease or no change in both second and third year in services provided

4 Points: Event Attendance

4 = Shows an increase in both second and third year in event attendance

2 = Shows an increase in either second or third year in event attendance

0 = Shows decrease or no change in both second and third year in event attendance

² NOTE: A financial audit will be required if the organization is recommended for funding in the COP program prior to contract execution.

Organization Board Governance (2 points) – Organization has “give or get” policy with board of directors. In the most recently completed fiscal year, what percentage of board members contributed either by personal donation or securing predetermined funding from a third party for the organization.

- 2 = 90% - 100% board participation in “give or get” policy
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Equity, Diversity & Inclusion Policy (2 points) - Per the City of Dallas Cultural Policy as adopted November 28, 2018, organizations receiving operational support through COP must have measurable goals related to equity, diversity and inclusion that are board-approved and published on the organization’s website.

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

Compliance

COP contracts require compliance for the entirety of the contract period (October 1, 2020 – September 30, 2021). Any major contract compliance issues such as current audits not being received, or other similar items will be presented to the Allocations Committee to recommend a course of action to be taken. This will then be presented to the full Arts and Culture Advisory Commission for recommendation of funding continuation.

To maintain compliance, organizations must provide the following:

Audited Financial Reports

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

Monthly COP Reports

A monthly report listing Dallas activities and programs presented by the organization, the total attendance at each activity and supporting information must be submitted by the 15th day of each month (reporting the prior month's activities) to OAC.

Final Report

A final evaluation report summarizing activities for the contract period must be submitted to OAC by October 15, 2021. Failure to submit the report in a timely manner or submission of an incomplete report may result in delayed payment or non-payment of the final contract installment as well as payment on future contracts. This online form can be found on the COP page at dallasculture.org.

Business Inclusion and Development: Minority and Women-Owned Business Enterprises

It is the policy of the City of Dallas to use qualified Minority and Women-Owned Business Enterprises (M/WBEs) to the greatest extent feasible on the City's construction, procurement and professional services contracts. The City and its contractors shall not discriminate on the basis of race, color, religion, national origin, age or sex in the award and performance of contracts. In consideration of this policy, the City of Dallas has adopted the Business Inclusion and Development Plan (BID Plan) for all City of Dallas contracts. The purpose of the Business Inclusion and Development Plan is to increase participation of M/WBEs in City procurement and contracting opportunities. And to develop the local business base through the award of contracts and purchases to locally owned businesses. Under the BID Plan, bidders/proposers are required to sign an affidavit agreeing to comply with the City's BID Plan.

The BID Plan shall apply to all City contracts for the procurement of construction, architectural and engineering, goods, other services and professional services, with emphasis on first tier subcontracts on City contracts over \$50,000. As a prerequisite for City Council award, the prime contractor must make a good faith effort to meet established M/WBE subcontracting goals and if goals are not met, must demonstrate and document its good faith effort to meet the established goals.

In addition to the goal-based policy, it is the preference of the City of Dallas for the workforce of contract awardees to be reflective of the diversity of the residents of the City of Dallas.

The City reserves the right to request a company's affirmative action plan or equal
FY 2020-21 COP Guidelines

opportunity plan from potential contract awardees. In addition, if the potential awardee plans to hire additional staff to complete the contract, the City reserves the right to request a local hiring plan.

Insurance Requirements

Insurance requirements are included in the contract and are determined by the City of Dallas Office of Risk Management. A Certificate of Insurance (COI) must be submitted to the City whenever a policy expires and is renewed. Funds cannot be released without a memorandum of compliance from the Office of Risk Management stating the insurance requirements have been met. Proof of insurance must meet the specific terms of the contract. During the contract term, applicants are required to obtain and maintain all necessary licenses, permits, insurance and other approvals required by law for the provision of services.

Failure to meet insurance requirements will be reported to the Arts & Culture Advisory Commission and could result in contract termination. *(For more information on insurance requirements please see 2020-21 COP Appendix)*

Logo and Credit Line

It is imperative that the residents of Dallas know that their local tax dollars make it possible for them to enjoy the caliber of arts produced in this City. All contractors must recognize the City of Dallas in the same way it recognizes other contributors in terms of benefits, type size on publications, and frequency of acknowledgment.

The City of Dallas logo can be downloaded from our website: www.dallasculture.org/our-logo.

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 Arts and Culture.”

Complimentary Tickets

Cultural organizations shall make available up to four complimentary tickets per event, program, production, exhibition or other activity produced by the organization to the Office of Arts and Culture for the purpose of allowing City staff to assess the management and operation of City-owned facilities within their jurisdiction and to oversee City sponsored events. This requirement applies to organization’s regular programming only and not to special fundraising events. Additionally, the organization may provide free tickets to promotional activities to the Director for distribution to the general public at various OAC facilities.

Receipt of complimentary tickets by City staff is subject to the provisions of the City’s Gift Policy For City Employees, provided in Council Resolution 17-0516 adopted on March 22, 2017.

Social Media Recognition

In social media promotions related to any service funded by COP, you can tag City of Dallas Office of Arts and Culture and utilize preferred hashtags when appropriate. See Dallas Culture handles, preferred hashtags and recommendations for social media engagement below.

Twitter

- Through professional and/or personal accounts follow Dallas OAC 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 #oac

Facebook

- Through professional and/or personal pages, “like” the City of Dallas Office of Arts and Culture
- Facebook page <https://www.facebook.com/dallasculture>
- When making posts about your project, tag in them @City of DallasOffice of Arts and Culture
- Tag @City of DallasOffice of Arts and Culture in any photos/videos you post related to your project. Be sure to share photos on the Dallas Culture page as well
- Utilize the #dallasculture #liveart #oac hashtags on Facebook posts of your projects

Instagram

- Through professional and/or personal accounts follow Dallas OAC 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 #oac

Arts and Culture Advisory Commission Liaison

Funded COP organizations will be assigned a liaison from the Arts and Culture Advisory Commission whose duties will be outlined per organization needs. The liaison assignment will depend on the availability of the Commissioners.

Probation

Organizations that fail to provide contractual services or meet program eligibility and reporting requirements may be in default of contract and may be placed on probation. Failure of an organization to satisfactorily address the City’s concerns within a period of the probation may result in a recommendation of “no funding” for the next fiscal year.

Revisions

Once the contract has been signed, any changes in the project (either programmatic or financial) must be approved in advance by the Director of the Office of Arts and Culture and may require a formal amendment. The contractor must submit a written request for approval of any changes.

SENIOR RECREATION PROGRAMMING UPDATE

**Quality of Life Arts &
Culture Committee
February 18, 2020**

**Crystal R. Ross
Assistant Director
Park and Recreation Department**

**Daryl D. Quarles
Senior Program Division Manager
Park and Recreation Department**



City of Dallas

OVERVIEW

In response to the Dallas senior community and the Park and Recreation Board, Dallas City Council supported a 2016 budget enhancement of nearly \$485K dedicated senior recreation programming. DPR implemented the Senior Program Division (SPD), a division focused on providing an enhanced recreation experience through daily health and wellness programs, special interest programs and signature events. SPD delivers over 44K program hours annually and currently serves over 10,700 registered senior participants

OUTREACH AND ENGAGEMENT


- During the development of SPD, 16 citywide roundtable meetings were conducted with 506 city of Dallas seniors in attendance.
- Additionally, 325 surveys were collected
- Currently, 43 community recreation centers have 2 designated recreation senior advisory council members who serve as the “voice” of their respective center(s).

OUTREACH AND ENGAGEMENT

- The Senior Program Division is actively engaged in the marketing and promotion of its programs and events in an effort to increase program participation and partnership
 - Area Churches
 - Community Centers
 - Dallas Examiner
 - Dallas Morning News/Al Dia
 - Health and Wellness Fairs
 - Non-Profit Organizations
 - Nursing Facilities
 - Local News/On-Air Appearances
 - Social Media
 - Word of Mouth
 - Senior Advocacy Organizations

A.S.A.P. (Active Senior and Adult Programs)

- Programs offered under the Senior Program Division are categorized as **Active Senior** and **Adult Programs (ASAP)**. ASAP is offered at 43 recreation centers for participants age 60+. Programs are offered Monday thru Thursdays between the hours of 9am to 2pm
- Dedicated Senior Centers: Fruitdale, Marcus Annex and WellMed Charitable Foundation Senior Activity Center

A large graphic shaped like a stylized letter 'A'. The top-left triangle is blue and contains a photo of two women smiling. The top-right triangle is blue and contains the Dallas Park & Recreation Department logo. The middle triangle is green and contains a list of 5 core areas: COMPETITION, HEALTH/FITNESS, SOCIALIZATION, SPECIAL EVENTS, and SPECIAL INTEREST. The bottom-left triangle is blue and contains a photo of two women. The bottom-right triangle is blue and contains the WellMed Charitable Foundation logo.

DALLAS PARK AND RECREATION DEPARTMENT

A.S.A.P.

ACTIVE SENIOR ADULT PROGRAM

MONDAY– THURSDAY

9AM-2PM

FREE

FOR DALLAS RESIDENTS 60 AND OLDER

COURTESY OF

WELLMED CHARITABLE FOUNDATION

\$5 PER MONTH FOR NON- RESDIENTS AND AGES 55-59

EXAMPLES OF ASAP ACTIVITIES:

AEROBICS, WALKING CLUBS, BRIDGE, DOMINOES,
ARTS & CRAFTS, BOOK CLUBS, DAY TRIPS, THEATRE ARTS,
FITNESS & NUTRITION CLASSES!

SENIOR PROGRAM DIVISION

214-671-1602 | 3012 S. HAMPTON RD.,
DALLAS TEXAS 75224

PKRSENIORPROGRAMS@DALLASCITYHALL.COM

KEY PROGRAM PARTNERSHIPS

- Aging Mastery Program
- Area Agency on Aging
- Dallas County Health and Human Services
- Office of Arts and Culture
- Office of Community Care
- Senior Source
- WellMed Charitable Foundation



KEY PROGRAM PARTNERSHIP

- Since 2017, WellMed Charitable Foundation (WCF) has contributed \$442K, to support senior program fees and events
- In 2018, WCF, partnered with DPR to open the first, public-private senior facility in the City of Dallas (Red Bird). The Senior Activity Center, in partnership with DPR serves over 3000 members annually. The \$1.4M renovated facility, now serves as home to a 22,000 square foot senior facility inclusive of: fitness room, dance studios, art room, commercial teaching kitchen, technology center, and multi-purpose room

SIGNATURE EVENTS

Signature Events are an added enhancement to the daily programming offered in ASAP. Event attendees are afforded an opportunity to socialize with peers from across the city. Signature Events are often co-sponsored and funded by local and national senior organizations

- Grandparents Day
- Opening Games Ceremony
- Senior Games
- Senior Prom
- Mother's Day Luncheon
- Father's Day Luncheon
- Summer Camp

CULTURAL EVENTS

The Senior Program Division celebrates the cultural and ethnic diversity of our participants through citywide and center based events and activities

- 3 King Bread (3 Wise Men)
- Black History Month
- Chinese New Year
- Cinco de Mayo
- Juneteenth
- Mexican Independence Day
- Dia de los Muertos



PROGRAM AND EVENT HIGHLIGHTS



Senior Luncheon



Art Program



Pickle Ball Team



State Fair of Texas



Senior Games

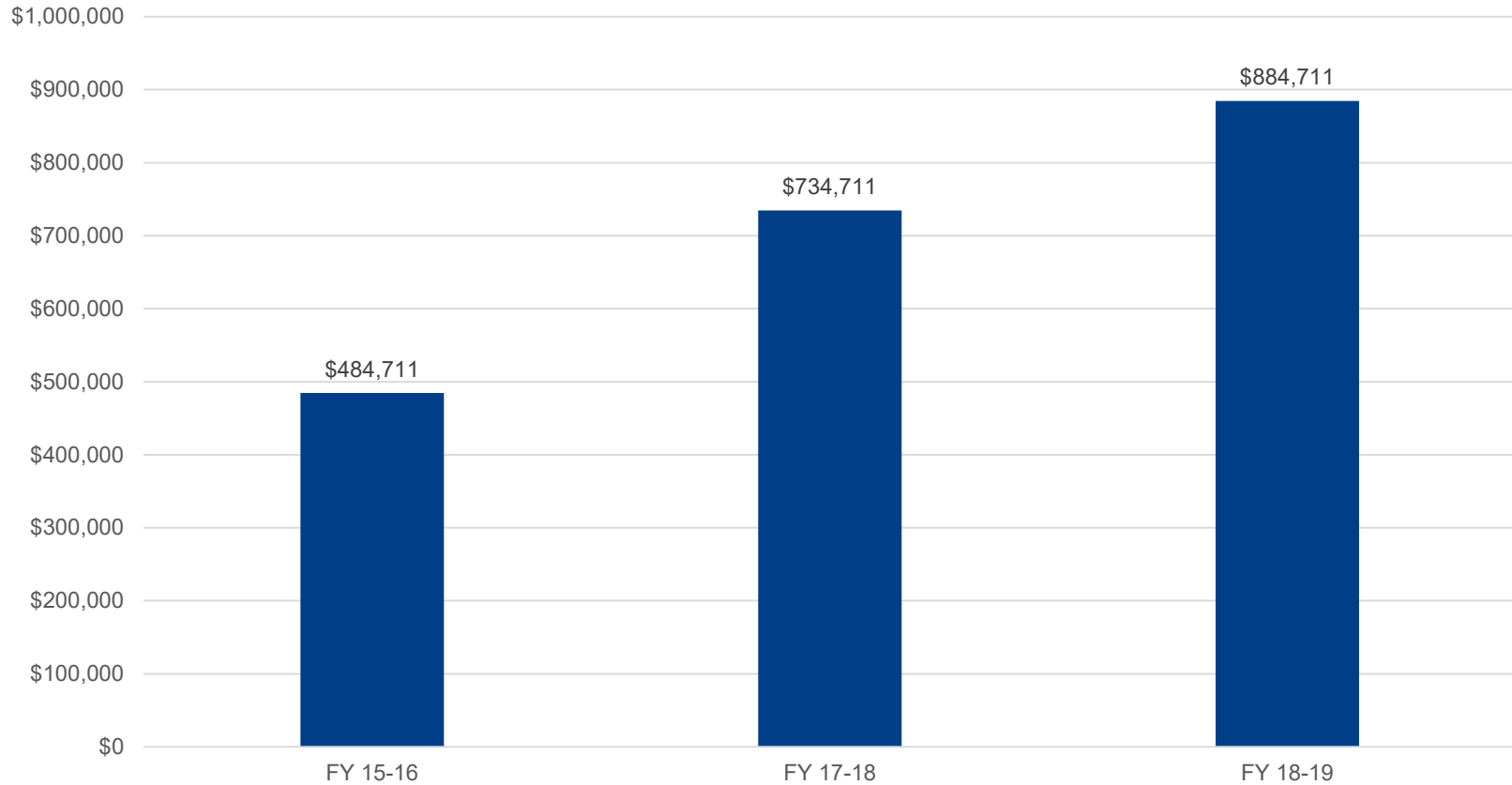


Archery



Summer Campers

FUNDING HISTORY



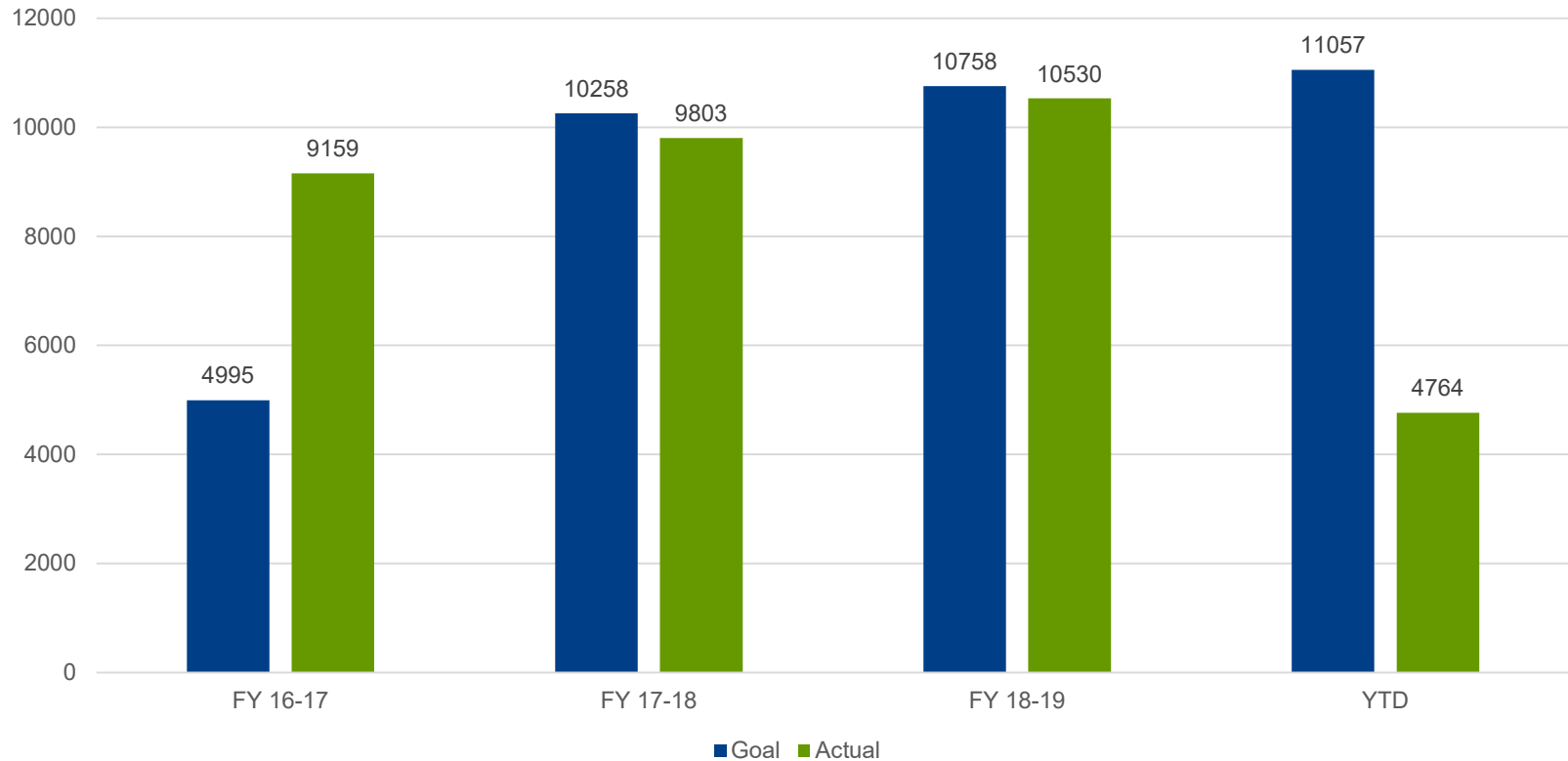
QUALITY OF LIFE, ARTS AND CULTURE



City of Dallas

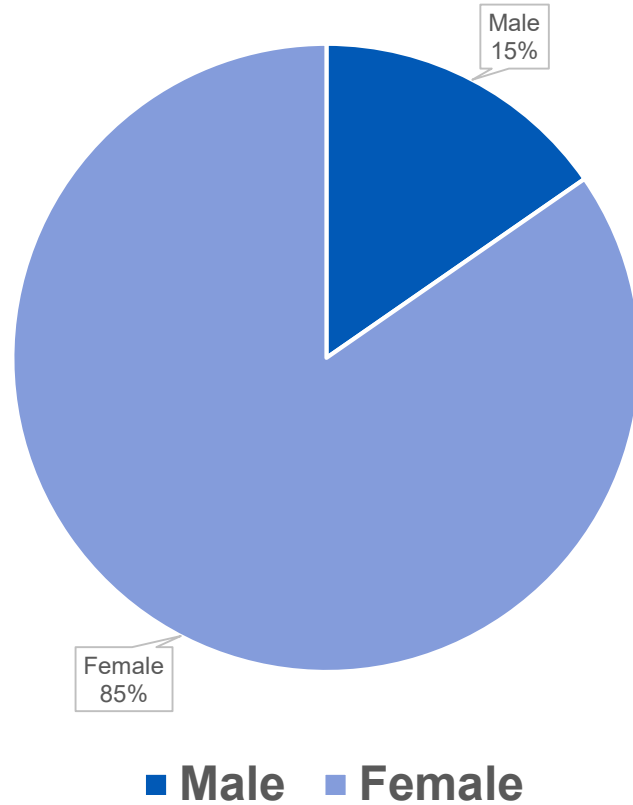
ANNUAL REGISTRATION

SENIOR PROGRAM DIVISION REGISTRATION

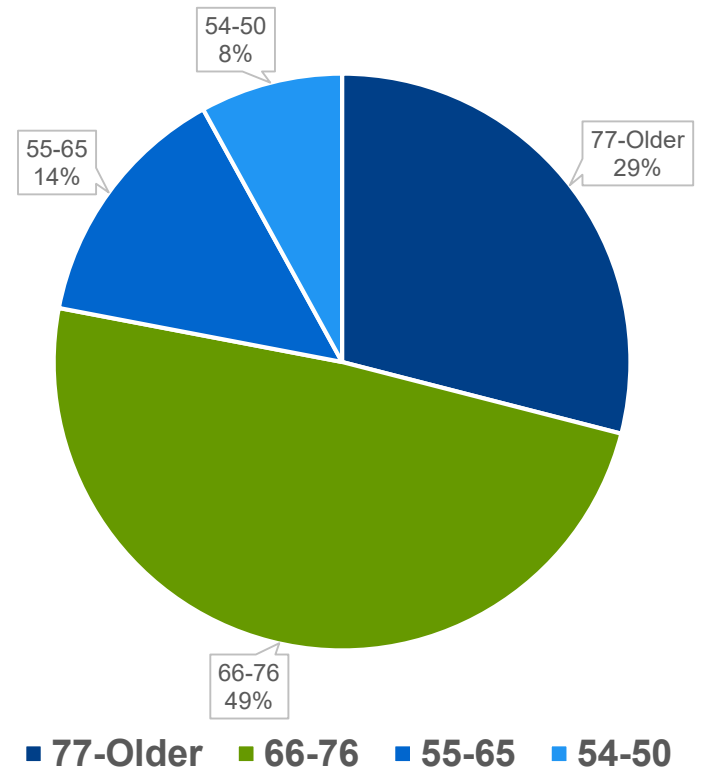


2019 DEMOGRAPHICS

GENDER BREAKDOWN



AGE GROUPS



2020/2021 GOALS

- Continue to cultivate relationship with Office of Community Care, Senior Affairs Commission and other community stakeholders
- Market, promote and enhance program offerings specifically in low participation areas through additional Citywide Roundtable Meetings and Listening Sessions
- Develop a partnership with a nutrition provider in order to provide daily meals to participants at all sites
- Expand 2020 Senior Summer Camp initiative

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SENIOR RECREATION PROGRAMMING UPDATE

**Quality of Life Arts &
Culture Committee
February 18, 2020**

**Crystal R. Ross
Assistant Director
Park and Recreation Department**

**Daryl D. Quarles
Senior Program Division Manager
Park and Recreation Department**



City of Dallas

Short Term Rentals Regulations

**Quality of Life, Arts &
Culture Committee
February 18, 2020**



**Kris Sweckard, Director
Sustainable Development
and Construction**

Purpose of briefing

- Update the Committee on current practices and issues relating to short term rentals (STRs) in Dallas
 - (e.g. Airbnb, Vrbo)
- Receive direction from the Committee on:
 - The need for additional enforcement of current STR registration and other city-wide requirements, and
 - The need for additional regulations regarding STRs

Contents

- Background
- Current regulations and actions
- Recent issues
- Other Texas cities
- Other large U.S. cities
- Other considerations
- Next Steps

Background

- In a Dallas Morning News article from 1/10/19, Airbnb reported that, in 2018:
 - \$64 million in supplemental income was generated by Airbnb hosts in North Texas
 - \$37 million was earned by home owners in Dallas County
 - A typical Airbnb host in North Texas earns \$6,800 per year from short-term rentals
 - 466,000 Airbnb guests per year in North Texas
 - 253,000 in Dallas County

Current regulations and actions

- In Dallas, operators of short term rentals are required to:
 - Register the STR with the City of Dallas
 - (City Controller's Office)
 - Pay the Hotel Occupancy Tax (HOT) on the income derived from the rentals

Current regulations and actions

- STR booking platforms (Airbnb, Vrbo) and their websites do not provide exact addresses of individual STRs, making operator notifications of regulations and collections of taxes difficult
- In 2018, City Council approved a contract with MUNIRevs to research and provide ownership and location information for Dallas STRs
 - Reporting went “live” November 1, 2019

Current regulations and actions

- As of 1/31/20, the Controller's Office reported that there are 400 registered STRs in Dallas
- Staff estimates that there are 1,200 STRs in the City of Dallas

Current regulations and actions

- MUNIRevs data is being updated twice per week
- Access to MUNIRevs data is being made available to enforcement departments
 - Code Compliance
 - Dallas Police Department
 - SDC/Building Inspection

Current regulations and actions

- The property owner is ultimately responsible for operations of their STR, and for paying the required taxes
- Not all STRs are located in single family homes
 - Some STRs are located in apartment buildings and condominiums

Recent issues

- The short-term rental of residential properties has generated concerns regarding how they are being operated and regulated.
- “Nightmare stories from Airbnb neighbors have Dallas considering change” WFAA 9/17/19
- “As Airbnbs spread, some wonder if Fort Worth is doing enough to control ‘party houses’” Fort Worth Star-Telegram 5/13/19
- “Arlington will ban Airbnbs and other short-term rentals across most of city” WFAA 4/24/19

Recent issues

- Complaints about some STRs have included:
 - Increased noise (evening hours)
 - Increased demand for parking (on-street and off-street)
 - Trash
 - Overcrowding (bunkbeds)
 - Expansion beyond a traditional STR. Some operate as entertainment-related businesses.
 - e.g.: “party-houses” (similar to “inside commercial amusement” venues, which are not allowed in residentially zoned areas)

Other Texas cities

	Land Use Restrictions	Occupancy Restrictions	Licensing Required	Maximum Stay	Noise Restrictions	Advertising Regulations	Outdoor/Event Restrictions	Pay HOT	Parking Restrictions
Arlington	✓	✓	✓	-	-	-	-	✓	-
Austin	✓	-	✓	✓	✓	✓	✓	✓	-
Dallas	-	-	-	-	-	-	-	✓	-
El Paso	-	-	-	-	-	-	-	-	-
Fort Worth	✓	-	-	-	-	-	-	-	-
Houston	-	-	-	-	-	-	-	-	-
San Antonio	-	✓	✓	-	-	-	-	-	✓

Other Texas cities

- **Arlington, TX:**
 - STRs are prohibited in single family districts, except in the area surrounding their entertainment district (e.g., Six Flags, sports stadiums, water parks)
 - STRs are allowed in other zoning districts subject to certain restrictions
 - **Safety measures** (e.g., smoke detectors, fire extinguisher, multiple exits, railings)
 - **Occupancy restrictions:** maximum 2 people per bedroom, 12 per residence
 - Hotel occupancy tax applies
 - \$500 application fee

Other Texas cities

- **Austin, TX:**
 - Licensing required
 - Distinguishes between owner occupied and non-owner occupied
 - Maximum number of facilities within each census tract
 - Maximum stay: Fewer than 30 days
 - Noise restrictions (no sound equipment, no live music)
 - No outdoor assemblies from 10 p.m. until 7 a.m.
 - Tax: 9%
 - No advertising
 - No large events (e.g.: parties, concerts, weddings)
 - Enforced by Code Department

Other Texas cities

- **El Paso, TX:**
 - No STR regulations

Other Texas cities

- **Fort Worth, TX:**
 - Not allowed in residential areas
 - Allowed in commercial, industrial and mixed use areas
 - No hotel tax
 - No registration required
 - Enforcement by Code Compliance Department

Other Texas cities

- **Houston, TX:**
 - No regulation of short term rentals

Other Texas cities

- **San Antonio, TX:**
 - Maximum 2 persons per room
 - Off-street parking designated for lodgers
 - Must have short term rental license
 - Enforced by Zoning and Code Enforcement
 - Recently appointed special task force to assess impacts of short term rentals on city and neighborhoods

Other large U.S. cities

- Host must keep record of all rentals (Baltimore, MD)
- Must have emergency contact for all guests to use (Baltimore, MD)
- Host must reside within 15 miles of the facility (Baltimore, MD)
- \$200 registration fee (Baltimore, MD)
- Registration number must be listed on all advertising (Boston, MA)
- Monthly rental data reports to City by booking services (Boston, MA)

Other large U.S. cities

- No surveillance equipment unless written notice is given to tenants (Columbus, OH)
- Liability insurance required: \$1 M (Denver, CO)
- Regulations regarding sound equipment, noise and live music (Denver, CO)
- Ban on advertising by non-licensed STRs (Denver, CO)
- Only primary residence may be used (Denver, CO)
- Limit on total number of STRs (Honolulu, HI)

Other large U.S. cities

- Penalties for non-compliance can escalate to \$10 K/day plus confiscation of rental earnings (Honolulu, HI)
- Platforms (Airbnb, Vrbo) are required to report data on hosts (Honolulu, HI)
- Tenants' guests allowed only between 9 a.m. and 12:00 a.m. (Philadelphia, PA)
- No rental of STRs for special events (Phoenix, AZ)
- Owner occupancy required for 270 days per calendar year (Portland, OR)
- Property manager must be present at all times (San Diego, CA)

Other large U.S. cities

- Maximum of 2 lodgers at any one time (San Diego, CA)
- Off-street parking required: 1 space for each 2 lodgers (San Diego, CA)
- Subletting prohibited (San Francisco, CA)
- Maximum occupancy: 3 persons per bedroom (San Francisco, CA)

Other considerations

- American Planning Association advice regarding enacting new STR regulations:
 - Online booking sites are growing in number
 - Enforcement of blanket prohibitions or onerous regulations could be a drain on a community
 - Key to successful regulations:
 - Ensure that regulations are clear
 - Ensure that regulations are clearly enforced
 - Do not unnecessarily “criminalize” residents

Other considerations

- Liability insurance:
 - Purpose:
 - Ensure that STR owners are insured for any guests' claims
 - Property damage, bodily injury, wrongful eviction, violation of privacy
 - Examples:
 - Denver: \$1 M
 - San Francisco: \$500 K

Other considerations

- License and permit bond:
 - Can be required by a municipality as a condition for granting a permit or license
 - Purpose:
 - To encourage compliance with local regulations
 - Indemnify the municipality from liability in the event of non-compliance by the owner

Next step

- Receive direction from the Committee on the need for enhanced enforcement of current regulations
 - STR-specific requirements
 - Registration, fee collection
 - City-wide regulations
 - Noise, parking, litter, overcrowding

Next step

- Receive direction from the Committee on the need for additional regulations relating to the location and operation of Short Term Rentals
 - If needed, should they be similar to STR regulations in other cities?
 - Are there specific issues that need to be addressed?

Short Term Rentals Regulations

Quality of Life, Arts &
Culture Committee
February 18, 2020




Kris Sweckard, Director
Sustainable Development
and Construction

Appendix




Airbnb: web page




English (US)
\$ USD
Become a host
Help
Sign up
Log in

Dec 20 - 23
Guests
Work trip
Type of place
Price
Instant Book
More filters


186 people are looking for a place around Dallas. They searched for the same dates as you over the last week.

