

## ORDINANCE NO.

1     **AN ORDINANCE WAIVING CERTAIN FEES AND REQUIREMENTS UNDER**  
2     **CITY CODE CHAPTER 14-8; WAIVING CERTAIN OTHER FEES,**  
3     **PAYMENTS, AND REQUIREMENTS; AUTHORIZING PAYMENT OF**  
4     **CERTAIN COSTS BY CITY DEPARTMENTS; AND WAIVING OR**  
5     **MODIFYING CERTAIN REQUIREMENTS OF CITY CODE SECTIONS 9-2-36,**  
6     **9-2-38, 9-2-54, 13-2-336, 14-8-14, AND 25-10-158 FOR THE CITY CO-**  
7     **SPONSORED MARCH 11-21, 2016 SOUTH BY SOUTHWEST CONFERENCES**  
8     **AND FESTIVALS.**

### 9     **PART 1. FINDINGS**

- 10           (1)     The City of Austin (the "**City**") has been the host city for the South By  
11                   Southwest Conferences and Festivals (the "**SXSW Event**") since the first  
12                   SXSW Event in 1987;
- 13           (2)     The SXSW Event brings hallmark cultural value to the City by featuring  
14                   creative talent, including musical performers, film producers, technology  
15                   trailblazers, and speakers who are leaders in their respective industries;
- 16           (3)     The SXSW Event has grown into an internationally recognized event that  
17                   attracts attendees and companies from all over the world to Austin, with an  
18                   economic impact of over \$1 billion for the City of Austin over the past five  
19                   years;
- 20           (4)     The SXSW Event is a City co-sponsored Event, providing a range of free  
21                   public concerts and other popular cultural events attended by thousands of  
22                   Austin residents annually;
- 23           (5)     City services provided during the SXSW Event protect and benefit everyone  
24                   in downtown Austin, including local businesses, the Austin community,  
25                   visitors, and SXSW Event attendees and participants;
- 26           (6)     Safety during the SXSW Event is the top priority for SXSW, LLC  
27                   ("**SXSW**") and the City;
- 28           (7)     The 2016 SXSW Event will be held March 11-21, 2016 (the "**2016 SXSW**  
29                   **Event**"); and
- 30           (8)     For the 2016 SXSW Event, SXSW will make payment to the City of  
31                   approximately \$171,905 which will include payment of the following City  
32                   fees:

- a. Event Day Fees for Vic Mathias Shores (Parks and Recreation) (\$15,000);
- b. Event Set Up Fees for Vic Mathias Shores (Parks and Recreation) (\$1,500);
- c. Event Take Down/Clean-up Day Fees for Vic Mathias Shores (Parks and Recreation) (\$1,000);
- d. Alcohol Permit Fee for Vic Mathias Shores (Parks and Recreation) (\$30);
- e. Sound Permit Fee for Vic Mathias Shores (Parks and Recreation) (\$30);
- f. Maintenance Fee for Vic Mathias Shores (Parks and Recreation) (\$12,000)
- g. Additional Street Closure Permit Fees (Austin Transportation) (\$40,400);
- h. Application Fee (Austin Transportation) (\$250);
- i. Parking Application Fee (Austin Transportation) (\$35);
- j. Sound amplification fees (Austin Transportation) (\$660);
- k. Safety Inspection Fee (Austin Transportation) (\$11,000);
- l. Lamp Post Banner Fees (Austin Transportation) (\$20,000);
- m. Standby Fees (Emergency Medical Services) (\$20,000); and
- n. Inspection and Permitting Fees for SXSW produced events (Austin Fire Department) (\$50,000).

**PART 2.** Council waives certain fees and requirements under City Code Chapter 14-8 (Temporary Closure for Right of Way Event), and certain other fees, payments, and requirements for free, City co-sponsored events that are open to the public in public areas during the 2016 SXSW Event. The amounts listed below are the maximum amounts waived or authorized under this ordinance.

**Fees Waived by City Departments**

1. Utilities and Equipment Use Fees for Carver Museum (Parks and Recreation) \$910

2.	Event Day Fees for Carver Museum (Parks and Recreation)	1,400
3.	Parking Spaces Use Fee (Austin Transportation)	77,500
4.	Street Closure Permit Fee (Austin Transportation)	20,000
5.	Traffic Control Plan (Austin Transportation)	4,500
6.	Additional Street and Litter Control Services (Austin Resource Recovery)	<u>65,000</u>
<b>Total fees waived not to exceed</b>		<b>\$169,310</b>

**Payments Authorized by City Departments**

1.	Additional Dumpsters and Service (Austin Resource Recovery)	\$60,000
2.	Barricade Costs (Austin Transportation)	<u>80,000</u>
<b>Total payments authorized not to exceed</b>		<b>\$140,000</b>

**Total Estimated Fee Waivers and Payments                    \$309,310**

**Requirement Waived**

\$2,000 refundable security deposit requirement (Parks and Recreation Department)

