

**[MUSIC COMMISSION] RECOMMENDATION YYYYMMDD-XXX**  
*[XXX is the agenda item number]*

Date: 08.07.2023

Subject: Fair Pay for SXSW Performing Artists

Motioned By: Scott. C. Strickland

Seconded By:

**Recommendation that the City of Austin Council Support Fair Pay for SXSW Performing Artists**

1. WHEREAS “Fair Pay” is described as “Prevailing Wage”
  2. WHEREAS City Council voted for the standard Pay Rate for all City-led Music performances at 200.00/hour/musician and the Austin Bergstrom International Airport, the largest employer of musicians in Austin with over 1400 performances a year will raise the rate for musicians to 200.00/musician at the beginning of their new fiscal year October 13, 2023, and all of these performances can be considered public works.<sup>1</sup>
- WHEREAS SXSW has created an international reputation for Austin as a singular international business and tourist destination that has brought in millions of economic impact dollars and is one of the biggest revenue-producing events for the Austin economy, with an estimated yearly economic impact ranging between 280.7-355.9 million over its past 5 years.<sup>2</sup>
3. WHEREAS despite the over 300 million dollar economic windfall SXSW generates for the city of Austin, musicians are still leaving the city in alarming rates due to issues surrounding affordability.<sup>3</sup>
  4. WHEREAS, The City of Austin has demonstrated support for SXSW as a benefit to the City of Austin by waiving fees associated with Vic Mathias Shores (aka Auditorium Shores) for use by SXSW and where such fees amounted to \$23,430 in 2023<sup>4</sup>; and SXSW also uses City of Austin park space for volunteer, ticketed, and community events, often free of charge, per cosponsorship agreements.
  5. WHEREAS despite SXSW paying non-musicians prevailing wages, musicians are paid at a sub standard rate as part of musicians’ agreements with SXSW inasmuch as the recent increase of 150.00 for Solo Artists or duos and 350.00 for bands of 3 or more falls below pay standards for musicians, and musicians are paid nothing at all should they decide to take an SXSW platinum badge as compensation.
  6. WHEREAS the type and amount of compensation paid to artists reflects our City’s values and vision; and<sup>5</sup>
  7. WHEREAS the City of Austin commits to standards of fair pay enshrined in laws such as the Davis-Bacon Act of 1931 to ensure projects funded by Public Funds that serve the public’s needs pay local prevailing wages to laborers<sup>6,7</sup>.

**NOW, THEREFORE, BE IT RESOLVED that Music Commission:**

1. Recommends the Austin City Council direct the City Manager, Legal Department, and the Music Entertainment Division of the Economic Development Department to consider the labor of any musician hired by the City, or hired as part of an agreement the City makes with private businesses, as public works.
2. Recommends the Austin City Council direct the City Manager and Legal Department utilize every tool at its disposal, including legal frameworks for contract negotiations, to mandate that any and all entities negotiating with the city concerning live music performances pay hired musicians the prevailing wage for music performances and that these performances are considered public works where legally appropriate, as well as publicly demonstrate support and for fair pay business practices whenever prevailing wages are paid voluntarily or through contract negotiation.
3. Recommends the City of Austin begin implementing the above no later than October 1, 2023 (Fiscal year 2024), and that all city contracts, co sponsorship agreements, and any other agreements between city departments any other entities begin to reflect prevailing wage standards for musicians beginning the FY 2024 fiscal year.

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<sup>1</sup>. <https://www.kxan.com/news/local/austin/austin-to-vote-on-standard-pay-rate-for-all-city-led-music-performances/>

<sup>2</sup>. <https://www.sxsw.com>

<sup>3</sup>. <https://www.pbs.org/video/city-limits-1688593363/>

<sup>4</sup>. PARD Event Contract SXSW 2023

5. <https://www.austintexas.gov/department/vision-and-values>
6. <https://www.dol.gov/agencies/eta/foreign-labor/wages>
7. <https://www.austintexas.gov/department/wage-compliance>

Vote

For:

Against:

Abstain:

Absent:

Attest: *[Staff or board member can sign]*