300+ places to stay




Entire apartment
Downtown Dallas
2 guests · 1 bedroom · 1 bed · 1 bath
Wi-Fi · Air conditioning · Kitchen

★ 4.48 (27)

\$73 \$54 / night
\$257 total

New lower price




PLUS Entire apartment
Hip Loft in the Heart of Downtown Dallas
4 guests · 1 bedroom · 1 bed · 1 bath
Wi-Fi · Air conditioning · Kitchen

★ 4.83 (35)

Rare find

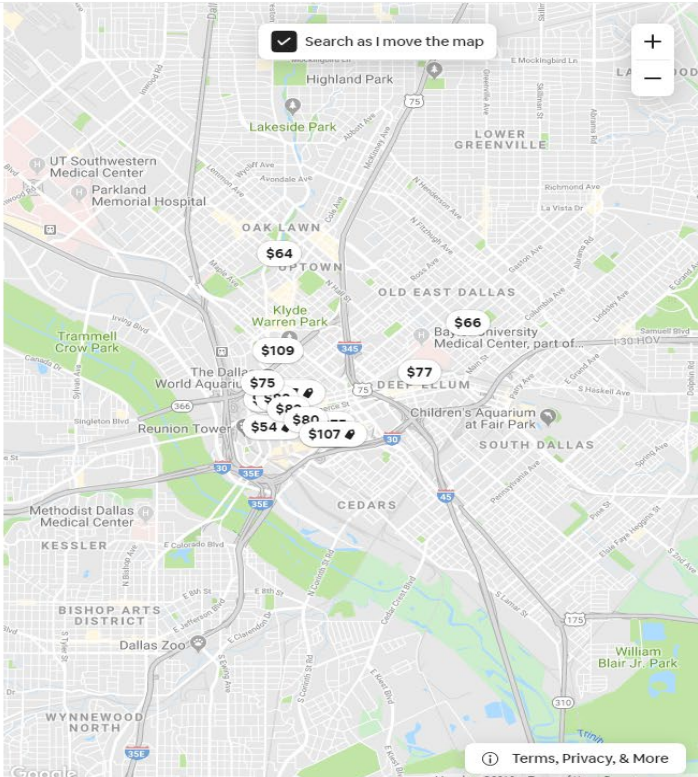
\$91 / night
\$394 total



SUPERHOST Entire condominium
Downtown Getaway Gem
4 guests · 1 bedroom · 2 beds · 1 bath
Wi-Fi · Air conditioning · Kitchen

★ 4.80 (5)

\$83 \$62 / night



Search as I move the map

Map showing search results for Dallas Downtown Historic District, Dallas. The map displays various neighborhoods and landmarks, with price tags indicating the cost of stays in different areas. Price tags include \$64, \$109, \$75, \$54, \$80, \$107, \$77, \$66, and \$107.

Terms, Privacy, & More

30

Vrbo: web page

Vrbo Trip Boards Login Help Feedback USD (\$) EN List your Property

Where: Dallas, TX, USA | 12/20/19 | 12/23/19 | Guests: 2 guests

Price Bedrooms Instant Confirmation More Filters

1 - 50 of 300+ Sort

Map showing property locations in Dallas, TX, USA.

Index cities

- **Texas cities:**
 - Houston
 - San Antonio
 - El Paso
 - Austin
 - Fort Worth
- **Other US cities:**
 - Philadelphia
 - San Diego
 - Phoenix
 - San Jose
 - Baltimore
 - Columbus
 - Boston

Index cities contact information

	<u>Population</u>	<u>Form of Government</u>	<u>Contact Dept.</u>	<u>Phone</u>
<u>Texas</u>				
Houston	2,313,000	Strong Mayor	Building Inspection Div.	832-394-9000
San Antonio	1,530,000	Council Manager	Zoning Division	210-207-1111
El Paso	683,577	Strong Mayor	Planning & Inspection	915-212-0104
Austin	964,254	Council Manager	Code Department	512-499-2855
Fort Worth	895,008	Council Manager	Planning & Development	817-392-1234
<u>Other US</u>				
Philadelphia	1,572,000	Strong Mayor	Permit /License Center	215-686-8656
Phoenix	1,660,000	Council Manager	Planning & Zoning	602-262-7131
San Jose	1,000,000	Council Manager	Planning Building/Code	408-535-3555
Baltimore	609,841	Strong Mayor	Dept. of Housing/Dev.	410-984-5757
Columbus	892,533	Strong Mayor	Director Public Safety	216-664-2210
Boston	694,583	Strong Mayor	Inspectional Services	617-635-5300
San Diego	1,456,000	Council Manager	Planning & Zoning	602-262-7131

Other U.S. cities

- **Baltimore, MD:**
 - Host must keep record of all rentals
 - Must have emergency contact for all guests
 - Host must reside within 15 miles of the facility
 - Licensing required
 - \$200 registration fee
 - Enforcement by Housing Commissioner

Other U.S. cities

- **Boston, MA:**
 - Registration required
 - Maximum stay: Fewer than 28 days
 - Registration number must be listed on all advertising
 - Monthly rental data reports to City required of booking services
 - Enforcement by Inspectional Services Department

Other U.S. cities

- **Columbus, OH:**
 - No surveillance equipment unless written notice given to tenants
 - 24 hour emergency contact number required for property manager
 - No permit required
 - Enforced by Director of Public Safety

Other U.S. cities

- **Denver, CO:**
 - Liability insurance required (\$1 M)
 - Regulations regarding sound equipment, noise and live music
 - Ban on advertising by non-licensed STRs
 - Adhere to zoning code requirements
 - Licenses required
 - Only primary residence may be used
 - City lodgers' tax and state sales tax
 - Enforced by Department of Excise and Licenses

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Other U.S. cities

- **Honolulu, HI:**

- Limits STRs to 1,700 units. Structure must be owner-occupied.
 - Estimate 800 legal STRs, plus 10,000 STRs operating illegally
 - New “whole home” (un-hosted) rentals are not allowed
- Must provide a telephone number for complaints to all neighbors within 250 feet of the STR
- Permits required from city and county; Registration required with state
 - Transient accommodations tax; general excise tax
- Penalties for non-compliance can escalate to \$10K/day plus confiscation of rental earnings
- Platforms (Airbnb, Vrbo) are required to report data on hosts (names, addresses, tax ID numbers, length of stay, amount paid), and remove listings that do not include permit numbers
- Enforcement by Department of Planning and Permitting

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Other U.S. cities

- **Philadelphia, PA:**
 - Commercial Activity license required
 - Excessive noise prohibited
 - Manager contact info must be provided to tenants
 - Hotel tax: 8.5%
 - Tenants' guests allowed only between 8 a.m. and 12:00 a.m.
 - Enforcement by Zoning Division and Code Enforcement Department

Other U.S. cities

- **Phoenix, AZ:**
 - License required
 - Must pay hotel/motel tax
 - Contact information required
 - No rentals in STRs for special events
 - Enforced by Zoning Division and Code Enforcement

Other U.S. cities

- **Portland, OR:**
 - Licensing required
 - Maximum stay: Fewer than 30 days
 - Tax: 11.5% on rental income
 - Owner occupancy required for 270 days per calendar year

Other U.S. cities

- **San Diego, CA:**

- Property manager must be present at all times (to prevent nuisance activity)
- Maximum of 2 lodgers at any time
- Off-street parking required (1 space for each two lodgers)
- Noise regulations
- Neighborhood use permit required
- Enforcement by Zoning Division and Code Enforcement Department
- More regulations are currently being considered in response to additional concerns expressed from neighborhoods

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Other U.S. cities

- **San Francisco, CA:**
 - Licensing required
 - Maximum stay: Fewer than 30 days
 - Tax: 14% of rental income received
 - Subletting prohibited
 - Owner occupancy required for 270 days per calendar year
 - Liability insurance required: \$500,000
 - Maximum occupancies
 - Studio: 2 persons
 - 1 bedroom: 3 persons
 - 2 bedroom: 6 persons
 - Enforced by Director of the Planning Department

Other U.S. cities

- **San Jose, CA:**

- Limit on number of guests at one time
- 180 day annual limit on rentals when owner not present
- Contact person contact information is required
- Operator must keep records of all rentals
- Enforced by Department of Planning, Building and Code Enforcement

State of Texas legislation

- During the 85th session (2017), the Texas Senate passed SB 451 (Senator Hancock, North Richland Hills) which would have prevented cities from imposing outright bans on short term rentals
 - The bill died in the Texas House of Representatives
- During the 86th Texas Legislature (2019) bills were filed in the House (Rep. Chen Button) identifying appropriate types of STR regulations
 - Hearings were held by Urban Affairs Committee
 - Nothing was passed out of Committee

Texas Senate Bill 451 (2017)

Summary (not adopted)



FOR IMMEDIATE RELEASE
April 18, 2017

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Short-Term Rental Legislation Passes Texas Senate, Heads to House

Hancock: "In Texas, we still believe property rights are a foundational freedom worth protecting"

AUSTIN - The Texas Senate today passed SB 451 authored by Senator Kelly Hancock (R-North Richland Hills). This legislation would prevent cities from imposing an outright ban on short-term rentals, which are commonly marketed on popular travel apps like HomeAway and Airbnb.

"Since short-term renting became mainstream, thousands of Texas homeowners have chosen to use their private property as a source of income to help make ends meet," said Hancock. "Nonetheless, a number of cities have banned the practice or are heading in that direction. In Texas, we still believe property rights are a foundational freedom worth protecting, and that's what this bill does."

Under SB 451, cities maintain their ability to set residential zoning restrictions, such as density or occupancy limits, and enforce traditional city ordinances. For instance, if a neighbor is too loud, they are subject to a municipal nuisance code violation and can be ticketed. The legislation does not inhibit a city's ability to regulate short-term rentals, but does prevent them from being banned outright.

The high demand for short-term rentals has contributed significantly to the Texas travel and tourism industry in recent years. In 2015 alone, short-term renting in Texas was associated with \$1.5 billion in economic activity. That number includes the economic impact of 16,000 permanent jobs, more than \$240 million in direct spending on lodging by short-term rental guests, and millions of dollars in additional spending on retail sales, ground transportation, food and beverage, and entertainment.

Having passed the Senate, SB 451 must now pass the Texas House of Representatives to become state law. To read the full text of the bill or follow its progress, visit [Texas Legislature Online](#).

###

Sen. Hancock represents [District 9](#), which includes portions of Dallas and Tarrant Counties. He currently serves as Chairman of the Texas Senate Committee on Business & Commerce.

License and Permit Bond

Purpose

License and Permit Bond — required by a municipality or other public body as a condition to granting a license or permit to engage in a specified activity, this bond guarantees that the party seeking the license or permit (the obligor) will comply with applicable laws or regulations. These bonds can also be structured to provide indemnity guarantees to third parties who sustain injury or damage as a result of the obligor's activities as described in the license or permit when such a guarantee is required. For example, businesses that hang signs over public sidewalks may be required to provide indemnity guarantees for injuries to pedestrians.

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