**Part 3.** In addition to the right-of-way closures as requested by SXSW and in order to increase mobility while maintaining a clean and safe public environment for Austin's downtown entertainment districts during the 2016 SXSW Event, Council directs the City Manager to facilitate at City expense safety closures in the Downtown area for the general traveling public as the Manager deems necessary for public safety, and pursuant to the City of Austin's Traffic Control Plan, but no earlier than 3AM and no later than 5PM daily during the following dates (unless otherwise deemed necessary by the Manager or the Manager's designee), including the following streets:

- 200 – 600 block of East 6<sup>th</sup> Street, March 11 – 20, 2016 ;
- 500 – 900 Block of Red River, March 15 – March 20, 2016; and
- 100 Block of Rainey Street, March 15 – March 20, 2016.

1 **Part 4.** Council waives the closure notice requirements that allow affected individuals  
2 and neighborhood associations to object to street closures under City Code Section 14-8-  
3 14 (Temporary Closure for Right of Way Event) for the 2016 SXSW Event.

4 **Part 5.** Council directs the City Manager to facilitate Safety Closures in the right-of-way  
5 as requested by Austin's live music venues that are deemed necessary for public safety.

6 **Part 6.** Council directs the City Manager to create a comprehensive traffic control plan  
7 that incorporates all right-of-way closures in effect within the Central Business District  
8 during the 2016 SXSW Event. The comprehensive traffic control plan shall reflect 2016  
9 SXSW Event official closures, pre-planned City safety closures, private third-party safety  
10 closures, and any additional street or lane closures deemed necessary.

11 **Part 7.** Council modifies the following City Code requirements and restrictions  
12 otherwise required of SXSW during the 2016 SXSW Event. Nothing in these  
13 modifications is intended to waive required City staff approvals.

- 14 (1) With respect to events that are produced or represented by SXSW for the  
15 2016 SXSW Event, the restriction on maximum number of days for a multi-  
16 day special events permit in City Code Sections 9-2-36 (Types of Live  
17 Music Permits) and 9-2-38(B) (Multi-day Special Events Permit) is modified  
18 to allow a multi-day permit for no more than ten (10) consecutive or non-  
19 consecutive days during a 30-day period.
- 20 (2) With respect to events that are produced or represented by SXSW for the  
21 2016 SXSW Event, the restriction in City Code Section 9-2-38(F) (Multi-  
22 day Special Events Permits) is modified to allow a permit to be issued for a  
23 site or property that is used as a parking lot even if the lot is not leased by an  
24 adjacent commercial structure.
- 25 (3) With respect to events that are produced or represented by SXSW for the  
26 2016 SXSW Event, the notice of application for multi-day permits in City  
27 Code Section 9-2-54 (Notice of Application) is modified to waive the notice  
28 requirement in Subsection 9-2-54(B).
- 29 (4) With respect to events that are produced or represented by SXSW for the  
30 2016 SXSW Event, City Code Section 25-10-158 (*Special Event Signs*) is  
31 modified as follows:
  - 32 (b) Subsection 25-10-158(B)(1) is modified to allow a maximum of five  
33 (5) signs;
  - 34 (c) Subsection 25-10-158(B)(2) is modified to allow projected signs that  
35 may not exceed the lesser of 75% of the area of a facade or 9000  
36 square feet;

- 1 (d) Subsection 25-10-158(B)(3) is modified to allow advertising to appear  
2 on no more than 75 % of the sign area;
- 3 (e) Subsection 25-10-158(C)(1) is modified to allow signs no larger than  
4 360 square feet; and
- 5 (f) Subsection 25-10-158(C)(2) is modified to allow advertising to appear  
6 on no more than 50% of the sign area
- 7 (5) For events that are produced or represented by SXSW for the 2016 SXSW  
8 Event, City Code Subsection 25-10-158(C)(1) (Special Event Signs) is  
9 further modified to allow, subject to the director's approval, additional non-  
10 projected signs that provide direction to activities occurring at the 2016  
11 SXSW Event. The Manager may disapprove a sign authorized by this  
12 paragraph if it is determined that the sign constitutes a threat to public health  
13 and safety or constitutes a traffic hazard.
- 14 (6) City Code Section 13-2-336 (*Operating Authority Limitations*) is modified  
15 to authorize the Austin Transportation Department to issue operating  
16 authority to a maximum of twenty (20) low-speed vehicle services for use  
17 during the 2016 Spring Festival Season.

18 **PART 8.** The City Manager is further directed to negotiate an economic development  
19 agreement with SXSW in order to create a sustainable framework for the City and SXSW  
20 for future SXSW Events.

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**PART 9.** This ordinance takes effect on \_\_\_\_\_, 2015.

**PASSED AND APPROVED**

\_\_\_\_\_, 2015

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Steve Adler  
Mayor

**APPROVED:** \_\_\_\_\_

Anne L. Morgan  
City Attorney

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk