

**RESOLUTION NO.**

**WHEREAS**, on June 4, 2020, City Council approved Resolution No. 20200604-040 directing a spending framework for the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2021 and related funds including for a creative space disaster relief program, creative worker relief grant, and music disaster relief grant, as well as non-profit and small business relief grants; and,

**WHEREAS**, beginning on March 26, 2020. Emergency Order Nos. 20200326-008, 20200507-010, 20200724-18, 20200815-19, 20200930-20, 20201217-022, 20210128-025, 20210330, and 20210430-029 have prohibited certain eviction actions by landlords, including those of arts and music venues, in order to reduce the spread of COVID-19 and to decrease opportunities for person-to-person contact; and,

**WHEREAS**, on September 17, 2020, City Council approved the Save Austin's Vital Economic Sectors (SAVES) Resolution No. 20200917-062 directing the City Manager to explore and identify ways to support and to increase the survivability of those most vulnerable in Austin's hardest hit sectors, including music and arts venues; and,

**WHEREAS**, on March 25, 2021 City Council approved Resolution 20210325-066 directing the City Manager to identify existing funding, funds the City receives under the American Rescue Plan (ARP) Act of 2021, or funding available through FEMA reimbursement, able and available to be used to address the continued impact of COVID-19 by continuing support for small business assistance, including specific programs for restaurants and live music venues, as well as creating new grants for live music venues, art galleries, and cultural programming venues; and,

26           **WHEREAS**, Austin arts and music organizations, already reeling from  
27 displacement due to the rapid growth and development of the City, were faced with  
28 unprecedented and extreme financial challenges brought on by the necessary but  
29 drastic and prolonged responses to stem the spread of the COVID-19 virus,  
30 including closures, stay at home orders, and social distancing; and,

31           **WHEREAS**, a Brookings Institute study estimates that the impact of the  
32 COVID-19 pandemic resulted in the loss of 32.6 percent of Austin’s creative sector  
33 jobs between April 1, 2020 and July 31, 2020; and,

34           **WHEREAS**, 2020 CARES Relief funding – while essential – has thus far  
35 been insufficient in alleviating the pain being felt by arts and music organizations,  
36 groups, and individuals; and,

37           **WHEREAS**, the pandemic has significantly reduced the tourism economy  
38 and the funds generated by the Hotel Occupancy Tax (HOT) – the only dedicated  
39 source of public funding for the arts; and,

40           **WHEREAS**, the City of Austin has lost over \$75 million in HOT  
41 collections since the beginning of the COVID-19 pandemic; and,

42           **WHEREAS**, the HOT currently funds over 700 cultural contractors,  
43 including individual entrepreneurs, as well as small to large  
44 organizations/businesses; and,

45           **WHEREAS**, there is a shortfall in available HOT revenue to fully fund  
46 executed Cultural Arts contracts for Fiscal Year (FY) 2021; and,

47           **WHEREAS**, in order to follow through with the commitment to cultural  
48 contracts, the City of Austin budgeted a deficit which allowed the City to maintain

49 funding levels, and modified contracts to allow contractors to receive funding  
50 despite interruptions to in-person programming; and,

51 **WHEREAS**, this negative balance is currently projected to be carried over  
52 and resolved in FY 2022, which has a significant negative impact on the Cultural  
53 Arts HOT fund amount for FY 2022; and,

54 **WHEREAS**, historically underserved (ALAANA/BIPOC) and other  
55 marginalized organizations and communities (LGBTQIA and the differently-abled  
56 community), often already in economic distress due to systemic prejudice, were  
57 especially hard hit; and,

58 **WHEREAS**, on October 19, 2020, the Austin Music Commission  
59 unanimously approved a recommendation for the Austin Live Music Fund in  
60 acknowledgment of the need to financially support the growth of the Austin Music  
61 Industry with the Preservation, Innovation, and Elevation (PIE) funding  
62 recommendation/overlay which seeks to repair historic equity concerns within live  
63 music; and,

64 **WHEREAS**, there is a need to ensure funds already in the Live Music Fund,  
65 established by Ordinance No. 20190919-149, are quickly deployed during this  
66 recovery period from the economic crisis for the Austin music community; and,

67 **WHEREAS**, on December 3, 2020, City Council passed Resolution  
68 20201203-046 directing the establishment of the Iconic Music Fund with a one-  
69 time transfer of \$2.4 million in HOT funds; and,

70 **WHEREAS**, in December 2020, the Federal government adopted the  
71 Economic Aid to Hard-Hit Small Businesses, Non-profits, and Venues Act which

established the \$16 billion Shuttered Venue Operators Grant (SVOG) program administered by the Small Business Administration; and,

**WHEREAS**, City Council passed the March 2021 “Resilient ATX” Resolution No. 20210325-111 which directed staff to inventory funding available for relief and recovery, assist local individuals and organizations to apply for funds, and identified four priority areas for city administered funds: (1) homelessness and related housing, mental health, and substance use issues; (2) early childhood care and education that is high quality and affordable; (3) jobs for working class Austinites that include good wages, benefits, and workplace protections, and associated workforce development; and (4) food and housing insecurity; and,

**WHEREAS**, these four priority areas have direct correlations to the needs of individual members of the Austin arts and music communities; and,

**WHEREAS**, on March 3, 2021, the Austin Arts Commission unanimously recommended that City Council allocate a minimum of \$10 million per year in funding for the next two years from all available sources to Austin artists, art groups, and non-profit arts organizations to use for immediate relief from COVID-19 related losses and to address the reduction in revenue relative to revenues from pre-COVID (FY 2019) levels in HOT funds for cultural arts contracts in FY 2022 and FY 2023; and,

**WHEREAS**, these funds are proposed to be used by Austin artists, groups, and non-profit organizations for their use in retaining jobs, and to assist them in saving and sustaining their operations in this time of economic crisis; and,

95           **WHEREAS**, on April 5, 2021, the City of Austin’s Music Commission  
96           unanimously recommended a minimum of \$20 million per year for two years, from  
97           all available sources, to provide recovery for Austin music community losses due  
98           to the COVID-19 pandemic; and,

99           **WHEREAS**, these funds are proposed to go to Austin music professionals,  
100           organizations, and enterprises for their use in sustaining operations, fueling Austin  
101           music industry growth, and supporting the music community in the face of  
102           pandemic-related economic losses, a growing affordability crisis, and substantial  
103           institutional equity concerns in Austin; and,

104           **WHEREAS**, the City of Austin will receive an estimated \$195.8 million  
105           from the American Rescue Plan (ARP) Act of 2021 which must be spent by  
106           December 31, 2024; and,

107           **WHEREAS**, these funds can be used to respond to the public health  
108           emergency with respect to COVID-19, or its negative economic impacts, including  
109           assistance to households, small businesses, and nonprofits, or aid to impacted  
110           industries, such as tourism, travel, and hospitality; and,

111           **WHEREAS**, funds allocated to Austin from the ARP can be utilized for the  
112           provision of government services to the extent of the reduction in revenue relative  
113           to revenues collected in the most recent full fiscal year prior to the COVID-19  
114           pandemic (FY 2019); and,

115           **WHEREAS**, Travis County will undergo its own funding process through  
116           which ARP funds could be allocated, in part, to Austin’s various industries; and,

117           **WHEREAS**, Austin City staff developed an American Rescue Plan and  
118 Proposed COVID-19 spending framework to City Council on March 23, 2021;  
119 and,

120           **WHEREAS**, City staff's spending framework includes \$48.3 million in  
121 funding for HOT funded services, including at total of \$7.8 million over two years  
122 for the Cultural Arts Fund, \$10 million over 2 years for the Historic Preservation  
123 Fund, \$2.2 over two years for the Live Music Fund, and \$28.3 million over 2 years  
124 for the Austin Convention Center; and,

125           **WHEREAS**, swift action to appropriate these and other much-needed funds  
126 from all available sources will help move Austin's music and arts industry toward  
127 recovery and sustainability; and,

128           **WHEREAS**, such action will further demonstrate the City Council's  
129 acknowledgment of the critical role artists and musicians play in the overall  
130 economic health and character of Austin; and,

131           **WHEREAS**, Austin's artistic and musical reputation has placed the City in  
132 the national spotlight; **NOW, THEREFORE**,

133 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

134           The City Council re-affirms the four policy challenges prioritized for  
135 transformative investments as set forth in the Resilient ATX Resolution. In  
136 addition to these four priorities, the City Council and other local elected officials  
137 will be asked to consider other community funding needs, which should include  
138 options for investment in the region's creative economy.  
139

140 **BE IT FURTHER RESOLVED:**

141 The City Manager is directed to provide a plan to appropriate up to \$15  
142 million over two years (up to \$7.5 million per year) to ensure Austin artists, arts  
143 groups, and non-profit arts organizations receive immediate and sufficient relief  
144 from COVID-19 related losses to be used for grants to Austin artists, arts groups,  
145 and non-profit arts organizations. Such funding can be obtained from sources  
146 including, but not limited to:

- 147 • the American Rescue Plan Act of 2021;
- 148 • city general revenue funds; and
- 149 • any other municipal, state, or federal funding source deemed available to  
150 address this economic crisis.

151 The City Manager is directed to develop and present recommendations to  
152 Council on the best use of arts funds, including but not limited to:

- 153 • An expansion of the Legacy Business Program with a specific focus on non-  
154 profit arts venues and those not eligible for Shuttered Venue Operators  
155 Grants or prior city, county, state, or federal assistance;
- 156 • Creative Space Assistance Program;
- 157 • Cultural Arts Grants; and
- 158 • Creative Worker Relief Fund for arts sector recipients.

159 **BE IT FURTHER RESOLVED:**

160 The City Manager is directed to develop recommendations as a part of the  
161 Fiscal Year 2021-2022 budget to address the current deficit in Cultural Arts HOT  
162 funds over a multi-year period to reduce the immediate impact of reductions.

163 **BE IT FURTHER RESOLVED:**

164 The City Manager is directed to provide a plan to appropriate up to \$10 million  
165 over two years (up to \$5 million per year) to be used for grants to ensure Austin  
166 music professionals, organizations, and enterprises receive immediate and sufficient  
167 relief from COVID-19 related losses. Such funding shall be procured from sources  
168 including, but not limited to:

- 169 • the American Rescue Plan Act of 2021;
- 170 • city general revenue funds; and
- 171 • any other municipal, state, or federal funding source deemed available to  
172 address this economic crisis.

173 The City Manager is directed to develop and present recommendations to  
174 Council on the best use of music funds, including but not limited to:

- 175 • the Live Music Fund and its associated programs;
- 176 • the SAVES Live Music Venue Preservation Fund to provide grants to  
177 current applicants not currently funded and those that have not been able to  
178 access the Shuttered Venue Operators Grants or prior city, county, state, or  
179 federal assistance; and
- 180 • the Austin Creative Worker Relief Fund for music sector recipients.

181 **BE IT FURTHER RESOLVED:**

182 The City Manager is directed to explore whether any funds are also available  
183 to address losses to the music and arts communities due to Winter Storm Uri.  
184



185 **BE IT FURTHER RESOLVED:**

186 The City Manager is directed to report to City Council on the status of the  
187 allocation of these funds for arts and music by the June 8, 2021 Council Work  
188 Session. This report shall include steps City staff will take to expedite the  
189 administration and release of both current and new Live Music Fund monies to  
190 address the dire economic needs of re-opening the Austin music ecosystem.

191  
192 **ADOPTED:** \_\_\_\_\_, 2021 **ATTEST:** \_\_\_\_\_  
193 Jannette S. Goodall  
194 City Clerk  
195